



# Television channels required to provide television access services in 2016

Statement

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## About this document

This document explains which TV channels licensed by Ofcom are required to provide access services (subtitles, signing and audio description) on a proportion of their programming in 2016.

Access services are intended to help people with sensory impairments to understand and enjoy TV programmes. The channels required to provide access services include domestic channels broadcast within the UK, and some non-domestic channels broadcast within certain Member States of the European Union.

In 2016, 83 domestic channels will be required to provide access. These channels account for over 90 per cent of the audience share for UK TV.

In addition, 40 non-domestic channels across eight different member states of the European Union will provide access services in 2016.



## Section 1

# Statement

- 1.1 The Communications Act 2003 required Ofcom to publish a code setting out the obligations of television channels licensed in the UK to provide television access services. Following consultation, Ofcom published the Ofcom Code on Television Access Services (“the Code”) in July 2004, together with an explanatory statement setting out the channels that would be required to provide such services in the following year. A copy of the current version of the Code, incorporating amendments made since the Code was first published, can be found at <http://stakeholders.ofcom.org.uk/binaries/broadcast/other-codes/tv-access-services-2015.pdf>.
- 1.2 The Code also provides for a mid-year review of the audience share and revenues of UK-licensed television channels, based on data for the previous year. The purposes of the review are to establish whether, in the next calendar year, channels should be:
  - a) required to provide television access services;
  - b) required to meet a different Level of provision; or
  - c) excluded from the requirement to provide television access services.
- 1.3 The statutory targets for broadcasters are expressed as percentages of the service. They rise from a low level to the ten-year targets prescribed by the Act that is 80% for subtitling, 5% for signing and 10% for audio description. In the case of Channel 3 and Channel 4, the relevant target for subtitling is 90% and for BBC channels (excluding BBC Parliament, which is exempted on audience share grounds) it is 100%.
- 1.4 Ofcom has used the cost of providing access services to calculate three levels of provision we apply to relevant channels:
  - d) Level One equates to the full current annual targets for subtitling, signing and audio description, as well as any alternative requirements;
  - e) Level Two equates to 66% of the current annual target for subtitling, as well as 100% of the targets for signing and audio description, and any alternative requirements; and
  - f) Level Three equates to 33% of the current annual target for subtitling, as well as 100% of the targets for signing and audio description and any alternative requirements.
- 1.5 For channels broadcast within the UK (‘domestic channels’), data collected from broadcasters in 2013 has been used to update the assessment of costs which is used to determine whether broadcasters can afford to meet their access service obligations by spending no more than 1% of their relevant turnover.
- 1.6 For channels broadcast in other Member States of the European Union (‘non-domestic channels’), Ofcom collected new data from broadcasters in early 2015. This data has been used to come up with country-specific estimates of the different costs incurred for the provision of access services. These estimates were then used to

determine which non-domestic channels are deemed able to afford to provide access services from 2016.

- 1.7 For the purposes of this year's mid-year review, we have updated the audience share and signing thresholds for each of the Member States of the EU on the basis of data on average daily viewing time and audience size<sup>1</sup>.

### Domestic TV services

- 1.8 The list of domestic channels required to provide access services in 2016 is at Annex 1. In brief:

- a) 83 channels will be required to provide television access services in 2016, as compared to 78 during 2015. Channels providing access services continue to account for over 90% of UK audience share.
- b) six channels that had no obligation to provide access services in 2015 will be required to provide access services in 2016. These are BBC Alba, ITVBe, ITV Encore, Sky Sports 5, BT Sport 2 and Fox.
- c) 79 channels will be required to provide access services at Level One during 2015, as compared with 67 in 2015. Two channels will be required to provide access services at Level Two during 2016 and two channels will be required to provide access services at Level Three. Subtitling targets are now the highest required under the Code (80%) for the majority of channels in 2016, with audio description at the maximum level of 10% for most;
- d) over 20 timeshifted services (e.g. ITV2 + 1) and simulcast HD services (e.g. ITV HD) are also required to provide access services; and

- 1.9 The statutory target for audio description is 10% from the tenth anniversary of the relevant date (normally the date on which a channel started broadcasting). Five broadcasters – the BBC, ITV, Channel 4 and BSkyB have committed to audio describing at least 20% of their content on most of their channels (excluding sports channels in the case of Sky).

- 1.10 Finally, the statutory target for signing is 5% from the tenth anniversary of the relevant date. Relevant channels – i.e. channels with an audience share between the audience share and signing thresholds set out in Annex 2 to the Code of Television Access Services – are excluded from such targets, and instead starting from 2016<sup>2</sup> these channels will be required to either:

- a) provide a minimum amount of sign-presented programming between 7am and 11pm every month, subject to the targets shown in the first row of Table A below and to transitional arrangements as shown in Table B; or
- b) pay a minimum annual contribution towards alternative signing arrangements approved by Ofcom as set out in the second row of Table A below, and subject to transitional arrangements as shown in Table B.

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<sup>1</sup> Source: *One TV Year in the World 2014*, Eurodata TV Worldwide

(<http://www.mediametrie.com/eurodatatv/solutions/one-television-year-in-the-world.php?id=57>).

<sup>2</sup> This follows from Ofcom's review of the signing arrangements for relevant channels conducted in 2015. For more information on Ofcom's review, please see: Changes to signing arrangements for relevant domestic TV channels, 13 May 2015 (<http://stakeholders.ofcom.org.uk/consultations/review-signing-arrangements-tv/statement>).

**Table A: Signing obligations for relevant domestic channels**  
(from 1 January 2016)

	<b>Signing obligation for relevant channels</b> (Relevant channels should show at least the amount of sign-presented content shown below unless Ofcom has approved alternative arrangements)	
<b>Anniversary of relevant date</b>	<b>Sign-presented content (monthly)</b>	<b>Minimum annual contribution towards alternative arrangements<sup>3</sup></b>
First	30 minutes	£24,500
Second	30 minutes	£24,500
Third	30 minutes	£24,500
Fourth	30 minutes	£24,500
Fifth	45 minutes	£36,800
Sixth	45 minutes	£36,800
Seventh	60 minutes	£49,100
Eighth	60 minutes	£49,100
Ninth	60 minutes	£49,100
Tenth	75 minutes	£61,400

**Table B: Transitional arrangements**

(for relevant channels that have reached the fourth (or later) anniversary of their relevant date by 1 January 2016)

<b>Year</b>	<b>2016</b>	<b>2017<sup>4</sup></b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Minimum monthly sign-presentation obligations</b>	30 minutes	35 minutes	45 minutes	50 minutes	60 minutes	65 minutes	75 minutes
<b>Minimum annual contributions to approved alternative arrangements</b>	£24.5k	£28.6k	£36.8k	£40.9k	£49.1k	£53.2k	£61.4k

<sup>3</sup> The minimum annual contribution levels shown in this table are expressed in 2014 money; from 2016 onwards, Ofcom will publish inflation-adjusted minimum contribution levels for the following year at the same time it publishes the annual list of channels required to provide television access services in the following year.

<sup>4</sup> From 2016 onwards, Ofcom will publish inflation-adjusted minimum contribution levels for the following year at the same time it publishes the annual list of channels required to provide television access services in the following year.

## Non-domestic TV services

- 1.11 The list of non-domestic channels required to provide access services in 2016 is at Annex 2. In brief:
- a) 40 non-domestic channels will be required to provide television access services in 2016, as compared to 37 during 2015. The channels required to provide access services in 2015 are broadcast in eight Member States of the European Union;
  - b) 11 non-domestic channels that had no obligation to provide access services in 2015 will be required to provide access services in 2016. These are:
    - TV3 Sport 1, owned by Modern Times Group (MTG) (previously Viasat) in Denmark;
    - AXN, owned by Sony Pictures Entertainment, and Viasat 3, owned by MTG, in Hungary;
    - E4 in Ireland;
    - Investigation Discovery and TLC, owned by Discovery Communications Europe Limited, in Netherlands;
    - AXN White, owned by Sony Pictures Entertainment, 13 Ulica, owned by NBC Universal, and Cartoon Network, owned by Turner Broadcasting Systems, in Poland; and
    - TV10, owned by MTG, and Kanal 11, owned by SBS Discovery Media (UK), in Sweden;
  - c) seven non-domestic channels will drop out on audience share or revenue grounds: Discovery Science, Discovery Channel, Nickelodeon, Nickelodeon Junior and Cartoon Network (France), Sky Living (Ireland), Discovery World (Poland); and
  - d) 35 non-domestic channels will be required to provide access services at Level One during 2016. One channel will be required to provide access services at Level Two during 2016. Four channels will be required to provide access services at Level Three. Subtitling targets for all channels stand at 35%, but all have chosen to provide 5% additional subtitling in lieu of signing. This concession was due to expire at the end of 2015, but Ofcom has indicated that it is minded to extend these interim arrangements for a further year<sup>5</sup>). Audio description obligations will increase to 6% in 2016, though channels in those territories where TV platforms do not support the provision of audio description are exempt from this requirement.

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<sup>5</sup> See paragraph 1.11 in Changes to signing arrangements for relevant domestic TV channels, Ofcom, 13 May 2015 (<http://stakeholders.ofcom.org.uk/binaries/consultations/review-signing-arrangements-tv/statement/statement.pdf>)

## Annex 1

## Domestic channels required to provide television access services in 2016

<b>Level One (full requirements) (79 channels as compared with 67 in 2015)</b>		
BBC1	MTV Music	Sky Livingit
BBC2	Viva	Sky Arts
BBC3	Comedy Central	Challenge
BBC4	Comedy Central Extra	Dave
BBC News	Sky Atlantic	Eden
CBBC	Sky News	Watch
CBeebies	Sky1	Yesterday
ITV	Sky2	Alibi
ITV2	Pick TV	Good Food
ITV3	Sky Sports 1	Home
ITV4	Sky Sports 2	Gold
ITVBe	Sky Sports 3	Really
ITV Encore	Sky Sports 4	Drama
CITV	Sky Sports 5	Disney Channel
Channel 4	Sky Sports News HQ	Disney Junior
4seven	Sky Sports F1	Disney XD
E4	Sky Movies Premiere	BT Sport 1
More 4	Sky Movies Comedy	BT Sport 2
Film 4	Sky Movies Action & Adventure	Universal
Channel 5	Sky Movies Family	4Music
5*	Sky Movies Sci Fi & Horror	Discovery
5 USA	Sky Movies Greats	Quest
Nickelodeon	Sky Movies Drama & Romance	Animal Planet
Nicktoons	Sky Movies Showcase	TLC
Nick Jr.	Sky Movies Crime & Thriller	Fox
Nick Jr Too	Sky Movies Disney	
MTV	Sky Living	

<b>Level Two (full requirements for signing and audio description; 66% of subtitling) (2 channels as compared with 10 in 2015)</b>		
BBC Alba	S4C	

<b>Level Three (full requirements for signing and audio description; 33% of subtitling) (2 channels as compared with 2 in 2015)</b>		
Boomerang	Cartoon Network	

*Note: Timeshifted and simulcast HD versions of the channels listed above are also required to provide access services.*



**Annex 2**

# Non-domestic channels required to provide television access services in 2016

<b>Level One (full requirements) (35 channels, compared to 37 in 2015, covering eight EU Member States)</b>	
<b>EU Member State</b>	<b>Channel</b>
Denmark	Kanal 4 <sup>6</sup>
	Kanal 5
	6'eren
	TV3 <sup>7</sup>
	TV3 Plus
	TV3 Sport 1
	The Discovery Channel
	TLC
France	Disney Cinemagic
Hungary	Viasat 3 <sup>8</sup>
Republic of Ireland*	BBC 1
	BBC 2
	Sky1
	Channel 4
	E4
Italy	AXN <sup>9</sup>
	The Discovery Channel
	Discovery Science

<sup>6</sup> The licensee for the Kanal channels and 6'eren is SBS Discovery Media (UK)

<sup>7</sup> The licensee for TV3, TV3 Plus and TV3 Sport 1 is Modern Times Group ('MTG')

<sup>8</sup> The licensee for Viasat 3 is MTG

<sup>9</sup> The licensee for the AXN channels is AXN Europe, a subsidiary of Sony Pictures Entertainment

<b>Level One continued (full requirements)</b>	
<b>EU Member State</b>	<b>Channel</b>
Netherlands	Discovery Channel
	Investigation Discovery
	TLC
Poland*	Animal Planet
	The Discovery Channel
	Discovery Science
	Investigation Discovery
	TLC
	Travel Channel TV <sup>10</sup>
Sweden	The Discovery Channel
	Kanal 5
	Kanal 9
	Kanal 11
	TV3
	TV6
	TV8
	TV10

<b>Level Two (full requirements for signing and audio description; 66% of subtitling) (One channel, compared with Two in 2014)</b>	
<b>EU Member State</b>	<b>Channel</b>
Hungary	AXN

<b>Level Three (full requirements for signing and audio description; 33% of subtitling) (Four channels, compared with zero in 2014)</b>	
<b>EU Member State</b>	<b>Channel</b>
Poland*	AXN
	AXN White
	13 Ulica <sup>11</sup>
	Cartoon Network

\* Indicates countries where TV platforms do not generally support the provision of audio description and channels are exempt from the relevant requirements.

<sup>10</sup> The licensee for the Travel Channel TV is Scripps Networks International

<sup>11</sup> The licensee for 13 Ulica is Sparrowhawk International Channels, a subsidiary of NBC Universal