



Communications Act 2003

2003 CHAPTER 21

PART 3

TELEVISION AND RADIO SERVICES

CHAPTER 6

OTHER PROVISIONS ABOUT TELEVISION AND RADIO SERVICES

Annual report on television and radio

358 Annual factual and statistical report

- (1) It shall be the duty of OFCOM—
 - (a) as soon as practicable after the end of the period of twelve months beginning with the commencement of this section, and
 - (b) as soon as practicable after the end of every subsequent period of twelve months,to satisfy for that period the review and reporting requirements of this section.
- (2) For any period those obligations are—
 - (a) to carry out a review of the provision of the television and radio services available for reception by members of the public in the United Kingdom during that period; and
 - (b) to prepare a factual and statistical report for that period on the provision of those services and on the state of the market in which they are provided.
- (3) In carrying out a review for any period under this section, OFCOM must consider, in particular, each of the following—
 - (a) the extent to which programmes included during that period in television and radio services are representative of what OFCOM consider to be the principal genres for such programmes;

Status: This is the original version (as it was originally enacted).

- (b) the extent to which codes made by OFCOM under this Part or Part 4 or 5 of the 1996 Act (listed events and fairness) have been complied with during that period;
 - (c) the extent to which any guidance given by OFCOM under section 314 has been followed during that period;
 - (d) any trends appearing or operating during that period in the size and behaviour of the audience for radio and television services;
 - (e) the financial condition during that period of the market in which those services are provided and of the market in which programmes for such services are produced;
 - (f) what it is appropriate to achieve by conditions and duties under section 277 and paragraphs 1 and 7 of Schedule 12 and the effectiveness for that purpose of the conditions and duties for the time being in force;
 - (g) whether it would be appropriate to recommend to the Secretary of State that he exercises any of his powers under that section or those paragraphs;
 - (h) the extent to which work on independent productions (within the meaning of that section and those paragraphs) that are produced in the United Kingdom is done in a range of production centres outside the M25 area;
 - (i) any issues relating to intellectual property in programmes that have arisen or been of significance during that period;
 - (j) developments in technology that have occurred or become important during that period and are relevant to the provision, broadcasting or distribution of television and radio programmes;
 - (k) the availability during that period of persons with skills that are used or likely to be useful in connection with the provision of television and radio services and the production of programmes for inclusion in such services;
 - (l) the availability during that period of facilities for the provision of training in such skills.
- (4) Every report under this section must set out OFCOM's findings on their consideration of the matters mentioned in subsection (3).
- (5) Every report prepared by OFCOM under this section must be published by them—
- (a) as soon as practicable after its preparation is complete; and
 - (b) in such manner as they consider appropriate.
- (6) OFCOM's duties under this section are in addition to their duties under section 264.