

Review of the European Audiovisual Markets

channel's revenue fall below 14 per cent of net advertising revenue for terrestrial TV. In return, ITV would receive 50 per cent of any revenue Channel 4 earned above 14 per cent.

- a minimum of 25 per cent of all terrestrial services' programmes was to be commissioned from the independent sector. (In practise, this affects only ITV and the BBC, as Channel 4 has always commissioned a substantial proportion of its output from independents).
- it set out a minimal regulatory framework for a fifth terrestrial broadcaster which, because of frequency limitations, will not be received by more than 74 per cent of the population.

The Broadcasting Complaints Commission (BCC)

The BCC was set up by the 1980 Broadcasting Act, and its role was further defined in the 1990 Broadcasting Act. It deals with complaints from people who believe they have been treated unfairly or unjustly in programmes, or who believe that there have been unwarranted infringements of their privacy. The Commission's chairperson is chosen by the UK government, which can also appoint at least three council members. Its responsibilities extend to all services broadcast in the UK.

The Broadcasting Standards Council (BSC)

Established in 1988, the BSC handles complaints that can not be dealt with through the courts, and should it uphold a complaint it has the power to order a broadcaster to publish a summary of its findings. It differs from the BCC in that it considers more general questions of programme standards, particularly the portrayal of violence and sexual conduct in programmes and advertisements, and standards of taste and decency. It is also required to draw up and keep under review a code of practice covering these matters, and broadcasters are obliged to reflect this code in their own codes and guidelines. As with the BCC, its responsibilities extend to all services broadcast in the UK.

Ownership restrictions

National newspaper publishers can have not more than a 20 per cent interest in any ITV licence (this also applies to Channel 5 or domestic satellite licences).

For a production company to qualify as "independent" and thereby be eligible for access to commissions from broadcasters under their 25 per cent quotas, it cannot own more than 15 per cent of a broadcaster and vice versa. If they do not wish to qualify for independent status there is no restriction on ownership.

Under existing rules, it is not permitted for any one person or company to have a controlling interest in two "large" ITV companies (where the top nine regions in terms of share of advertising revenue are categorised as large). There is, however, a strong lobby from the large ITV companies for this rule to be changed; they argue that this ruling disadvantages them by