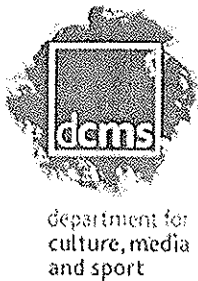


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Free-to-air

Listed events review

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Consultation questions

Technical Information:

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- Apple Mac Users - The online questionnaire is not compatible with the Safari browser. Please use either IE for Mac, Opera 7 and above or Mozilla Firefox 1.0 and above
- PC Users - Online questionnaire is compatible with IE 6 and above, Opera 7 and above and Mozilla Firefox 1.0 and above.
- The questionnaire will timeout after 1 hour of inactivity.

Personal Details

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Address	

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If you prefer your contribution not to be published please tick here.

In brief, please state your reasons why. (max 800 characters)

The Department may receive a Freedom of Information request for any correspondence we receive at any time. If you have reasons for your correspondence to remain confidential please state them and they will be taken into account when the department

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considers how to respond to any such request.

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We also reserve the right not to publish responses if we consider that their content is defamatory.

Should listing continue?

There is no obligation to list events. It is a facility under EC law of which Member States can avail themselves. Not all countries choose to list; nine, including the UK, have done so.

Q1. Do you think that the UK should continue to protect certain major events through live or deferred coverage on free to air television? Please give a reason for your response.

Yes, the Sports Council for Wales agrees that certain major events should be listed as at present. | |

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The current arrangements only cover sporting events, but the Panel is open to suggestions for the inclusion of other events.

Q2. Do you think that events other than sporting events should be listed? If so, please give your reason. You will have an opportunity to suggest appropriate events at a later stage in this consultation document and do not need to do so now.

N/A | |

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Are the criteria right?

EC legislation is permissive and also affords Member States a large measure of discretion in how they interpret an event of major importance to society.

In 1998 the UK Government consulted on how it should give effect, in a UK cultural context, to the idea of an event of importance to society.

In order to be considered, the event had to pass the essential criterion test, which was:

- The event has a special national resonance, not simply a significance to those who ordinarily follow the sport concerned; it is an event which serves to unite the nation; a shared point on the national calendar.

Such an event is likely to fall into one or both of the following categories:

- It is a pre-eminent national or international event in the sport
- It involves the national team or national representatives in the sport concerned.

Q3. Do you agree that this should remain the essential criterion test? If you do not agree, please explain why and please indicate what you consider should be the essential criterion.

Yes, the criteria listed above remain sound.

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The essential criterion is of course currently expressed solely in terms of sporting events.

Q4. If your answer to Q2 was that non-sporting events should also be considered for listing, what might an essential criterion be?

N/A

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Having qualified under the essential criterion test, an event was more likely to be listed if it exhibited particular characteristics; such as

- It is likely to command a large television audience;
- It has a history of being broadcast live on free-to-air television.

Q5. Do you consider that these characteristics remain appropriate? If you do not, or consider that additional characteristics should be included, please explain why.

Yes, the two criteria need to be considered as does the impact of listing these events on the sport or the activity. Listing an event could have a significant impact on the ability of the sport to generate income and therefore adversely affect the financial model under which the governing body is operating.

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In deciding whether to list an event, the Secretary of State had regard to other factors affecting the likely costs and benefits to the sport concerned, to the broadcasting industry and to viewers, such as:

- Whether it is practical to offer full live coverage on a general channel – extended events such as season-long championships involving many matches will not normally be listed in their entirety;
- The impact of listing in reducing the income or potential income of the sport and consequences of that reduction for its investment in increasing participation and/or improving levels of performance and/or in creating safe facilities.
- The likely impact of listing on the broadcasting market, including future investment in sports broadcasting, the level of competition and the position of public service broadcasters.
- Whether there are arrangements to ensure that access to the event is available to all viewers by means of highlights, delayed coverage and/or radio commentary.

The Secretary of State has regard to these other factors cumulatively. No single factor automatically commands listing as a response or disqualifies an event from consideration.

Q6. Are these the appropriate other factors that the Secretary of State should take into account when considering whether or not to list an event? If not, or you consider that additional factors should be taken into account, please explain why.

The factors are appropriate. In recent years satellite TV has had a major impact on sport's income generation. This should now be given a high priority in the thinking of the SoS.

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It was largely in consideration of these other factors that the Advisory Panel recommended in 1998 that the list should be divided into two - A and B. List B would include events that might be difficult to schedule, but which could be protected but by way of highlights, deferred coverage or live radio commentary. The Secretary of State accepted this recommendation.

Q7. Do you agree that both an A and B list should be maintained? If not, please explain why.

Yes; A and B lists should remain

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As explained above the listing arrangements are given practical effect by means of a Code of Conduct operated by OfCom.

Q8. Are there any issues that you would wish to bring to our attention in regard to the way in which the listing arrangements are given practical effect by OfCom?

N/A

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What events should be listed?

Ultimately the decision as to what events are listed, and whether there is one or more lists, is a matter for the Secretary of State, subject to consultation with the broadcasting authorities and affected rights holders. But the Advisory Panel is keen that its own recommendations should be informed by the widest possible views from the public, from the broadcasting and media industries, and from sports bodies and rights holders.

Q9. Do you think that the Secretary of State should:

- leave the current arrangements unchanged;
- move existing events between the A- and B- lists;
- add any entirely new events; or
- remove any events that are currently listed?

Please give reasons for your answers.

The Sports Council for Wales believes that on balance the A and B lists should remain as at present.

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As can be seen, the current lists are a mixture of one-off events and of single-sport or multi-disciplinary tournaments that take place over an extended period of time or over a period of days.

Q10. If you have suggested that live coverage of any such tournaments should be listed do you think that:

- the entire tournament should be listed; or
- only selected stages, events or matches involving national teams or representatives.

Please give reasons for your view and, if you favour selected listing, please specify which tournaments and which stages, events or matches.

N/A

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If your answer to Q2 was that non-sporting events should also be considered for listing

Q11. Please suggest which non-sporting events you would like to see listed and why.

N/A

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Conclusion

In the light of the Panel's recommendations, which will be informed by the outcome of this consultation process, the Secretary of State will reach conclusions and will then consult the broadcasting authorities and any affected rightsholders on how he intends to proceed in line with the requirements of the 1996 Broadcasting Act.

Q12. Do you have any other issues that you would like the Panel to take into account in considering what its recommendations should be?

The challenge is balancing an emotional attachment to a particular event with the economic modelling which underpins that sport. Times have changed significantly in recent years with the advent and coverage of satellite TV. greater priority now needs to be given to the latter issue

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