

# Media Bill

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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**Clause 19**

LORD PARKINSON OF WHITLEY BAY

Clause 19, page 21, line 37, after “service” insert “or a non-UK on-demand programme service”

***Member's explanatory statement***

*This amendment secures that section 368J(4), (5) and (7) of the Communications Act 2003 applies for determining the qualifying revenue derived from a non-UK on-demand programme service.*

**Clause 20**

LORD PARKINSON OF WHITLEY BAY

Clause 20, page 24, line 3, at end insert –

“(aa) where it is a service that forms part of a designated internet programme service, it satisfies the conditions in subsection (2AA), and”

***Member's explanatory statement***

*This amendment and my amendment to clause 20 at page 24, line 5, add to the requirements for a relevant service which is part of a multi-service designated internet programme service (see section 362AA(10)(c), inserted by clause 28).*

LORD PARKINSON OF WHITLEY BAY

Clause 20, page 24, line 5, at end insert –

“(2AA) The conditions are –

(a) that the relevant service is provided by –

- (i) the BBC or a person associated with the BBC otherwise than with a view to generating a profit,
- (ii) the provider of a Channel 3 service, Channel 4 or Channel 5,
- (iii) S4C, or

- (iv) a person associated with a broadcaster mentioned in sub-paragraph (ii) or (iii);
- (b) that, where it is provided by the BBC or a person associated with the BBC, the service contributes to the promotion of one or more of the BBC's public purposes;
- (c) that, where it is provided by a broadcaster referred to in paragraph (a)(ii) or (iii) or a person associated with such a broadcaster, the broadcaster's latest statement of programme policy under –
  - (i) section 266 or 267 of the Communications Act 2003, or
  - (ii) paragraph 4 of Schedule 12 to that Act,
 states that the service will be used to fulfil the public service remit for the Channel 3 service, Channel 4 or Channel 5 or (as the case may be) S4C's public service remit."

***Member's explanatory statement***

*See the explanatory statement for my amendment to clause 20 at page 24, line 3.*

LORD PARKINSON OF WHITLEY BAY

Clause 20, page 24, line 13, at end insert –

“(2C) Section 362AZ12(6) of the Communications Act 2003 (meaning of references to a person associated with a public service broadcaster) applies for the purposes of subsection (2AA) as it applies for the purposes of Part 3A of that Act.””

***Member's explanatory statement***

*This amendment is consequential on my amendment to clause 20 at page 24, line 5.*

LORD PARKINSON OF WHITLEY BAY

Clause 20, page 24, line 36, at end insert –

“(vii) it is not a service of the kind described in section 362AA(10)(c) of the Communications Act 2003 (internet programme services which provide programmes by means of an on-demand programme service or non-UK on-demand programme service and at least one other service).”

***Member's explanatory statement***

*This amendment secures that “relevant service” does not include a service falling within section 362AA(10)(c) of the Communications Act 2003, inserted by clause 28 (multi-service internet programme services that contain at least one relevant service).*

**Clause 21**

LORD PARKINSON OF WHITLEY BAY

Clause 21, page 25, line 16, after “service” insert “(“the first service”)”

***Member's explanatory statement***

*This amendment and my amendment to clause 21 at page 25, line 21, alter the definition of exclusively granting rights to include live coverage of a Group A event.*

LORD PARKINSON OF WHITLEY BAY

Clause 21, page 25, line 21, leave out from “granted” to “and” in line 28 and insert “such rights to include live coverage of the whole or, as the case may be, that part of the event in one or more other relevant services as are sufficient to authorise, in accordance with section 101(2) or (3) or, as the case may be, section 101(4), the inclusion in the first service of the live coverage in question,”

***Member's explanatory statement***

*See the explanatory statement for my amendment to clause 21 at page 25, line 16.*

**Clause 22**

LORD PARKINSON OF WHITLEY BAY

Clause 22, page 27, line 13, leave out from beginning to “and” in line 14 and insert –

“(d) at least two of the second and further services are television programme services,”

***Member's explanatory statement***

*This amendment allows relevant services which are not television programme services to be part of the adequate live coverage of a listed event.*

**Clause 23**

LORD PARKINSON OF WHITLEY BAY

Clause 23, page 28, line 31, leave out from “the” to “or” in line 32 and insert “numbers of relevant services of particular descriptions in which the live coverage is included (subject to section 101(4)(d)),”

***Member's explanatory statement***

*This amendment is consequential on my amendment to clause 22 at page 27, line 13.*

**After Clause 26**

BARONESS GREY-THOMPSON

BARONESS BONHAM-CARTER OF YARNBURY

*This amendment replaces the amendment printed on HL Bill 44(r)*

After Clause 26, insert the following new Clause –

**“Facilitating access to public service broadcasting**

In the Communications Act 2003, before section 198 (and before the headings “Chapter 1” and “The BBC, C4C the Welsh Authority and the Gaelic media service” that precede section 198) insert –

**“CHAPTER A1**

**CODE OF GUIDANCE ON ACCESS TO PUBLIC SERVICE BROADCASTING**

**197A OFCOM guidance on access to public service broadcasting services**

- (1) In this section, “public service broadcasting services” means –
  - (a) the television broadcasting services provided by the BBC;
  - (b) the television programme services that are public services of the Welsh Authority (within the meaning of section 207);
  - (c) every Channel 3 service;
  - (d) Channel 4;
  - (e) Channel 5.
- (2) OFCOM must prepare, publish and from time to time review guidance regarding the practices that OFCOM consider it desirable for relevant persons to adopt to promote ease of access for audiences to public service broadcasting services.
- (3) OFCOM’s guidance under subsection (2) must be contained in one or more codes.
- (4) A code under subsection (2) must contain, in particular, such guidance as OFCOM consider appropriate to promote attainment of the following objectives –
  - (a) the objective that the means of selecting and using public service broadcasting services should be prominently displayed (without prejudice to section 310);
  - (b) the objective that services can be found and selected without undue complexity;
  - (c) the objective that the particular needs of members of the audience who have a disability are met in the provision of content.
- (5) Before publishing such a code, and when reviewing such a code, OFCOM must consult –
  - (a) relevant persons or representatives of such persons, and
  - (b) any other persons OFCOM consider appropriate.
- (6) OFCOM must take such steps as they consider appropriate to promote compliance with a code under subsection (2) by relevant persons.
- (7) In this section ““relevant persons”” means persons who –
  - (a) provide public service broadcasting services, or

- (b) have general control over the manner in which public service broadcasting services are presented to audiences.
- (8) References in this section to “audiences” are –
  - (a) to all members of the public in the United Kingdom, or
  - (b) where a service is intended for audiences in a particular area of the United Kingdom, to members of the public in that area.”

***Member's explanatory statement***

*This new Clause imposes a new requirement on Ofcom to publish voluntary guidance for relevant persons to adopt to promote ease of access for audiences to public service broadcasting services and sets out the objectives that the guidance should look to promote.*

**Clause 27**

LORD PARKINSON OF WHITLEY BAY

Clause 27, page 32, line 17, leave out “public service broadcasters” and insert “this Part”

***Member's explanatory statement***

*This amendment corrects a drafting error.*

**Schedule 2**

LORD PARKINSON OF WHITLEY BAY

Schedule 2, page 123, line 22, leave out “for “televise” substitute “show”” and insert “after “means” insert “–

- (i) in relation to a financial penalty imposed under subsection (A1) or (B1), an amount determined by OFCOM to be the value of the rights to include coverage of the event in question in the relevant service at the time when the rights are acquired, and
- (ii) in relation to a financial penalty imposed under subsection (1) or (2),”

***Member's explanatory statement***

*This amendment specifies the method for determining the maximum financial penalty that OFCOM may impose under section 102(A1) or (B1) of the Broadcasting Act 1996.*

LORD PARKINSON OF WHITLEY BAY

Schedule 2, page 123, line 31, leave out “(b),” and insert “(b) –

- (i) for “section 102(1)” substitute “section 102(A1) or (1);”

***Member's explanatory statement***

*This amendment adds a consequential amendment relating to paragraph 16 of Schedule 2.*

## LORD PARKINSON OF WHITLEY BAY

Schedule 2, page 124, line 2, after first “coverage” insert “, “adequate live coverage””

***Member's explanatory statement***

*This amendment is consequential upon clause 23.*

## LORD PARKINSON OF WHITLEY BAY

Schedule 2, page 124, line 7, leave out sub-paragraph (4)

***Member's explanatory statement***

*This amendment and my amendments to Schedule 2 at page 124, line 14, and at page 124, line 20, remove definitions of terms and are further to amendments made in the House of Commons.*

## LORD PARKINSON OF WHITLEY BAY

Schedule 2, page 124, line 14, after “service” insert “and “television broadcasting service””

***Member's explanatory statement***

*See the explanatory statement for my amendment to Schedule 2 at page 124, line 7.*

## LORD PARKINSON OF WHITLEY BAY

Schedule 2, page 124, leave out lines 20 and 21

***Member's explanatory statement***

*See the explanatory statement for my amendment to Schedule 2 at page 124, line 7.*

**Clause 28**

## LORD PARKINSON OF WHITLEY BAY

Clause 28, page 43, line 12, leave out “provided by” and insert “included in”

***Member's explanatory statement***

*This amendment and my amendment to clause 28 at page 44, line 13, are minor drafting changes.*

## LORD PARKINSON OF WHITLEY BAY

Clause 28, page 44, line 13, leave out “provided by” and insert “included in”

***Member's explanatory statement***

*See the explanatory statement for my amendment to clause 28 at page 43, line 12.*

### Schedule 3

LORD PARKINSON OF WHITLEY BAY

Schedule 3, page 130, line 16, at end insert—

“1A In section 393 (general restrictions on disclosure of information), in subsection (6), in paragraph (a), after “137A” insert “, 362AG(7), 362AW”.”

***Member's explanatory statement***

*This amendment adds a consequential amendment relating to clause 28.*

### Schedule 4

LORD PARKINSON OF WHITLEY BAY

Schedule 4, page 134, line 8, at end insert—

“21A In section 39 (interpretation of Part 1), in subsection (1), in the definition of “S4C” and “S4C Digital”—  
(a) omit ““S4C” and”; and  
(b) omit “each”.”

***Member's explanatory statement***

*This amendment and my amendment to Schedule 4 at page 134, line 18, add consequential amendments relating to Chapter 2 of Part 3.*

LORD PARKINSON OF WHITLEY BAY

Schedule 4, page 134, line 18, at end insert—

“23A In section 105 (interpretation of Part 4 and supplementary provisions), in subsection (1), omit the definition of “S4C”.”

***Member's explanatory statement***

*See the explanatory statement for my amendment to Schedule 4 at page 134, line 8.*

### Clause 38

LORD PARKINSON OF WHITLEY BAY

Clause 38, page 81, line 27, at end insert—

“(2) In section 393 of that Act (general restrictions on disclosure of information), in subsection (6), after paragraph (aa) insert—  
“(ab) limits the information that may be published by OFCOM under section 368OB;”.”

***Member's explanatory statement***

*This amendment adds a consequential amendment relating to clause 38.*

**Clause 48**

VISCOUNT COLVILLE OF CULROSS  
LORD FOSTER OF BATH

Clause 48, page 91, line 16, at end insert—

- “(7) The Secretary of State must, within six months of the passing of the Media Act 2024, review whether the definition of ‘radio selection service’ should be extended to include any devices which—
- (a) enable, or among other things enable, a user to cause a radio service to play, and
  - (b) are operated other than by giving spoken commands that are recorded by equipment connected to the internet”

***Member's explanatory statement***

*This probing amendment would require the Secretary of State, within 6 months of the Media Act 2024 passing, to review whether the Act’s provisions for radio selection services should be extended to other devices on which people access radio, including devices which are not voice-activated.*

**Schedule 9**

LORD PARKINSON OF WHITLEY BAY

Schedule 9, page 163, line 14, at end insert—

- “1A In section 393 (general restrictions on disclosure of information), in subsection (6), in paragraph (a), after “362AW” (inserted by paragraph 1A of Schedule 3) insert “, 362BC(6)”.”

***Member's explanatory statement***

*This amendment adds a consequential amendment relating to clause 48.*





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