

Appendix 5

Extracts from the BBC Charter and Agreement¹¹

Article 46(7) of the Charter

Ofcom must secure the observance of standards in the content in the relevant UK Public Services which must be in accordance with the Standards and Fairness Codes.

Schedule 3, paragraphs 3 and 4 of the Agreement

3. Content standards

- (1) In providing the UK Public Broadcasting Services, the BBC must observe the standards set under section 319 of the Communications Act 2003 (Ofcom’s “Standards Code”). For the purposes of the requirements in the Standards Code which give effect to section 320 of that Act (special impartiality requirements), the UK Public Services which are radio services will be treated as national radio services.
- (2) In providing the UK Public On Demand Programme Services, the BBC must observe the Standards Code so far as Ofcom determine the standards are relevant to the provision of those on-demand programme services.

4. The Fairness Code

- (1) The BBC must observe the code in force under section 107 of the Broadcasting Act 1996-
 - (a) in connection with the provision of the UK Public Broadcasting Services; and
 - (b) in relation to the programmes included in those services.

11. The BBC Charter and Agreement is available at: <https://www.gov.uk/government/publications/bbc-charter-and-framework-agreement>

- (2) In providing the UK Public On Demand Programme Services, the BBC must observe the same code so far as Ofcom determine the standards are relevant to the provision of those on-demand programme services.
 - (3) By virtue of Part 5 of the Broadcasting Act 1996, Ofcom must consider and adjudicate on complaints which are made to them and relate-
 - (a) to unjust or unfair treatment in any programme broadcast by the BBC; or
 - (b) to unwarranted infringement of privacy in, or in connection with the obtaining of material included in, such programmes.
 - (4) Ofcom must treat complaints which relate to any programme included in a UK Public On Demand Programme Service in the same manner as programmes broadcast by the BBC.
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