[GB] Minister Sets Out New Rules on Relations Between Broadcasters and Independent Production Companies

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The British Culture Secretary has announced new rules relating to the independent production sector in the UK. The background to the rules is that the joint committee of the two Houses of Parliament, in examining the Communications Bill, recommended that the proposed lifting of the ban on non-EEA broadcasters be postponed until after the new regulator, the Office of Communications (OFCOM), had the opportunity to review the programme supply market (see IRIS 2002-8: 7). Instead of waiting for the new regulator to be established, the minister commissioned a review from the existing regulator, the Independent Television Commission. A further reason for establishing the review was that complaints had been made by independent production companies that they were being disadvantaged in their treatment by broadcasters.

The minister has now announced that she has accepted the vast majority of the review's recommendations, and some of them will be introduced into the Communications Bill during its passage through Parliament. Key new requirements will be that binding codes of practice will govern the relations between the major broadcasters (including both the BBC and commercial broadcasters) and the independent producers. The codes will need the approval of OFCOM, and will aim to ensure fair terms of trade between broadcasters and the producers and to foster an economically sound independent production industry. The codes will be enforced by fines and other sanctions.

The current quotas requiring 25% of programmes broadcast on the major channels to be purchased from independent producers will be developed in various ways, for example by permitting OFCOM to measure the quota by value as well as by volume, and by applying it separately to BBC1 and BBC2. OFCOM will also have to consider the effect on independent producers of changes in control of the major private broadcasters. New targets will be set for regional production and investment for Channel 5 and a new regional investment target for Channel 4. However, OFCOM will not be able to set investment targets for independent production as this is covered by quotas already in the Bill.

"Tessa Jowell Responds to ITC Programme Supply Review", Department for Culture, Media and Sport, Press Release 8/03 of 15 January 2003

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"A Review of the UK Programme Supply Market" by the Independent Television Commission, November 2002

http://www.itc.org.uk/latest_news/press_releases/release.asp?release_id=656

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