

# Media Bill

---

---

MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
ON REPORT

[Amendments marked ★ are new or have been altered]

Amendment  
No.

---

Clause 1

BARONESS BULL  
VISCOUNT COLVILLE OF CULROSS  
BARONESS FRASER OF CRAIGMADDIE  
BARONESS BONHAM-CARTER OF YARNBURY

- 1★ Clause 1, page 2, line 29, after “(taken together)” insert “comprises a public service for the dissemination of information and for the provision of education and entertainment, which”

*Member's explanatory statement*

*This amendment reinstates the fundamental Reithian ethos of public service broadcasting (including the important contribution of public service broadcasting to life long learning), the vital role of public service broadcasting in increasing understanding in issues of civic importance, and the relationship between public service broadcasting and a thriving cultural and creative economy.*

BARONESS BULL  
VISCOUNT COLVILLE OF CULROSS  
BARONESS FRASER OF CRAIGMADDIE  
BARONESS BONHAM-CARTER OF YARNBURY

- 2★ Clause 1, page 2, line 35, after “Kingdom” insert “that stimulates interest and better understanding of science, the arts, international affairs, a wide range of sports, religion and other faiths and that supports and stimulates the creative industries and cultural activity, in all its diversity, across the United Kingdom”

*Member's explanatory statement*

*This amendment reinstates the fundamental Reithian ethos of public service broadcasting (including the important contribution of public service broadcasting to life long learning), the vital role of*

*public service broadcasting in increasing understanding in issues of civic importance, and the relationship between public service broadcasting and a thriving cultural and creative economy.*

BARONESS FRASER OF CRAIGMADDIE

3★ Clause 1, page 2, line 38, at end insert –

“(iii) a sufficient quantity of audiovisual content in the Gaelic language as spoken in Scotland, to be broadcast or otherwise distributed for reception in Scotland and across the rest of the United Kingdom;”

***Member's explanatory statement***

*This amendment, along with another amendment to Clause 1 in the name of Baroness Fraser of Craigmaddie, seeks to ensure that a sufficient quantity of audiovisual content in the Gaelic language as spoken in Scotland is broadcast or otherwise distributed for reception in Scotland and across the rest of the United Kingdom.*

BARONESS BULL  
BARONESS FRASER OF CRAIGMADDIE  
BARONESS BONHAM-CARTER OF YARNBURY

4★ Clause 1, page 2, line 44, insert –

“(ia) is of an educational nature, and”

***Member's explanatory statement***

*This amendment clarifies the importance of educational programming for children and young people as distinct from programming that reflects their lives and concerns.*

BARONESS FRASER OF CRAIGMADDIE

5★ Clause 1, page 5, line 19, at end insert –

“(4A) in subsection (12)(c), insert –

“(ca) the Gaelic Media Service so far as relates to subsection (5)(b)(iii); and”

***Member's explanatory statement***

*This amendment, along with another amendment to Clause 1 in the name of Baroness Fraser of Craigmaddie, seeks to ensure that a sufficient quantity of audiovisual content in the Gaelic language as spoken in Scotland is broadcast or otherwise distributed for reception in Scotland and across the rest of the United Kingdom.*

**Clause 14**

BARONESS FRASER OF CRAIGMADDIE  
LORD MCNALLY  
VISCOUNT COLVILLE OF CULROSS

6★ Clause 14, page 17, line 31, at end insert –

“(9A) After subsection (4) insert –

“(4A) When determining the number of hours OFCOM consider appropriate under subsection (1) they must ensure, within two years of the day on which the Media Act 2023 is passed, that the number of hours would result in at least 50% of programmes broadcast, measured by both hours and expenditure, being made outside of London and 16% from the nations of the United Kingdom other than England, in proportion to their relative populations.””

**After Clause 23**

LORD ADDINGTON

7★ After Clause 23, insert the following new Clause –

**“Adequate on-demand coverage to be available**

After section 101 of the Broadcasting Act 1996, insert –

**“101ZA Provision of adequate on-demand coverage**

- (1) The purpose of this section is to secure, in relation to a listed event, that if any person makes available on-demand coverage of the whole or any part of that event, adequate on-demand coverage is made available widely and free of charge to members of the public in the United Kingdom, whether by that person or another person.
- (2) In this Part, in relation to a listed event or part of such an event, “on-demand coverage” means audiovisual content consisting of coverage of, or excerpts from that event (or a combination of those), where –
  - (a) a person makes a range of such content available to members of the public, whether through a relevant service or otherwise,
  - (b) selections from that range can be made by the user and viewed at a time chosen by the user (even if it may be viewed only within a period specified by the person making it available),
  - (c) the selected content is received by the user by means of the internet, and
  - (d) the content otherwise meets any criteria or requirements specified (either generally or in relation to particular listed events) by regulations under section 104ZA,

and “on-demand rights” means rights to make on-demand coverage available for access by members of the public in the United Kingdom.

- (3) Any contract entered into on or after the day on which section (*Adequate on-demand coverage to be available*) of the Media Act 2024 comes into force under which a person acquires on-demand rights is void so far as it purports –
  - (a) in relation to the whole or any part of the event, or
  - (b) in relation to access by means of the internet, in the United Kingdom,to grant those rights exclusively.
- (4) For the purposes of this section, on-demand rights are granted exclusively if the person granting them –
  - (a) has not granted any such right in respect of the whole or, as the case may be, that part of the event to more than one person, and
  - (b) is precluded by the terms of the contract from doing so.
- (5) For the purposes of subsection (4)(a), rights are not to be treated as having been granted to more than one person where the only persons to whom such rights have been granted are connected with each other.
- (6) No person may provide on-demand coverage of a listed event unless authorised to do so under subsection (7), (8) or (9), even if that person is authorised to include live coverage of that event in a relevant service by subsection (2), (3) or (4) of section 101.
- (7) The provision of on-demand coverage of a listed event is authorised by this subsection if –
  - (a) on-demand rights have been acquired by the provider of a relevant service falling within section 98(1)(a),
  - (b) that relevant service includes live coverage of that event, and
  - (c) the on-demand coverage provided that provider –
    - (i) constitutes adequate on-demand coverage of the event, and
    - (ii) may be accessed free of charge.
- (8) The provision of on-demand coverage of a listed event is authorised by this subsection if –
  - (a) on-demand rights have been acquired by one or more persons,
  - (b) those persons are not connected with each other,
  - (c) the on-demand coverage provided by at least one of those persons –
    - (i) constitutes adequate on-demand coverage of the event, and
    - (ii) may be accessed free of charge,and
  - (d) the person or persons who have acquired rights to provide the adequate on-demand coverage satisfy the requirements in relation to that coverage of any regulations made under section 104ZA for the purposes of this paragraph.
- (9) The provision of on-demand coverage of a listed event is authorised by this subsection if OFCOM have consented in advance to such provision.

- (10) OFCOM may revoke any consent given by them under subsection (9).
- (11) The code drawn up by OFCOM under section 104 shall include guidance on the matters which they will take into account in determining whether to give or revoke their consent for the purposes of subsection (9).
- (12) Regulations under section 104ZA (regulations about coverage of listed events) may include provision –
  - (a) specifying (either generally or in relation to particular listed events) any criteria or requirements that content must meet in order to be regarded as on-demand coverage for the purposes of subsection (2)(d);
  - (b) for determining for the purposes of this section what (whether generally or in relation to particular circumstances) is to be taken to represent the provision of adequate on-demand coverage of an event for the purposes of subsection (8)(d).
- (13) Failure to comply with subsection (6) shall not affect the validity of any contract.
- (14) Subsection (6) shall not have effect where the person providing the on-demand coverage is exercising on-demand rights acquired before the commencement of this section.
- (15) In this section, “on-demand coverage” and “adequate on-demand coverage” are to be construed in accordance with regulations under section 104ZA.
- (16) For the purposes of sections 104A (provision of information) and 104B (penalties for failure to provide information), any person making available, or wishing to make available, on-demand coverage of the whole or any part of any listed event shall be treated as a person who is within subsection (5) of section 104A.””

***Member's explanatory statement***

*This new Clause would secure that, where possible, adequate on-demand coverage of listed events, such as clips and excerpts, is made available free of charge to audiences in the United Kingdom.*

**After Clause 26**

BARONESS BENJAMIN

**8★** After Clause 26, insert the following new Clause –

**“Review of children’s access to culturally relevant and age-appropriate original UK content**

Within 12 months of the passing of this Act, the Secretary of State must prepare and publish a report on how to ensure that children have access to culturally relevant and age-appropriate original UK audiovisual content, and how such content might be funded.”

***Member's explanatory statement***

*This new Clause would require a review of how to ensure children have access to culturally relevant and age-appropriate original UK content, given their viewing habits which include using smartphones, social media, video sharing platforms and SVOD services, rather than more traditional methods of delivering television.*

**Clause 28**

LORD NORTHBROOK

9★ Clause 28, page 44, line 9, at end insert –

“(f) any other public service channel in relation to which provision is in force under section 310(4) whose internet programme service OFCOM determines is appropriate to designate under this section.”

***Member's explanatory statement***

*The amendment would ensure consistency between the definition of a public service channel in this section with section 310(4) of the Communications Act, consequently bringing local TV and any potential future public service channels approved by Parliament within the carriage and prominence framework for designated internet programme services, subject to OFCOM approval.*

**Clause 38**

BARONESS THORNTON

10★ Clause 38, page 81, line 32, at end insert –

“(4A) When considering the adequacy of age ratings as an audience protection measure, OFCOM must assess whether any age ratings used by a Tier 1 service are –

- (a) widely recognised by the United Kingdom public,
- (b) underpinned by a transparent set of standards, and
- (c) informed by regular consultation with the United Kingdom public.”

***Member's explanatory statement***

*This would require OFCOM to consider whether age ratings systems used by a tier 1 service meet a set of minimum standards.*

**Clause 50**

BARONESS HOLLINS  
EARL ATTLEE  
LORD LIPSEY  
LORD WATSON OF WYRE FOREST

11★ Clause 50, page 116, line 26, leave out subsections (2) and (3) and insert –

“(2) Section 40(3) is omitted.”

BARONESS HOLLINS  
EARL ATTLEE  
LORD LIPSEY  
LORD WATSON OF WYRE FOREST

**12★** Clause 50, page 116, line 26, leave out subsections (2) and (3) and insert—

“(2) In section 61, after subsection (7) insert—

“(7A) Section 40 of this Act comes into force at the end of the period of two months beginning with the day on which the Media Act 2024 is passed.””

***Member's explanatory statement***

*This amendment, taken alongside another amendment in my name to omit section 40(3) of the Crime and Courts Act 2013, seeks to commence section 40 of that Act. This amendment seeks to protect a publisher who had signed up to an approved regulator from being liable to any court costs in most circumstances, whether they win or lose the case.*

LORD LIPSEY  
LORD WATTS  
LORD MCNALLY

**13★** Leave out Clause 50

**After Clause 50**

VISCOUNT ASTOR  
BARONESS HOLLINS

**14★** After Clause 50, insert the following new Clause—

**“Consultation on incentivising recognition by the approved regulator**

- (1) Within six months of the day on which this Act is passed, the Secretary of State must publish a call for evidence seeking views on alternative incentives to encourage publishers or regulators to seek recognition under the terms of the Royal Charter for the Self-Regulation of the Press.
- (2) The Secretary of State must lay before each House of Parliament a report setting out the Government’s formal response to evidence submitted in response to the call for evidence required by subsection (1).
- (3) The Secretary of State may not make an order under section 55(3)(ga) bringing any part of section 50 into force until the report specified in subsection (2) has been laid before both Houses of Parliament.”

## EARL ATTLEE

15★ After Clause 50, insert the following new Clause—

**“Report on the impact of this Act on press regulation in the United Kingdom**

- (1) Within 18 months of the passing of this Act, the Secretary of State must publish a report on the impact of this Act on the effectiveness of press regulation in the United Kingdom, in particular the impact of Section 50 (Award of costs).
- (2) The Secretary of State must consult such persons as they consider appropriate in preparing the review under subsection (1), including those who may be adversely affected.
- (3) The review under subsection (1) must be laid before each House of Parliament for debate.”

LORD WATSON OF WYRE FOREST  
LORD WATTS

16★ After Clause 50, insert the following new Clause—

**“Public right of reply against publishers of news-related material**

- (1) Where a relevant publisher publishes information which contains significant factual inaccuracy, a person to whom the information relates (“the Complainant”) has a right to have a reply or correction published by the relevant publisher.
- (2) The relevant publisher editor must publish a reply or correction, free of charge and without undue delay, to the same extent and in the same manner as the inaccurate information.
- (3) A demand for a reply or correction must be made in writing within the period of 14 days beginning with the later of—
  - (a) the date of publication of the inaccurate information, and
  - (b) the date on which the complainant first becomes aware of the publication;but a demand may not be made after the end of the period of one year beginning with the date of publication.
- (4) The relevant publisher may refuse to publish a reply if it is inaccurate, unlawful or offensive.
- (5) If the demand for a reply or correction is rejected, the relevant publisher must provide written notice of the rejection and the reasons for it during the period of 7 days beginning with the date of the receipt of the demand.
- (6) The Complainant may apply to the High Court to determine whether subsections (1) to (5) have been complied with.
- (7) An application must be made during the period of 30 days beginning with the date of receipt by the Complainant of written notification of the reasons for the rejection (or of the expiry of the period for notifying the rejection, where no notice is received), unless the Court permits a later application.



- (8) The Court may order the relevant publisher to comply with this section and may make any other order.
- (9) This section does not apply to a relevant publisher which was, at the date of the publication complained of, a member of an approved regulator.
- (10) In this section –  
    “approved regulator” has the same meaning as in section 42 of the Crime and Courts Act 2013, and  
    “relevant publisher” has the same meaning as in section 41 of the Crime and Courts Act 2013.”

***Member's explanatory statement***

*This new Clause would introduce a public right of reply against relevant publishers of news-related material outside of an approved regulator, to provide an alternative legislative regime to underpin the Royal Charter system of independent press regulation to replace section 40 of the Crime and Courts Act 2013 (which is repealed by Clause 50).*

**Clause 55**

VISCOUNT ASTOR  
BARONESS HOLLINS

- 17★ Clause 55, page 118, line 8, leave out subsection (2)

VISCOUNT ASTOR  
BARONESS HOLLINS

- 18★ Clause 55, page 118, line 18, at end insert –

“(ga) section 50 (subject to section (*Consultation on incentivising recognition by the approved regulator*));”

# Media Bill

---

MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
ON REPORT

---

*23 May 2024*

---

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS