**Scottish Government’s broadcasting proposals:**

**issues for further consideration**

**To have the right to establish public service broadcasting institutions**

- As there is no licence fee or UK Government funding available, how do you envisage that such institutions would be funded? Are they to be funded by the Scottish Government?

- What would these proposed institutions offer that existing public service broadcasting institutions, particularly BBC Scotland and BBC Alba, do not already offer? How would the proposed institutions fit with existing institutions?

- What assessment has been made of audience demand for additional Scottish channels?

- Given the pace of change in the broadcasting and communications sectors, what consideration has been given to the future relevance of such institutions? Is this the right time to be creating such a traditional model?

**To be involved in future licence fee setting arrangements**

- What would be the benefit to licence fee payers across the UK?

- What particular Scottish interest do you feel is not covered in the current settlement (given that DCMS Ministers have ruled out licence fee funding for a Scottish digital channel)?

- What would you like to see the BBC provide that is not already provided by BBC Scotland, BBC Alba or the BBC generally?

**To have responsibility for approving licensing decisions made by the UK Government for local television services which will broadcast within Scotland**

- Are Scottish Ministers wanting to take decisions on processes normally carried out by independent non-political bodies (i.e. the regulator)?

- What is the power you are seeking? Is it to have influence over who is selected to broadcast local TV services or over the regulatory approval process itself?

- Ministers take decisions based on the interests of all parts of the UK. What evidence is there that this would be undertaken better by handing responsibility from one of Scotland’s governments to the other?

**To have the ability to intervene in local cross-media mergers that affect Scotland**

- At present, decisions on the media public interest test are taken solely by the Secretary of State for Culture, Olympics, Media and Sport acting in a quasi-judicial capacity. He
therefore cannot at present consult the devolved institutions or even cabinet colleagues. It would be helpful to know what changes Scottish Government Ministers propose to the nature of the decision making process where media public interest tests are concerned. If it is no longer to be a quasi-judicial decision for the Secretary of State, what type of decision making process is the Scottish Government proposing?

To have the power to add or remove events from the list of those that must be shown live on free-to-air television

- On which specific events has there been demonstrable public dissatisfaction at the failure to broadcast, and by what measure was that dissatisfaction assessed?

- An event does not have to be of major importance to the whole of the UK to be considered for listing. It is sufficient that it is of major importance to one of the nations and current legislation allows for events to be listed on a national basis, for example the Scottish FA Cup Final. On what basis do you need to change this?

- Have Ministers engaged in any discussions with rights holders about potential changes in Scotland? Could extending the list in Scotland have a significant negative impact on the funding and support available to Scottish football, for example?