# [GB] Government Announces Fundamental Reform to Broadcasting and Telecommunications Regulation

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*Tony Prosser*
*University of Bristol Law School*

The UK Government has issued a White Paper that proposes a complete overhaul of the regulatory institutions and much of the substantive law applying to communications, including broadcasting, telecommunications and the Internet. This is likely to result in new legislation to be introduced to Parliament in 2001 or 2002, after the next general election.

The centrepiece of the new proposals is the creation of a single regulatory commission for the communications and media industries. This will take the form of an Office of Communications (OFCOM) covering telecommunications, television and radio and will replace the current Office of Telecommunications, Independent Television Commission, Broadcasting Standards Commission, Radio Authority and Radiocommunications Agency. It will also take over some of the responsibilities of the Governors of the BBC, although they will remain in existence to implement the BBC's public service remit. OFCOM will be responsible both for economic and content regulation, and its objectives will include: protecting the interests of consumers by promoting open and competitive markets, maintaining high-quality content, a wide range of programming and plurality of public expression, and protecting citizens against offensive content and the invasion of privacy. It will also be responsible for spectrum management.

The Government envisages three tiers of regulation in future. A first tier would apply to all broadcasters and require minimum content standards, rules on advertising and on the impartiality of news. The second tier would comprise those public service obligations, which are quantifiable and measurable, such as quotas for independent and regional productions. These first two tiers will be enforced by OFCOM. The third tier, of qualitative public service obligations, will be largely left to selfregulation by broadcasters, or co-regulation involving both broadcaster and regulator. Thus the broadcasters will be required to produce detailed statements of programming policy and to report annually on how they have been delivered in practice. The White Paper also includes a strong defence of public service broadcasting, which it suggests will be even more important in the digital future. `Must carry' obligations will require the carriage of public service channels over cable and satellite, and OFCOM will be given powers to ensure that public service channels are given due prominence in electronic programme guides.

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As regards the more substantive changes, the rules on concentration of ownership will be relaxed and further consultation will take place on the replacement of the current limit on ownership of interests that attract 15% or more of total TV audience share and on relaxing the current limits on cross-media ownership. Mergers will continue to be subject to examination by the competition authorities. The current disqualifications from ownership of licences, e.g., by religious organisations, will be reviewed.

***Secretary of State for Trade and Industry and Secretary of State for Culture, Media and Sport, `A New Future for Communications', December 2000***

http://www.communicationswhitepaper.gov.uk/

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