



Media Act 2024

2024 CHAPTER 15

PART 4

ON-DEMAND PROGRAMME SERVICES

PROSPECTIVE

37 Tier 1 services

- (1) Part 4A of the Communications Act 2003 (on-demand programme services) is amended as follows.
- (2) After the heading of Part 4A insert—
“Chapter 1

Introductory Provisions”.

- (3) After section 368A insert—

“368AA Meaning of non-UK on-demand programme service

- (1) For the purposes of this Act, a service (or a dissociable section of a service) is a “non-UK on-demand programme service” if—
 - (a) it meets the conditions in paragraphs (a) to (d) of section 368A(1),
 - (b) it does not meet one or both of the conditions in paragraphs (e) and (f) of section 368A(1), and
 - (c) the members of the public for whose use it is made available are or include members of the public in the United Kingdom.
- (2) Section 368A(5) to (7) applies in relation to a non-UK on-demand programme service as it applies in relation to an on-demand programme service.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Section 37. (See end of Document for details)

368AB Overview of Part 4A

- (1) This section provides an overview of this Part.
- (2) This Chapter (Chapter 1) gives the meaning of certain expressions used in this Part.
- (3) Chapter 2 contains provision for the regulation of on-demand programme services (as defined by section 368A).
- (4) Chapter 3—
 - (a) sets out the rules that apply for determining when an on-demand programme service (as defined by section 368A) or a non-UK on-demand programme service (as defined by [section 368AA](#)) is a Tier 1 service,
 - (b) makes provision for certain sections of Chapter 2 to apply in relation to a non-UK on-demand programme service that is a Tier 1 service in the same way that they apply in relation to an on-demand programme service, and
 - (c) makes provision for the additional regulation of Tier 1 services (whether on-demand programme services or non-UK on-demand programme services).
- (5) Chapter 4 makes provision about the enforcement of certain provisions of Chapters 2 and 3.
- (6) Chapter 5 makes supplementary provision.”
- (4) In section 368B (the appropriate regulatory authority)—
 - (a) after subsection (A1) insert—

“(A2) OFCOM is the appropriate regulatory authority for the purposes of sections [368HC](#), [368HJ](#) and [368HK](#) (and OFCOM may not designate any other body to be the appropriate regulatory authority for those purposes).”;
 - (b) in subsection (1), after “subsections (A1)” insert “, (A2)”;
 - (c) in subsection (5), in paragraph (a), after “on-demand programme services” insert “, or non-UK on-demand programme services that are Tier 1 services,”;
 - (d) in subsection (9), in paragraph (d), after “on-demand programme services” insert “or non-UK on-demand programme services”.
- (5) After section 368B insert—

“Chapter 2

Regulation of on-demand programme services”.
- (6) After section 368H, insert (as Chapter 3 of Part 4A) the Chapter set out in [Schedule 5](#) (regulation of Tier 1 services).
- (7) [Schedule 6](#) contains further amendments of Part 4A in connection with Tier 1 services (within the meaning of that Part).

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Media Act 2024, Section 37. (See end of Document for details)

(8) [Schedule 7](#) contains amendments of other legislation in connection with Tier 1 services (within the meaning of Part 4A of the Communications Act 2003).

Commencement Information

II S. 37 not in force at Royal Assent, see [s. 55\(3\)\(d\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Media Act 2024, Section 37.