

## Note to Broadcasters

### Updates to Procedures for Investigating Breaches of Rules for On Demand Programme Services

On 11 September 2023 Ofcom will be publishing updated procedures for investigating breaches of the rules relating to on demand programme services (the “**Procedures**”). This document outlines the way in which Ofcom will handle and resolve complaints, or conduct investigations, relating to potential breaches of the rules applying to On Demand Programme Services (“**ODPS**”). The Procedures do not apply to BBC UK Public ODPS, which are subject to the Broadcasting Code and to [separate processes which apply to BBC UK Public Broadcasting Services](#).

The updates to the Procedures reflect changes to Part 4A of the Communications Act 2003 (the “**Act**”) relating to ODPS which:

- a) require ODPS providers to ensure the inclusion and prominence of European works in their services,
- b) include provisions designed to improve accessibility services for users with disabilities, and
- c) remove the requirement for programming to be comparable in form and content to television programming in order to qualify as an ODPS.

Other minor changes to the Procedures update cross references with the [Act](#) and the [Ofcom ODPS rules](#)

Any questions about Ofcom’s regulation of ODPS should be directed to [vod@ofcom.org.uk](mailto:vod@ofcom.org.uk).

This note was amended on 4 September 2023 to correct an error regarding the publication date of these updated procedures.