



# Digital Economy Act 2010

## 2010 CHAPTER 24

### *OFCOM reports*

#### **2 OFCOM reports on media content**

After section 264 of the Communications Act 2003 insert—

##### **“264A OFCOM reports: wider review and reporting obligations**

- (1) When carrying out a review under section 264 for a period, OFCOM must also carry out a review of the extent to which material included in media services during that period (taken together over the period as a whole) contributed towards the fulfilment of the public service objectives.
- (2) Every report under section 264 must—
  - (a) include a report on the matters found on the review under this section,
  - (b) specify, and comment on, whatever changes appear to OFCOM to have occurred, during the period to which the report relates, in the extent to which the public service objectives have been fulfilled,
  - (c) specify, and comment on, whatever changes appear to OFCOM to have occurred, during that period, in the manner in which those objectives are fulfilled, and
  - (d) set out OFCOM's conclusions on the current state of material included in media services.
- (3) “The public service objectives” are the objectives set out in paragraphs (b) to (j) of section 264(6) (as modified by subsection (4)).
- (4) Paragraphs (b) to (j) of section 264(6) have effect for the purposes of subsection (3) as if—
  - (a) references to the relevant television services were to media services, and
  - (b) references to programmes were to material included in such services.
- (5) In this section—

---

**Changes to legislation:** There are currently no known outstanding effects for the Digital Economy Act 2010, Section 2. (See end of Document for details)

---

“material” does not include advertisements;

“media services” means any of the following services that are available to members of the public in all or part of the United Kingdom—

- (a) television and radio services,
- (b) on-demand programme services, and
- (c) other services provided by means of the internet where there is a person who exercises editorial control over the material included in the service.

- (6) The services that are to be taken for the purposes of this section to be available to members of the public include any service which—
- (a) is available for reception by members of the public (within the meaning of section 361); or
  - (b) is available for use by members of the public (within the meaning of section 368R(4)).”

**Changes to legislation:**

There are currently no known outstanding effects for the Digital Economy Act 2010, Section 2.