

**BROADCASTING OF MAJOR SPORTING EVENTS
A VOLUNTARY CODE OF CONDUCT FOR RIGHTS OWNERS**

Introduction

The signatories to this Code accept the principle that the owners of rights to the major sporting events under their control, as defined below, should endeavour to ensure that broadcasting coverage of all major sporting events should be generally available in the UK through free to air television broadcasts (in live or recorded form), and that a percentage of the revenue generated from the sale of broadcasting rights should be reinvested for the wider development of their sport.

Coverage of sport broadcast on television - terrestrial and satellite, radio, the internet and through mobile devices - has grown significantly in recent years. This development has been to the benefit of major spectator sports in the UK and the sporting public alike. The organisations which are signatories to this document have all sought to apply a share of these resources in order to secure the development of their sports and can demonstrate clear improvements as a result. They have also sought to ensure that the general public has access to view a range of major sporting events, as they recognise that the coverage of sport at its best will stimulate and deepen interest in their sports, and encourage greater sponsorship support. They believe that the individual governing bodies of sport are in a position to strike an appropriate balance between best commercial advantage and the wider long-term interests of their sports and the sporting public.

The signatories have therefore agreed to continue to support this Code, as revised, in order to provide assurance that they have used reasonable endeavours to ensure that the UK television broadcast rights, not subject to statutory regulation under the Listed Events provisions of the Broadcasting Act

1996 (as amended), are subject to the same general principle as applies to those events. Ofcom, the independent regulator for the UK communications industries, monitors the Listed Event provisions placed upon sports rights owners.

The Code, which aims to encourage the reinvestment of revenues from broadcasting rights in sport for the benefit of all participants in that sport, is a voluntary obligation undertaken by sports rights owners, demonstrating their continued investment in, and commitment to, the grassroots development of sport.

The Code applies principally to the UK television broadcasting of major sporting events. However, the signatories recognise that there are other visual and audio broadcast platforms, including radio, internet and mobile, which can be utilised to ensure that the general public has access to their sports, and they agree to apply the principles of the Code with regard to reinvestment in their sports to revenues generated from these other media platforms.

The signatories agree that compliance with this Code should be monitored and reported on by the Sport and Recreation Alliance Sports Broadcast Monitoring Committee (the “Committee”) to ensure that the Code is seen to be complied with in practice. The Committee is chaired by an independent person and includes both representatives of the signatories and independent members.

References in this Code to “major sporting events” mean all events which have significant national or international standing, the television rights to which are solely under the ownership or control of the participating UK governing bodies, or other signatories to this Code.

The Accessibility Principle

The signatories accept the general principle that coverage of all major sporting events in live and/or recorded and/or highlights form should be generally available in free to air television broadcasts accessible to 95 per cent of the UK population.

Listed Events covered by the Broadcasting Act 1996 (as amended) are required to comply with these provisions.

The Code recognises the role of governing bodies in negotiating with broadcasters to obtain either the best market rate or other preferred financial arrangements for event coverage. The signatories acknowledge that the duty of sports bodies to maximise income from rights sales for the benefit of their sports and the desirability of the widest possible broadcasting exposure may not always coincide. They undertake to make every reasonable effort to strike a balance between these objectives that is in the best interests of sports development and the wider sporting public alike.

The signatories therefore agree to use all reasonable endeavours to tender their UK television broadcast rights openly and solicit bids from free-to-air broadcasters and to strive to achieve a reasonable balance between procuring the widest possible broadcasting exposure whilst at the same time generating an appropriate commercial return in the interests of their sport. They will also seek to ensure that broadcasters actually broadcast the events to which the rights have been sold and permit simultaneous UK radio or audio commentary.

It is recognised that a major factor in the negotiation of broadcasting rights will be the scheduling requirements and policies of broadcasters and that these will primarily determine the fees that they are prepared to offer and the contractual terms they are prepared to agree. These factors are not within the control of the sporting bodies. However, the signatories express the hope that broadcasters will endorse the spirit of this Code and act in accordance with it.

The Reinvestment Principle

The signatories¹ commit themselves to reinvesting at least thirty per cent of the revenue derived from the sale of UK television broadcasting rights to major sporting events with the aim of increasing participation in, and the development of, their sport.

This investment may include expenditure on some or all of the following:

- youth programmes
- community sports facilities
- education and training
- coach education
- research and development
- volunteer training
- diversity programmes
- grassroots communication

This includes expenditure made by constituent members (e.g. clubs, counties, regions etc) funded in whole or in part by revenues derived from broadcasting rights.

Monitoring

The signatories will provide a reasonable level of information to enable the Committee to monitor compliance with these principles. The signatories will provide information as to their broadcasting arrangements and an explanation of how the requirements of this Code have been met in negotiating such arrangements, albeit nothing in this Code shall require signatories to disclose commercially confidential financial information. If it has not been possible to secure the broadcasting of events on free to air television to at least 95 per cent

¹ The PGA European Tour and Premier League are not governing bodies and therefore have no formal responsibility for funding grassroots sport. As such they are not expected to sign up to the reinvestment principle. They do, however, actively support and fund grassroots projects and initiatives and are encouraged to inform the Sports Broadcast Monitoring Committee of such activity.

of the UK population, then the signatory will explain what efforts were made in that respect.

Each signatory will provide the following information to the Committee by 31st May in each year:

1. Confirmation of whether it has sold any UK television broadcasting rights during the previous calendar year and, if so: (i) details of such arrangements including the length of the arrangement, the television broadcast rights awarded and the television channels on which the rights will be utilised; and (ii) a statement as to whether it has complied with the Accessibility Principle.
2. If the signatory has not sold any UK television broadcasting rights in the previous calendar year a statement that the signatory's existing UK television broadcasting arrangements remain in place and, if details of such arrangements have not been previously provided to the Committee, an explanation of the arrangements (including the same details set out in paragraph 1 above) and a statement as to whether they comply with the Accessibility Principle.
3. If the signatory is unable to state that the UK television broadcasting arrangements comply with the Accessibility Principle, the efforts made by the signatory to use its reasonable endeavours to offer wide access to its domestic broadcasting rights and the reasons why it was not possible to meet the Accessibility Principle.
4. a. the percentage of UK television broadcasting revenue spent on grassroots development during the previous calendar year;
b. examples of reinvestment projects.

The Committee will monitor:

1. The circumstances in which the sports rights were acquired - for example whether terrestrial free-to-air broadcasters were given an opportunity to acquire the rights on fair and reasonable terms, and did in fact try to do so.
2. The manner in which the broadcaster(s) propose(s) to exercise the rights acquired and the steps taken to try to ensure that a substantial proportion of the population is not deprived of the opportunity of viewing the event(s) involved.

For reasons of confidentiality, any information considered by a signatory to be commercially sensitive will be assessed confidentially by independent members of the Committee. The independent members will then report their findings to the full Committee.

Reporting

Signatories are encouraged to report annually in their own publications the extent to which they have complied with the provisions of the Code.

The Committee will report to DCMS and Ofcom annually and issue a media release by the end of June each year relating to the previous year's activity and compliance.

Additional information

Meetings of the Committee shall normally be held once a year. The secretariat to the Committee is provided by the Sport and Recreation Alliance.

Committee members representing the signatories are appointed via nomination from the Sport and Recreation Alliance's Major Spectator Sports Division. Independent members are selected and invited to join the Committee by the Chair on the recommendation of the Sport and Recreation Alliance. Independent members will be appointed initially for a period of five years.

The following organisations are signatories to the Code:

- The England and Wales Cricket Board
- The Football Association
- The Lawn Tennis Association/The All England Lawn Tennis and Croquet Club (joint)
- The R&A
- The Rugby Football Union
- The Rugby Football League

In addition, the following organisations are signatories to the Accessibility Principle of the Code:

- PGA European Tour
- The Premier League
- UK Athletics

The signatories will seek to encourage other sporting organisations to become signatories to the Code.

The Committee's Terms of Reference and membership can be found as an Appendix to this document.

Appendix One

Sport and Recreation Alliance Sports Broadcast Monitoring Committee

Terms of Reference

A) Purpose

1. The Sports Broadcast Monitoring Committee (SBMC) serves to monitor the implementation of the Sport and Recreation Alliance Voluntary Code of Conduct for Sports Events ('The Code').
2. The SBMC will assess whether broadcast rights have been sold by sports rights owners in accordance with both the letter and spirit of the Code.
3. The SBMC has the right to report publicly on any of its findings.

B) Organisation

1. The secretariat for the SBMC will be provided by the Sport and Recreation Alliance.
2. The location of meetings will be determined as appropriate.
3. Meetings will be held as required, normally once per annum.

C) Membership

The SBMC will consist of:

1. Independent Chair
2. Representatives from the signatories to the Code.
3. At least one independent member – i.e. not from any of the sports rights owners.
4. Additional representatives from the Sport and Recreation Alliance and UK Sport.

D) Communications

1. Minutes will be distributed promptly to all SBMC members.
2. As appropriate, the SBMC will report on its work and relevant developments.
3. Any party that wishes to withdraw from the Code must publish a written notice to the SBMC of their reasons.

E) Signatories to the Code

1. The Code will apply in full to the following sports rights owners:-
 - The England and Wales Cricket Board
 - The Football Association
 - The Lawn Tennis Association/The All England Lawn Tennis and Croquet Club
 - The R&A
 - The Rugby Football Union
 - The Rugby Football League
2. The Accessibility Principle of the Code will apply to the following sports rights owners:-

- PGA European Tour
 - The Premier League
 - UK Athletics
3. Representative bodies of other sports may adhere to the Code on similar terms, as may other UK bodies which have control of broadcasting rights to major national sporting events.

The membership of the Committee as at 1 July 2015 is:

Independent Chair

- David Scott CBE

Signatory Representatives

- Robert Sullivan (FA)
- Fredrik Lindgren (PGA European Tour)
- David Mahoney (ECB)
- William Bush (Premier League)

Independent Members

- Neil Austin
- Karen Earl
- Kate Gallafent QC
- Ian Mill QC
- Alex Russell

Additional Members

- Emma Boggis (Sport and Recreation Alliance)
- Simon Morton (UK Sport)

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Appendix Two

The Listed Events

GROUP A comprises:

- The Olympic Games
- The FIFA World Cup Finals Tournament
- The FA Cup Final
- The Scottish FA Cup Final (in Scotland)
- The Grand National
- The Derby
- The Wimbledon Tennis Finals
- The European Football Championship Finals Tournament
- The Rugby League Challenge Cup Final
- The Rugby Union World Cup Final

GROUP B includes:

- Cricket Test Matches played in England
- Non-Finals play in the Wimbledon Tournament
- All Other Matches in the Rugby Union World Cup Finals Tournament
- Six Nations Rugby Tournament Matches Involving Home Countries
- The Commonwealth Games
- The World Athletics Championship
- The Cricket World Cup – the Final, Semi-finals and Matches Involving Home Nations' Teams
- The Ryder Cup
- The British Open Golf Championship