

SCHEDULES

SCHEDULE 1

QUOTAS: THE BBC AND S4C

PART 2

QUOTAS: S4C

- 3 (1) Paragraph 8 of Schedule 12 to that Act (programme quotas for original productions) is amended as follows.
- (2) For sub-paragraph (1) substitute—
- “(1) It shall be the duty of S4C to secure that, in each year—
- (a) it makes available qualifying audiovisual content that includes a range of original productions,
 - (b) the duration (in total) of those original productions is at least the number of hours determined in accordance with sub-paragraph (1B), and
 - (c) if OFCOM so provide in a direction given to S4C, the additional peak viewing time objective described in sub-paragraph (1A) is met.
- (1A) The additional peak viewing time objective is that (out of the number of hours determined for the purposes of sub-paragraph (1)(b)) at least the number of hours determined in accordance with sub-paragraph (1B) is allocated to the broadcasting of original productions included in S4C Digital at peak viewing times.
- (1B) A determination for the purposes of sub-paragraph (1)(b) or (1A) is to be—
- (a) by agreement between S4C and OFCOM, or
 - (b) in default of agreement, by a direction given by OFCOM to S4C specifying the number of hours.
- (1C) Before giving a direction under sub-paragraph (1)(c), OFCOM must consult S4C.”
- (3) Omit sub-paragraphs (2) to (5).
- (4) In sub-paragraph (6), omit the words from “, in relation to” to “the Welsh Authority,”.
- (5) After sub-paragraph (7) insert—
- “(7A) An order under sub-paragraph (6) may—

Status: This is the original version (as it was originally enacted).

- (a) authorise OFCOM to give a direction to S4C that original productions of a description specified in the direction may not be counted towards meeting S4C’s duty under sub- paragraph (1);
 - (b) require OFCOM to consult S4C before giving such a direction;
 - (c) require OFCOM to prepare and publish guidance about the determination of whether an original production falls within a description specified in a direction given by virtue of paragraph (a);
 - (d) require S4C to have regard to that guidance.”
- (6) Omit sub-paragraph (10).
- (7) In sub-paragraph (11), in the definition of “peak viewing time”—
- (a) omit the words from “, in relation to” to “the Welsh Authority.”;
 - (b) for “one or more of those services” substitute “S4C Digital”.
- (8) After sub-paragraph (12) insert—
- “(13) See also sections [278B](#) and [278C](#) (which make further provision for the interpretation of this paragraph etc).”