[GB] Audiovisual Media Services Regulations

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On 19 December 2009, the Audiovisual Media Services Regulations 2009 came into force. This was actually the date by which EU Member States must transpose into national law the Audiovisual Media Services Directive (AVMS Directive). The Regulations are made under the European Communities Act, 1972, Section 2(2).

The Regulations deal with those matters in the Directive whose transposition requires legislation, with the exception of "product placement".

There are four main topics in the Regulations:

1) The regulation of video-on-demand services. This involves a new legal definition of "on-demand programme services" and the setting up of a legal framework for a regulatory system for such services, including one or more industry led co-regulatory bodies;

2) Television broadcasting services provided over the Internet. The definition of a television licensable content service is amended, removing the exclusion of services provided over the Internet and ensuring that all television broadcasting services are regulated and Ofcom licensable;

3) Country of origin "co-operation procedure". Ofcom will lead in dealing with any request from another Member State regarding compliance with its stricter national rules by a broadcaster within UK jurisdiction; and

4) The regulation of non-EU satellite services which are uplinked from the UK. Ofcom is given powers to issue directions to UK uplink providers in respect of any non-EU satellite channels which they uplink to a satellite.

The Audiovisual Media Services Regulations 2009

http://www.opsi.gov.uk/si/si2009/uksi_20092979_en_1

Explanatory Memorandum to the Audiovisual Media Services Regulations 2009, No. 2979

http://www.culture.gov.uk/images/publications/uksiem_20092979_en.pdf

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