

Ofcom submission to the European Commission's public consultation on the Audiovisual Media Services Directive

Introduction

Ofcom welcomes the opportunity to contribute to the European Commission's public consultation for its 2026 review of the Audiovisual Media Services Directive (AVMSD). The UK transposed the last AVMSD prior to its withdrawal from the EU, and Ofcom continues to share many interests, objectives, and indeed regulatory challenges, with our regulatory partners in the EU.

We have presented our submission in two sections. The first section reflects future-focused issues we believe are important for all policy makers in the information environment to consider as part of any review of existing regulation and summarises some of the fundamental questions we are grappling with as the distinctions between traditional broadcasting and online regulation continue to blur. The second section more specifically addresses areas of interest set out in the Commission's consultation and draws on key actions, publications and research that Ofcom has delivered since the last AVMSD review in 2018.

We hope this submission will be helpful to the Commission's review process, and to our fellow audiovisual regulators in the EU. We look forward to future opportunities for dialogue and collaboration to solve common challenges. We would of course be happy to discuss any aspect of this submission further with EU colleagues, and with any other interested groups.

The future of regulation

Like in the EU, the UK's regulatory landscape has undergone significant change in recent years, much of it propelled by the rise of global platforms. This can be seen most clearly in the introduction of the UK's [Media Act 2024](#) and the [Online Safety Act 2023](#),¹ and the resulting new duties that these pieces of legislation have placed on Ofcom (and, in the EU, in legislation such as the Digital Services Act and the European Media Freedom Act). Despite this regulatory evolution in our jurisdictions, **many of the tools available to regulators were designed for a linear world that no longer exists.**

¹ **The UK Media Act** represents the biggest domestic change to UK media law and regulation in 20 years. Currently under implementation, the Act intends to deliver benefits and protections for audiences and help the broadcasting sector thrive. **The Online Safety Act** intends to make the internet safer for people in the UK by placing duties on companies and platforms to protect users from illegal content, to protect children from content that is harmful to them, and places additional requirements on the largest and highest-risk platforms. Ofcom has been responsible for implementing the Act since it was passed by the UK Parliament in 2023.

This is why we have committed to conducting [our own extensive review of broadcasting regulation in the UK](#) and are currently considering the scope of this work informed by responses to our recent call for input.

While some of the questions raised in our review of UK broadcasting regulation are specific to the UK context, several of them would benefit from collective consideration alongside our international regulatory counterparts.

Our starting point is the fact that **today's consumers are encountering the same content on a wide range of devices and platforms**. This raises the question as to whether it makes sense to differentiate in terms of how that content is regulated.

Furthermore, the media ecosystem is increasingly moving online, and different parts of the value chain are increasingly dominated by large global actors. Against this backdrop, it is worth taking a step back and checking **whether the objectives of audiovisual media regulation we have pursued to date remain the right ones going forward**.

Starting with a refreshed 'problem definition' in this way might help to ensure that our regulatory frameworks are future-proofed in a sustainable, proportionate and targeted manner, enabling us to better respond to the development of hybrid formats, new services, changing consumption habits and new means of access and distribution, including those emerging through AI.

In thinking about the future of audiovisual regulation, we have to date looked to dialogue and exchange with our international regulatory counterparts and with other actors in the audiovisual policy space. Such **collaboration is becoming ever more necessary, as the global convergence between media and digital technologies, and changes in the ways in which consumers engage with them, gain pace**.

New services, challenges and approaches

Ofcom regulates a range of audiovisual services through distinct regimes that cover linear, Video-on-Demand (VoD) and Video Sharing Platforms (VSP). In recent years we have seen new formats emerge which challenge the boundaries of the current audiovisual regulatory framework and lead us to ask: **is our regulatory scope still appropriate in a converged media environment where the distinction between formats is increasingly blurred and continuing to evolve, and where new content services are having an impact on the general public?**

To reach an answer, we need to **consider what we are trying to achieve with regulation and how this corresponds to the objectives of the European audiovisual media framework: both public interest objectives** (protecting audiences from harm, supporting European cultural diversity, fostering media pluralism, enhancing public awareness and media literacy) **and broader market and competition objectives** (sustaining healthy media and production sectors, enabling fair competition).

The existence, prevalence and consumption of new forms of content might enhance or undermine those objectives. For example, on the one hand, with lower barriers to entry, new forms of content increase the number and variety of voices, supporting media pluralism. They can expand European stories, languages and cultural perspectives and allow under-represented cultures to reach audiences, supporting European cultural diversity. Offering new, innovative formats and storytelling approaches that resonate with younger or harder-to-reach audiences has the potential to increase engagement with public interest content. They can support development of critical media literacy skills by exposing users to trustworthy perspectives and encouraging active evaluation of

information. Production of new content sustains investment, employment and skills growth, and new content providers can stimulate competition.

On the other hand, rapid growth of new content can increase the potential exposure to harmful or misleading content, particularly where commercial incentives prioritise engagement over accuracy and editorial standards. The sheer amount of content available might overwhelm users' capacity to critically assess information, exacerbating risks and potentially undermining informed public debate. If content discovery and monetisation are controlled by a small number of global intermediaries and algorithm curation limits visibility of diverse new content, this could potentially undermine media pluralism. And scale, data and capital advantages might enable some content service providers to dominate in the market, distorting competition.²

This leads to questions about the suitability of our regulatory frameworks to these new forms of content, and the extent to which those frameworks are fit for the future. For example:

- **Is our understanding of harm, audience understanding and expectations supported by evidence?** Or are we relying on assumptions based on earlier broadcast-centric regulatory models that might not align with how audiences now engage with content across formats? What does this mean for the existing tools we employ for audience protection (e.g. content warnings and age controls)? Are different safeguards now required, and if so, what should they be?
- **Should we continue to distinguish between formats e.g., video and audio, for the purposes of audience protection,** given their interchangeability for consumers and the erosion of the difference in cost of producing and distributing content?
- **Is it right to continue with a standards-based approach to audience protection** in an environment of mass user-generated content? **Would a risk-based framework for all content, focused on reach and harm mitigation, better balance audience protection with societal and economic benefits,** and allow regulators to prioritise oversight where it is most needed?
- **How should media pluralism be assessed** where influence is shaped not only by ownership and supply, but also by discovery, recommendation and audience attention? Should pluralism considerations apply to intermediaries that exert control over reach and visibility?
- **Should regulation to support media pluralism be extended beyond traditional media services** to include, e.g., requirements on recommender systems to ensure a plurality of viewpoints?
- **Does the current framework create uneven competitive conditions and incentives for regulatory arbitrage,** with similar editorial content being subject to materially different obligations based solely on distribution format or technical classification?

Wherever we might end up in our collective considerations of these issues, **it will ultimately be important to pursue regulatory coherence across jurisdictions,** because online content is not bound by geographic borders, nor is it intermediated by national authorisation and licensing frameworks.

² We have published a suite of supporting [research on these dynamics specifically in relation to the impact of social media on online news.](#)

To illustrate the practical relevance and potential benefits of us taking an approach as outlined, we are sharing two case studies on issues that we are presently considering, and which might also be of interest to our EU colleagues.

Case study one: influencers and individual content creators

Influencers and individual content creators have become a major presence in the information environment. A range of actors might fall within those two categories, with their output ranging from the home-made to professionally produced and/or professional-looking content.

There is currently no definition of what falls within the scope of either category and this makes it difficult to take a standardised approach to regulation through the current scope of the audiovisual framework.

In the UK (and elsewhere), individual content creators and influencers fall under several other regulatory regimes including advertising, consumer protection and financial services, but are not explicitly defined as audiovisual media service providers and are not universally subject to audiovisual regulation.

This leads to a situation where **new forms of audiovisual content that might resemble traditional media are increasingly present in the media landscape yet might not be covered by audiovisual regulation.**

As we consider how to address this challenge, we can ask ourselves:

What should be regulated?

- At what point does an individual content creator's activity begin to resemble that of a media service, and what indicators (e.g. scale, regularity, revenue, audience reliance, audience composition, impact on media pluralism and media concentration) should matter most in determining that?
- Should different expectations apply where content primarily targets or reaches more vulnerable audiences, such as children, and/or to individual content creators who shape public discourse on news, current affairs or matters of democratic importance?
- How should the use of synthetic or AI-generated content by creators be treated within the regulatory framework?
- Should obligations differ between short-form, long-form and live-streamed content, given their different impacts on audiences?

Who should be regulated?

- How should responsibility for audience protection be shared between individual content creators and the platforms on which their content is made available?
- With whom should responsibility lie when content is algorithmically amplified or financially incentivised, and when users can develop parasocial relationships with individual content creators, placing high levels of trust in them?
- To what extent should intermediaries other than platforms (such as talent agents or marketing agencies) bear any responsibility?
- Should regulatory responsibilities vary depending on whether an individual content creator is acting independently or as part of a professional or commercial network?

Case study two: podcasts and video podcasts

Podcasts originated as audio-only offerings, but now the option to watch a visualised version of a podcast is regularly available on platforms such as Spotify and YouTube. Both formats are growing in popularity, with around [7 in 10 of UK podcast consumers saying](#) they have watched or listened to podcasts that also have videos, and over a third saying they do so weekly (37%).

Audio-only podcasts are not in scope of Ofcom's regulatory remit. Some video podcasts, however, could fall under Ofcom's regulation if they qualify under the definition of an on-demand programme service.

This causes a situation that might also be of concern to EU regulators, where the **same editorial content might be regulated or unregulated depending on the format(s) in which it is available (audio or video), and the choice that a user makes to consume it.**

Take news and current affairs podcasts as an example. These programmes are popular in the UK and some are contributing to the public good with quality journalism, typically produced at high cost. Some of these programmes are sponsored.

If one of these podcasts had a video version that was regulated by Ofcom as an on-demand programme service, sponsorship would not be permitted under our rules (as under Article 10(4) of the AVMSD, which prohibits sponsorship in news and current affairs programming). However, the same podcast in audio-only format would not be subject to this prohibition, and so could be sponsored. This scenario raises several questions, including:

What should be regulated?

- Should identical editorial content be treated differently for regulatory purposes simply because it has been filmed? Is there something inherent in the format that justifies additional regulatory safeguards, such as the presence of visual signifiers like, mouthing offensive language or making obscene gestures, compared with an audio-only version of the same content? Alternatively, does the potential of visual cues mean a video podcast might help to mitigate concerns that could arise from audio-only content that is beyond our current regulatory scope, such as making it clearer when satire is being used in a current affairs programme?
- At what point does a podcast—whether audio-only or video—begin to resemble a regulated media service in terms of regularity, professional production, audience size or influence?
- How should regulatory frameworks account for the cumulative impact of podcasts that are consumed regularly and build strong audience trust over time?
- When podcasts contribute meaningfully to news, current affairs and/or democratic debate, should public interest considerations outweigh strict restrictions? Conversely, should additional safeguards apply to these podcasts?

Who should be regulated?

- Should regulatory responsibility attach to the podcast producer, the platform hosting the podcast, or both, particularly where platforms influence discovery, recommendation or monetisation?
- Where the same podcast is distributed across multiple platforms and in multiple formats, who should be responsible for ensuring regulatory compliance?
- Should responsibility differ where a podcast is produced by a traditional media organisation, compared with an independent producer or small commercial entity?

The evolving regulatory framework

In looking ahead to the future evolution of media regulation, we have set out some potential benefits that could be realised by taking a more a holistic and forward-looking approach, rather than relying on incremental change. At the same time, we acknowledge that legislative reform necessarily takes time, and that this limits the ability of regulators and Governments to respond quickly in the fast-moving information environment that we are all working in.

Against this backdrop, Ofcom has pursued longer-term strategic thinking alongside a programme of targeted, incremental reforms since the 2018 AVMSD review (including changes being implemented through the Media Act). More on our longer-term strategic thinking follows below.

Alongside this, related developments are underway in the UK that link to other EU priorities in the media space, such as the European Democracy Shield and ongoing implementation of the European Media Freedom Act at the national level. These include the BBC Charter renewal, the periodic process by which the UK Government reviews and resets the BBC's Royal Charter, defining its public purposes, funding model, governance and regulatory framework for the next decade (2028-2038). This matters because it will shape the BBC's independence, accountability and ability to deliver public service media in a rapidly changing environment, with significant implications for audiences, competition and the wider UK media ecosystem.

Below we describe these developments.

Audiovisual commercial communications

The regulation of audiovisual advertising content in the UK takes place via a partnership between Ofcom and the Advertising Standards Authority (ASA). The ASA has delegated powers from Ofcom to apply our rules across all broadcast and on-demand services we regulate and applies codes written by industry and approved by both regulators. If advertisers or broadcasters fail to comply with ASA rulings, Ofcom can intervene using enforcement powers.

Linear advertising funding models have faced significant disruption from the growth of digital alternatives in recent years. This has put pressure on the financial sustainability of commercial Public Service Broadcasters (PSBs) and other broadcasters. It has also focused attention on major differences that exist between broadcast and online services in relation to quantitative advertising limits, the existence of scheduling requirements, and their ability to cross-promote their own services.

We recognise that **regulation needs to respond to these pressures and be flexible enough to adapt to inevitable future market changes, and to support innovation and growth** in the interests of consumers, citizens and the sector as a whole. In November 2025 we launched a review of our regulation, with advertising as a key focus. Stakeholder feedback to our call for input indicates clear overlap with the concerns of the Commission's present AVMSD review, as well as with the wider questions we posed in section one of this submission. For example:

- Are rules that prohibit the sponsorship and product placement on current affairs or consumer affairs programmes still proportionate in today's increasingly diverse media landscape?
- Are quantitative and scheduling-based rules now unsuitable as services and audiences increasingly move to internet-based means of delivery and access, where the conditions that originally justified those rules no longer apply?

- To what extent are the distinctions between traditional broadcast advertising and digital advertising now eroding, and does this call for a more comprehensive and consistent regulatory framework to cover all services on which advertising appears?

In assessing stakeholder feedback, we will be mindful of what we have already learned from [our research](#). For example, we know that today's audiences have different expectations of advertising depending on how they consume content, but they still want certain fundamental audiovisual advertising protections in place to protect the most vulnerable viewers, no matter where they are watching content. Going forward, we will expand on these insights with [our ongoing tracking of audience attitudes](#) to inform a **fair and proportionate approach to advertising regulation that is better aligned to the realities of today's media environment**, and we would welcome closer working with our EU counterparts to exchange research insights and align on our approaches where appropriate.

Protection of viewers

Enhanced VoD regulation

Ofcom will soon introduce, through our implementation of the Media Act, audience protections for UK viewers of certain VoD services, no matter where those VoD services are based. Those VoD services with the largest audience share have been classed as 'Tier 1 services' by the [UK Government](#) and will be subject to a new content standards Code designed and administered by Ofcom. These additional protections are expected to **help to create a more level regulatory playing field** between linear and VoD services and to **protect audiences on a wider range of platforms**.³

This marks an incremental yet significant addition to Ofcom's role in securing audience protection in today's audiovisual environment. But, as highlighted earlier in this submission, in delivering only incremental changes of this nature, we run the risk of our regulatory framework being unable to address future challenges that new formats, and consumer consumption habits, might pose. This is one of the reasons why we are doing the long-term strategic thinking that we set out earlier in our submission.

VoD content rating and labelling research

In November 2025, Ofcom published a [Review of Audience Protection Measures](#) (APMs), such as age ratings and content warnings, provided by VoD services. This included [independent research](#) to understand audience views about APMs on the services they use most often, which found a general preference for the same types of APM to be used across all VoD services (though there was disagreement over which APM is best). Our own internal research and international stakeholder engagement has shown that non-UK standards frameworks around harm, offence and the protection of children are shaped by cultural and societal attitudes that might be different from UK audience expectations and, in some cases, from Ofcom's broadcasting and on-demand standards. **A degree of localisation and adaptability of standards and classification approaches** is therefore

³ Services that do not meet the threshold for Tier 1 classification will remain regulated as [On-Demand Programme Services \(ODPS\)](#).

important to ensure audiences are adequately protected from harm in today's globalised media environment, while also allowing services to innovate and differentiate their offerings without being subject to overly prescriptive rules.

Accessibility

As well as being subject to the new VoD Code, Tier 1 services will also need to follow a new Accessibility Code, which will require them to make at least 80% of their total catalogue subtitled, 10% audio-described and 5% signed. These requirements will be [informed by previously commissioned research](#) which shows the increased popularity of on-demand services. The new requirements are expected to benefit some 18 million people in the UK who are deaf, have hearing loss or tinnitus, and 350,000 who are blind or partially sighted.

Similarly, the UK Media Act will require providers of user interfaces on connected TV platforms to ensure that their interfaces are accessible to disabled users, particularly those with conditions affecting their sight and/or hearing. The Media Act has empowered Ofcom to develop a Statutory Code of Practice on recommended measures which we are proposing should include voice-guided navigation, text and image magnification, high-contrast display options, and clear labelling of accessible content, including subtitles and audio description. [We have commissioned supporting research to inform our approach](#) and note the similar requirements under the European Accessibility Act.

Looking to the future, we recognise that current and updated legislation in the UK does not explicitly address the quality (as opposed to quantity) of access services provided for disabled people. **With increasing use of automated/AI methods of producing access services, there is potential for both improved and reduced quality, and therefore it will be important to assess the impacts of any such developments.** Similarly, the **accessibility of short-form and social media content** will need to be kept under review due to their increasing consumption by audiences.

BBC online content

Recognising that audiences are increasingly accessing PSB content online, and the special role that the BBC plays within the UK public service and wider media ecosystem, the UK government has given Ofcom the task of delivering a new set of content standards that will apply across the UK public service websites, apps and third-party social media platform accounts held by the BBC. This is an indicator of how important the BBC's online presence has become to how it delivers on its public service remit and **constitutes a first step in bridging how Ofcom regulates the BBC's broadcast media and online services.** Though the new rules are solely aimed at the BBC, we think **they could provide useful insight for any future regulatory approaches to enable a more level playing field for broadcasters.** We will be consulting on the BBC Online Material Code later this year, with a view to implementation in Q3 2026/27 and are happy to discuss our experiences with any interested stakeholders.

VSPs and protecting minors online

Ofcom started regulating UK-established VSPs in 2020, when the 2018 AVMSD revisions were transposed into UK law. The UK's distinct VSP regime then ended in July 2025 when all in-scope services started being regulated under the Online Safety Act. An important result of this is that VSP regulation in the UK is no longer bound by the scope of our audiovisual framework. As such, it is the

clearest practical example we have of the kind of risk-based model that we referred to in section one of this submission as an alternative approach to traditional (separate) media and online regulation.⁴

As content moves online, it no longer recognises physical borders. This is why **international collaboration is fundamental to our work**. In 2024 we convened an [International Working Group on Age Verification](#) with fellow VSP regulators in the EU to mitigate the risks of services forum shopping and exchange knowledge and experience about supervisory engagement with services and the nascent technology used to meet the AVMSD requirements. We also entered into **a formal administrative agreement with the European Commission** to progress our common objectives in protecting online users and help ensure the Online Safety Act and the Digital Services Act evolve and are implemented as coherently as possible. **Ofcom also co-founded, and chaired (2024-25) the [Global Online Safety Regulators Network](#), and in November 2025 we signed a joint communication with the European Commission and Australia's eSafety Commissioner committing us to ongoing technical collaboration on age assurance**. We expect the case for international collaboration only to become stronger as it becomes evident that we are all grappling with the same policy challenges, dealing with many of the same stakeholders, and seeking to achieve the same objectives.

Media Literacy

Media literacy has been an important part of Ofcom's role since we were established in 2003. A long history of [rigorous evidence gathering](#) underpins our policy development and media literacy interventions, which have become crucial components of our work to support audiences in a world saturated by unprecedented levels of media and information.

Like our partners in the EU, we recognise that efforts to advance media literacy and support digital inclusion are crucial to enabling people to navigate content safely, engage meaningfully in democratic life, and flourish online. Media regulators have an important role to play in helping to meet these objectives. But **media literacy is everyone's business**. A whole of society approach is needed to realise its full potential.

In our report [Transmission Critical: the future of public service media](#) we noted that **broadcasters are uniquely placed to support audiences to develop their media and digital literacy skills**. We recommended that, alongside providing high-quality, accurate and duly impartial news, the UK's PSBs and other broadcasters can play an important role in explaining why reliable information is important in a democratic society. Since our publication, [the UK Government has confirmed](#) that it is considering whether the BBC should have formal, regulated duties to support media literacy.

Online platforms, including VSPs, equally have a role to play in helping users to engage with their services critically, safely and effectively so that users can maximise the benefits and minimise the

⁴ In period between 2020-2025 Ofcom set the regulatory foundations for its online safety regulation through [a series of consultations and publications](#) before moving into a phase of active supervision and enforcement. This was backed up by [research on the UK VSP landscape](#) and reports on [user experiences](#), [parental guidance](#) and [attitudes towards age verification on adult sites](#). We found that using a range of regulatory tools enabled us to influence positive changes in VSPs' safety measures and provided practical learning for when we became the UK's Online Safety regulator.

risks of being online. We know that some platforms are already taking positive steps to promote media literacy through our [Best Practice Principles for Media Literacy by Design](#).

We recognise that introducing formal, regulated duties to support media literacy is among the policy options available to governments and regulators, but there might be others. In considering what regulatory approaches best support media literacy outcomes across our populations, we can ask ourselves:

- In what circumstances would additional statutory obligations deliver materially better outcomes than voluntary and partnership-based activity?
- How could any new duties be framed proportionately so as not to impose an undue regulatory burden?
- How can services best trial, innovate and iterate their approaches to media literacy within a regulatory framework?
- At which point(s) in the consumer/audience journey are media literacy obligations most relevant and effective, and, linked to that, which players are best placed to help deliver media literacy?

Any such duties would also need to keep up with our rapidly converging media landscape. Audiences increasingly consume information across broadcast, online services and other services such as Generative AI, and it is important that any obligations are applied consistently across the services that play a significant role in shaping people's media experiences.

These considerations point to **the need for a coherent, cross-sector approach which ensures that responsibility for supporting media literacy is shared fairly and effectively**. Later this year, we will publish [recommendations](#) setting out what we think good practice looks like in promoting media literacy for online platforms, broadcasters and other service providers.

Strengthening media diversity

Prominence of Public Service Media

Today's audiences have access to a huge range of global VoD and VSP services with vast content libraries and personalised experiences, enabling them to consume content in new ways and whenever they choose. In response, the UK Media Act has required Ofcom to **develop a regulatory framework to secure the prominence of UK PSBs' on-demand services and content on the user interfaces of connected TV platforms**. This recognises that UK public service media is, like in the EU, highly valued for providing trustworthy and accurate news, as well as programming that brings people together. As such, PSB services and content should be easy to find and discover via the user interfaces that viewers are adopting in ever greater numbers.

The implementation of our prominence regime is currently underway. When it goes live, providers of the most-used connected TV platforms will have to ensure that the on-demand players and public service content of the UK PSBs are made available and are prominent on their platforms. In addition, and as noted above, the user-interface providers will also have to make their platforms accessible for people with disabilities. We have carried out extensive research and [consulted on our proposed approach](#), and expect to issue supporting codes and guidance for services and platforms in scope later in 2026.

Since the passing of the Media Act, we have looked beyond the connected TV environment, **encouraging greater collaboration** between UK PSBs and the third-party platforms that audiences are increasingly turning to, like YouTube.⁵ We have said that UK Government might wish to consider whether this approach should be underpinned by legislation, in order to give prominence for news (which supports democracy) and children’s programming (which helps young audiences learn and grow). We know our fellow media regulators in the EU are similarly interested in this issue and would welcome an exchange of views on how we can best monitor and measure how audiences are accessing content on these platforms.

We are also interested in considering **how the growing use of Generative AI as an information source might affect existing prominence considerations**. For example, AI-mediated discovery can mean that audiences receive summarised answers to news-related queries without encountering, or being directed to, the original trusted news provider. In an era of abundant digital distribution, where visibility is determined by the recommender systems and user interface designs of a few global technology companies, traditional concepts of prominence and must-carry that were designed for linear schedules or TV platform homepages might no longer be sufficient to ensure the continued visibility, discoverability, prominence, fair representation and, ultimately, sustainability of trusted news in AI environments.

Major events

The Media Act has amended the legal framework for how major events of importance to UK society are made widely available to the public. These events are referred to in the UK as Listed Events. The current regime will be **extended beyond linear television channels to include any programme service, including streaming services, that can be used to show live coverage of a Listed Event**.

The rationale is to enable more flexibility in response to declining linear reach and growing uptake of on-demand viewing. The categories into which different services are split will change so that, broadly speaking, free-to view services provided by UK PSBs will be in one category (A); all other services will be in another (B). Category A will protect events of the highest democratic and cultural importance by guaranteeing their free availability to the widest possible audience. Category B will recognise that, while some events still matter to the public, they do not require universal free access and so allow a greater role for commercial funding.

UK legislation also includes rules to secure the free availability to view events designated by certain other countries in Europe as being of major importance to society. These duties derive from the UK’s obligations under the European Convention on Transfrontier Television (ECTT) and the

⁵ As outlined in our [Transmission Critical](#) report, UK Broadcasters’ VoD players account for just 9% of all viewing - significantly less than subscription streaming services at 15% and video sharing platforms at 19%. We noted that news and children’s content presented the greatest concern: news because of its importance in supporting democratic engagement; and children’s content because it helps young people learn and see their lives reflected on screen. In addition to recommending new prominence measures, we also noted the importance of the PSBs and VSPs working together to increase the mutual benefits they can bring to audiences, and to do so on fair commercial terms.

AVMSD.⁶ Looking ahead, we have recognised the need to ensure that the regime remains effective as viewing habits change. For example, in our 2025 review of public service media we said that the UK Government might want to consider **whether on-demand digital rights to major events should be protected, and if so, how.**

Ofcom would welcome our EU partners giving consideration to providing publicly available and regularly updated information about events protected in relevant Member States. This would support us with our duties to protect those events and might also be useful to other organisations internationally as regimes continue to evolve.

Conclusion

As this submission demonstrates, there are many regulatory challenges and opportunities that both the UK and the EU are trying to understand and respond to, and all with the same fundamental policy goals in mind: to sustain healthy information environments that enable participation in democratic society, and to create the best conditions for our audiovisual sectors to grow and thrive. As the rate of change impacting our work accelerates at an unprecedented pace, there is a need and opportunity for us to critically consider whether the fundamental objectives we are pursuing with our media regulation remain valid for the future, and how best they can be pursued in a future-proof way. Experience shows us that we have the best chance of finding and realising effective solutions by strengthening our international connections and working in partnership wherever possible.

⁶ They protect events designated for protection in either (a) a State which is an EU Member State or a party to the European Economic Area agreement (an “EEA State”); or (b) a State, other than the UK, which is party to the ECTT but is not an EEA State.