RULES FOR THE USE OF SHORT EXTRACTS ON DEMAND FOR NEWS REPORTING IN THE UNITED KINGDOM APPLICABLE FOR THE GAMES OF THE XXXII OLYMPIAD TOKYO 2020, 23 JULY TO 8 AUGUST 2021

1. Introduction

1.1 These UK Digital NARs, which are applicable only within the territory of the United Kingdom, apply to the use for news purposes of moving images of the 2020 Olympic Games by Non RHBs and Bona Fide News Organisations by way of on demand transmissions via Non RHBs’ proprietary news Internet Website, Mobile Website and Mobile Apps.

1.2 These UK Digital NARs are supplementary to the IOC’s News Access NARs applicable to all other forms of Broadcast for the Olympic Games except, in the case of the United Kingdom, where these UK Digital NARs will take precedence with respect to on demand transmissions via Non RHBs' proprietary news Internet Website, Mobile Website and Mobile Apps.

1.3 These UK Digital NARs are subject to applicable United Kingdom national laws and regulations, including any “fair dealing”, “fair use” or equivalent provisions in national copyright laws.

1.4 Capitalised terms used in these News Access UK Digital NARs have the meaning set out in the Definitions section at the end of these News Access UK Digital NARs.

1.5 All times and dates referred to are London time/dates.

2. On Demand. For the purposes of this these UK Digital NARs the expression “On Demand” shall mean the making available by Non RHBs in the United Kingdom only of Short Extracts for the purposes of reporting news stories, where the timing of the transmission is chosen by the viewer and not the Non RHB, delivered via:

2.1 a single Internet Website of each Non RHB; and/or

2.2 a single Mobile Website and a single Mobile App of each Non RHB;
In each case being the proprietary Internet Website, Mobile Website and Mobile App of a Non RHB only and subject always to the provisions of this these UK Digital NARs.

3. Sources of Olympic Material for editing and transmitting of Short Extracts for News Reporting.

3.1 Non RHBs may access Olympic Material for use in accordance with this these UK Digital NARs by one or more of the following sources:

a. recording the BBC’s transmissions of Olympic Material (but not interviews or any other material) “off air”; or

b. Authorised News Agencies

Provided that Non RHBs shall not purport to rely on this these UK Digital NARs and, in addition, purport to rely on fair dealing to transmit Olympic Material in excess of the allowance in these UK Digital NARs.

3.2 In respect of the source referred to:

a. at paragraph 3.1. (a) Non RHBs shall use best endeavours to eliminate any of the BBC’s commentary from a Short Extract and shall not in any event use the BBC’s commentary in any derogatory way;

b. at paragraph 3.1. (b) Non RHBs must negotiate directly with News Agencies (as appropriate) and pay such fees and technical charges as are agreed between them.

3.3 If a Non RHB is granted access to the Games or Olympic Events for pre-event or post-event interviews or hard news coverage, the Non RHB will not transmit any of the Non RHB’s own pictures of the Games or Olympic Event other than such interviews or hard news.

3.4 Courtesy Credit/BBC “Bug”: Non RHBs shall ensure that each transmission of Olympic Material gives an on-screen credit to the BBC by way of a super video credit on the Olympic Material shown for a minimum period of four seconds in the form of “Pictures from [BBC]”; or where the Olympic Material is sourced in accordance with 3.1. (b) or (c) in the form “Courtesy of [BBC]”. Non RHB shall not add Non RHB’s own logo to a Short Extract and shall ensure that all watermarks and/or logos contained in the feed from the BBC are retained.

4 Use in Digital News Services only.

4.1 Olympic Material may only be accessed via bona fide digital news or sports news services of Non RHBs, and included only in the sections dedicated to news or sports news of the Internet Website, Mobile Website, or Mobile
App (as appropriate) of the Non RHB ("Digital News Service"). Olympic Material may be positioned within the section of the Digital News Services covering the relevant Games in an overall news context but Digital News Services must not be positioned or promoted as dedicated Games websites or dedicated Games digital services.

4.2 Single Non RHB with multiple Digital News Services (for example: two or more local newspaper titles, which are group companies or otherwise controlled or managed by a single Non RHB, where each newspaper title has its own distinct and separate website). Subject to the restrictions in paragraph 5.1.e below, each individual website may be treated as making On Demand transmissions in accordance with this these UK Digital NARs as if it were a separate Non RHB however, subject to section 4.3 below, there must be no aggregating (for example an overarching website, or search tool, or app, or intra group website linking, or other system provided or licensed (directly or indirectly) by or on behalf of that Non RHB), that would allow a user to access all the Short Extracts from two or more of the websites (for example but not limitation via a single website or portal or tool/app), thereby effectively creating the Games or Olympic Event dedicated service.

4.3 Single Non RHB with multiple Digital News Services operating via an overarching website (for example two or more regional or local television news service webpages on an overarching website controlled by a single Non RHB, where each region/locality has its own distinct and separate webpage). Subject to the restrictions in section 5.1.f below, each individual webpage may be treated as making On Demand transmissions in accordance with this these UK Digital NARs as if it were a separate Non RHB. However, in recognition that the rights of BBC and IOC must be respected, there must be no aggregating by or on behalf of that Non RHB that would allow a user to access all the Short Extracts from two or more of the webpages, thereby effectively creating the Games or Olympic Event dedicated service.

5. Restrictions and Holdbacks.

5.1 All use of Olympic Material used pursuant to these UK Digital NARs shall be subject to the following restrictions:

a. **Transmission by Non RHB** In all cases using UK time and 24 hour clock, during any 24 hour period commencing 24:00, Non RHBs may not make available any Olympic Material until the later of 09:00 or 3 (THREE) hours after the relevant Olympic Event has concluded (by way of example (i) Olympic Material of a Olympic Event that concludes...
b. Total Daily Aggregate Amount of Olympic Material. Non RHBs may use a maximum of 120 seconds of in aggregate of Olympic Material per Games day, for reporting on news in accordance with this these UK Digital NARs;

c. Transmission Period: Olympic Material may only be used or made available for a period of twenty four (24) hours commencing at the earliest time that transmission of the relevant Olympic Material is permitted in accordance with Rule 5.1 (a) above (by way of example in all cases using UK time and 24 hour clock, (i) Olympic Material of a Olympic Event that concludes 00:30 Tuesday (UK time) may be transmitted from 09:00 that Tuesday until 08:59 the immediately following day (Wednesday); and (ii) : Olympic Material of a Olympic Event that concludes 06:30 on Tuesday may be transmitted from 09:30 Tuesday until 09:29 the immediately following day (Wednesday).

d. Total Daily Aggregate Number of Short Extracts, (excluding Local/Regional/Home Nations Digital News Services): Six (6) : Non RHBs may use a maximum of Six Short Extracts per Games day for reporting on news in accordance with this these UK Digital NARs. As such, regardless of how many Olympic Events take place on a particular day, a Non RHB may only transmit a maximum 6 Short Extracts in total of the Olympic Material during the transmission window referred to in 5.1 (c ) (to be selected from the Olympic Events taking place that day).

e. Local/Regional/Home Nations Digital News Services, Total Daily Aggregate Number of Short Extracts: Two (2) : Non RHBs may use a maximum of Two Short Extracts per Games day for reporting on news in accordance with this these UK Digital NARs provided that the Olympic Event covered by a Short Extract features a participant from the region or locality served by the Local/Regional/Home Nations Digital News Service or where participants from that region/locality/home nation may be directly affected by its outcome.

f. Maximum Duration of Short Extracts Total Daily and Aggregate Amount of Olympic Material: No Short Extract may be longer than one third of any individual Olympic Event or 20 seconds whichever is the lesser time. However, if the duration of an individual Olympic Event is
less than 20 seconds the whole of the Olympic Event can be shown. Subject to the preceding sentence, not more than one third of any individual Olympic Event may be used in any one Digital News Service regardless of how many Short Extracts contain Olympic Material of that Olympic Event or the duration of those Short Extracts (for example: a Digital News Service may not transmit more than 60 Seconds, of an individual race which lasted 180 seconds, regardless of how many Short Extracts contain Olympic Material of that race).

5.2 Subject to the above provisions and this these UK Digital NARs generally, Short Extracts may be transmitted (a) individually; or (b) incorporated within a package consisting solely of Short Extracts; or (c) incorporated within a bona fide news report of the Games which report contains Short Extracts and other material, provided such news report, including the Short Extract, is not more than 240 seconds (4 minutes) in aggregate, and provided in each case such Short Extracts, packages of Short Extract package and news reports are not sponsored in any way that might imply the sponsor has an official relationship with the Games (unless the sponsorship is authorised by the IOC), and are not used in any promotion for any product or service (whether of the Non RHB or otherwise).

6. **Contact Details.** If requested by IOC or BBC Non RHBs shall promptly provide the contact details of a senior representative of the Non RHB to represent the Non RHB in respect to any matter arising in respect to this these UK Digital NARs.

7. **Geo-Blocking and Digital Rights Management:** In respect of all On Demand Delivery Of Short Extracts, Non RHBs shall use:

   a) effective geo-blocking technology which ensures that no person is able to receive or view Short Extracts outside the United Kingdom; and

   b) effective digital rights management technology to ensure that no person who views or accesses any Digital News Service is able to view such Olympic Material after the period referred to in section 5 above or copy or edit any such Short Extracts or forward any such Games Extracts to any other person or persons.
DEFINITIONS.
The following terms shall, unless they are otherwise defined in this these UK Digital NARs, have the meanings ascribed to them in the Copyright, Designs & Patents Act 1988.

“BBC” means the British Broadcasting Corporation.

“Bona Fide News Organisation” is an organisation which provides news services and/or sports news services within the United Kingdom as one of its services or as its only service (including newspapers and broadcasters).

“Digital News Service” has the meaning set out in clause 4.

“Games” means the XXXII Olympic Games Tokyo 2020, to be celebrated in Tokyo, Japan between 23 July and 8 August 2021.

“Internet” means the global communications system of computer networks accessible by the public which interconnect, either directly or indirectly, individual computers and/or networks by making use of TCP/IP transport protocols (or derivatives thereof) which may be accessed by means of the world wide web and derivate URL addresses, and which enables users to engage in two-way transmissions of data over such networks in order to receive content (including by fixed, wireless network and transmission by satellite, mobile, DSL, ISDN, WiMAX, or other broadband links but excluding and Television).

“Internet Website” means a set of interconnected webpages, accessible via the Internet usually including a homepage and prepared and maintained as a collection of information and resources by a person, group, or organization.

“IOC” means the International Olympic Committee.

“Local/Regional/Home Nations Digital News Service” means a digital news and/or sports news service provided by a Bona Fide News Organisation aimed at or principally serving a particular region or locality or home nation in the United Kingdom.

“Mobile App” means a software application developed for use on mobile devices and tablets that use a particular mobile operating system, which application delivers, inter alia, audio-visual content to particular mobile devices that use that mobile operating system.
“Mobile Platform” means the broadcast or transmission of audiovisual programming onto mobile telephone devices or similar devices, and other interactive media or electronic mediums.

“Mobile Website” means any Internet website that is customised or optimised for viewing on mobile devices.

“News Agency(ies)” means bona fide news organisations whose primary business or sole service is the syndication of news and that have been authorised by the IOC and/or OBS to distribute Olympic Material to Non-RHBs’ News Agency sub-licensees in accordance with these NARs.

“Non-RHBs” means broadcast media organisations which have not been granted the right to broadcast the Games in a particular territory, regardless of whether or not they have been accredited to the Games.

“Olympic Event” means any activity or event that occurs primarily at an Olympic Venue during the Games or that is related to the Games, including, without limitation, training sessions, sporting action, Opening, Closing and Victory Ceremonies, interviews (excluding BBC interviews) and any other activity or event that occurs or is originated at an Olympic Venue.

“Olympic Material” means sounds or images originated from or produced of any Olympic Event, in each case regardless of the source.

“Radio” means the broadcast of linear audio programming by means of electronic signals via radio waves, intended for intelligible reception on conventional radios, cable radios and satellite radios. For the avoidance of doubt, Radio shall specifically exclude, without limitation, the Internet, audio downloading, video streaming and any other form of video-on-demand, Internet exhibition, exhibition via any interactive media and/or wireless platforms and devices (including mobile telephones, tablets or similar devices).

“Short Extract” means an unedited clip/unedited excerpt of Olympic Material that is continuous recording of the Olympic Event without cuts or editing and “Short Extracts” shall be construed accordingly.

“Television” means the broadcast of linear audio-visual programming by means of electronic signals intended for intelligible reception on the screen of conventional television monitors. For the avoidance of doubt, Television shall specifically exclude, without limitation, the Internet, video downloading, video streaming and any other form of video-on-demand, Internet exhibition, exhibition via any...
interactive media and/or wireless platforms and devices (including mobile telephones, tablets and similar devices), home video and Radio

“Territory” the United Kingdom of Great Britain and Northern Ireland, The Isle of Man and Channel Islands

“UK Digital NARs” means these rules for the use of short extracts on demand for news reporting in the United Kingdom applicable for 2020 Olympic Games