
Listed Events

2022 Winter Olympic Games

Contents

Section

1. Overview	1
2. What are “Listed Events”?	2
3. The arrangements between Discovery and the BBC	3
4. Our conclusions	4
5. The future of Listed Events	5

1. Overview

Discovery and the BBC have written to Ofcom to set out their plans for coverage of the next Winter Olympics, due to take place in Beijing from 4 to 20 February 2022. The Olympic Games are designated by the UK Government as a “Listed Event” which means broadcasters’ plans for live coverage may, in some circumstances, require Ofcom’s consent.

Given the public interest in this issue, we are publishing this note to explain why, in this case, the broadcasters’ coverage plans do not require consent from Ofcom.

As we recommended in our Public Service Broadcasting Review last summer, we think there is a case for Government to consider whether to update the Listed Events rules in a way that would best serve UK audiences and strengthen the benefits of the UK’s public service broadcasters.¹

¹ See [Small Screen: Big Debate](#), p24 and [Letter from Dame Melanie Dawes to Rt Hon Damian Green MP, 30 July 2021](#).

2. What are “Listed Events”?

- 2.1 The aim of the Listed Events framework set out in law is to ensure free-to-air broadcasters have an opportunity to acquire the live broadcast rights of specific events with significant national interest for UK audiences. The framework divides broadcasters’ channels into two categories: ‘qualifying’ services (including the main PSB channels BBC One and BBC Two, ITV/STV, Channel 4 and Channel 5) which reach 95% of the population at no additional cost to the viewer and ‘non-qualifying’ services, which do not. The framework only applies to linear broadcast services.
- 2.2 Any broadcaster who wishes to show exclusive live coverage of all or any part of a Listed Event must obtain permission to do so from Ofcom. However, where the live rights to a Listed Event have been acquired by ‘qualifying’ and ‘non-qualifying’ broadcasters, then those broadcasters do not generally require consent.

3. The arrangements between Discovery and the BBC

3.1 In 2015, Discovery secured exclusive multimedia rights to the 2022 Winter Olympics in Beijing and the 2024 Summer Olympics in Paris across 50 European countries, including the UK. Among other things, the terms of that agreement required Discovery to make 100 hours of coverage of the 2022 Winter Olympics available free-to-air in each of these territories. Subsequently, the BBC entered into an agreement with Discovery to become its partner for free-to-air coverage of the 2022 Winter Olympics. The result of these arrangements are that:

- Discovery will broadcast live coverage on its two main sport channels – Eurosport 1 and Eurosport 2.
- The BBC will broadcast live coverage on BBC One or BBC Two and via one further stream on its ‘red button’ service. There are no restrictions on which sporting events the BBC may show live.
- There are no limitations on how many hours of live coverage – or of highlights – the BBC may show on its two streams.

4. Our conclusions

- 4.1 We have concluded that, under the current statutory rules, Discovery and the BBC do not require consent from Ofcom to broadcast the 2022 Winter Olympics. This is primarily because, under the terms of the agreement, live coverage of the 2022 Winter Olympics will be available to view on broadcast services which fall into both of the distinct categories envisaged by the rules: the BBC broadcasting services which are available to 95% of the population, and the Discovery channels – Eurosport 1 and 2 – which are not. As the framework is only concerned with the linear broadcast of Listed Events, the fact that subscribers to Discovery’s on-demand service will have a greater level of access is not a relevant factor.
- 4.2 In reaching this conclusion, we have taken into account that the rights package acquired by the BBC from Discovery for the Winter Olympics does not impose any limitations on which events the BBC is able to show live or the number of hours of live coverage that it can show on its two streams. If, for example, the rights package had reserved certain events to Discovery, or otherwise rendered the BBC’s ability to cover the same events ineffective, Discovery would have required Ofcom’s consent for its live coverage of those events.

5. The future of Listed Events

- 5.1 The Listed Events regime has not substantially changed since 1996 – long before it was possible for viewers to choose between multiple streams of different Olympic sports through their TV sets. However, as viewer expectations change and the ability to access content both on-demand and ‘on the go’ become increasingly important, the effectiveness of a regime focusing exclusively on live broadcast coverage is likely to decline.
- 5.2 It is vital that the framework continues to operate in the best interest of audiences. As viewing habits evolve and audiences increasingly move online, we want to make sure the free access to major sporting events so valued by people in the UK is maintained. This may require changes to the legislative framework. We will work with the UK Government to ensure the regime continues to be effective, reflecting the complex media environment which exists today.