[GB] New Regulations Restricting On-Demand Content

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The Audiovisual Media Services Regulations 2014 came into effect on 1 December 2014. The Regulations amend the provisions setting out the regulatory framework for on-demand programme services contained in Part 4A of the Communications Act 2003. This Part was inserted by the Audiovisual Media Services Regulations 2009 and 2010 to implement the relevant provisions of the Audiovisual Media Services Directive (see IRIS 2010-1/24).

The new regulations first prohibit an on-demand programme service from containing a video work, which has been refused a classification certificate by the British Board of Film Classification or which it is reasonable to believe would have been refused such a certificate. The British Board of Film Classification is the co-regulatory body responsible for classification of videos under the Video Recordings Act 1984. Secondly, the regulations provide that an on-demand service must not contain a video work to which the Board has given an R18 certificate or a work which it is reasonable to believe would receive such a certificate or other material that might seriously impair the physical, mental or moral development of persons under the age of 18. An R18 certificate is a certificate, which only permits the video to be supplied in a licensed sex shop and is primarily used for explicit works of consenting sex or strong fetish material involving adults.

Finally, the regulations also make arrangements for regulatory bodies to supply information to the British Board of Film Classification for use in relation to on-demand programme services. The regulators in question are Ofcom, the statutory communications regulator and the Authority for Television on Demand (ATVOD), the co-regulator for content of video-on-demand services in the UK.

The Audiovisual Media Services Regulations 2014, S.I. 2014 No. 2916

http://www.legislation.gov.uk/uksi/2014/2916/pdfs/uksi_20142916_en.pdf

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