
Listed Events

Six Nations Rugby Union Championship 2022-2024

CONSULTATION:

Publication Date: 7 December 2021

Closing Date for Responses: 7 January 2022

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1. Overview

What we are consulting on

Ofcom has received requests from the BBC and ITV for consent to broadcast exclusive live coverage of the Men's Six Nations Rugby Union Championships for 2022, 2023 and 2024 ('the Six Nations').

Coverage of the Six Nations will be broadcast as follows: home matches of England, Ireland, France and Italy on Channel 3 (ITV, STV, UTV) and home matches of Wales and Scotland on either BBC One or BBC Two. In addition, the BBC has national radio rights for all the matches in the Six Nations.

Six Nations matches involving home countries are Group B Listed Events for the purposes of the Broadcasting Act 1996. In accordance with section 101 of that Act, Ofcom's consent is needed to broadcast exclusive live television coverage of these matches ('the Events'). The rules which apply are set out in the Code on Sports and Other Listed and Designated Events.

Ofcom is provisionally minded to grant this consent, subject to any comments received from interested parties in response to this consultation.

2. Men's Six Nations Rugby Union Championship 2022-2024

- 2.1 Ofcom has received requests from the BBC and ITV (on its own behalf and on behalf of STV) for consent to broadcast exclusive live coverage of the Men's Six Nations Rugby Union Championships for 2022, 2023 and 2024.
- 2.2 Six Nations matches involving the home countries are designated as Group B Listed Events for the purposes of the Broadcasting Act 1996 ("the Act"). In accordance with section 101 of the Act, Ofcom's consent is needed to broadcast exclusive live television coverage of these matches ("the Events") on licenced television programme services.
- 2.3 The BBC and ITV plan to share coverage of the Events. The BBC plans to broadcast live coverage of the Wales and Scotland home games on BBC One or BBC Two.¹ ITV plans to broadcast live coverage of the England, Ireland, France and Italy home games on its Channel 3 services², with STV broadcasting the same coverage in central and northern Scotland.³ Ofcom understands that live coverage of the Events will be similar to the coverage provided by the BBC and ITV of the Six Nations Championship during the previous rights period from 2018 to 2021, save that France's home matches will now be broadcast by ITV and STV instead of the BBC.
- 2.4 The Act distinguishes between television services which are 'qualifying services' and television services which are 'non-qualifying services'. The regime seeks to ensure that, to the extent possible, listed events are shown on both qualifying services and non-qualifying services, either in their entirety, or highlights of such events. BBC One, BBC Two and the Channel 3 network (broadcast as ITV, STV and UTV) are all qualifying services.
- 2.5 Ofcom's [Code on Sports and Other Listed and Designated Events](#) ("the Code") explains (at paragraph 1.18) that, for Group B Listed Events, Ofcom will give its consent to exclusive live coverage of an event by a broadcaster providing a service in one category (that is, either a qualifying or non-qualifying service) if adequate provision has been made for secondary coverage by a broadcaster providing a service in the other category. However, the Events are to be shown exclusively on a qualifying service (BBC One or BBC Two, or the Channel 3 network).
- 2.6 Where there is no (or no adequate) secondary coverage, Ofcom will decide whether to give its consent to exclusive live coverage by applying the same or similar criteria to those set out in paragraphs 1.13 to 1.17 of the Code in relation to Group A Listed Events, and will wish to be satisfied that broadcasters have had a genuine opportunity to acquire the rights on fair and reasonable terms.

¹ The BBC will also broadcast live coverage of all the matches in the Six Nations on BBC 5 Live and BBC Radio 5 Live Sports Extra.

² ITV in England and the South of Scotland (as well as the Channel Islands and the Isle of Man), ITV Cymru Wales in Wales and UTV in Northern Ireland.

³ The matches played between France and Italy are not listed events for the purposes of the Act.

- 2.7 As set out in paragraph 1.29 of the Code, an application to Ofcom for consent should be accompanied by full reasons and justification for the request and all relevant supporting information. The BBC and ITV have provided information about the tender process as evidence that broadcasters had a genuine opportunity to acquire the rights to the Events on fair and reasonable terms.
- 2.8 Based on the information provided by the BBC and ITV, Ofcom is provisionally minded to grant consent to the BBC, and ITV and STV, for exclusive live coverage of the Events, subject to any comments received from interested parties.

Responding to this consultation

- 2.9 If interested parties would like to make any comments about the requests from the BBC and ITV for consent, these should be sent to Ofcom by email no later than 5pm on 7 January 2022. Details about how to respond to this consultation can be found below.

A1. Responding to this consultation

How to respond

- A1.1 Ofcom would like to receive views and comments on the issues raised in this document, by 5pm on 7 January 2022. If you are unable to respond by this date, please contact us (listedevents@ofcom.org.uk) as soon as possible to discuss.
- A1.2 You can download a response form from <https://www.ofcom.org.uk/consultations-and-statements/category-3/consultation-listed-events-six-nations-2021-2024>. You can return this by email.
- A1.3 If your response is a large file, or has supporting charts, tables or other data, please email it to listedevents@ofcom.org.uk, as an attachment in Microsoft Word format, together with the [cover sheet](#).
- A1.4 We welcome responses in formats other than print, for example an audio recording or a British Sign Language (“**BSL**”) video. To respond in BSL:
- Send us a recording of you signing your response. This should be no longer than 5 minutes. Suitable file formats are DVDs, wmv or QuickTime files; or
 - Upload a video of you signing your response directly to YouTube (or another hosting site) and send us the link.
- A1.5 We will publish a transcript of any audio or video responses we receive (unless your response is confidential)
- A1.6 We do not need a paper copy of your response as well as an electronic version.
- A1.7 It would be helpful if you could explain your views, why you hold them, and what you think the effect of Ofcom’s proposed decision would be. We also welcome joint responses.
- A1.8 If you want to discuss the issues and questions raised in this consultation, please contact the Broadcast Licensing team by email to listedevents@ofcom.org.uk.

Confidentiality

- A1.9 Consultations are more effective if we publish the responses before the consultation period closes. In particular, this can help people and organisations with limited resources or familiarity with the issues to respond in a more informed way. So, in the interests of transparency and good regulatory practice, and because we believe it is important that everyone who is interested in an issue can see other respondents’ views, we usually publish all responses on [the Ofcom website](#) as soon as we receive them.
- A1.10 If you think your response should be kept confidential, please specify which part(s) this applies to, and explain why. Please send any confidential sections as a separate annex. If you want your name, address, other contact details or job title to remain confidential, please provide them only in the cover sheet, so that we don’t have to edit your response.

- A1.11 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and try to respect it. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A1.12 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's intellectual property rights are explained further in our [Terms of Use](#).

Next steps

- A1.13 Following this consultation period, Ofcom plans to publish its decision on consent for the Events in January 2022.
- A1.14 If you wish, you can [register to receive email updates](#) alerting you to new Ofcom publications.

Ofcom's consultation processes

- A1.15 Ofcom aims to make responding to a consultation as easy as possible. For more information, please see our consultation principles in Annex 2.
- A1.16 If you have any comments or suggestions on how we manage our consultations, please email us at consult@ofcom.org.uk. We particularly welcome ideas on how Ofcom could more effectively seek the views of groups or individuals, such as small businesses and residential consumers, who are less likely to give their opinions through a formal consultation.
- A1.17 If you would like to discuss these issues, or Ofcom's consultation processes more generally, please contact the corporation secretary:

Corporation Secretary
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA
Email: corporationsecretary@ofcom.org.uk

A2. Ofcom's consultation principles

Ofcom has seven principles that it follows for every public written consultation:

Before the consultation

- A2.1 Wherever possible, we will hold informal talks with people and organisations before announcing a big consultation, to find out whether we are thinking along the right lines. If we do not have enough time to do this, we will hold an open meeting to explain our proposals, shortly after announcing the consultation.

During the consultation

- A2.2 We will be clear about whom we are consulting, why, on what questions and for how long.
- A2.3 We will make the consultation document as short and simple as possible, with a summary of no more than two pages. We will try to make it as easy as possible for people to give us a written response. If the consultation is complicated, we may provide a short Plain English / Cymraeg Clir guide, to help smaller organisations or individuals who would not otherwise be able to spare the time to share their views.
- A2.4 We will consult for up to ten weeks, depending on the potential impact of our proposals.
- A2.5 A person within Ofcom will be in charge of making sure we follow our own guidelines and aim to reach the largest possible number of people and organisations who may be interested in the outcome of our decisions. Ofcom's Consultation Champion is the main person to contact if you have views on the way we run our consultations.
- A2.6 If we are not able to follow any of these seven principles, we will explain why.

After the consultation

- A2.7 We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish all the responses on our website as soon as we receive them. After the consultation we will make our decisions and publish a statement explaining what we are going to do, and why, showing how respondents' views helped to shape these decisions.

A3. Consultation coversheet

BASIC DETAILS

Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing

Name/contact details/job title

Whole response

Organisation

Part of the response

If there is no separate annex, which parts? _____

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)