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Guidance: Video-sharing platforms – who needs to notify to Ofcom?



06 April 2021

From 6 April 2021, video-sharing platform (VSP) providers in UK jurisdiction are legally obliged to submit a formal notification of their service to Ofcom.

VSPs are a type of online video service which allow users to upload and share videos with the public. On 1 November 2020, the <u>Audiovisual Media Services (AVMS) Regulations</u>

(https://www.legislation.gov.uk/uksi/2020/1062/made) came into force, establishing new rules

(https://www.ofcom.org.uk/about-ofcom/latest/features-and-news/a-guide-to-the-regulation-of-video-

sharing-platforms) for UK-established VSPs.

There are specific legal criteria which determine whether a service meets the definition of a VSP, and whether it falls within UK jurisdiction. VSPs are responsible for self-assessing whether they meet these criteria. Where it appears that a service meets the statutory criteria but has not notified to us, we have statutory powers to request information in order to make an assessment, and to take enforcement action if a provider has failed to notify. This can include a financial sanction and directing the provider to notify.

This guidance is designed to help providers assess whether their service is in scope and needs to be notified to us, and to provide transparency around how we are likely to interpret the statutory criteria.

<u>Guidance: Video-sharing platforms – who needs to notify to Ofcom? (PDF, 541.3 KB)</u>
(https://www.ofcom.org.uk/__data/assets/pdf_file/0023/215456/guidance-video-sharing-platforms-who-needs-to-notify.pdf)

<u>Arweiniad: Llwyfannau rhannu fideos – pwy sydd angen hysbysu Ofcom? (PDF, 142.0 KB)</u>
(https://www.ofcom.org.uk/__data/assets/pdf_file/0017/215540/trosolwg-arweiniad-llwyfannau-rhannu-fideos-pwy-sydd-angen-hysbysu-ofcom.pdf)

The obligation to notify comes into force on 6 April 2021 and existing UK-established VSP providers will have until 6 May 2021 to notify their service to Ofcom. In all other cases, providers are required to make an advance notification to Ofcom of their intention to provide a VSP service at least 10 working days before its

launch.

Notify a service to Ofcom

You can notify a service to Ofcom by submitting a notification form online. Please refer to the guidance when completing the form.

If you have questions about Ofcom's regulation of VSPs, email <u>vspregulation@ofcom.org.uk</u> (<u>mailto:VSPRegulation@ofcom.org.uk</u>)

Notify a service to Ofcom ✓

Provide Ofcom with information about your video-sharing platform (https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/vsp-regulation/notify-to-ofcom)



See also...

Rules and guidance (https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/on-demand/rules-guidance)

Statement: Video-sharing platforms – who needs to notify to Ofcom? (https://www.ofcom.org.uk/consultations-and-statements/category-2/video-sharing-platforms-notifying-ofcom)

10 March 2021

Video-sharing platform (VSP) regulation (https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/vsp-regulation)
6 April 2021

Advice for Businesses

A starter pack for businesses (https://www.ofcom.org.uk/advice-for-businesses/inexperienced-digital-users)

Knowing your rights (https://www.ofcom.org.uk/advice-for-businesses/knowing-your-rights)

Disabled business customers (https://www.ofcom.org.uk/advice-for-businesses/help-for-disabled-business-customers)

Read all our advice for businesses (https://www.ofcom.org.uk/advice-for-businesses)

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