



Communications Act 2003

2003 CHAPTER 21

[^{F1}PART 4A

ON-DEMAND PROGRAMME SERVICES

Duties of service providers

[^{F1}368D Duties of service providers

- (1) The provider of an on-demand programme service must ensure that the service complies with the requirements of sections [^{F2}368E(1) and (2) and 368F to 368H].
- (2) The provider of an on-demand programme service (“P”) must supply the following information to users of the service—
 - (a) P’s name;
 - (b) P’s address;
 - (c) P’s electronic address;
 - [a statement that P is under the jurisdiction of the United Kingdom for the purposes of the Audiovisual Media Services Directive;]
 - (d) the name, address and electronic address of any body which is the appropriate regulatory authority for any purpose in relation to P or [^{F4}the on-demand programme service] that P provides.
- (3) The provider of an on-demand programme service must—
 - [provide the appropriate regulatory authority with a copy of any accessibility action plan drawn up by the provider as mentioned in section 368C(2);]
 - [pay to the appropriate regulatory authority such fee as that authority may require under section 368NA;]
 - (zb) retain a copy of every programme included in the service for at least forty-two days after the day on which the programme ceases to be available for viewing;]
 - (a) comply with any requirement under section 368O (provision of information);

Changes to legislation: Communications Act 2003, Section 368D is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) co-operate fully with the appropriate authority for any purpose within section 368O(2) or (3).

[A copy of a programme retained for the purposes of subsection (3)(zb) must be of a ^{F7}(3A) standard and in a format which allows the programme to be viewed as it was made available for viewing.]

- (4) In this section “electronic address” means an electronic address to which users may send electronic communications, and includes any number or address used for the purposes of receiving such communications.]

Textual Amendments

- F1** Pt. 4A inserted (19.12.2009) by [Audiovisual Media Services Regulations 2009 \(S.I. 2009/2979\)](#), regs. 1(1), **2**
- F2** Words in s. 368D(1) substituted (1.11.2020) by [The Audiovisual Media Services Regulations 2020 \(S.I. 2020/1062\)](#), regs. 1(2), **31(a)** (with Pt. 7)
- F3** S. 368D(2)(ca) inserted (1.11.2020) by [The Audiovisual Media Services Regulations 2020 \(S.I. 2020/1062\)](#), regs. 1(2), **31(b)(i)** (with Pt. 7)
- F4** Words in s. 368D(2)(d) substituted (1.11.2020) by [The Audiovisual Media Services Regulations 2020 \(S.I. 2020/1062\)](#), regs. 1(2), **31(b)(ii)** (with Pt. 7)
- F5** S. 368D(3)(zza) inserted (1.11.2020) by [The Audiovisual Media Services Regulations 2020 \(S.I. 2020/1062\)](#), regs. 1(2), **31(c)** (with Pt. 7)
- F6** S. 368D(3)(za)(zb) inserted (18.3.2010) by [The Audiovisual Media Services Regulations 2010 \(S.I. 2010/419\)](#), regs. 1(1), **5(1)**
- F7** S. 368D(3A) inserted (18.3.2010) by [The Audiovisual Media Services Regulations 2010 \(S.I. 2010/419\)](#), regs. 1(1), **5(2)**

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/1900, art. 3(2) by [S.I. 2003/3142 art. 1\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/1492 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/697 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124Q(7)(a) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 148A and cross-heading inserted by [2022 c. 46 s. 73\(2\)](#)
- s. 368E(5)(d)(e) inserted by [2017 c. 30 s. 94\(3\)](#)
- s. 402(2A)(za)(zb) inserted by [2022 c. 46 Sch. para. 2](#)
- Sch. 3A para. 21(6) inserted by [2022 c. 46 Sch. para. 3\(5\)\(b\)](#)
- Sch. 3A para. 37(3)(aza) inserted by [2022 c. 46 Sch. para. 3\(9\)](#)
- Sch. 3A para. 84(1)(aza) inserted by [2022 c. 46 Sch. para. 3\(10\)](#)
- Sch. 3A para. 103(1)(ca) inserted by [2022 c. 46 s. 70](#)
- Sch. 3A para. 119A inserted by [2022 c. 46 s. 72](#)
- Sch. 3A Pt. 4ZA inserted by [2022 c. 46 s. 67\(1\)](#)