

MEDIA ACT – RADIOCENTRE BRIEFING NOTE JULY 2024

INTRODUCTION

The Media Act (passed into law in May 2024) enshrines in legislation the support that is necessary to secure the future of radio for listeners, ensuring a more level playing field between the tech platforms and UK broadcasters who continue to deliver significant public value.

The Media Act is the first major piece of media legislation since the 2003 Communications Act. It contains important provisions to support UK broadcasters in the streaming age. These proposals were subject to extensive consultation and scrutiny over several years.

The radio clauses (Parts 5 and 6) received strong cross-party consensus as the legislation passed through both Houses of parliament.

IMPORTANCE OF RADIO

UK radio listeners are well served by a diverse mix of national, regional and local broadcasters, from commercial radio and the BBC, with 9 out of 10 of the adult population tuning in every week. Broadcasters also make a substantial contribution to the economy and creative industries, with BBC radio and commercial radio combined generating over **£1.5bn in gross value added to the UK economy**.

Commercial radio stations, which reach **over 39 million listeners**, are an important source of trusted, reliable news and make a significant investment in journalism across all parts of the UK, broadcasting over **10,000 bulletins every week** and employing hundreds of journalists.

COMMERCIAL RADIO DEREGULATION (PART 5)

Part 5 of the Act impacts commercial radio services, with the main focus on removing outdated regulatory burdens on analogue licences. The commercial radio sector welcome these changes which were long overdue given rapid changes in listening habits.

The regulatory changes **safeguard news and information on local commercial radio**, while simplifying the remaining rules on formats and production quotas for local analogue stations (FM and AM). The government originally recommended reform – with the support of Ofcom – back in 2017 and the Media Act was the first relevant legislative vehicle.

It should be noted that the vast majority of commercial radio services and listening are not directly affected by these changes – as 79% of listening to commercial radio is now on digital platforms (DAB and online) and services provided on DAB and online are not subject to this analogue regulation. These changes will therefore not affect the unprecedented range of choice of music and speech now available across commercial radio.

In a world of almost infinite choice and competition, it is right to revisit regulation on local analogue stations which was devised in the pre-internet era of the 1980s. These changes will support investment by broadcasters and the long-term sustainability of these stations.

REGULATION OF RADIO SELECTION SERVICES (PART 6)

Part 6 of the Media Act contains world-leading safeguards that will secure the future of the radio industry on voice-activated devices.

The government recognises the significant public value provided by broadcasters (support that is echoed across the political spectrum) and the new regulatory framework will act as a proportionate safeguard against the risk posed by the significant market power held by tech platforms, which play an increasingly important role in the distribution of UK radio services.

As listening habits shift, radio's growing reliance on tech platforms increases the risk of an abuse of market power – with platforms currently at liberty to impose charges for access to UK radio, push listeners to their own radio-like services, or insert their own advertising spots into UK radio streams.

Part 6 guarantees access to UK radio services on voice-activated smart speaker platforms (such as Amazon Alexa, Google Assistant and Apple Siri), including voice-activated systems in connected cars, by introducing new powers.

- **A listeners' choice of station should be provided reliably** in response to a voice command, not re-routed to competing radio-like services from e.g. Apple or Google (self-preferencing)
- **Smart speaker platforms should provide unfettered access** (without charging) to radio stations licensed by Ofcom.
- **Broadcasters can request a default route for their stations** to be delivered to listeners on smart speakers, for example via Global Player, Rayo, BBC Sounds, Radioplayer or TuneIn.
- **Platforms should not overlay additional content**, such as unauthorised advertising, over the top of radio services (with some limited exceptions).

During the Bill's passage through parliament, Radiocentre supported several amendments that would help to future proof the legislation. It is vital that the scope of the new measures is kept under review, as the legislation includes powers to widen the protections as listening continues to shift online. The widening of scope had cross-party support and amendments were debated during the Bill's passage through both Houses.

NEXT STEPS

Earlier this year, Ofcom published a [roadmap to regulation](#) which sets out a broad timeline for implementation of the Media Act.

For the radio measures, consultation on Part 5 is expected to take place in autumn this year, followed by consultation on Part 6 which will take place throughout 2025.

Radiocentre will continue to liaise closely with officials in both Ofcom and DCMS during this process as well as prepare industry responses to relevant consultations in due course.

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