

*Research, analysis and opinion on international media law*

## UK passes Media Bill with new rules for streamers



### Passed ahead of a general election, the Media Act 2024 introduces major changes to the country's media regulation

The UK's Media Bill completed the final legislative stages and became law on 24 May, and will take effect on 22 September.

The new law is described as the 'biggest shake-up to media regulation in two decades', and is intended to bridge the regulatory gap between linear and streamed content - bringing both under new Ofcom rules.

The Media Act 2024 aims to ensure that UK broadcasters remain globally competitive, and ensure on-demand services of public broadcasters are easy to discover on smart TVs and streaming sticks.

Other fundamental changes include

requirements for streaming services to provide subtitles, audio description and signing to support people with disabilities.

Commenting on the media reform and new measures, Alex Kelham, Partner at Lewis Silkin, explained: 'The Act brings mainstream VoD services under rules like those that already apply to linear TV in respect of harmful content and impartiality. This aims to ensure that UK audiences, especially children, are better and more consistently protected from harmful material.'

Ms Kelham added: 'Ofcom will need to consider the age of a programme when →

## Spain introduces transparency bill in media law reform

Spain's Prime Minister Pedro Sánchez has announced a media transparency law as part of a "democratic regeneration" pledge to curb the spread of fake news.

Mr Sánchez addressed the lower house of parliament in Madrid on 22 May, and said: "Without free media of quality, there is no democracy." He continued: "Without reliable and diverse sources of information, the citizens are blind."

Journalists and media analysts have raised concerns that the move risks endangering press freedom and limiting the media's role as a public watchdog. Mr Sánchez, however, explained that the new legislation would "end the impunity of some pseudo media largely financed by ... the extreme right."

The prime minister confirmed that the proposed legislation is in line with media freedom regulations that are approved and supported by all parties in the European Parliament, except the far-right.

Under the new rules, media organisations will be required to identify all shareholders that have influence over editorial policy, as well as identify sums received in publicly funded advertising.

He outlined the importance of industry transparency, stating that "Citizens must know the sources of media financing, the names of their shareholders and audience figures in an honest way to avoid fraud in advertising investment."

The prime minister also announced a EUR100 million subsidy to support traditional media to go digital. ■

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## French Competition Authority approves acquisition of Altice Media group by CMA CGM

The French Competition Authority has approved the acquisition of Altice Media by Marseilles-based CMA CGM, owned by Lebanese businessman Rodolphe Saadé.

The EUR1.55 billion deal was given regulatory clearance on 28 June, subject to conditions including behavioural remedy to address risk of harm to competition.

The exclusivity agreement was announced on 15 March and includes 100% of Altice Media's share capital.

The move will allow Mr Saadé, a shipping tycoon, to consolidate a growing media business in France under the ownership of cash-rich CMA CGM.

Altice Media will be jointly acquired by CMA CGM, for an 80% share, and Merit France, its Family Holding, for a 20% share. The deal's total enterprise value is EUR1.55 billion.

Commenting on the acquisition, Chairman and CEO Mr Saadé said: "Through this contemplated acquisition, we have the ambition to pursue our long-term development into the media sector. Altice Media is a reference media group, with strong growth, talented teams, and iconic brands."

Founded 20 years ago, CMA CGM is the third-largest private media group in France, and owns regional newspapers La Tribune, La Provence and Corse Matin. ■

## Rising print sales for Yorkshire Post despite 'sector decline'

Regional newspaper Yorkshire Post announced an increase in revenue "in the face of a general sector decline".

The Scotsman and Yorkshire Post owner, National World, reported total group revenue of GBP39.5 million in the 21 weeks to May 25, an increase of 18 per cent on the same period last year.

Digital revenue increased by 11 per cent, circulation increased by 12 per cent, and print advertising surged by more than a fifth.

The British multimedia company also shared progress with plans to automate some of its processes, including using AI for the design and production of pages for print.

Chairman David Montgomery explained: "Our transition towards full automation of content production processes has accelerated in the first half."

He added: "There is greater focus on pivoting the workforce towards highly monetisable specialist content across all platforms, particularly higher yielding video, business information and events."

"Consequently, we are differentiating the company as a leading innovator with a continually expanding reach."

National World revealed last year that its move to automation and AI for the production of its print and digital content is part of measures to "change with the times".

Its competitor, Newsquest Media Group, recently announced it hired several AI-assisted reporters in the UK to work with AI systems to help write news articles. ■

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← drawing up the VoD Code, following concerns that otherwise, requirements such as due impartiality which currently apply for traditional broadcasters, could provide an undue burden for streaming platforms if applied to an entire content library.'

Ofcom will also have to take into consideration additional steps that audiences may have to take to access content, such as paying for specific films or TV shows.

The new measures also mean that VoD viewers will now be able to formally complain to Ofcom. The Act strengthens Ofcom's duty to assess audience protection measures on streaming platforms, such as age ratings and viewer guidance.

The regulatory body will also have more robust powers to investigate and take action to enforce standards if it considers it appropriate, including issuing fines of up to

GBP250,000 and, in serious or repeated cases, restricting a service's availability in the UK.

Commenting on other significant changes, Ms Kelham explained: 'The Act also reflects the government's commitment to repeal section 40 of the Crime and Courts Act 2013, which was not in force, but would theoretically have required news publishers to pay both sides' costs in any legal proceedings if not a member of an approved regulator.' ■

## MLI's Fourth Annual Global Conference Guardian Panel Session Summary



Gill Philips, Director of Editorial Legal Services, The Guardian

Dominic C. Harrison, Head Lawyer, Programme Compliance, Channel 4

Adam Cannon, Director of Legal, The Sun

David Attfield, Head of Programme Legal Advice, the BBC

## Cutting-Edge Current Issues in the UK Media Law Landscape

Prominent editorial lawyers from the BBC, the Guardian, Channel 4 and the Sun evaluated how cutting-edge current issues in the UK market are playing out against a background of squeezed budgets, cataclysmic drops in advertising revenue, AI and the global threat posed by big tech.

Speakers discussed strategic lawsuits against public participation (SLAPPS), a current and on-going European hot topic, and how they can be used to scare and intimidate small publishers and journalists into not publishing public-interest stories.

The discussion moved to broadcast impartiality and regulation, and how the traditional Ofcom regulatory sector is being challenged against a background of Ofcom sanctioning GB News over its use of politicians to present news programmes and the suing of Netflix over its Baby Reindeer series.

Panel members discussed where artificial intelligence fits into the modern media industry, in terms of fairness, transparency and how things are communicated to an audience.

Lawyers highlighted how data protection is becoming more prominent as the legal weapon of choice in terms of complaints about content and its effect on news gathering. They moved on to discuss the recent successful judicial review case brought in Northern Ireland by a number of media outlets over a piece of legislation passed there last year, applicable only in Northern Ireland, which gave suspects or people accused of sexual offenses anonymity during their lifetime and also 25 years from their death, and considers how that plays out more widely in terms of open justice.





# MLI's Fourth Annual Global Conference Mediaspace Panel Session Summary

**Mediaspace** leads panel with **Rakuten Viber** and the Institute, National Media Infocommunications Authority



Top Left: Kinga Incze, Founder Mediaspace & Whitereport

Top Right: Hamish Sandison Chairman, Mediaspace

Bottom Left: Idit Arab, General Counsel, Rakuten Viber

Bottom Right: Dr Levente Nyakas Head of Institute, National Media and Infocommunications Authority

## Media Market Developments: Coping with the Regulatory Storm

While the effects of privacy regulations are significant, changes have been a catalyst for companies such as Viber that are embedding privacy considerations into every stage of product and service development, demonstrating unwavering commitment to user privacy. Speakers say it is not yet clear what the full implications are of the EU's Digital Services Act and Digital Markets Act, however, increased ad transparency and responsibility for user-generated content is contributing to the formation of robust rules.

For Viber, these changes have led to more opportunities. Idit Adat explained: "As legal people in the market, it's interesting for us to bring the opportunities to the table. And we don't get to do that a lot – we usually bring the downside."

She added: "On the compliance side, it does require you [as a legal leader] to see the big picture and make sure everything is aligned with. I guess the challenge for everyone in our world is that the regulation is increasing and it is demanding. It is not focused on businesses, right? It's focused on the users. We're focused on the users, because what are we without them? However, it makes things more complicated and slower." Ms Adat explained that companies need to be creative and agile to comply with regulations and bring new business opportunities.

Levente Nyakas pointed out that EU digital regulations have led to new questions for media authorities given the level of media industry convergence. Data transparency, content monitoring and child protection are among the most pressing issues.

Dr Nyakas shared that media authorities want to see what media markets look like, what the level of content consumption is, how users access content and what the problems are with a market you cannot even see.

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