

Policy and Guidelines for broadcast of Party Election Broadcasts (PEB) during the European Elections 2009

This document sets out S4C's proposed eligibility and allocation criteria for PEBs for the European Elections June 2009.

The S4C Authority has a duty under Schedule 12 paragraph 18 of the Communications Act 2003 to include party political and referendum broadcasts in every designated public service (namely S4C on analogue and S4C digidol).

The S4C Authority has a duty to prepare a policy in respect of party political and referendum broadcasts which sets out the manner in which the Authority proposes to perform this duty.

In formulating this policy the S4C Authority has taken note of the decisions taken in the Broadcasters Liaison Group, (a representative forum for public service broadcasters – BBC, ITV, Channel 4, Five and S4C), the views of the Electoral Commission and the rules made by Ofcom under s333 of the Communications Act 2003.

1. Allocation

1.1 Threshold Criterion

Political parties which are standing a full or substantially* full list of candidates in Wales will qualify for a minimum of ONE broadcast in Wales.

1.2 Additional Criterion

Political parties which meet the threshold criterion will qualify for additional PEBs if they can demonstrate substantial levels of past and/or current electoral support at a national level.

1.3 On the basis of the information currently available, and that one of the criteria in 1.1 is met, S4C currently proposes the following allocation of PEBs:

Three PEBs for the main parties, namely the Labour Party, Plaid Cymru, the Conservative Party and the Liberal Democrats; All other parties meeting the threshold criterion will be offered **One PEB**.

1.4 The PEBs will be broadcast on S4C analogue with a simulcast for the Welsh version on S4C digidol.

1.5 The S4C Authority will keep these proposals under review until close of nominations.

2. Production of PEBs

2.1 These Guidelines are designed to cover compliance issues and the political 'rules' to be observed by all parties. While parties are responsible for the content of the broadcasts, they are required to observe the following guidelines, which have been agreed between the broadcasters and will be applied equally to all parties.

2.2 They are designed to reconcile the editorial standards of the broadcasters and their audiences' expectations with the freedom of political parties to convey their political messages, and to ensure that these are met on all outlets.

* 'substantially' is designed to address the situation where a party intended to stand a full list but, at a late stage, failed to do so - for example, because a candidate had to withdraw.

- 2.3 All broadcasts must observe the law - for example, on copyright, libel, contempt, obscenity, incitement to racial hatred or violence.
- 2.4 Notwithstanding that content is normally the responsibility of the relevant political parties, all broadcasts must comply with the Ofcom Broadcasting Code, (and during an election or referendum period parties must also comply with Ofcom rules on Political and Referendum Broadcasts as well as, (in respect of the Representation of the People Act 1983,) S4C's policy and guidelines for constituency coverage and electoral area coverage).
- 2.5 Subject to the matters set out above, accuracy is the responsibility of the parties making the broadcasts.
- 2.6 The party responsible for the broadcast will indemnify S4C for all legal or regulatory or other actions resulting from the contents of the election broadcast.
- 2.7 Impartiality is achieved over the series of PPBs as a whole. There is, of course, no obligation on the parties to achieve impartiality within each broadcast.
- 2.8 An extract of recordings of the parliamentary proceedings of Parliament at Westminster, the National Assembly of Wales, the Scottish Parliament and the Northern Ireland Assembly may be used only if it features a speech by a member of the party making the broadcast, and the member's consent has been obtained. The use of material featuring exchanges between the parties should not be included. Wide shots of the chambers of the National Assembly of Wales, Scottish Parliament and Northern Ireland Assembly are allowed, but wide shots of Westminster are not.
- 2.9 Extracts from party conference speeches of the party allocated the broadcast may be used and can be bought in the normal way from the broadcasters.
- 2.10 Archive or news clips of members of any other political party should not be included. This applies to both visual and audio material alike. Undistorted stills are allowed.
- 2.11 Where candidates are included in a party election broadcast there must not be any oral or obvious visual reference made to their constituencies.
- 2.12 No member of the public should be featured prominently in a broadcast in a manner that appears to support either a party and/or a political policy without that person's consent.
- 2.13 Shots which include broadcasters in-vision or in-voice are not permissible.
- 2.14 The use of actors in a broadcast must be made clear to the audience if there is any possibility that the audience could be confused or misled by their appearance. The same applies to reconstructions.
- 2.15 No revenue-generating telephone numbers are to be used in a broadcast. Appeals for members of the audience to contact the party at the end of the broadcast by telephone, e-mail etc are allowed but direct appeals for funds as in, "Have your credit cards handy", are not.
- 2.16 PEBs which closely mimic the format of established programmes on any channel, particularly news programmes, run the risk of misleading the audience and therefore they must be clearly labelled throughout.
- 2.17 Straight news footage featuring a party's own leader and politicians may be purchased from broadcasters in the usual way but clips which identify the programme in which they featured, on-screen logos, theme music or the voice or face of a presenter/reporter will not be allowed. Nor will footage featuring politicians from other parties.

- 2.18 Parties may select from one of three durations for the broadcast: 2'40', 3'40' or 4'40. Once the duration has been decided by the party we will not broadcast a PEB which is longer or shorter than the stated duration.

3 Welsh PEB

- 3.1 All parties who are eligible for a PEB on S4C will be invited to provide a Welsh language version if it is to be broadcast during the peak hours. The English language version in most cases will be broadcast immediately prior to peak hours or as soon as practicable following peak hours.
- 3.2 A Welsh language version shall mean a version which has been produced mainly in the Welsh language and is suitable for broadcast during S4C's peak broadcast hours. If the PEB contains extensive use of dubbing and/or subtitling, or does not conform to S4C's language policy, S4C reserves the right not to broadcast but will discuss with the party in advance.
- 3.3 Parties must be mindful of S4C's language policy which can be found on our website: <http://www.s4c.co.uk/production/downloads/guidelines/canllaw-iaith.pdf>

4 Proposed timetable

- 4.1 Each party will be advised of the scheduling of their PEB as soon as the schedule for the Election period is finalised.