

COLIN LEVENTHAL DIRECTOR OF ACQUISITION

[REDACTED]
Head of General Broadcasting
Policy Branch
Room 413
Department of Culture Media and Sport
2-4 Cockspur Street
London
SW1Y 5DH

Dear [REDACTED]

CONSULTATION ON EVENTS LISTED UNDER PART IV OF THE BROADCASTING ACT 1996

I write following the letter of 10 July from the Secretary of State to Sir Michael Bishop concerning the above.

Introduction

Channel 4 welcomed the provisions of Part IV of the Broadcasting Act 1996 and the way in which the provisions support rights to live broadcasting of listed events being accessible to broadcasters in both categories A and B.

Channel 4 has also welcomed Article 3(a) of the EC Directive amending the Television Without Frontiers Directive (89/552/EEC).

Should there be a stated list of criteria to inform the listing process?

The consultation process provided by Section 97(2) of the Broadcasting Act 1996 should provide appropriate evidence on a case by case basis of whether the event is regarded as being of major importance or an event of national interest, which warrants inclusion as a listed event.

Any consultation process should allow sufficient time for comments and assessment of whether a failure to include the event as a listed event would deprive a substantial proportion of the public in the United Kingdom from the possibility of following the event via live coverage or deferred coverage on free television.

Should the anticipated size of a television audience be a criteria for deciding whether an event is of major importance or of national interest?

No. The nature of an event and the availability for a substantial proportion of the public to view and appreciate it should be more relevant than the anticipated size of a television audience.

CHANNEL FOUR TELEVISION CORPORATION

SIR MICHAEL BISHOP CBE (CHAIRMAN), DAVID PLOWRIGHT CBE (DEPUTY CHAIRMAN),

MICHAEL JACKSON (CHIEF EXECUTIVE), ANDREW BARNES (DIRECTOR OF ADVERTISING SALES AND MARKETING), COLIN LEVENTHAL (DIRECTOR OF ACQUISITION),

FRANK McGEIL IIGAN (DIRECTOR AND GENERAL MANAGER), DAVID SCOTT (MANAGING DIRECTOR), JOHN WILLIS (DIRECTOR OF PROGRAMMES),

MURRAY GRIGOR, HERBERT HARDY, MARY McALEESE, SIR DAVID NICHOLAS CBE, USHA PRASHAR CBE, SARAH RADCLYFF

SECRETARY: ANDREW YEATES



The existing provisions of Part IV do not oblige broadcasters in both categories A and B to transmit a listed event. Anticipated viewer interest should be allowed to dictate interest from broadcasters in live coverage of listed events, rather than anticipated size of a television audience.

Should listed events be readily defined and of a limited duration?

The different nature and length of events makes construction of a single definition difficult to achieve. The flexible interpretation of "live" in the ITC Code published under section 104 of the Broadcasting Act 1996 is helpful in supporting application of Part IV of the Broadcasting Act 1996 to listed events.

Should a history of broadcast live on free to air services be a pre-requisite of an event being included as listed event?

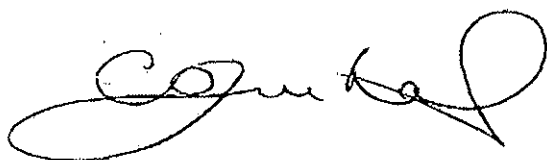
No. The provisions of Part IV of the Broadcasting Act 1996 should allow for flexibility and incorporation of new events as having listed event status in line with flexibility provided under Article 3(a) of the revised Television Without Frontiers Directive. New events which may be of major importance to society, or of national interest, may become established in the future and appropriate for listed event status.

Are there any further criteria which might be taken into account by the Secretary of State in the reviewing the list?

The criteria provided by section 3 of Article 3(a) of the revised Television Without Frontiers Directive should be taken into account by the Secretary of State in proposing revisions or additions to the current list of events relevant to Section 97 of the Broadcasting Act 1996.

If any of the above comments are unclear or need further clarification, please let me know.

Yours sincerely

A handwritten signature in black ink, appearing to be 'C. G. ...', written in a cursive style.