

Consultation response form

Question	Your response
Question 1: Do you have any comments on our approach and proposed draft Guidance?	Confidential? N With reference to the Draft guidance for Public Service Broadcasters on Commissioning Codes of Practice MG ALBA wish to add the following re-sponse. Part 2.10 of the Draft guidance for Public Service Broadcasters on Commissioning Codes of Practice currently states: • ‘2.10 In light of these functions and duties, the PSBs’ revised remits (including their ability to provide their services across a range of audiovisual (‘AV’) services), and given our ultimate aim when regulating the PSBs to further the interests of viewers, our high-level objective for the Guidance is: to support the PSBs in fulfilling their individual remits and the public service remit, meeting the needs and satisfying the interests of different audiences across the UK; and meeting their quota obligations in respect of independent productions.’ We note that that the phrase ‘to support the PSBs in fulfilling their individual remits and the public service remit, <u>meeting the needs and satisfying the interests of different audiences across the UK;</u> and meeting their quota obligations in respect of independent productions’ does not mention lan-

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	guage and particularly does not mention a recognised regional or a minority language like Scottish Gaelic. If the intention of part 2.10 and specifically the underlined wording above, is to summarise the detailed public service remit provisions in section 264 of the Communications Act 2003 as amended by the Media Act 2024 then we consider that the summarised wording and the general reference to audiences across the UK does not cover all the requirements set out in subsections (5) and (6) and, crucially for us, does not capture the more expansive requirements and inclusions in section 264 new subsection (5) relating to a recognised regional or minority language: • ‘(5) (b) that the audiovisual content made available by the public service broadcasters (taken together) comprises a public service for the dissemination of information and for the provision of education and entertainment, which includes what appears to OFCOM to be— (i) a sufficient quantity of audiovisual content that reflects the lives and concerns of different communities and cultural interests and traditions within the United Kingdom, and locally in different parts of the United Kingdom, and (ii) a sufficient quantity of audiovisual content that is in, or mainly in, a recognised regional or minority language;’ Ideally, we would prefer to see [a direct reference to language in part 2.10 of the Draft guidance for Public Service Broadcasters on Commissioning Codes of Practice] or a footnote in part 2.10 referring to the fuller requirements of section 264 subsection[s] (5) [and (6)] of the Act.

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Question 2: Do you have any comments on our impact assessments in relation to our proposals, as set out in Annex 2?	Confidential? N With reference to the Draft guidance for Public Service Broadcasters on Commissioning Codes of Practice MG ALBA wish to add the following response. Part 2.10 of the Draft guidance for Public Service Broadcasters on Commissioning Codes of Practice currently states: • ‘2.10 In light of these functions and duties, the PSBs’ revised remits (including their ability to provide their services across a range of audiovisual (‘AV’) services), and given our ultimate aim when regulating the PSBs to further the interests of viewers, our high-level objective for the Guidance is: to support the PSBs in fulfilling their individual remits and the public service remit, meeting the needs and satisfying the interests of different audiences across the UK; and meeting their quota obligations in respect of independent productions.’ We note that that the phrase ‘to support the PSBs in fulfilling their individual remits and the public service remit, <u>meeting the needs and satisfying the interests of different audiences across the UK;</u> and meeting their quota obligations in respect of independent productions’ does not mention language and particularly does not mention a recognised regional or a minority language like Scottish Gaelic. If the intention of part 2.10 and specifically the underlined wording above, is to summarise the detailed public service remit provisions in section 264 of the Communications Act 2003 as amended by the Media Act 2024 then we consider that the summarised wording and the general reference to

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