

# Code of Practice for Designated Radio Selection Services

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Consultation on our draft Code of Practice

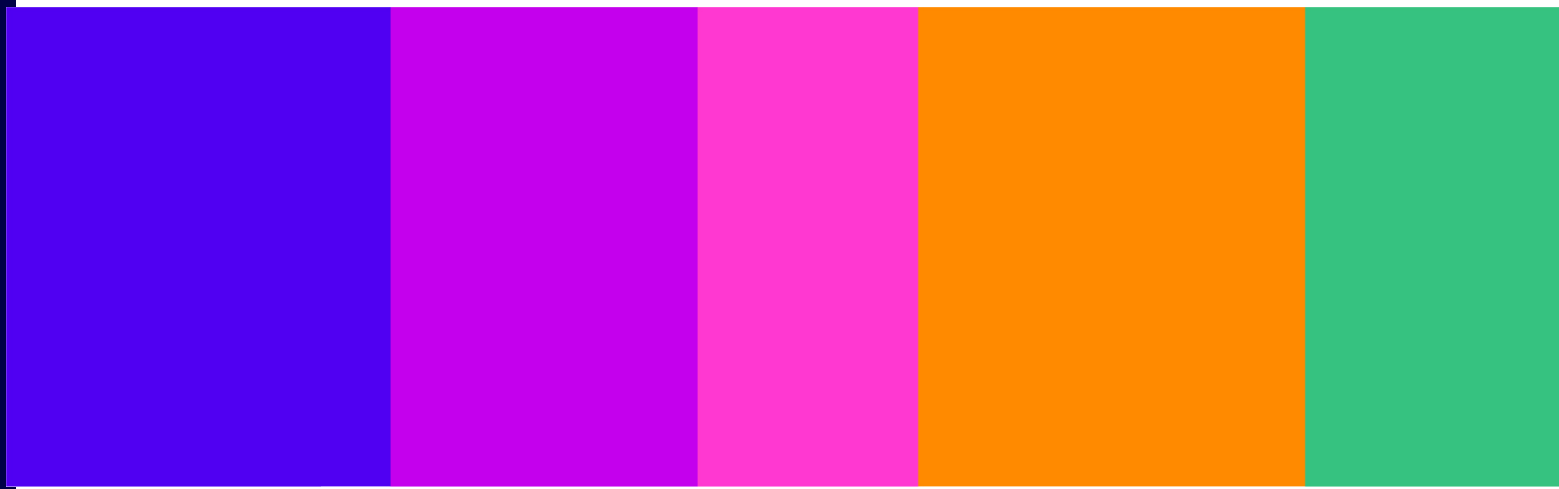
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## Consultation

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# Contents

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## Section

|                                              |    |
|----------------------------------------------|----|
| 1. Overview .....                            | 3  |
| 2. Background and regulatory framework ..... | 5  |
| 3. Recommended actions .....                 | 12 |
| 4. Implementation, monitoring and fees ..... | 20 |

## Annex

|                                                                           |    |
|---------------------------------------------------------------------------|----|
| A1. Legal framework .....                                                 | 22 |
| A2. Draft Code of Practice .....                                          | 27 |
| A3. Equality impact assessment and Welsh language impact assessment ..... | 28 |
| A4. Responding to this consultation .....                                 | 30 |
| A5. Ofcom's consultation principles .....                                 | 33 |
| A6. Consultation coversheet .....                                         | 34 |
| A7. Consultation questions .....                                          | 35 |

# 1. Overview

- 1.1 Radio is important to UK audiences: most adults in the UK listen to the radio each week and it remains a key source for news and entertainment. More live radio listening takes place online than through analogue radio and this proportion continues to increase. Most online listening is through smart speakers, with voice assistant services such as Alexa, Google Assistant and Siri connecting audiences with many of the radio services they enjoy.
- 1.2 In that context, the Media Act 2024 (the Media Act) introduced a new regulatory framework to protect the availability of online streams (also referred to as internet radio services or IRS) of UK broadcast radio on voice assistant services (also referred to as radio selection services or RSS). This aims to secure that audiences will continue to have access to internet radio in the future as they do today.
- 1.3 In the first phase of Ofcom's work in this area, we identified the RSS we considered should be subject to the new framework. We recommended that the following three RSS should be designated by the Secretary of State: Amazon's Alexa, Google Assistant, and Apple's Siri. The Secretary of State will decide later this year which RSS fall under the rules.
- 1.4 Now, we are focusing on the regulatory duties that will apply to designated radio selection services (DRSS) and how they make IRS that fall within scope available (also referred to as relevant internet radio services or RIRS). In this consultation, we set out our proposals for a code of practice (Code) that explains how providers of DRSS can meet their new duties and sets out the recommended actions they should follow to ensure compliance.

## What we are proposing – in brief

The Code will apply to providers of DRSS. It sets out the recommended actions that providers should take to ensure compliance.

We are proposing a model focused on systems and processes to be adopted by each provider. We set out a summary of our recommendations below. DRSS providers should develop systems and processes that:

- allow users to select and play RIRS. These systems and processes should be designed to enable the DRSS provider to update information it holds about RIRS and interpret unclear requests from users.
- ensure that RIRS providers can select the method by which the DRSS delivers their service to users, in circumstances where the RIRS is available on the DRSS by more than one method.
- ensure that once a RIRS has started playing, the DRSS should not interrupt it or insert content before it subject to certain limited exceptions.
- ensure that a DRSS does not charge a RIRS provider for taking the recommended actions set out in the code of practice.

The Code is not mandatory for providers of DRSS, but they will be treated as compliant with their duties and prohibition if they follow its recommended actions. Where providers take alternative actions, they will not automatically be treated as compliant and Ofcom may choose to investigate if we have concerns.

The new regime will come into force when Government commences the relevant statutory provisions. Once in force, Ofcom will have a range of enforcement powers to ensure providers are meeting their new duties.

We recognise that providers may need time to make changes to comply with their new duties. We are therefore also seeking views on whether three months is a reasonable period for providers to bring themselves into compliance with the new regime.

The overview section in this document is a simplified high-level summary only. The proposals we are consulting on and our reasoning are set out in the full document.

## 2. Background and regulatory framework

### Market context

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#### Live radio is increasingly consumed online

- 2.1 Radio continues to play an important role in the UK media landscape and creative economy. 87% of UK adults listen to radio each week as a source of news, entertainment, music, discussion and companionship.<sup>1</sup> The average listener tunes in for just over 20 hours of live radio per week.<sup>2</sup> At a point when trust in institutions is under strain, radio remains a trusted source of news and entertainment, with 82% of weekly listeners saying they trust what they hear.<sup>3</sup>
- 2.2 How people listen, however, is changing. In recent years, there has been a clear shift towards audiences listening to live radio via the internet. While DAB listening still accounts for the largest share of radio listening (43% of hours), more radio listening now takes place online than through analogue radio (30% vs 24% of hours).<sup>4</sup>
- 2.3 This shift towards online radio listening has been largely driven by the growth in use of smart speakers to access internet radio streams. Just under half of adults (49%) say they own a smart speaker and 68% of owners reported using their device to listen to the radio.<sup>5</sup>

#### Voice assistants are an important gateway to online radio

- 2.4 Smart speakers are just one prominent example of the devices that can be used to access online streams of radio services through a voice assistant. There is now a broad range of devices with the ability to connect audiences with radio services, including smartphones, smart TVs, tablets and in-car 'infotainment' systems. Voice assistants act as a gateway for users to access radio services on these devices.
- 2.5 In 2020, the Government commissioned a [Digital Radio and Audio Review](#) to consider, as part of a wider review of the sector, the potential impact of voice assistants acting as a gateway for listeners accessing internet radio in the UK. The review noted the benefits of voice assistants, both for listeners, providing them with greater flexibility in how they access radio content, and for radio providers, allowing them to reach audiences in a new and different way.
- 2.6 However, the review also highlighted the fact that voice assistants are intermediaries. They alter the traditionally direct relationship between providers and listeners because of their ability to influence access and discovery. The report noted the potential for platform operators to exploit the radio selection capabilities of their voice assistants, for example by charging radio providers for availability, inserting advertising into radio streams or downgrading radio services within voice search. The report noted that these could have

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<sup>1</sup> RAJAR Q2 2026.

<sup>2</sup> RAJAR Q2 2026.

<sup>3</sup> IPA TouchPoints SuperHub 2026.

<sup>4</sup> RAJAR Q2 2026.

<sup>5</sup> [Ofcom Media Nations 2026](#), p.77.

significant impacts on both the commercial viability of radio services and the ability of listeners to access news and information that they trust, including public service radio content.

## The radio and voice assistant markets are both fast changing

- 2.7 Since the review, innovation has continued across both the radio sector and the voice assistant market. In response to growing competition from music streaming and podcast providers, radio broadcasters are expanding beyond traditional live broadcasting to offer podcasts and curated playlists. In-car listening is also evolving, driven by the increasing presence of in-built voice control functionalities and smartphone integrations via Apple CarPlay or Android Auto in many newer UK car models. Listening via the internet accounts for 7% of all in-car radio hours.<sup>6</sup>
- 2.8 Voice assistant technology has also continued to develop globally, with the adoption of more sophisticated artificial intelligence, increasing voice assistants' ability to understand context, generate natural responses and perform complex tasks. Two major providers have introduced next-generation voice assistants which utilise advanced technologies. For Amazon this is Alexa+, which launched in the UK in March 2026. Google has started to replace Google Assistant with Gemini on smartphones and has [launched Gemini for Home](#) in early access across a number of countries including the UK. Finally, [Apple has announced](#) the integration of Apple Intelligence in an update to its Siri voice assistant.

## How internet radio is currently delivered

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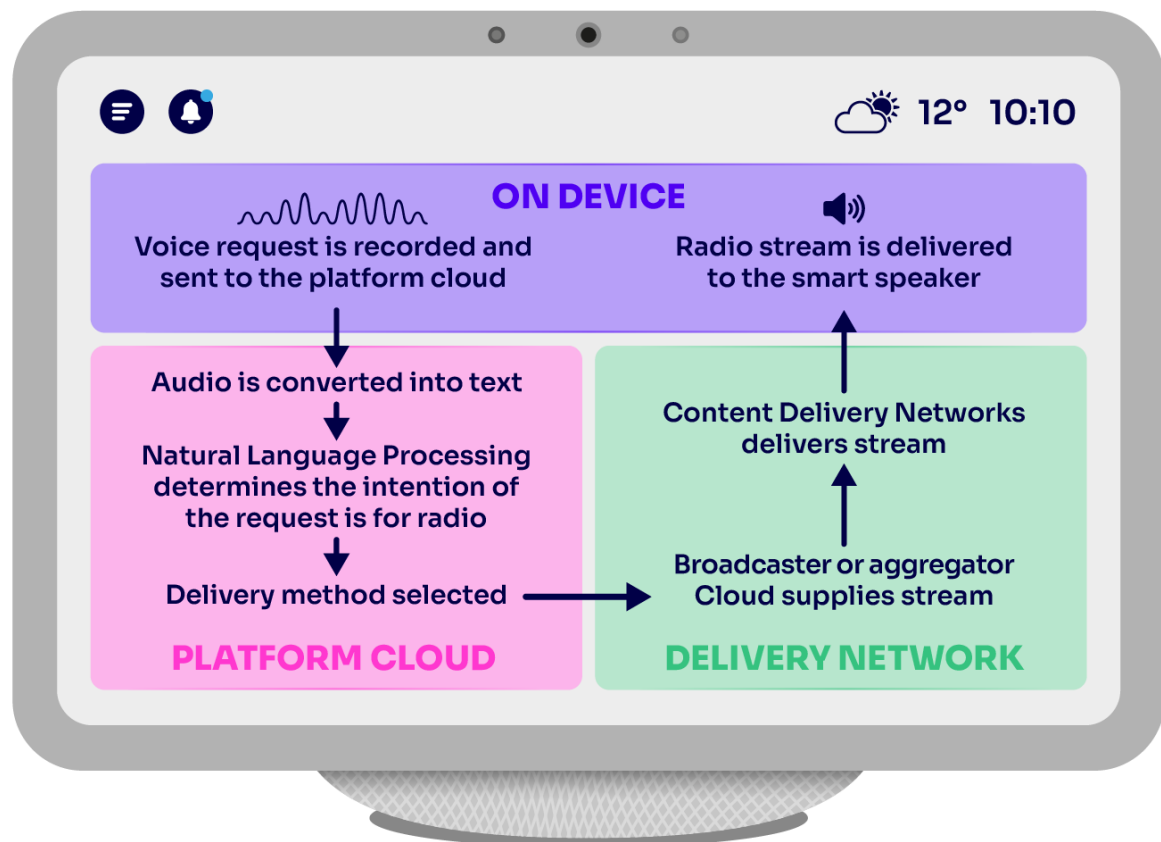
- 2.9 Radio service providers make their services available via voice assistants in a number of ways. These are sometimes the result of direct agreements with the voice assistant platforms, through services such as Amazon's Radio Skills Kit, or their proprietary apps, like BBC Sounds or Global Player. Some providers instead or additionally make their services available via an aggregator service, such as Radioplayer or TuneIn.
- 2.10 In practice, many radio providers use more than one route to reach audiences through voice-activated devices. **Figure 1** provides an overview of the stages involved in the delivery of radio services via smart speakers,<sup>7</sup> as summarised below.

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<sup>6</sup> RAJAR Q2 2026

<sup>7</sup> Specific technical details may vary by platform.

**Figure 1: How voice assistants generally deliver radio in response to spoken commands**



### Wake word detection, audio capture and transmission

- 2.11 The process begins once a user activates a voice assistant with a designated wake word (e.g. ‘Alexa’ in Amazon smart speakers, ‘Hey Google’ in Google smart speakers and ‘Hey Siri’ in Apple HomePods) and makes a request for a radio service. The request is recorded locally on the device before being transmitted to the voice assistant’s cloud-based server for further processing. From this point onwards, processing is done in the cloud.

### Speech-to-text conversion and natural language processing

- 2.12 Once the user’s request has been received by the platform’s server, the recorded audio is converted into text by Automated Speech Recognition (ASR) software and is then interpreted by a Natural Language Processing (NLP) algorithm. The algorithm analyses the text to determine the user’s intent and identify relevant information. For example, for the request “Play BBC Radio 1,” the intent to “play” a service is first determined before the words “BBC Radio 1” provide the data reference which identifies the specific service to be played.
- 2.13 Having interpreted the request, the voice assistant platform then determines the method through which to deliver the radio service. As discussed above, depending on the technical and commercial arrangements in place, requests may be directed to a radio provider’s own streaming service, an integrated application operated by the voice assistant provider (e.g. Apple Music or the Amazon Radio Skills Kit) or another provider such as an aggregator (e.g. Radioplayer or TuneIn). Ultimately, each of these methods will provide a content stream which originates from the radio provider.

## Handover and delivery of services

- 2.14 Once the delivery route has been selected, the voice assistant platform sends a request to start playing the radio service using that method. The radio provider or aggregator is then responsible for supplying the content stream to the user's device. In practice, content is typically delivered through a content delivery network (CDN) which streams content from a nearby server directly to the user's device.

## The scope of the new regime

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- 2.15 The Media Act 2024 (the Media Act) introduced a range of reforms to the Communications Act 2003 (the Act) to modernise the regulatory framework which applies to the UK's media sector. Given the increasingly important role of voice assistant platforms as a route to audiences, Part 6 of the Media Act implements a new regulatory regime with a targeted set of protections for the internet radio services that use them. Recognising the increasing potential for platforms to shape access to internet radio services, this regime focuses on what happens when a listener asks for an internet radio service by spoken command.
- 2.16 The scope of the regime does not currently include wider commercial or technical arrangements between internet radio services, voice assistant platforms and third parties such as aggregators. For example, it does not cover how onboarding arrangements should work, or require voice assistant providers to create new delivery methods, or regulate the contractual terms between internet radio service providers and radio aggregator services.
- 2.17 However, the Act retains flexibility to adapt the scope of the regime in the future. Ofcom has a statutory role to review whether the regulatory framework is adequate and to report to the Secretary of State. In turn, the Secretary of State has the power to amend the legal duties imposed on regulated voice assistants, including the power to make provisions about the terms and conditions which voice assistant platforms offer to internet radio services.<sup>8</sup>

## The main elements of the framework

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- 2.18 Under the new framework, voice assistant platforms are known as radio selection services (RSS)<sup>9</sup> and online radio services are known as internet radio services (IRS).<sup>10</sup> Those RSS which have been designated by the Secretary of State become designated radio selection services (DRSS).<sup>11</sup> Providers of DRSS must ensure that they comply with duties to provide access to internet radio services included in a list maintained by Ofcom (these services are called relevant internet radio services, or RIRS).<sup>12</sup>
- 2.19 The rest of this section explains the framework in more detail: this includes the designation of RSS, Ofcom's list of RIRS and Ofcom's role in producing a code of practice (the Code). Further details on the new regime can be found in Annex 1.

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<sup>8</sup> Sections 362BO and 362BP of the Act.

<sup>9</sup> Section 362BA(1) of the Act.

<sup>10</sup> Section 362BF of the Act.

<sup>11</sup> Section 362BB(1) of the Act.

<sup>12</sup> In the rest of this consultation document, and Ofcom's draft Code, we use the terms 'RSS', 'DRSS', 'IRS' and 'RIRS'.

## Designation of radio selection services

- 2.20 The Secretary of State has the power to designate RSS and bring them in scope of the new regime.<sup>13</sup> Before they do so, Ofcom must first give them a report setting out recommendations.<sup>14</sup> In May 2025 we published a [statement on the principles and methods](#) we would apply in preparing such a report. Following that methodology, in March 2026 we published our [report recommending the following three RSS for designation](#): Amazon's Alexa, Google Assistant and Apple's Siri. The UK Government has recently [consulted on its proposals](#) to designate RSS.

## Duties applying to DRSS providers

- 2.21 In summary, providers of DRSS must take all reasonable steps to secure that:
- a) users can select RIRS, and cause them to play, by giving spoken commands;<sup>15</sup>
  - b) no items are played before the selected RIRS, and there are no interruptions to the RIRS;<sup>16</sup> and
  - c) the particular method requested by the provider of the RIRS is used by the DRSS to deliver the selected RIRS.<sup>17</sup>
- 2.22 In addition, a provider of a DRSS must not charge the providers of RIRS for doing what DRSS providers are required to do to comply with the requirements described above.<sup>18</sup>
- 2.23 In this document we refer to these provisions as the access duties and the charging prohibition.

## Ofcom's Code of Practice

- 2.24 Ofcom is required to produce a Code which sets out recommended actions DRSS providers can take to comply with the access duties and the charging prohibition. This document is a consultation on our proposals for that Code.<sup>19</sup>
- 2.25 DRSS providers will be treated as complying with the access duties and charging prohibition if they take the actions that the Code recommends. As such, following the Code will give providers certainty about compliance.
- 2.26 Providers may choose not to follow the Code and instead take alternative actions that they consider satisfy the access duties and the charging prohibition. If they do so, providers will not automatically be treated as compliant. Should Ofcom have concerns about alternative actions taken, it may choose to investigate whether the provider is compliant. The Act provides Ofcom with a range of enforcement powers to address compliance concerns. See Section 4 for more information on Ofcom's approach to enforcement.

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<sup>13</sup> Section 362BB(2) of the Act.

<sup>14</sup> Section 362BB(3) of the Act.

<sup>15</sup> Section 362BC(8) of the Act.

<sup>16</sup> Section 362BI(2) of the Act. Section 362BI(5) provides that these obligations on DRSS providers do not require the provider to override user preferences as to the way in which the DRSS operates.

<sup>17</sup> Section 362BI(3) and (4) of the Act. Section 362BI(5) provides that these obligations on DRSS providers do not require the provider to override user preferences as to the way in which the DRSS operates.

<sup>18</sup> Section 362BI(6) of the Act.

<sup>19</sup> Under the Act, the Code of Practice does not include the requirements for DRSS to produce a compliance statement and to establish and maintain a complaints procedure.

## Compliance statement

- 2.27 Providers of DRSS are also required<sup>20</sup> to draw up a statement explaining how they intend to comply with the access duties and the charging prohibition, publish it and keep it under review and, if appropriate, revise it.
- 2.28 Where a DRSS provider plans to comply with the access duties and the charging prohibition by following the recommended actions in the Code, the compliance statement could be used to give further transparency and useful information for RIRS providers. Where a DRSS provider plans to comply using some other approach than the recommended actions set out in the Code, the compliance statement should set out what that approach is and how it will secure compliance with the access duties and the charging prohibition.

## DRSS complaint handling and resolution processes

- 2.29 DRSS providers are required<sup>21</sup> to establish and maintain procedures for the handling and resolution of complaints made by providers of RIRS that relate to the provider's compliance with the access duties and the charging prohibition.

## List of relevant internet radio services

- 2.30 Ofcom is also responsible for establishing and maintaining a list of RIRS.<sup>22</sup> The criteria for inclusion on the list are that:
- a) Ofcom considers that the provider of the service has in place an effective system or process for securing that the internet radio service corresponds to a UK radio service that it provides; and
  - b) the provider of the service has notified Ofcom that it wishes the service to be included in the list.
- 2.31 Following this consultation, Ofcom will publish information to support internet radio service providers looking to benefit from the regime. This will include information about how Ofcom expects to assess such notifications and maintain the list of RIRS. Providers of IRS must opt in to the regime by notifying Ofcom and may do so at any time once the process is open.

## How to use and navigate this document

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- 2.32 The rest of this consultation document is structured as follows:
- **Section 3** explains the approach we have taken to developing our code of practice proposals, outlines what the proposals are, and assesses their potential impacts;
  - **Section 4** explains industry implementation, monitoring and fees;
  - **Annex 1** sets out the legal framework;
  - **Annex 2** contains our draft Code in a separate document; and
  - **Annex 3** contains our Equality Impact Assessment and Welsh Language Impact Assessment.

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<sup>20</sup> Section 362BJ of the Act.

<sup>21</sup> Section 362BN of the Act.

<sup>22</sup> Section 362BG(2) of the Act.

## Next steps

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- 2.33 This consultation will remain open until 5pm on 9 November 2026. We welcome any views stakeholders have on our proposals and welcome further engagement with interested parties ahead of making our decisions.
- 2.34 Following this consultation, we will finalise our approach, taking into account stakeholder responses, and issue a statement alongside the final Code in spring 2027.

## 3. Recommended actions

- 3.1 In this section, we explain the recommended actions we propose to include in the Code, which DRSS providers should follow to comply with the access duties and the charging prohibition set out in legislation. For each of these, we explain our proposal, why we consider it will be effective and its likely impact. We then assess whether the proposed recommended actions are proportionate when considered together.<sup>23</sup>

### Select and play duty

- 3.2 The first duty in the Act requires DRSS providers to take all reasonable steps to secure that users can, by giving spoken commands, select and cause an RIRS to play. DRSS providers must do so within a reasonable period of an IRS appearing on Ofcom's list of RIRS.
- 3.3 We summarise our proposed recommendation for the select and play duty below. The recommendation is set out in full in the draft Code at Annex 2.

#### Summary of recommendation 1: Select and play duty

**Paragraph A1.1:** DRSS providers should develop systems and processes to ensure every RIRS can be selected and caused to play in response to a spoken command from a user.

**Paragraph A1.2:** The systems and processes developed by the DRSS provider should be designed to enable the DRSS to identify which RIRS has been requested, including in circumstances where the identity of the RIRS is unclear. The systems and processes should also be sufficient to identify when an RIRS has been added to Ofcom's list of RIRS and should be designed to enable DRSS providers to keep information about the RIRS up to date.

**Paragraph A1.3:** The recommended actions do not apply where a user's request relates to an RIRS that: was added to Ofcom's list less than one month prior to the request; is not available; or cannot be played either because of device limitations or the way the user has configured their device.

### Explanation of proposed recommended actions

- 3.4 Rather than specifying a set of technical steps, we are proposing a model focused on systems and processes to be adopted by each DRSS provider. This means it will be up to each DRSS provider to determine the specific technical and operational steps it must take to secure the outcomes specified in Part 6 of the Media Act.
- 3.5 We have adopted this approach in recognition of the fact that technology and patterns of use are continuing to evolve. The precise way in which voice assistants deliver IRS already varies between providers and is likely to change further over time. Given this, we consider that detailed instructions to all DRSS providers, which may already be impractical to specify, are unlikely either to be in the best interests of users or to facilitate technical innovation.
- 3.6 Nevertheless, some general principles can be applied. The processes adopted by DRSS providers should, for example, be capable of identifying the RIRS which the user has

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<sup>23</sup> Our recommendations are set out in full in the draft Code at Annex 2.

requested. In circumstances where a request for an RIRS is ambiguous or difficult to interpret, it is important for a DRSS to take reasonable steps to identify it. This may include taking account of any contextual information that the DRSS holds about the user such as their location or previous requests, developing systems which accommodate alternate names for a service or developing systems which seek to clarify the request which has been made.

- 3.7 Correctly identifying a service to be played relies on systems and processes being in place to keep relevant information up to date. The exact information that DRSS providers may choose to hold may vary, but at a minimum this should include the name of the service.
- 3.8 The Act requires DRSS providers to take all reasonable steps to ensure that users can select and play an RIRS within “a reasonable period” after the RIRS has been added to Ofcom’s list. In paragraph A1.3 of the Code we have proposed setting that reasonable period as one month. In making this proposal, we took account of evidence from stakeholders suggesting that, once the necessary information has been provided by RIRS providers, the steps required to enable users to select and play a newly-listed RIRS are principally operational updates to existing selection and playback processes. These may include recognising that a service has been added to Ofcom’s list, matching it to relevant service information and ensuring that user requests for the service are handled appropriately. On that basis, we consider one month to be a reasonable period.
- 3.9 However, we also acknowledge that there may be some circumstances in which a DRSS is unable to play a service selected by the user. As set out in paragraph A1.3, these will include cases:
- a) where an RIRS cannot be played as a result of something done, or not done, by other parties involved in the delivery of the RIRS – for example, where the server hosting the audio stream is not functional;
  - b) where the user’s device cannot support the relevant function – for example, if it is disconnected from the internet; and
  - c) where the user has not configured the device on which the DRSS operates so that RIRS can be played. For example, where an RIRS requires a user to log in to access the RIRS and the user decides not to do so, the DRSS will not be able to deliver the service.

## Impact of our proposal

### Impact on DRSS providers

- 3.10 Our proposed recommended actions under this duty are intended to secure that users can ask for a service using a spoken command and that the requested service is selected and played. Our understanding, as discussed in Section 2 above, is that RSS providers already operate systems and processes to identify requested stations, match them to service information and route them to a playable stream.<sup>24</sup> The main effect of our proposed actions is therefore to clarify the outcomes those systems should deliver, building on the functionality that DRSS providers already have in place. Accordingly, our assessment is that any additional work involved in having a process to keep information held about RIRS up-to-date and effectively resolve ambiguous requests is likely to be incremental.
- 3.11 We recognise that there may be some additional work associated with applying these processes to a greater number of RIRS. However, because many IRS are already available

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<sup>24</sup> See for example [Amazon Alexa Radio Skills Kit](#), [Google Assistant](#), and Apple’s [Siri](#).

through RSS,<sup>25</sup> we expect compliance mainly to involve strengthening or scaling existing processes rather than introducing wholly new systems. We therefore consider the incremental costs are likely to be limited.

- 3.12 We consider one month to be a reasonable period for DRSS providers to take the necessary steps once an RIRS has been added to Ofcom's list. As it is currently common for platforms to carry out the necessary processes to make RIRS available within a month, we do not expect this proposal to have a significant impact.<sup>26</sup>

### Impact on RIRS providers

- 3.13 RIRS providers are expected to benefit from the proposed recommended actions (or equivalent measures) that DRSS providers put in place – the ability of audiences in the UK to ask for and receive the radio streams they want to listen to is central to the aims of this regime.

#### Consultation question 1:

Do you agree with our proposals for the **select and play duty** and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

## Particular method duty

- 3.14 As discussed in Section 2 above, radio services are currently made available via a range of different methods including an RIRS provider's own app, a third-party aggregator, or another route supported by that DRSS. The Act places a duty on DRSS providers to enable RIRS providers to choose the "particular" method through which that service is played (which we describe in the Code as the "preferred" method), if the RIRS is available on the DRSS through more than one method.

### Summary of recommendation 2: Particular method duty

**Paragraph A2.1:** This duty only applies where an RIRS is available to be selected and caused to play through more than one method and the RIRS provider has requested a particular method be used (described in the Code as 'the preferred method').

**Paragraph A2.2:** The systems and processes developed by the DRSS provider should ensure an RIRS is caused to play using the RIRS provider's preferred method.

**Paragraph A2.3:** The systems and processes should also be sufficient to enable an RIRS provider to notify the DRSS provider of a change to its preferred method.

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<sup>25</sup> While DCMS indicated in its impact assessment that there are currently more than 600 Ofcom regulated free-to-air radio services in the UK, a significant proportion of these are operated by the three major commercial station owners (Global, Bauer, and News UK) and the BBC. See [DCMS impact assessment for 'Regulation of radio services across voice assistant platforms'](#).

<sup>26</sup> For example, Amazon describes that "[a]fter a submission or update, the ingestion process takes up to 72 hours. Submission or modification of stations in Great Britain and Ireland is a manual process that can take up to 3 weeks." (see [here](#)). To publish an app on Apple's App Store, Apple describes that "[a]fter your app is approved, it can take up to 24 hours to go live on the App Store" (see [here](#)), and that "[o]n average, 90% of submissions are reviewed in less than 24 hours." (see [here](#)). On TuneIn, the process usually takes 48 hours (see [here](#)).

**Paragraph A2.4:** Paragraph A2.2 does not apply if the preferred method would override the preferences of a user, or where the preferred method is not functional.

## Explanation of proposed recommended actions

- 3.15 The aim of the recommended actions under this duty is to ensure that RIRS providers can select the method by which the DRSS delivers their service to users, in circumstances where the RIRS is available on the DRSS by more than one method. As with the select and play duty, we do not propose to specify the precise steps DRSS providers should follow to ensure either that an RIRS provider's preferred method is used, or that it has effective arrangements in place to receive and act on a notification by an RIRS provider that its preferred method has changed. Because the ways in which radio services are delivered through voice assistants vary, we consider it appropriate to allow DRSS providers flexibility in the systems and processes they adopt to achieve the outcomes required by the Act.
- 3.16 In line with the exemptions to the duty set out in the Act,<sup>27</sup> our recommended actions make clear that there are circumstances in which it would not be appropriate for a DRSS provider to use an RIRS provider's preferred method to play a selected RIRS. For example, a user's preference should take precedence if they explicitly request a service through a particular available method (e.g. "Alexa, play Capital on Global Player") or they have previously configured preferences through device settings.
- 3.17 Similarly, where the preferred method is temporarily unavailable or otherwise non-functional for reasons outside the DRSS provider's control, we do not consider the DRSS should be required to use it. For example, this may be the case where there is a temporary technical fault with the RIRS provider's service. In such circumstances, it is reasonable for a DRSS provider to use an alternative method, although we would expect the DRSS provider's systems and processes to be able to go back to an RIRS provider's preferred method once it again became available.

## Impact of our proposal

### Impact on DRSS providers

- 3.18 Where an RIRS is already available through multiple methods, accommodating a request for a particular method is likely to involve limited changes, such as routing, configuration, or associated service information updates. The proposed actions also recognise that DRSS providers should not be required to take steps that are outside their control, including where the preferred method is temporarily unavailable or otherwise non-functional. We therefore expect any impact on DRSS providers to be limited.

### Impact on RIRS providers

- 3.19 The main benefit of this requirement for RIRS providers is greater control over how their service is delivered to users, which can support a more consistent listener experience and clearer audience messaging. As noted in the [Government's impact assessment](#), this could improve the user experience of listening to radio via voice assistant platforms and may in turn support increased radio listenership on those platforms.

### Consultation question 2:

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<sup>27</sup> Section 362BI(5) of the Act.

Do you agree with our proposals for the **particular method duty** and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

## No interruptions duty

- 3.20 This duty aims to ensure that DRSS providers take all reasonable steps to prevent an RIRS from being prefaced with any items except in limited circumstances<sup>28</sup> or interrupted once it has started to play. It serves to secure listeners' expectations of unimpeded access to radio and preserve the integrity of a user's request, ensuring providers do not alter, delay or commercially exploit access to radio services.

### Summary of recommendation 3: No interruptions duty

**Paragraph A3.1:** DRSS providers should develop systems and processes to ensure that:

- a) once an RIRS has started to play, the DRSS does not interrupt it;
- b) the DRSS does not play additional content before the RIRS, except for a brief identification of the RIRS or, if the DRSS employs another service (or other services), a brief identification of that service, or
- c) the DRSS does not play advertisements before the RIRS without the agreement of the RIRS provider.

**Paragraph A3.2:** This recommended action does not apply where an interruption or content played before the RIRS results from a user's preferences, such as device settings permitting interruptions such as notifications, alerts, alarms or calls.

## Explanation of proposed recommended actions

- 3.21 The aim of the recommended actions under this duty is to keep interruptions or delays to a minimum unless a specific exception applies. As with the recommended actions discussed above, our proposals are limited to clarifying how interruptions should be handled by DRSS providers' systems and processes.
- 3.22 Our recommended actions make clear that DRSS should not interrupt an RIRS once it has started to play. Our understanding is that this is in line with existing practice. The recommended action is also clear that DRSS providers should not insert additional content before an RIRS begins to play, with two limited exceptions. The first is a brief identification of the RIRS itself, or of a service it uses to facilitate playback, such as a third-party aggregator. The second is related to advertising played before an RIRS starts to play, as long as this is with the RIRS provider's agreement.
- 3.23 Similar to the particular method duty, the Act makes clear that DRSS providers are not expected to act against user preferences.<sup>29</sup> In our Code, we clarify that DRSS providers are not required to prevent interruptions or prefacing items that arise from a user's preferences or device settings. This includes settings chosen by a user during device setup,

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<sup>28</sup> Exceptions are made for an 'ident' of the streamed service and any third party the service uses and, if the RIRS provider agrees, one or more advertisements played before the RIRS is caused to play.

<sup>29</sup> Section 362BI(5) of the Act.

preferences chosen later, notifications like alarms intentionally set and interruptions inherent to the device being used, such as incoming calls.

## Impact of our proposal

### Impact on DRSS providers

- 3.24 In summary, we consider that the potential impacts on DRSS providers are likely to be low and, where present, largely flow from the requirements of the Act. From our engagement with RSS providers, we understand that they do not currently insert pre-roll advertisements into radio streams, nor do they interrupt live radio streams with advertising.<sup>30</sup> Accordingly, we do not consider that the proposed actions would require material operational changes.
- 3.25 The main impact of the duty relates to potential future monetisation of radio listening through platform-inserted advertising. However, these potential impacts were [assessed by DCMS in its impact assessment](#) accompanying the Media Bill<sup>31</sup>. We therefore do not anticipate additional impacts beyond those already considered.
- 3.26 At the same time, the requirement does not prevent DRSS and RIRS providers from entering into mutually beneficial commercial arrangements involving advertising, preserving scope for commercial innovation.

### Impact on RIRS providers

- 3.27 The duty and our recommended actions largely protect RIRS providers. They help to safeguard their advertising inventory and revenue model, allowing them to retain control over the balance of content and advertising in line with their audiences' preferences and commercial interests.

#### Consultation question 3:

Do you agree with our proposals for the **no interruptions duty** and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

## Prohibition on charging

- 3.28 This prohibition ensures that DRSS providers comply with the access duties discussed above without imposing charges upon RIRS providers. This includes both monetary charging (such as carriage fees or payments for a preferred method) and non-monetary arrangements (such as requiring the sharing of advertising inventory or access to user data).

### Summary of recommendation 4: Charging prohibition

**Paragraph A4.1:** DRSS providers should not charge RIRS providers for taking the recommended actions set out in the Code. They also should not enter into agreements requiring RIRS providers to pay charges that would breach, or are capable of breaching, this prohibition.

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<sup>30</sup> This is consistent with the [DCMS impact assessment](#): "Currently, no voice assistant platforms have chosen to insert advertising which could be delivered over or before audio streams." See paragraph 223.

<sup>31</sup> The Media Bill became the Media Act 2024 when it received Royal Assent and became law.

## Explanation of proposals

- 3.29 This prohibition reflects one of the specific aims of the legislation, namely to protect the availability of UK radio services on voice assistant platforms without charge.<sup>32</sup> The prohibition makes clear that DRSS providers must deliver the access duties without charging RIRS providers, including both monetary charging and non-monetary arrangements, or seeking payment for fulfilling their core obligations through commercial arrangements.
- 3.30 As the prohibition only relates to the access duties, it does not seek to prevent charges in all circumstances – a DRSS provider may charge an RIRS provider for carrying out activities outside the scope of Part 6.
- 3.31 Further, as set out in Section 2 above, the requirements of Part 6 do not apply to the commercial relationships between RIRS providers and third parties, such as aggregators. The prohibition does not prevent, for example, a third-party aggregator from charging an RIRS provider for making that RIRS available through the aggregator’s service.

## Impact of our proposal

### Impact on DRSS providers

- 3.32 In summary, we consider that the potential impacts on DRSS providers are likely to be low and, where present, largely flow from the requirements of the Act. Based on our current understanding, DRSS providers do not currently charge UK radio stations for carriage or for enabling selection and playback via spoken command in the UK.<sup>33</sup> We therefore do not expect the proposed actions to require material changes to current pricing structures or commercial arrangements.
- 3.33 The main impact relates to potential future charging practices by DRSS providers for activities covered by the statutory duties. These impacts were assessed by DCMS in its [impact assessment](#) accompanying the Media Bill. Our proposed recommendations align with the statutory prohibition assessed by DCMS and we therefore do not anticipate additional impacts beyond those already considered.

### Impact on RIRS providers

- 3.34 In summary, we consider that the potential impacts on RIRS providers are likely to be low and, where present, largely flow from the requirements of the Act. As set out above, based on our current understanding, DRSS providers do not currently charge UK radio stations for carriage or for enabling selection and playback via spoken command in the UK. For RIRS providers, the prohibition on charging in the Act mitigates the risk of future revenue transfers to DRSS providers through direct fees or indirect charges, providing certainty that RIRS providers will not be charged for activities covered by the statutory duties.

#### Consultation question 4:

Do you agree with our proposals for the **prohibition on charging** and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

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<sup>32</sup> [Explanatory Notes to the Media Act 2024](#), paragraph 384.

<sup>33</sup> This is consistent with the DCMS impact assessment: “At present, no voice assistant platforms charge radio stations for access.” See paragraph 208, [DCMS impact assessment for ‘Regulation of radio services across voice assistant platforms’](#).

## Combined impact assessment

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- 3.35 We set out below our assessment of the combined impacts of our proposed draft Code, taking into account the individual impacts of each proposed recommended action discussed above.
- 3.36 Our assessment focuses on the likely incremental impact of the proposed recommended actions relative to the current position, taking into account that DRSS providers already operate systems and processes that enable users to listen to a wide range of radio services and request them by voice. We have therefore considered the extent to which our proposed recommended actions would require changes to those existing arrangements.<sup>34</sup>
- 3.37 Taken together, we consider that the proposed recommended actions are unlikely to impose significant additional costs on DRSS providers. Our proposals are targeted and we consider the recommended actions to be the least onerous approach available while securing the objectives and requirements of the Act.
- 3.38 For RIRS providers, the proposed recommended actions are likely overall to have a positive and largely protective effect. They are intended to support reliable access to requested services, help safeguard the integrity of radio streams, remove the risk of charging for the delivery of the core statutory duties in the future and provide greater certainty over how services are delivered where more than one method is available.
- 3.39 We have considered wider impacts on competition and innovation, which were also assessed by DCMS in its [impact assessment](#) accompanying the Media Bill. We do not currently consider that the cumulative effect of the proposed recommended actions is likely to impose material competitive disadvantages on DRSS providers or unduly restrict innovation. The draft Code is designed to focus on outcomes rather than prescribing detailed technical solutions. It should allow flexibility for providers to innovate over time, while helping to preserve access to radio services across voice-activated devices. DCMS similarly concluded that it did not expect the regulations to have a negative effect on existing or future competition, or to limit innovation.
- 3.40 Overall, we consider the likely impacts of the proposed recommended actions in the draft Code to be limited and proportionate.

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<sup>34</sup> We note that DRSS providers may choose to comply through alternative measures, but we consider that the proposed recommended actions provide a reasonable basis for assessing the likely impacts of compliance.

## 4. Implementation, monitoring and fees

### Next steps in implementation

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- 4.1 Following this consultation, we expect to publish a statement alongside the finalised Code in spring 2027. Ahead of the new regime coming into force, we will engage with DRSS providers to help them understand their new duties and the steps they need to take to comply. We will also set out the notification process that IRS providers may follow to notify their streams to Ofcom. Alongside this, we expect the Secretary of State to formally designate RSS later this year. Duties will apply to providers from the date on which the Secretary of State brings the relevant statutory provisions into force.
- 4.2 It is important that the new regime is implemented as quickly as possible to start delivering benefits to audiences and RIRS providers. However, we recognise that once our Code is finalised, DRSS providers may need time to take the necessary steps to bring themselves into compliance.
- 4.3 We are therefore seeking views on the period DRSS providers will reasonably need to come into compliance with their duties under the new regime. Our impact assessment suggests that compliance is likely to involve enhancing or adapting existing systems and processes, rather than developing wholly new functionality. In particular, DRSS providers may need time to implement arrangements for maintaining up-to-date information about RIRS, applying preferred delivery methods where appropriate, and securing capacity to select and cause services to play in accordance with the requirements.
- 4.4 We recognise that the steps different DRSS providers may need to take to bring themselves into compliance are likely to vary. However, given the necessary changes are not likely to be significant, **we consider that three months (from the finalisation of our Code) would be a reasonable period for all DRSS providers to bring themselves into compliance with the access duties and charging prohibition under the new regime.**
- 4.5 We welcome views from stakeholders, supported by evidence, on our assessment of the practical steps and the time needed for implementation of the requirements.

#### Consultation question 5:

Do you agree that **three months** is a reasonable period for DRSS providers to bring themselves into compliance? Please provide your reasoning, and any supporting evidence.

### Monitoring

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- 4.6 Under the Act, Ofcom must obtain, compile and keep under review information that may be relevant to designating or revoking DRSS status, and assessing compliance with the requirements in the Act.
- 4.7 For designation-related monitoring, we will use a range of tools, including:
- a) ongoing market monitoring, to track industry and technological developments;
  - b) a combination of internal and externally sourced data;

- c) formal information-gathering powers where appropriate; and
  - d) informal engagement with stakeholders.
- 4.8 This will help us track the data points that inform whether, in Ofcom’s opinion, a service meets (or no longer meets) the designation threshold.
- 4.9 For compliance-related monitoring, we will review the information we receive, to identify any emerging trends and assess whether enforcement action may be appropriate. We will also use our formal information-gathering powers, review relevant data and information, and informally engage with providers as needed.
- 4.10 Where we identify potential non-compliance, Ofcom will act in line with our published enforcement principles. These state that we will always seek to resolve issues in a proportionate and effective way, using the least intrusive regulatory tools necessary to achieve compliance, while intervening firmly where required – particularly in cases of serious or repeated breaches. Our enforcement powers include the ability to require information, open investigations and impose financial penalties. We will consult on proposed changes to our [Enforcement Guidelines](#) to reflect the new duties in the Act.

## Fees

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- 4.11 Ofcom will be able to charge fees to DRSS and RIRS providers to cover the costs of regulation under the new regime.<sup>35</sup> We plan to consult on our approach to fees later this year and will begin charging fees to relevant stakeholders after the new regime fully commences.

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<sup>35</sup> Section 362BX of the Act.

# A1. Legal framework

- A1.1 This Annex sets out the statutory framework with regard to designating radio selection services (RSS) and setting a code of practice for these designated radio selection services (DRSS) under Part 3B of the Communications Act 2003 (the Act), which was inserted into the Act by Part 6 of the Media Act 2024. This Annex is only a summary of the relevant provisions; it is not a substitute for reference to the statute.
- A1.2 Also relevant are Ofcom’s general duties in carrying out its functions, to further the interests of citizens in relation to communications matters and consumers in relevant markets, where appropriate, by promoting competition.<sup>36</sup> In doing so, Ofcom must have regard to a number of matters including the desirability of encouraging investment and innovation in relevant markets.<sup>37</sup>
- A1.3 In performing its general duties, Ofcom must have regard to principles under which regulatory activities should be transparent, accountable, proportionate, consistent, and targeted only at cases in which action is needed, and any other principles appearing to Ofcom to represent the best regulatory practice.<sup>38</sup>
- A1.4 As explained further below, radio selection services that are designated by the Secretary of State (designated RSS or DRSS) will have to comply with various statutory obligations related to access to relevant internet radio services.<sup>39</sup>

## Radio selection services

- A1.5 The Act defines an RSS as “a service provided by means of the internet which enables, or among other things enables, a user of the service—(a) to make a selection between internet radio services<sup>40</sup> provided by different providers, and (b) to cause a selected internet radio service to play, by giving spoken commands that are recorded by equipment connected to the internet.”<sup>41</sup>
- A1.6 The Secretary of State may by regulations amend the definition of “radio selection service”.<sup>42</sup> The amendments that may be made by the Secretary of State include adding, removing or altering a thing that a radio selection service is to enable a user to do.<sup>43</sup>

## Designated radio selection services

- A1.7 A “designated radio selection service” (also referred to as a DRSS) is an RSS designated by the Secretary of State by regulations.<sup>44</sup>

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<sup>36</sup> Section 3(1) of the Act.

<sup>37</sup> Section 3(4)(a) of the Act.

<sup>38</sup> Section 3(3) of the Act.

<sup>39</sup> Section 362BI of the Act.

<sup>40</sup> Section 362BF of the Act defines an internet radio service as “a service, or a dissociable section of a service, which consists in the provision by a person of programmes consisting wholly of sound (together with any ancillary services) with a view to their being made available for reception by members of the public by being distributed by means of the internet (whether by the provider of the service or another person)”.

<sup>41</sup> Section 362BA(1) of the Act.

<sup>42</sup> Section 362BA(2) of the Act.

<sup>43</sup> Section 362BA(3) of the Act.

<sup>44</sup> Section 362BB(1) of the Act.

- A1.8 The Secretary of State may designate an RSS only if the Secretary of State considers that the level of use of the service in the United Kingdom to listen to internet radio services (IRS) is significant (and the Secretary of State may consider the level of use to be significant if the Secretary of State considers it to be significant in certain circumstances, such as while in a vehicle).<sup>45</sup>
- A1.9 Before the Secretary of State can make regulations designating an RSS, they must have received a report from Ofcom, containing Ofcom's recommendations on the exercise by the Secretary of State of their powers to make regulations to designate the RSS in question.<sup>46</sup> Ofcom must provide such a report to the Secretary of State and must also publish it.<sup>47</sup>
- A1.10 Ofcom may decide on its own initiative to provide the Secretary of State with a report.<sup>48</sup> Alternatively, the Secretary of State may request a report from Ofcom, in which case we must prepare one as soon as practicable.<sup>49</sup>
- A1.11 Ofcom must prepare and publish a statement about the principles and methods we will apply in preparing a report for the Secretary of State making recommendations about the exercise of their powers to make designation regulations. We may revise or replace this statement and must publish the revised or replaced statement.<sup>50</sup>

## List of relevant internet radio services

- A1.12 The new regime requires providers of designated RSS to comply with requirements relating to the provision of "relevant internet radio services" (RIRS). These are IRS which are included in a list maintained by Ofcom.
- A1.13 These are the conditions that must be satisfied in order for an IRS to be included in the list (and become an RIRS):
- a) the provider of the service has in place an effective system or process for securing that the service "corresponds" to a UK radio service that is provided by them. An IRS corresponds to a UK radio service if (disregarding advertisements) all of the programmes included in the IRS are broadcast on the UK radio service at the same time as they are provided by the IRS; and
  - b) the provider of an IRS has given notice to Ofcom requesting that the service be included in the list.
- A1.14 Providers of UK radio services are not required to make online streams of their services available. Where a provider of an RIRS decides to cease provision of the online stream, they must notify Ofcom. Ofcom would remove the service from the list and it would accordingly no longer be an RIRS.<sup>51</sup>

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<sup>45</sup> Section 362BB(2) of the Act.

<sup>46</sup> Section 362BB(2)(a) of the Act.

<sup>47</sup> Section 362BC(5) of the Act.

<sup>48</sup> Section 362BC(1) of the Act.

<sup>49</sup> Section 362BC(2) and (3) of the Act.

<sup>50</sup> Section 362BC(8) of the Act.

<sup>51</sup> Section 362BG(5) of the Act. The service may be removed from the list by notice from the provider of the service; and the provider must give notice to Ofcom if they cease to be the provider of the internet radio service or the corresponding UK radio service, or if provision of the internet radio service has ceased.

## Effect of designation

- A1.15 Where an RSS is designated, the provider of the DRSS must comply with the duties and prohibition set out in Section 362BI of the Act.<sup>52</sup>
- A1.16 These requirements are as follows:
- a) the provider of a DRSS must take all reasonable steps to secure that users can select RIRS, and cause them to play, by giving spoken commands;<sup>53</sup>
  - b) the provider of a DRSS must take all reasonable steps to secure that, where the DRSS is used as described in (a) above, no items are played before the selected RIRS, and there are no interruptions to the RIRS. The prohibition on playing items before the selected RIRS has some exceptions:
    - i) a brief identification of the selected RIRS can be played;
    - ii) if the DRSS uses another internet service to cause the selected RIRS to play, a brief identification of that other internet service can be played; andone or more advertisements can be played, if the provider of the selected RIRS agrees;<sup>54</sup>
  - c) if the provider of a RIRS requests the provider of a DRSS to secure that the service employs a particular method as regards that RIRS, the DRSS provider must take all reasonable steps to secure that method is used when playing the selected RIRS; and<sup>55</sup>
  - d) providers of DRSS are prohibited from charging the providers of RIRS for doing what DRSS providers are required to do to comply with the requirements described in paragraph A1.16 a) to A1.16 c).<sup>56</sup>

## Code of practice

- A1.17 The Act requires Ofcom to issue a code of practice recommending actions that DRSS providers should take when seeking to ensure that they comply with the requirements listed in paragraph A1.16 above.<sup>57</sup>
- A1.18 Ofcom must publish a code of practice and keep this under review.<sup>58</sup> Ofcom may revise a code of practice and issue the code as revised. Ofcom may also withdraw a code of practice and issue a new one.<sup>59</sup>
- A1.19 Before issuing a code of practice, Ofcom must publish a draft of the code or a draft of the revisions of the existing code<sup>60</sup> and must consult on it.<sup>61</sup>

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<sup>52</sup> Section 362BK of the Act.

<sup>53</sup> Section 362BC(8) of the Act.

<sup>54</sup> Section 362BI(2) of the Act. Section 362BI(5) provides that these obligations on DRSS providers do not require the provider to override user preferences as to the way in which the DRSS operates.

<sup>55</sup> Section 362BI(3) and (4) of the Act. Section 362BI(5) provides that these obligations on DRSS providers do not require the provider to override user preferences as to the way in which the DRSS operates.

<sup>56</sup> Section 362BI(6) of the Act.

<sup>57</sup> Section 362BK of the Act.

<sup>58</sup> Section 362BK(3)(b) of the Act.

<sup>59</sup> Section 362BK(2) of the Act.

<sup>60</sup> Section 362BM(1)(a) of the Act.

<sup>61</sup> Section 362BM(1)(b) of the Act. Ofcom must consult the Secretary of State, persons who appear to Ofcom to represent providers of internet radio services, persons who appear to represent providers of radio selection services, and such other persons as Ofcom considers appropriate.

- A1.20 The Secretary of State can request that Ofcom reviews all or part of the code of practice and, if so, Ofcom must review the code or that part of it.<sup>62</sup>

## Effects of the code of practice

- A1.21 Providers of DRSS are to be treated as complying with the requirements listed in paragraph A1.16 above where the provider takes the actions described in Ofcom's code of practice.<sup>63</sup>
- A1.22 Providers of DRSS are required to draw up and publish a statement about how they intend to comply with the requirements.<sup>64</sup> Further, they must keep this statement under review and, if appropriate, revise it. Any such statement or revised statement must be published.<sup>65</sup>
- A1.23 Providers of DRSS must also establish and maintain complaints procedures for the handling and resolution of complaints made by RIRS providers where the RIRS provider believes the DRSS is failing, or has failed, to comply with the requirements listed in paragraph A1.16 above.<sup>66</sup>

## Economic growth duty

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- A1.24 Section 108 of the Deregulation Act 2015 sets out Ofcom's duty to have regard to the desirability of promoting economic growth when exercising our regulatory functions. In order to consider the promotion of economic growth, we will exercise our regulatory functions in a way that ensures that:
- a) regulatory action is taken only when it is needed; and
  - b) any action taken is proportionate.<sup>67</sup>
- A1.25 The government's statutory guidance on this duty recognises drivers of economic growth to include innovation and competition.

## Public sector equality duty

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- A1.26 Section 149 of the Equality Act 2010 (the 2010 Act) imposes a duty on Ofcom, when carrying out our functions, to have due regard to the need to eliminate discrimination, harassment, victimisation and other prohibited conduct related to the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The 2010 Act also requires Ofcom to have due regard to the need to advance equality of opportunity and foster good relations between persons who share specified protected characteristics and persons who do not.
- A1.27 Section 75 of the Northern Ireland Act 1998 (the 1998 Act) also imposes a duty on Ofcom, when carrying out our functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and have regard to the desirability of promoting good relations across a range of categories outlined in the 1998 Act. Ofcom's Revised

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<sup>62</sup> Section 362BK(4) of the Act.

<sup>63</sup> Section 362BL of the Act.

<sup>64</sup> Section 362BJ(1) of the Act.

<sup>65</sup> Section 362BJ(2) and (3) of the Act.

<sup>66</sup> Section 362BN of the Act.

<sup>67</sup> Section 108(2)(b) of the Deregulation Act 2015.

Northern Ireland Equality Scheme explains how we comply with our statutory duties under the 1998 Act.

## Welsh language duty

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- A1.28 The Welsh Language (Wales) Measure 2011 established a legal framework to impose duties on certain organisations to comply with standards in relation to the Welsh language. The standards issued to Ofcom are listed in Ofcom's compliance notice effective from 25 January 2017.
- A1.29 The Welsh Language Policy Making Standards require Ofcom to assess (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language, when formulating a new policy or reviewing or revising an existing policy.

## A2. Draft Code of Practice

A2.1 The draft code of practice publication can be found on [our website](#).

# A3. Equality impact assessment and Welsh language impact assessment

## Equality impact assessment

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- A3.1 Section 149 of the Equality Act 2010 (the 2010 Act) imposes a duty on Ofcom, when carrying out its functions, to have due regard to the need to eliminate discrimination, harassment, victimisation and other prohibited conduct related to the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The 2010 Act also requires Ofcom to have due regard to the need to advance equality of opportunity and foster good relations between persons who share specified protected characteristics and persons who do not.
- A3.2 Ofcom has separate but complementary duties under Northern Ireland’s equality legislation.<sup>68</sup> This requires Ofcom to screen policies for their impact on equality of opportunity and/or good relations in each of the nine equality categories identified for Northern Ireland.
- A3.3 We have given careful consideration to whether the proposed recommendations in this document would have a particular impact on persons sharing protected characteristics (including race, age, disability, sex, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership and religion or belief in the UK and also dependants and political opinion in Northern Ireland), and in particular whether they may discriminate against such persons or impact on equality of opportunity or good relations. This assessment helps us comply with our duties under the Equality Act 2010 and the Northern Ireland Act 1998.
- A3.4 In undertaking this assessment, we have drawn on evidence from our ongoing trackers and industry data, including our Technology Tracker, Audio Survey and RAJAR, as well as bespoke research, such as our Voice Assistant Brands Research September 2024.
- A3.5 We consider that the proposals will protect the availability of internet radio services and secure the value that UK radio brings to all audiences. Some audiences may see greater benefits based on their relationship with voice assistants, such as disabled users, including those with mobility, dexterity or visual impairments, and users who rely on voice assistants as an assistive technology. They may also benefit some older users who may find spoken commands easier or more accessible than navigating apps, websites or device menus.
- A3.6 Overall, we consider that the proposed Code is likely to have a neutral or positive impact on equality outcomes. We do not consider that it would adversely affect any protected group, undermine equality of opportunity or adversely affect relations between different groups. Rather, by supporting more reliable and accessible access to relevant internet radio services through voice assistants, the proposals may improve outcomes for some users by ensuring that voice assistants reliably return requested internet radio services.

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<sup>68</sup> Section 75 of the Northern Ireland Act 1998 (the 1998 Act).

## Welsh language

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- A3.7 The Welsh language has official status in Wales.<sup>69</sup> To give effect to this, certain public bodies, including Ofcom, are required to comply with Welsh language standards in relation to the use of Welsh, including the general principle that Welsh should not be treated less favourably than English in Wales.<sup>70</sup> Accordingly, we have considered the potential impact of our proposals on: (i) opportunities for persons to use the Welsh language; and (ii) treating the Welsh language no less favourably than the English language.
- A3.8 We do not consider that the proposed Code would have any adverse impact on Welsh language speakers or Welsh language radio services. The recommended actions apply equally to all relevant internet radio services, whether the content broadcast by the RIRS is in Welsh or English, and are intended to support reliable access to those services through spoken commands. We consider that the proposals are likely to have a neutral impact on opportunities to use the Welsh language (via listening to Welsh language content on relevant internet radio services) and on ensuring that Welsh language services are treated no less favourably than English language services. We will continue to monitor the operation of the regime and consider stakeholder views received through this consultation.

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<sup>69</sup> Section 1(1), Welsh Language (Wales) Measure 2011.

<sup>70</sup> The Welsh language standards with which Ofcom is required to comply are available [on our website](#).

# A4. Responding to this consultation

## How to respond

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- A4.1 Ofcom would like to receive views and comments on the issues raised in this document, by 5pm on 9 November 2026.
- A4.2 You can download a response form [here](#). You can return this by email or post to the address provided in the response form.
- A4.3 If your response is a large file, or has supporting charts, tables or other data, please email it to [mediaact.part6@ofcom.org.uk](mailto:mediaact.part6@ofcom.org.uk), as an attachment in Microsoft Word format, together with the cover sheet. This email address is for this consultation only and will not be valid after 9 November 2026.
- A4.4 Responses may alternatively be posted to the address below, marked with the title of the consultation:
- Media Act Part 6  
Ofcom  
Riverside House  
2A Southwark Bridge Road  
London SE1 9HA
- A4.5 We welcome responses in formats other than print, for example an audio recording or a British Sign Language 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.
- A4.6 We will publish a transcript of any audio or video responses we receive (unless your response is confidential).
- A4.7 We do not need a paper copy of your response as well as an electronic version. We will acknowledge receipt of a response submitted to us by email.
- A4.8 You do not have to answer all the questions in the consultation if you do not have a view; a short response on just one point is fine. We also welcome joint responses.
- A4.9 It would be helpful if your response could include direct answers to the questions asked in the consultation document. The questions are listed at Annex 7. It would also help if you could explain why you hold your views, and what you think the effect of Ofcom's proposals would be.
- A4.10 If you want to discuss the issues and questions raised in this consultation, please contact the Media Act Part 6 team, or by email to [mediaact.part6@ofcom.org.uk](mailto:mediaact.part6@ofcom.org.uk).

## Confidentiality

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- A4.11 Consultations are more effective if we publish the responses before the consultation period closes. 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 responses on the Ofcom website at regular intervals during and after the consultation period.
- A4.12 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.
- A4.13 If someone asks us to keep all or part of a response confidential, we will treat this request seriously and try to respect it. It is however for Ofcom to decide whether or not information is confidential. Sometimes we may consider it necessary to publish all or part of a response, including those that are marked as confidential (for example, so we can explain our decisions and people can understand our reasoning or in order to meet legal obligations).
- Where this is the case (and the relevant information is not already in the public domain), we will normally first explain our intention to publish information from your response and give you the opportunity to raise concerns about the proposed publication. We will generally try to resolve any objections you may have through constructive dialogue. If we remain of the view that we need to publish all or part of your response and you continue to object, we will give you advance warning prior to publication.
- A4.14 To fulfil our pre-disclosure duty, we may share a copy of your response with the relevant government department before we publish it on our website.
- A4.15 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

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- A4.16 Following this consultation period, Ofcom plans to publish a statement and final Code in spring 2027.
- A4.17 If you wish, you can register to receive mail updates alerting you to new Ofcom publications.

## Ofcom's consultation processes

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- A4.18 Ofcom aims to make responding to a consultation as easy as possible. For more information, please see our consultation principles in Annex 5.
- A4.19 If you have any comments or suggestions on how we manage our consultations, please email us at [consult@ofcom.org.uk](mailto: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.

A4.20 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](mailto:corporationsecretary@ofcom.org.uk)

## A5. Ofcom's consultation principles

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

### Before the consultation

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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

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2. We will be clear about whom we are consulting, why, on what questions and for how long.
3. We will make the consultation document as short and simple as possible, with an overview of no more than two pages. We will try to make it as easy as possible for people to give us a written response.
4. When setting the length of the consultation period, we will consider the nature of our proposals and their potential impact. We will always make clear the closing date for responses.
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.
6. If we are not able to follow any of these principles, we will explain why.

### After the consultation

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7. We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish the responses on our website at regular intervals during and after the consultation period. 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.

# A6. Consultation coversheet

## Basic details

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Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

## Confidentiality

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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 you selected 'Part of the response', please specify which parts:

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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)?

Yes ☐ No ☐

## Declaration

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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 aims to publish responses at regular intervals during and after the consultation period. 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)

# A7. Consultation questions

Please tell us how you came across this consultation.

- ☐ Email from Ofcom
- ☐ Saw it on social media
- ☐ Found it on Ofcom's website
- ☐ Found it on another website
- ☐ Heard about it on TV or radio
- ☐ Read about it in a newspaper or magazine
- ☐ Heard about it at an event
- ☐ Somebody told me or shared it with me
- ☐ Other (please specify)

## Consultation questions

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### Consultation question 1:

Do you agree with our proposals for the **select and play duty** and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

### Consultation question 2:

Do you agree with our proposals for the **particular method duty** and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

### Consultation question 3:

Do you agree with our proposals for the **no interruptions duty** and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

### Consultation question 4:

Do you agree with our proposals for the **prohibition on charging** and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

### Consultation question 5:

Do you agree that **three months** is a reasonable period for DRSS providers to bring themselves into compliance? Please provide your reasoning, and any supporting evidence.