



Department
for Culture,
Media & Sport

Rt Hon Lisa Nandy MP
Secretary of State for Culture, Media and Sport
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17 September 2024

Dame Melanie Dawes
Chief Executive Officer
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

INT2024/06682/DC

Dear Dame Melanie,

Following commencement of the video-on-demand regulation provisions in the Media Act 2024, I am now requesting that Ofcom prepare a report on the operation of the market in the United Kingdom for on-demand programme services and non-UK on-demand programme services.

Under new powers set out in section 368HB of the Communications 2003 (as amended), I may by regulations provide that an on-demand programme service, or non-UK on-demand programme service, becomes a Tier 1 service.

Tier 1 regulation will ensure that designated video-on-demand services conform to appropriate standards and rules protecting UK audiences, and have accessibility targets to ensure that they provide adequate subtitling, audio description and signing to ensure their content can be enjoyed by everyone. However, the designation of which on-demand services should be under these new rules needs careful consideration, to ensure that on-demand services are regulated fairly, and that businesses are not unnecessarily restricted.

Considering the rapid expansion of video-on-demand services and the importance to the protection of UK audiences, I am keen to begin the consideration of Tier 1 regulation of appropriate on-demand services as soon as is practically possible. Before I make regulations, I am required to have regard to the contents of Ofcom's market report requested in this letter.

In preparing this market report I request, using powers set out in section 368HB(7), that you deal with the following matters when considering notified UK and relevant non-UK on-demand programme services, as well as any other matters you consider appropriate:

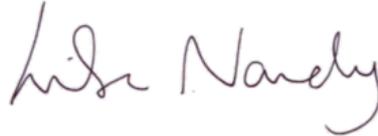
- UK audience numbers
- Availability and ease of access to UK audiences
- UK turnover on video-on-demand operations
- Size of UK catalogue



- Content spend
- Nature and content of the service
- Target audience profile
- Potential to cause harm to UK audiences.

My officials are available to discuss the matters I would like you to address in the market report, along with any other issues you consider appropriate. During this process I would appreciate you keeping my department updated on your progress.

Yours sincerely,

A handwritten signature in purple ink that reads "Lisa Nandy". The signature is written in a cursive, flowing style.

Rt Hon Lisa Nandy MP
Secretary of State for Culture, Media and Sport