

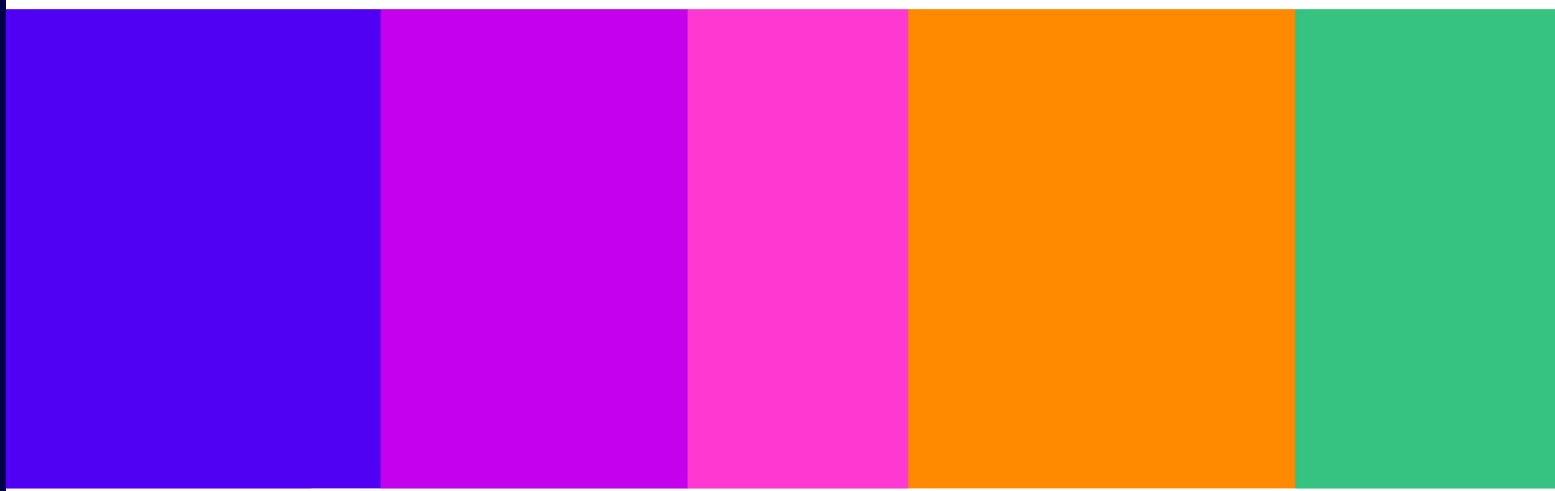
Original production quotas

Draft guidance for public service
broadcasters

Draft guidance

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1. Overview

- 1.1 The BBC, S4C and the licensed public service broadcasters (the Channels 3, 4 and 5 licensees) (together, ‘PSBs’), have original production quotas requiring them to include a minimum amount of original productions on their services.
- 1.2 Original production quotas play an important role in ensuring the PSBs make available content that reflects the lives and concerns of different communities, cultural interests and traditions in the UK. Accordingly, the original production quotas sets out a minimum level of content that must be commissioned or produced, and then made available by each PSB.
- 1.3 The licensed PSBs and S4C can deliver their original production quotas on on-demand programme services (‘ODPS’) which are, or form part of, a designated internet programme service (‘IPS’).¹
- 1.4 Under the Broadcasting (Original Productions) Order 2004² (‘the Order’), Ofcom may specify that original productions of a certain description may not be counted towards meeting an original production quotas condition.
- 1.5 The Order also requires Ofcom to issue guidance on the determination of whether a programme meets these requirements.
- 1.6 This Guidance is set out in this document. The licensed PSBs and S4C must have regard to this Guidance.
- 1.7 The BBC Framework Agreement sets out that the BBC must also have regard to any guidance given by Ofcom as to what can constitute an “original production”, and consequently, this Guidance also applies to the BBC for the purposes of its original production quotas, insofar as set out below. As the original production quotas set on the BBC’s UK Public Television Services require original productions to be broadcast on specific BBC channels, the guidance set out in paragraphs 2.30 to 2.31 below in relation to the service on which a programme can be made available in order to count towards the quotas is not relevant for, and does not apply to, the BBC.
- 1.8 Ofcom also has a duty under the Communications Act 2003 (‘the Act’) to monitor and enforce compliance with these quotas. In fulfilling this duty, Ofcom undertakes compliance and monitoring reviews. This Guidance provides information to stakeholders regarding the definitions we will use in conducting our monitoring and compliance reviews and supplements the statutory provisions and the licence conditions on original production.
- 1.9 This guidance comes into effect with regards to titles broadcast from 1 January 2026

¹ A “designated IPS” is a service, accessed via the internet, whose “principal purpose” is to provide programmes to users and which has been “designated” by Ofcom for the purposes of the Act, see section 362AA.

² The Broadcasting (Original Productions) Order 2004 as amended by [The Broadcasting \(Regional Programme-making\) and Broadcasting \(Original Productions\) \(Amendment\) Regulations 2025](#).

2. Guidance

- 2.1 This document provides guidance on which programmes can qualify as original productions and can count towards fulfilment of the original production quotas for all PSBs.
- 2.2 We also provide guidance to the licensed PSBs and S4C, with worked examples, as to whether, and how many times a programme can count towards fulfilment of a quota depending on its release pattern.

Definition of terms

- 2.3 In this section we set out definitions of some key terms used in this guidance.

Term	Definition
Catch-up programming	First-run UK originations which are made available online for a short period of time after linear broadcast on a licensed PSB channel or S4C.
Catalogue programming	<p>Programmes or series made available online for a longer time period as part of PSBs' on-demand catalogues.</p> <p>This is usually a box-set or archive episodes of a first-run UK origination which have previously had a linear transmission on the licensed PSB channel or S4C.</p>
Co-commission / Co-production	<p>When two or more production companies commission a programme together and collaborate on the funding and development of the production.</p> <p>This could also include two separate arms of the same organisation commissioning a production – such as a broadcaster's network programming commissioners and regional programming commissioners.</p>
Commercial portfolio channels	Channels licensed and operated by PSBs but which are not public service broadcasting channels. Current examples of these include ITV2, E4, and 5Star.
Cross-channel repeats	Programmes that were first broadcast on a commercial portfolio channel or another commercial channel and are broadcast again on a licensed PSB channel (e.g. a programme receiving its first-run transmission on ITV2 and then being broadcast on ITV1).
First-run UK originations	<p>Programmes commissioned by or for a licensed PSB's main linear channel (or S4C) or with a view to their being made available for the first time in the UK on the licensed PSB's main linear channel (or S4C) or on an ODPS which is, or forms part of, a designated IPS in the reference year.³</p> <p>A first-run UK origination must also be a European programme⁴.</p>

³ See Articles 3 and 4 of the Order, BBC Operating Licence Condition 3.7.2.

⁴ See Article 5 of the Order.

Term	Definition
Linear repeats	Programmes that have previously been first-run UK originations broadcast on the licensed PSB channel (or S4C), or been made available on the ODPS which is, or forms part of, a designated IPS, that are broadcast again on the same linear channel. These can include same-year repeats and repeats of programmes broadcast in previous years.
Regional programming	Programming provided for audiences at regional levels. These are unique broadcasts for each licensed area, such as regional news.

Eligibility for original production quotas

- 2.4 In this section we set out guidance as to which programmes are eligible to count as an original production.

Types of programme eligible

Licensed PSBs and S4C

- 2.5 This subsection provides guidance for the licensed PSBs and S4C only.
- 2.6 In order to count as an “original production” programmes must be commissioned for the licensed PSB’s main linear channel (or S4C) or designated IPS, rather than acquired. The programme must be produced with a view to its first showing in the UK being on the PSB’s main service or an ODPS which is, or forms part of, a designated IPS. The programme must also be a “European Programme” – see the [Broadcasting \(Original Productions\) Order 2004](#) (as amended) for more detail.
- 2.7 We calculate the original productions quota using running time. Closedown time, teleshopping (if relevant), advertising, trailers and promotional material cannot count as “original productions” and towards fulfilment of the quota.
- 2.8 The original productions quota can be fulfilled by programmes commissioned by broadcasters from in-house production resources or external producers. Acquisitions cannot count towards original production quotas.
- 2.9 Co-productions can be considered as original programmes made or commissioned by the broadcaster if more than 25% of the cost of the programme has been met by the broadcaster on whose service the programme will appear.
- 2.10 In cases of co-productions/co-commissions between broadcasters, if each meets at least 25% of the cost of the programme, each commissioner can claim that programme towards its original production quota, where relevant.
- 2.11 An original production which is shown internationally first (i.e. outside the UK) can still count towards the quotas, provided its first showing within the UK is on the licensed PSB’s main linear channel (or S4C), or ODPS which is, or forms part of, a designated IPS.
- 2.12 In the case of co-commissions, the first showing in the UK must be on the licensed PSB’s main linear channel (or S4C) or ODPS which is, or forms part of, a designated IPS, in order to count towards fulfilment of the quota.

- 2.13 For programming made available for the first time on the designated IPS to count towards original production quotas, the programme must have been available exclusively online, free of charge, for a minimum of 30 days (i.e. it only counts as being “made available” for the purposes of the quotas at the end of the 30-day period). This requirement does not apply to news programmes or coverage of sports events.⁵ This means that a programme made available on the designated IPS and then broadcast on the main channel within 30 days would only count once against quotas. It also means that a programme made available online and then broadcast on a commercial portfolio channel within 30 days would not be able to count, as it would not count as “first shown” on the designated IPS. We outline some worked examples for various release patterns in the next section.
- 2.14 Where the 30-day period of online availability for a programme falls between December of one year and January of another, then at the end of the 30-day period, it is considered to have been made available in the first year.⁶
- 2.15 Regional programming broadcast on a Channel 3 regional service can count towards original production quotas if the programme was commissioned by, or for, that Channel 3 regional service, with a view to its first showing being on that regional service. That programme must also have been made available by that licensee on its regional linear service, or by way of inclusion in their designated IPS.

BBC

- 2.16 This subsection applies to the BBC only.
- 2.17 Programmes must be commissioned for the BBC’s UK Public Television Services, rather than acquired, to count as original productions. The programme must be produced with a view to its first showing in the UK being on the BBC’s UK Public Television Services. The programme must also be a “European Programme” – see the [Broadcasting \(Original Productions\) Order 2004](#) (as amended) for more detail.
- 2.18 We calculate the original productions quota using running time. Closedown time, teleshopping (if relevant), advertising, trailers and promotional material cannot count as “original productions” and towards fulfilment of the quota.
- 2.19 The original productions quota can be fulfilled by programmes commissioned by broadcasters from in-house production resources or external producers. Acquisitions cannot count towards original production quotas.
- 2.20 Co-productions can be considered as original programmes made or commissioned by the broadcaster if more than 25% of the cost of the programme has been met by the broadcaster on whose service the programme will appear.
- 2.21 In cases of co-productions/co-commissions between broadcasters, if each meets at least 25% of the cost of the programme, each commissioner can claim that programme towards its original production quota, where relevant.
- 2.22 An original production which is shown internationally first (i.e. outside the UK) can still count towards the quotas, provided its first showing within the UK is on a UK Public Television Service.

⁵ Sections 278B(2)(c) and 264(8C) of the Act

⁶ Section 278B(3) of the Act

- 2.23 In the case of co-commissions, the first showing in the UK must be on a UK Public Television Service to count towards fulfilment of the quotas.

Repeats and archive material

- 2.24 Guidance in this section regarding repeats on an ODPS which is, or forms part of, a designated IPS applies to the licensed PSBs and S4C only.
- 2.25 Repeats of original programming on the main linear channel can count towards quotas, provided that the programme was originally commissioned for the channel or an ODPS which is, or forms part of a designated IPS.
- 2.26 Original productions first made available on an ODPS which is, or forms part of, a designated IPS can count again if they are repeated on the main linear PSB channel if the programme was exclusively available online, free of charge, for a minimum of 30 days.
- 2.27 Programming made available on an ODPS which is, or forms part of, a designated IPS cannot count towards quota if it has already had a linear broadcast. This means that catch-up and catalogue programming cannot count towards fulfilment of the quotas.
- 2.28 Cross-channel repeats cannot count towards fulfilment of the quotas.

Worked examples

- 2.29 The following examples apply to fulfilment of quotas by the licensed PSBs and S4C only. We set out the various availability patterns that could occur for an original production, and how the programme can be counted against the original production quotas in a given calendar year.
- 2.30 We have grouped these by the nature of release, online and linear. In all cases, catch-up programming or catalogue programming cannot count against original production quotas.

An online first commission

Short description (by order of release)	Description of title release pattern of the original programme	Quota eligibility
<p>Online first release.</p> <p>Linear broadcast on main linear PSB channel within 30 days.</p> <p>No linear repeat.</p>	<ol style="list-style-type: none"> 1. The programme is first made available in the UK during the calendar year via the ODPS which is, or forms part of a designated IPS. 2. The programme is then broadcast on the main linear PSB channel for the first time within 30 days of its first online release. 	<p>The programme can only count once against quota.</p>
<p>Online first release.</p> <p>Linear broadcast on main linear PSB channel after 30 days.</p> <p>No linear repeat.</p>	<ol style="list-style-type: none"> 1. The programme is first made available in the UK during the calendar year via the ODPS which is, or forms part of a designated IPS. 2. The programme is then broadcast on the main linear PSB channel for the first time after 30 days of its first online release. 	<p>The programme can count twice against quota.</p>
<p>Online first release.</p> <p>Linear broadcast on main linear PSB channel within 30 days.</p> <p>Repeat on the main linear PSB channel.</p>	<ol style="list-style-type: none"> 1. The programme is first made available in the UK during the calendar year via the ODPS which is, or forms part of a designated IPS. 2. The programme is then broadcast on the main linear PSB channel for the first time within 30 days of its first online release. 3. The programme is later repeated on the main linear PSB channel. 	<p>The programme can count twice against quota.</p> <p>Because the first online and linear releases are within the space of 30 days, the programme can initially only count once against quota. However, the linear repeat of the programme can be counted.</p>

Short description (by order of release)	Description of title release pattern of the original programme	Quota eligibility
<p>Online first release.</p> <p>Linear broadcast on main linear PSB channel after 30 days.</p> <p>Repeat on the main linear PSB channel.</p>	<ol style="list-style-type: none"> 1. The programme is first made available in the UK during the calendar year via the ODPS which is, or forms part of a designated IPS. 2. The programme is then broadcast on the main linear PSB channel for the first time after 30 days from its first online release. 3. The programme is later repeated on the main linear PSB channel. 	<p>The programme can count three times against quota.</p> <p>Because the programme was available exclusively online for more than 30 days, it can count against quota, with the following linear broadcasts able to count as repeats.</p>
<p>Online first release.</p> <p>Linear release on a non-PSB portfolio channel within 30 days.</p> <p>Linear repeat on main linear PSB channel.</p>	<ol style="list-style-type: none"> 1. The programme is first made available in the UK during the calendar year via the ODPS which is, or forms part of a designated IPS. 2. The programme is then broadcast for the first time on a commercial portfolio channel within 30 days of its first online release. 3. The programme is then broadcast on the main linear PSB channel. 	<p>The programme cannot count against quota at all.</p> <p>The online release cannot count against quota because it will not have been exclusively online for 30 days. This also means the linear repeat of the programme on the main channel is a cross-channel repeat.</p>

Short description (by order of release)	Description of title release pattern of the original programme	Quota eligibility
<p>Online first release.</p> <p>Linear release on a non-PSB portfolio channel after 30 days.</p> <p>Linear repeat on main linear PSB channel.</p>	<ol style="list-style-type: none"> 1. The programme is first made available in the UK during the calendar year via the ODPS which is, or forms part of a designated IPS. 2. The programme is then broadcast for the first time on a commercial portfolio channel after 30 days of its first online release. 3. The programme is then broadcast on the main linear PSB channel. 	<p>The programme can count twice against quota.</p> <p>The online release can count because the programme will have been exclusively available online for 30 days. As this means the programme can be regarded as a first-run original production, its repeat on the main linear PSB channel can count against quota.</p>

A linear-first commission

Short description (by order of release)	Description of title release pattern	Quota eligibility
Linear first release on main linear PSB channel. Online release. No linear repeat.	<ol style="list-style-type: none"> 1. The programme is made available for the first time in the UK during the calendar year via broadcast on the main linear PSB channel. 2. The programme is then made available via the ODPS which is, or forms part of a designated IPS. 	The programme can only count once against quota.
Linear first release on main linear PSB channel. Online release. Linear repeat on the main linear PSB channel in the same calendar year.	<ol style="list-style-type: none"> 1. The programme is made available for the first time in the UK during the calendar year via broadcast on the main linear PSB channel. 2. The programme is then made available via the ODPS which is, or forms part of a designated IPS. 3. The programme is later repeated on the main linear PSB channel in the same calendar year. 	The programme can count twice against quota – once as the first linear broadcast, and again as a linear repeat.
Linear first release on main linear PSB channel. Online release. Linear repeat on the main linear PSB channel in the following calendar year.	<ol style="list-style-type: none"> 1. The programme is made available for the first time in the UK during the calendar year via broadcast on the main linear PSB channel. 2. The programme is then made available via the ODPS which is, or forms part of a designated IPS. 3. The programme is later repeated on the main linear PSB channel in the following calendar year. 	<p>The programme can only be counted once in the first calendar year.</p> <p>The programme can be counted again in the following calendar year as a linear repeat.</p>