

# FACTSHEET NO. 2

## SIMULCASTING: TV ON MOBILES AND THE INTERNET



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### What is simultaneous broadcasting (simulcasting)?

Simultaneous broadcasting is not a new term, but in recent years the meaning has changed dramatically. Originally simultaneous broadcasting was used to refer to the practice of broadcasting programmes at the same time across the different regions of the UK. However, with the advent of new means of distributing programmes, the notion of simulcasting has come to mean the practice of making programmes available through mobile phones, internet streaming and other new platforms at the same time as the first broadcast on terrestrial television.

### Why is simulcasting potentially contentious?

It is Equity's view that simulcasting rights in the existing agreements do not extend to the distribution of television on non-traditional platforms such as mobile phones. These rights were drawn up in the era before digital distribution and refer to the quite different practices of

making programmes available across different UK regions under older technology and working practices. Equity believes that, in negotiating new agreements suitable for the digital era there should be additional payments for artists based on the granting of permission to use these rights on these platforms. Not all producers and broadcasters agree, arguing that the existing agreements cover new uses.

### What is Equity doing to protect members' rights?

The union has been in negotiations with producers and broadcasters. We already have agreements with ITV and Channel 4 that provide separate methods of payment for the simulcasting of material on mobile devices and broadband internet services while the independent production body PACT has accepted the principle of additional payments although a satisfactory deal has not yet been reached. The BBC, however, continues to argue that it can stretch the wording of historical agreements to cover new

digital platforms without additional payments.

### What does Ofcom say?

Ofcom specifically defines simulcasting in relation to the distribution of television or radio programmes on more than one transmission technology (eg FM radio and DAB radio or analogue and digital television). OFCOM also clearly identifies the differences between analogue and digital transmission as being the method by which a signal is delivered to viewers.

### What happens next?

Equity will continue to make our case that the simulcasting of material on new platforms represents a new use of our members' work and, therefore, requires additional payments to allow broadcasters the rights to exploit it using new technologies. We are strengthened in that belief by recent changes in intellectual property law on the use of material on the internet that give increased rights to the creators of copyright material.

## WANT TO KNOW MORE?

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