

NCC plans for enactment of OTT regulation

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On 19 February 2020 the National Communications Commission (NCC) published a white paper on broadcasting policy, which outlines a possible light-touch regulation for the growing number of over-the-top (OTT) streaming video services.

The media industry continues to see a shift in the amount of time that consumers watch traditional pay TV service, as more content is being viewed on OTT services such as Netflix, Iqiyi and others. Pay TV providers have been lobbying the public administration and members of congress to gain an advantage over OTT services by every available means (for further details please see "[New measures to regulate OTT service providers](#)" and "[Cable TV operators battle media on demand](#)").

The NCC aims to provide a framework to address the competition between pay TV and OTT services which would require the prior registration of OTT service providers and full disclosure of their terms of use for consumer protection purposes. Further, certain service providers could be subject to special obligations regarding local content production.

However, the NCC has clarified that it does not aim to enact a broad regulation governing everything in relation to OTT services (eg, tax evasion issues, which fall under the jurisdiction of the Ministry of the Finance). On the other hand, the NCC continues to tackle outlawed OTT boxes which fail to receive prior approval from the NCC.

Another issue pending for the NCC and relevant government agencies is whether Chinese OTT service providers should be granted access registration in light of current restrictions on such services of Chinese origin.

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