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STATUTORY INSTRUMENTS

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**2020 No. 1062**

**The Audiovisual Media Services Regulations 2020**

**PART 7**

**Transitional provision**

**Quota for European Works**

**53.**—(1) This regulation applies where a person is providing an on-demand programme service immediately before 1st November 2020.

(2) The person is to be taken to comply with the requirement of section 368CB(1) of the Communications Act 2003 in relation to the year 2020 if the person complies with that requirement in relation to November and December 2020.

**Advance notification for on-demand programme and video-sharing platform services**

**54.**—(1) Paragraph (2) applies where a person is providing an on-demand programme service immediately before 6th April 2021 and—

- (a) there is a significant difference between the service being provided and the service that was notified to the appropriate regulatory authority under section 368BA(1) of the 2003 Act, and
- (b) that significant difference is a change that may affect the determination of jurisdiction in accordance with paragraphs 2, 3 and 4 of Article 2 of the Audiovisual Media Services Directive.

(2) Section 368BA(2) of the 2003 Act has effect as if the requirement to give a notification of the significant difference before providing the service with a significant difference were a requirement to give a notification of the significant difference before 6th May 2021.

(3) Paragraph (4) applies where a person is providing a video-sharing platform service immediately before 6th April 2021.

(4) Section 368V(1) of the 2003 Act has effect as if the requirement to give a notification of the person's intention to provide the service before beginning to provide it were a requirement to give a notification before 6th May 2021 that the service is being provided.

(5) In this regulation—

“the 2003 Act” means the Communications Act 2003;

“the Audiovisual Media Services Directive” has the same meaning as in the 2003 Act (see section 405(1) of that Act);

“on-demand programme service” has the same meaning as in the 2003 Act (see section 368A of that Act);

“video-sharing platform service” has the same meaning as in the 2003 Act (see section 368S of that Act).

## Signal integrity

**55.**—(1) Section 16 of the Interpretation Act 1978 (general savings on repeal)(**1**) applies in relation to the expiry of Chapter 4A of Part 3 of the 2003 Act (see regulation **49**) with the modification in paragraph (2).

(2) OFCOM may not begin or continue any investigation into a signal integrity breach, or give a notice under section 347D or 347E of the 2003 Act in respect of a signal integrity breach, unless the breach is brought to OFCOM’s attention before the final complaints day.

(3) A “signal integrity breach” means either or both of the following—

- (a) a contravention of section 347A(2) of the 2003 Act;
- (b) a failure to comply with a demand for information made under section 347C of that Act.

(4) The “final complaints day” is the last day of the period of 20 working days beginning with IP completion day.

(5) In this regulation—

“the 2003 Act” means the Communications Act 2003;

“working day” means a day other than—

- (a) Saturday or Sunday, or
- (b) a day which is a bank holiday under the Banking and Financial Dealings Act 1971(**2**) in any part of the United Kingdom.

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(1) 1978 c. 30.

(2) 1971 c. 80 (for the definition of “bank holiday” see section 1 and Schedule 1).