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# **Annex 1: Operating licence for the BBC's UK Public Services**

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# About this document

This is the operating licence for the BBC's UK Public Services. It sets the regulatory conditions that Ofcom considers appropriate for requiring the BBC to fulfil its Mission and promote the Public Purposes; to secure the provision of distinctive output and services; and to secure that all BBC audiences in England, Scotland, Wales, and Northern Ireland are well served.

The BBC must comply with the regulatory conditions in this licence. Ofcom will take enforcement action in the event of non-compliance.

A separate document is available for audiences in each of the United Kingdom's nations which sets out the regulatory conditions that apply specifically to the BBC's services in that nation.

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## Section 1

# The Licence

- 1.1 This is the operating licence for the BBC's UK Public Services (the "Licence"). Ofcom has set the Licence in exercise of its functions under the Royal Charter for the continuance of the British Broadcasting Corporation (the "Charter") and the Agreement between the Secretary of State for Culture, Media and Sport, and the BBC (the "Agreement"), pursuant to section 198 of the Communications Act 2003.<sup>1</sup>
- 1.2 In particular, Ofcom's functions include<sup>2</sup> setting an operating licence for the UK Public Services containing regulatory conditions Ofcom considers appropriate for requiring the BBC:
- 1.2.1 to fulfil its Mission and promote the Public Purposes;
  - 1.2.2 to secure the provision of distinctive output and services; and
  - 1.2.3 to secure that audiences in England, Scotland, Wales and Northern Ireland are well served.
- 1.3 Further, Ofcom has set the Licence in accordance with the requirement<sup>3</sup> to impose specific conditions<sup>4</sup> which relate to:
- distinctiveness (where, in particular, in the first operating licence we are required to seek to increase the requirements set by the BBC Trust on the BBC as a whole to secure the provision of more distinctive output and services);
  - third party online material;
  - news and current affairs (quantity and scheduling);
  - quotas for original productions; and
  - quotas for nations and regions programming and programme making.
- 1.4 Ofcom has imposed in the Licence further Regulatory Conditions it considers appropriate for requiring the BBC, in carrying out the UK Public Services, to fulfil the Mission and promote the Public Purposes.<sup>5</sup>
- 1.5 Additionally, Ofcom has imposed in the Licence further Regulatory Conditions it considers appropriate for requiring the BBC to ensure that the audiences in England, Scotland, Wales, and Northern Ireland are well served.<sup>6</sup>
- 1.6 The Licence applies to all of the BBC's UK Public Services as set out in the Agreement<sup>7</sup> and applies to all of the nations and regions of the United Kingdom. Ofcom has produced a

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<sup>1</sup> Section 198 of the Communications Act 2003 makes provision for Ofcom's functions in relation to the BBC.

<sup>2</sup> Article 46(3) of the Charter.

<sup>3</sup> Clause 13(2) of the Agreement.

<sup>4</sup> The "operating licence regulatory conditions" set out in Schedule 2 to the Agreement.

<sup>5</sup> Clause 13(3) of the Agreement.

<sup>6</sup> Clause 13(4) of the Agreement.

<sup>7</sup> A list of the UK Public Services is set out at Schedule 4 to this Licence.

separate document for audiences in each nation of the United Kingdom which sets out the specific regulatory requirements relating to the relevant nation, to be read alongside this Licence.

- 1.7 Under the provisions of the Charter and Agreement, the BBC Board is responsible both for ensuring that the BBC fulfils its Mission and promotes the Public Purposes, and for setting the strategic direction and the creative remit for doing so.<sup>8</sup> The Board, rather than Ofcom, is tasked with setting budgets and strategies for BBC programmes and services. The BBC must publish an annual plan for each financial year, in advance of the period to which it relates, which must include (amongst other things) the creative remit for that year, the work plan for that year, and provision for the United Kingdom's nations and regions.<sup>9</sup>
- 1.8 Ofcom has consulted publicly before setting this Licence<sup>10</sup>, and Ofcom has set the Licence in accordance with the relevant provisions of the Operating Framework.<sup>11</sup>
- 1.9 Ofcom may amend this Licence and considers it likely that it will do so regularly over the duration of the Charter. For example, Ofcom may consider it appropriate to amend the Licence in light of evidence about the BBC's performance in particular areas, or to take account of changes in audiences' viewing or listening habits, or changes to technology: for example, greater consumption across different platforms. Before amending the Licence, Ofcom will consult the BBC. Ofcom will also consult any other person it considers appropriate in light of the nature and materiality of the proposed amendment, in accordance with the relevant provisions of the Operating Framework.
- 1.10 The BBC must comply with the Regulatory Conditions of the Licence in providing the UK Public Services.<sup>12</sup> Ofcom must enforce compliance by the BBC with the Regulatory Conditions of the Licence<sup>13</sup>, and in particular Ofcom may consider complaints made to Ofcom by any person, and carry out such investigations as Ofcom considers appropriate.<sup>14</sup> Ofcom must also enforce compliance by the BBC with some regulatory requirements<sup>15</sup> which apply to the BBC directly through the Charter and the Agreement, or through legislation, such as quotas for independent productions<sup>16</sup>, and requirements relating to provision for people who are hearing or visually impaired.<sup>17</sup>
- 1.11 If Ofcom is satisfied that the BBC has failed to comply with a Regulatory Condition of the Licence, and has given the BBC a reasonable opportunity to make representations about the matter, Ofcom may:

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<sup>8</sup> Article 20(3)(a) and (b) of the Charter.

<sup>9</sup> Article 36 of the Charter.

<sup>10</sup> Clause 13(5) of the Agreement provides that before setting an operating licence Ofcom must consult the BBC and any person Ofcom considers appropriate.

<sup>11</sup> Article 46(3) of the Charter provides that Ofcom must set an operating licence for the UK Public Services in accordance with the Operating Framework.

<sup>12</sup> Clause 7(2) of the Agreement.

<sup>13</sup> The regulatory conditions are "specified requirements" under clause 59(b) of the Agreement.

<sup>14</sup> Article 49(1) of the Charter.

<sup>15</sup> Ofcom's enforcement powers are set out under Article 49 of the Charter and clause 59 of the Agreement (definition of "specified requirements").

<sup>16</sup> Paragraph 6 of Schedule 3 to the Agreement, and Schedule 12 to the Communications Act 2003.

<sup>17</sup> Paragraph 9 of Schedule 3 to the Agreement.

- 1.11.1 direct the BBC (or accept undertakings from the BBC) to take such steps Ofcom consider will remedy the failure to comply, and ensure that the BBC complies with their requirements properly in future;
- 1.11.2 serve on the BBC a notice requiring it to pay to Ofcom, within a specified period, a specified penalty up to a maximum of £250,000.<sup>18</sup>
- 1.12 Ofcom has made provision in the Operating Framework for how it will exercise its enforcement powers.<sup>19</sup>
- 1.13 The BBC is required to publish an annual report for each financial year, which must include (amongst other things) how the BBC delivered the creative remit and its work plan; the BBC's provision for the United Kingdom's nations and regions, including how the BBC delivered the creative remit in the nations and regions; how it has made the BBC's output and services available to the public; and expenditure on the UK Public Television Services by genre.<sup>20</sup>
- 1.14 Following receipt of the BBC's annual report, Ofcom also must publish an annual report, setting out how Ofcom has carried out its principal functions under the Charter across the whole of the United Kingdom. This report will also set out Ofcom's assessment of the BBC's compliance with the Regulatory Conditions of the Licence.<sup>21</sup> Ofcom has power to require the BBC to provide information for the purpose of the carrying out by Ofcom of its functions.<sup>22</sup>

## The BBC's Mission

- 1.15 The Mission of the BBC is to act in the public interest, serving all audiences through the provision of impartial, high-quality and distinctive output and services which inform, educate and entertain.<sup>23</sup>

## The BBC's Public Purposes

- 1.16 The Public Purposes of the BBC are as follows:<sup>24</sup>
  - 1.16.1 **To provide impartial news and information to help people understand and engage with the world around them:** the BBC should provide duly accurate and impartial news, current affairs and factual programming to build people's understanding of all parts of the United Kingdom and of the wider world. Its content should be provided to the highest editorial standards. It should offer a range and depth of analysis and content not widely available from other United Kingdom news providers, using the highest calibre presenters and journalists, and championing freedom of expression, so that all audiences can engage fully with major local, regional, national, United

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<sup>18</sup> Article 49(2) to (5) of the Charter and section 198(5) of the Communications Act 2003. Ofcom passes any sums that it receives in payment of a financial penalty to HM Treasury.

<sup>19</sup> <https://www.ofcom.org.uk/consultations-and-statements/category-2/enforcement-bbc-agreement-compliance>

<sup>20</sup> Article 37 of the Charter.

<sup>21</sup> Article 50 of the Charter.

<sup>22</sup> Article 47 of the Charter.

<sup>23</sup> Article 5 of the Charter.

<sup>24</sup> Article 6 of the Charter.

Kingdom and global issues and participate in the democratic process, at all levels, as active and informed citizens.

- 1.16.2 **To support learning for people of all ages:** the BBC should help everyone learn about different subjects in ways they will find accessible, engaging, inspiring and challenging. The BBC should provide specialist educational content to help support learning for children and teenagers across the United Kingdom. It should encourage people to explore new subjects and participate in new activities through partnerships with educational, sporting and cultural institutions.
- 1.16.3 **To show the most creative, highest quality and distinctive output and services:** the BBC should provide high-quality output in many different genres and across a range of services and platforms which sets the standards in the United Kingdom and internationally. Its services should be distinctive from those provided elsewhere and should take creative risks, even if not all succeed, in order to develop fresh approaches and innovative content.
- 1.16.4 To reflect, represent and serve **the diverse communities of all of the United Kingdom's nations and regions and, in doing so, support the creative economy across the United Kingdom:** the BBC should reflect the diversity of the United Kingdom both in its output and services. In doing so, the BBC should accurately and authentically represent and portray the lives of the people of the United Kingdom today, and raise awareness of the different cultures and alternative viewpoints that make up its society. It should ensure that it provides output and services that meet the needs of the United Kingdom's nations, regions and communities. The BBC should bring people together for shared experiences and help contribute to the social cohesion and wellbeing of the United Kingdom. In commissioning and delivering output the BBC should invest in the creative economies of each of the nations and contribute to their development.
- 1.16.5 **To reflect the United Kingdom, its culture and values to the world:** the BBC should provide high-quality news coverage to international audiences, firmly based on British values of accuracy, impartiality, and fairness. Its international services should put the United Kingdom in a world context, aiding understanding of the United Kingdom as a whole, including its nations and regions where appropriate. It should ensure that it produces output and services which will be enjoyed by people in the United Kingdom and globally.<sup>25</sup>
- 1.17 The BBC must support a wide range of valued genres across its services, such as drama, comedy, factual programmes and different types of music.<sup>26</sup> In doing so, we expect the BBC to continue producing programmes on a broad range of established themes and interests – including but not exclusively programmes covering politics, business, consumer issues, rural affairs, health, disability and social action. We will monitor the BBC's output in a variety of

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<sup>25</sup> The BBC's delivery of its fifth public purpose, reflecting the UK to the world, will be achieved primarily through the BBC World Service and BBC Worldwide. The new operating licence will not cover the BBC World Service; responsibility for setting a licence for the BBC World Service lies with the BBC (clause 34 of the Agreement).

<sup>26</sup> A list and description of the existing UK Public Services is set out in Part 1, Schedule 1 to the Agreement. We have reproduced that list in Schedule 3 to this Licence for ease of reference.

ways to ensure it meets its public purposes and provides a broad range of programmes across its services.

- 1.18 This Licence sets out Regulatory Conditions to ensure that the BBC continues to provide a mix of key genres and high-quality output across television, radio and online, and to ensure that a significant amount of original programming is produced for audiences in the United Kingdom.
- 1.19 The requirements that we have set for the BBC are designed to ensure that the BBC delivers its Mission and Public Purposes and distinctive output and services. This Licence and the performance measures that we have set alongside it are designed to deliver fully the intent of the new Charter and Agreement, by leaving creative decisions in the hands of programme-makers, but challenging the BBC to deliver for all of its audiences.
- 1.20 This Licence sets Regulatory Conditions that the BBC must meet, setting a baseline for future performance. The conditions capture areas where the Charter and Agreement require, or we have found, that specific conditions are required. The Licence sets stretching requirements in a range of areas, but we expect the BBC to go further. As well as the rules we have set in this Licence, we have put in place detailed plans for measuring the BBC's performance, not only against the Regulatory Conditions in this Licence but across the range of the BBC's services and output.
- 1.21 These requirements may need to change over time, depending on the ongoing delivery and commitment of the BBC in these areas, or to reflect any real financial constraints on the effectiveness of the BBC. These conditions may also be amended if Ofcom considers it appropriate to do so, for example in light of the BBC's performance across its services. We expect the BBC to continue improving how it delivers against its remit.
- 1.22 The rest of this Licence (including the Regulatory Conditions) is organised by Public Purpose. The Regulatory Conditions are set out in Schedule 1 to the Licence.
- 1.23 Regulatory Conditions relate either to individual services or, where appropriate, set cross service commitments. It is important to note that many Regulatory Conditions may contribute to more than one Public Purpose. For example, many of the Regulatory Conditions across the Licence contribute to securing the provision of distinctive output and services.

## **Purpose (1): Providing impartial news and information to help people understand and engage with the world around them**

- 1.24 Ofcom considers that the BBC, in meeting its Public Purpose of providing impartial news and information to help people understand and engage with the world around them in accordance with its obligations under the Charter, should do the following:
  - 1.24.1 provide a significant level of news, current affairs and factual programming across its full range of services and platforms, and seek to reach and serve all audiences with this output;
  - 1.24.2 seek to maintain its coverage of regional, national and international themes and stories within its news, current affairs and factual programming, to enable audiences



to develop a broad understanding of what is happening locally, nationally and in the wider world;

1.24.3 continue to provide trusted and reliable information, news, current affairs and factual output to the highest editorial standards;

1.24.4 ensure that it provides adequate links to third party online material, particularly within its news stories, helping to provide its users with a wealth of information while also supporting other providers within the industry. In doing so the BBC should exercise careful judgment about the links that it offers.

1.25 Accordingly, Ofcom has imposed Regulatory Conditions on the BBC as set out in Schedule 1 to this Licence, which the BBC must comply with and which Ofcom will enforce.

### **Purpose (2): Supporting learning for people of all ages**

1.26 Ofcom considers that the BBC, in meeting its Public Purpose of supporting learning for people of all ages in accordance with its obligations under the Charter, should do the following:

1.26.1 continue to provide a broad range of content across its services which provides opportunities for all audiences to learn. We expect the BBC to produce informal learning content which covers subjects such as art, music, religion, science, nature, business and history, and content with an international focus. This content should be widely available, and the BBC should endeavour to serve and reach the widest possible audiences with this content via its mainstream television channels, radio stations and online platforms;

1.26.2 as part of its duty to encourage people to learn about new and different subjects, we expect the BBC to help both adults and children develop skills to explore and navigate the resources it offers across its services, and in particular its online services;

1.26.3 ensure that it serves children of all ages, including older children and teenagers, and that it produces engaging and stimulating content for informal learning which is available in the formats and on the services that children use; and

1.26.4 play an important role in education and learning in the United Kingdom through partnerships with educational, cultural and sporting organisations. The BBC should share its expertise and resources, including its archive where appropriate, as part of these partnerships with specialist institutions, for the benefit of UK audiences.

1.27 Accordingly, Ofcom has imposed Regulatory Conditions on the BBC as set out in Schedule 1 to this Licence, which the BBC must comply with and which Ofcom will enforce.

### **Purpose (3): Showing the most creative, highest quality and distinctive output and services**

1.28 The Charter and Agreement define “distinctive output and services” with reference to creativity and high quality. Article 63 of the Charter, and paragraph 1 of Schedule 2 to the Agreement, define distinctive output and services as:

“output and services, taken as a whole, that are substantially different to other comparable providers across each and every UK Public Service both in peak time and overall, and on television, radio and online, in terms of-

- (a) the mix of different genres and output;
- (b) the quality of output;
- (c) the amount of original output produced in the UK;
- (d) the level of risk-taking, innovation, challenge and creative ambition; and
- (e) the range of audiences it serves.”

- 1.29 Ofcom considers that this definition of distinctive output and services, at a high level, covers the important areas the BBC should take into account in meeting its Public Purpose of showing the most creative, highest quality and distinctive output and services in accordance with its obligations under the Charter and Agreement. Distinctiveness lies at the core of the Charter, and the majority of the conditions we are placing on the BBC across its services are designed to promote it. Many of our conditions for other Public Purposes will contribute to a more distinctive BBC. For example, our conditions securing delivery of news and current affairs set out in the Licence under Public Purpose 1 are an important part of securing distinctiveness. In relation to Public Purpose 2, our conditions for delivery of children’s content are significant in securing distinctiveness. Likewise, our conditions under Public Purpose 4 requiring a higher proportion of programmes in the nations or outside London are a key part of securing distinctiveness.
- 1.30 We want the BBC to set out clearly in its annual plan and creative remit each year how it will secure the provision of distinctive output and services, and how every UK Public Service will contribute to this delivery. Distinctiveness will also be at the core of how we measure performance.
- 1.31 The BBC published its interim annual plan containing a draft work plan and creative remit for 2017/18 on 3 July 2017.<sup>27</sup> The interim annual plan takes as its starting point the regulatory conditions that we set out in our draft Operating Licence, and adds to these over 100 further commitments. They include: broadcasting a demonstrably broader range of genres in peak-time on BBC One than any comparable channel; commissioning substantial scripted content for BBC Three; exploring different types of programming, including super long-form on BBC Four; age targets for Radio 1, 1Xtra and Radio 2; drama commitments for Radio 3 and 4 and comedy commitments for Radio 4; and a broader range of sports on 5 Live and Sports Extra than on any comparable service.
- 1.32 Additionally, the BBC has set out further commitments to strengthen distinctiveness on its radio services, which it intends to include in its final annual plan for 2017/18. These further commitments include increasing the level of new and UK music broadcast in Daytime on Radio 1 and Radio 2 and introducing further measures to monitor the distinctiveness of these services from their key commercial radio competitors. The BBC’s commitments also cover the level of new music on BBC 6 Music; new music and music from UK artists during Daytime on 1Xtra; new and UK music during Daytime on the BBC Asian Network; original

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<sup>27</sup> [http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/pdf/BBC\\_Annual\\_Plan\\_2017-18.pdf](http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/pdf/BBC_Annual_Plan_2017-18.pdf)

drama and original comedy on Radio 4; comedy and drama on BBC 4 Extra; new drama on Radio 3; and reporting commitments on BBC Radio 5 live sports extra, plus a review by the BBC of the station's remit and range of broadcast content.<sup>28</sup>

1.33 Ofcom considers that in delivering distinctive output and services:

1.33.1 in relation to the mix of different genres and output, the BBC should ensure that a range of programming is provided across its television services. It should also secure the amount and prominence of those genres identified as at risk or in decline across public service broadcasting, including: music, arts, religion, comedy and children's programming. On its radio services, the BBC should ensure its portfolio of stations offer the broadest variety of output and that the range of musical output on its popular radio services<sup>29</sup> is broader than that of comparable providers;

1.33.2 in relation to the quality of output, the BBC should ensure high quality across the volume of its output, with respect to content, the quality of content production, and the professional skill and editorial integrity applied to that production;

1.33.3 in relation to the amount of original output produced in the United Kingdom, the BBC should ensure that a substantial proportion of the programming broadcast on its television services are original productions, particularly at Peak Viewing Time. The BBC should also secure an appropriate amount of first-run UK originations across its television services, ensuring they make up a substantial proportion of Peak Viewing Time. The BBC should contribute to the creative economies of the United Kingdom through its continued investment in originated content;

1.33.4 in relation to the level of risk-taking, innovation, challenge and creative ambition, the BBC should continue to take risks in terms of the output it commissions, the range of organisations it commissions from and have a renewed focus on innovation and creative risk-taking through the commissioning and scheduling of new titles. In doing so, the BBC should secure an appropriate balance of unique titles and long-running series. It should also commission output from a wide range of independent producers to ensure a range of voices and ideas are reflected across its services; and

1.33.5 in relation to the audience it serves, the BBC should ensure that its output and services cater for the diverse audiences of the United Kingdom, through both through its popular mixed genre services and its more specialist and single purpose services.

1.34 Accordingly, Ofcom has imposed Regulatory Conditions on the BBC as set out in Schedule 1 to this Licence, which the BBC must comply with and which Ofcom will enforce. The Regulatory Conditions particularly emphasise new and original content, and include increased requirements for original production of BBC One, Two, CBBC and BBC Four; new first-run UK originations requirements to secure the BBC's investment in new programmes; a new quota for comedy on BBC One and Two; new requirements on both Radio 1 and 2 to play a broader range of music than comparable providers and more music from new and emerging UK artists; and a requirement for Radio 1 to offer a minimum number of major

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<sup>28</sup> Letter from BBC to Ofcom, 14 August 2017 ([https://www.ofcom.org.uk/data/assets/pdf\\_file/0022/105934/BBC-3.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0022/105934/BBC-3.pdf)).

<sup>29</sup> By "popular radio services" we mean Radio 1 and Radio 2.

social action campaigns. We have also set out in the same part of Schedule 1 to the Licence a list of the conditions which have been grouped in this Licence under the other public purposes to which they relate (purposes 1, 2 and 4) and are also key to securing the public purpose of showing the most creative, high quality and distinctive output.

### **Purpose (4): Reflecting, representing and serving the diverse communities of all of the United Kingdom’s nations and regions and, in doing so, supporting the creative economy across the United Kingdom**

1.35 Ofcom considers that in meeting its Public Purpose of reflecting, representing and serving the diverse communities of all of the United Kingdom’s nations and regions and, in doing so, supporting the creative economy across the United Kingdom in accordance with its obligations under the Charter the BBC should do the following.

#### **Diversity, audience portrayal and representation**

1.36 In relation to diversity, the BBC should:

1.36.1 serve and create content of interest and of relevance to all audience groups across the whole of the United Kingdom;

1.36.2 reflect the diversity of the United Kingdom’s nations and regions appropriately in its output, services and genres. This should include age, disability, gender reassignment, race, religion and belief, sex, sexual orientation and socioeconomic background;

1.36.3 accurately represent and authentically portray the diverse communities of the whole of the United Kingdom;<sup>30</sup> and

1.36.4 help contribute to social wellbeing through cultural education, awareness and bringing people together for shared experiences.

1.37 In doing so, we would expect the BBC’s own workforce and that of the production companies from which it commissions to reflect the make-up of different communities across the United Kingdom and its nations and regions – and to make demonstrable year on year progress.

1.38 We are conducting an in-depth review of how different audiences are represented and portrayed on the BBC. All audiences should feel that the BBC offers something for them, but our research shows that several groups feel that it doesn’t adequately represent their interests or lives. This is our first ad hoc review of the BBC.<sup>31</sup> As part of our analysis we plan to examine the on-screen diversity of the BBC’s programming, including in its popular peak time shows. It will ask what audiences expect from the BBC, to understand whether it

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<sup>30</sup> “Representation” means the extent to which people and characters appear and “portrayal” means the ways in which these people and characters are depicted. For representation to be accurate we expect the number of people appearing in BBC programmes to broadly reflect the populations of the United Kingdom. We will assess the extent to which people feel authentically portrayed through audience research.

<sup>31</sup> Ofcom must, where appropriate, carry out and publish additional (“ad hoc”) reviews addressing any specific issue of concern identified by Ofcom relating to the activities of the BBC that are subject to regulation by Ofcom under this Charter and Framework Agreement (Article 51(3) of the Charter).

reflects and portrays the lives of all people across the whole of the UK, ranging from younger and older audiences to diverse communities. We will take into account the outcomes of the review as we shape future regulation, and take further measures where needed to ensure that the BBC is delivering for all of its audiences.

## **Nations and Regions**

- 1.39 In relation to the United Kingdom’s nations and regions, the BBC should:
- 1.39.1 accurately represent and authentically portray all audience groups from the nations and regions across its output, services and genres<sup>32</sup>;
  - 1.39.2 distribute its production resources across the United Kingdom ensuring that it supports the creative industries in the nations and regions. This should also include production across the regions of England and build sustainable growth for the creative industries across the United Kingdom;
  - 1.39.3 ensure programming for the nations and regions serves and creates content of interest and of relevance to the people living in the area for which the service is provided. Within Scotland, Wales and Northern Ireland this should include indigenous language broadcasting and a wide range of genres, including drama, comedy and sports; and
  - 1.39.4 contribute to social wellbeing through cultural education, awareness and bringing people together for shared experiences.
- 1.40 Accordingly, Ofcom has imposed Regulatory Conditions on the BBC as set out in Schedule 1 to this Licence, which the BBC must comply with and which Ofcom will enforce.

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<sup>32</sup> “Representation” means the extent to which people and characters appear and “portrayal” means the ways in which these people and characters are depicted. For representation to be accurate we expect the number of people appearing in BBC programmes to broadly reflect the populations of the United Kingdom. We will assess the extent to which people feel authentically portrayed through audience research.

## Schedule 1

# Regulatory conditions

- 2.1 Ofcom has set the following Regulatory Conditions which it considers appropriate for requiring the BBC to:
- 2.1.1 fulfil its Mission and promote the Public Purposes;
  - 2.1.2 secure the provision of distinctive output and services; and
  - 2.1.3 secure that audiences in England, Scotland, Wales, and Northern Ireland are well served.
- 2.2 Ofcom has set the Regulatory Conditions in light of its expectations of the BBC as set out in this Licence. The Regulatory Conditions will be regularly reviewed by Ofcom and amended if Ofcom considers it appropriate to do so, including in light of the BBC's performance.
- 2.3 The BBC must comply with the Regulatory Conditions in providing the UK Public Services with effect from 1 January 2018 and throughout the Licence Period.<sup>33</sup>

## Purpose (1): To provide impartial news and information to help people understand and engage with the world around them

- 2.4 In respect of **BBC One**, the BBC must ensure that:
- 2.4.1 it shows network news programmes at intervals throughout the day;
  - 2.4.2 in each Calendar Year, at least 1,520 hours are allocated to network news programmes, of which at least 280 hours must be in Peak Viewing Time. For the purpose of this requirement, "network news programmes" does not include programmes which are overnight simulcasts of programmes on the BBC News channel; and
  - 2.4.3 in each Calendar Year, at least 45 hours are allocated to network current affairs programmes during Peak Viewing Time.
- 2.5 In respect of **BBC One** and **BBC Two** taken together, the BBC must ensure that in each Calendar Year at least 450 hours are allocated to current affairs programmes, of which at least 106 hours must be in Peak Viewing Time.
- 2.6 In respect of **CBBC**, the BBC must ensure that:
- 2.6.1 it shows news at intervals throughout the day; and
  - 2.6.2 in each Financial Year at least 85 hours are allocated to news.
- 2.7 The BBC must ensure that the **BBC News channel** includes
- 2.7.1 more international news, and

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<sup>33</sup> Some of the Regulatory Conditions set requirements by reference to a financial year. For these purposes the first financial year begins on 1 April 2018 (see definition of a "Financial Year" in Schedule 2 to the Licence).

- 2.7.2 more local/regional news  
than other main continuous news channels in the United Kingdom.
- 2.8 In respect of **Radio 1**, the BBC must ensure that:
- 2.8.1 at least one hour is allocated to news during Daytime each weekday (except for Public Holidays) including at least two extended bulletins, of which at least one must be in Peak Listening Time; and
- 2.8.2 it provides bulletins at regular times during Daytime at weekends.
- 2.9 In respect of **1Xtra**, the BBC must ensure that:
- 2.9.1 at least one hour is allocated to news during Daytime each weekday (except for Public Holidays) including at least two extended bulletins; and
- 2.9.2 it provides bulletins at regular times during Daytime at weekends.
- 2.10 In respect of **Radio 2**, the BBC must ensure that:
- 2.10.1 at least 17 hours are allocated to news and current affairs programming each week, of which at least 3 hours must be in Peak Listening Time; and
- 2.10.2 it provides news bulletins at regular times.
- 2.11 In respect of **Radio 3**, the BBC must ensure that it provides news at intervals throughout the day.
- 2.12 In respect of **Radio 4**, the BBC must ensure that:
- 2.12.1 at least 2,750 hours are allocated to news and current affairs programmes (including repeats) in each Financial Year; and
- 2.12.2 it provides daily reports of Parliamentary proceedings when Parliament is sitting.
- 2.13 In respect of **BBC Radio 5 live**, the BBC must ensure that:
- 2.13.1 at least 75% of its output in each Financial Year must be news and current affairs programming; and
- 2.13.2 there is extensive coverage of local and general elections, and of elections to the United Kingdom's devolved chambers, as well as regular coverage of European and international politics.
- 2.14 In respect of **BBC 6 Music**, the BBC must ensure that in each week at least 6 hours are allocated to news.
- 2.15 In respect of **BBC Asian Network**, the BBC must ensure that in each week at least 24 hours are allocated to news and current affairs programming.
- 2.16 The BBC may request in writing that the requirements in condition 2.8.1, 2.9.1, 2.10.1, 2.14 or 2.15 be suspended for a specified period. Ofcom will consider any such request and may agree to the request where it is satisfied that in the particular circumstances of the case it is appropriate to do so. Such circumstances may include, but are not limited to, proposed changes to schedules to cover a live event such as a music festival.

- 2.17 In respect of **BBC Online**, the BBC must ensure that it provides adequate links to material provided by third parties.

## **Purpose (2): To support learning for people of all ages**

- 2.18 In respect of **BBC One**, the BBC must ensure that in each Financial Year at least 45 hours are allocated to arts and music programmes, some of which must be in Peak Viewing Time. For the purpose of this requirement, “arts and music programmes” includes repeats and acquisitions.
- 2.19 In respect of **BBC One** and **BBC Two** taken together, the BBC must ensure that in each Financial Year at least 115 hours are allocated to religious programmes, some of which must be in Peak Viewing Time. For the purpose of this requirement, “religious programmes” includes repeats and acquisitions, and does not include output broadcast overnight in the *Sign Zone*.
- 2.20 In respect of **BBC Two**, the BBC must ensure that in each Financial Year at least 175 hours are allocated to arts and music programmes, some of which must be in Peak Viewing Time. For the purpose of this requirement, “arts and music programmes” includes repeats and acquisitions, and does not include output broadcast overnight in the *Sign Zone*.
- 2.21 In respect of **BBC Four**, the BBC must ensure that in each Financial Year at least 175 hours are allocated to new arts and music programmes. For the purpose of this requirement, “new arts and music programmes” includes acquisitions.
- 2.22 In respect of **CBeebies**, the BBC must ensure that in each Financial Year it delivers a range of content which supports pre-school children in their learning.
- 2.23 In respect of **CBBC**, the BBC must ensure that in each Financial Year:
- 2.23.1 at least 1,000 hours are allocated to drama (including repeats and acquisitions); and
  - 2.23.2 at least 675 hours are allocated to factual programmes. For the purpose of this requirement, “factual programmes” includes repeats and acquisitions.
- 2.24 In respect of **BBC Alba**, the BBC must ensure that in each week at least 5 hours are allocated to originated programming aimed at those learning the Gaelic language. For the purpose of this requirement, “originated programming”:
- 2.24.1 does not include news;
  - 2.24.2 includes programming first shown on other UK Public Services.
- 2.25 In respect of **Radio 1**, the BBC must ensure that in each Financial Year there are at least 40 new documentaries. For the purpose of this requirement “new documentaries” includes documentaries which have been first broadcast on 1Xtra.
- 2.26 In respect of **1Xtra**, the BBC must ensure that in each Financial Year there are at least 40 documentaries. For the purpose of this requirement, “documentaries” includes repeats.
- 2.27 In respect of **Radio 2**, the BBC must ensure that in each Financial Year:
- 2.27.1 at least 100 hours are allocated to arts programming. For the purpose of this requirement, “arts programming” includes repeats;



- 2.27.2 at least 130 hours are allocated to documentaries. For the purpose of this requirement, “documentaries” does not include repeats; and
  - 2.27.3 at least 170 hours are allocated to religious output, and that the output covers a broad range of faiths. For the purpose of this requirement, “religious output” includes repeats. For illustration only, religious output could include coverage of key events in the religious calendar, religious music, and interviews with religious leaders in the community.
- 2.28 In respect of **Radio 3**, the BBC must ensure that in each Financial Year:
- 2.28.1 at least 45% of the station’s music output consists of live or specially recorded music;
  - 2.28.2 it broadcasts at least 440 live or specially recorded performances;
  - 2.28.3 it commissions at least 25 new musical works (excluding repeats); and
  - 2.28.4 it broadcasts at least 35 new documentaries on arts and cultural topics (excluding repeats). For illustration only, documentaries on arts and cultural topics could include programmes to help audiences develop their understanding of music and other cultural topics such as history, science, philosophy, film, visual arts and literature.
- 2.29 In respect of **Radio 4**, the BBC must ensure that in each Financial Year:
- 2.29.1 at least 375 hours are allocated to original documentaries (excluding repeats) covering a range of different subjects. For illustration only, these documentaries could include programmes on subjects like politics, business, law, finance, health, education, food and farming, international affairs, religion, ethics, travel and gardening; and
  - 2.29.2 at least 200 hours are allocated to original religious programming (excluding repeats), and that the output covers a broad range of faiths.
- 2.30 In respect of **BBC 6 Music**, the BBC must ensure that in each week, on average across each Financial Year, at least 10 hours are allocated to one or more of the following: speech-based features, documentaries and essays. For illustration only, speech-based features, documentaries and essays could include programmes to help audiences develop their understanding of the music, for instance through exploration of music and social trends across the years, and features on different artists and musical movements.
- 2.31 In respect of **BBC Online**, the BBC must deliver content which supports children and teenagers in their formal learning in all parts of the United Kingdom.

### **Purpose (3): To show the most creative, highest quality and distinctive output and services**

*The majority of the Regulatory Conditions in this Licence are important in securing a more distinctive BBC. Many of these have been grouped under the other Public Purposes to which they specifically relate (purposes 1, 2 and 4) and are also key to securing the Public Purpose of showing the most creative, highest quality and distinctive output and services. A list of these Regulatory Conditions appears at the end of this part of the Licence, below condition 2.41.*

#### **Original productions**

2.32 The BBC shall ensure that in each Calendar Year the time allocated to the broadcasting of original productions by each UK Public Television Service set out in column I below:

2.32.1 is not less than the percentage of the total time allocated to the broadcasting of all the programmes for that service specified in column II; and

2.32.2 is not less than the percentage of the total time allocated to the broadcasting of all the programmes for that service in Peak Viewing Time specified in column III.

“Original productions”, in relation to the UK Public Television Services taken together, has the same meaning that is specified by the Broadcasting (Original Productions) Order 2004 or any subsequent order under section 278(6) of the Communications Act 2003 in relation to a licensed public service channel.

| <b>Column I</b>     | <b>Column II</b>  | <b>Column III</b>   |
|---------------------|---|---|
| <b>Service</b>      | <b>Original productions as a percentage of the hours of all programming</b> | <b>Original productions in Peak Viewing Time as a percentage of the hours of all programming in Peak Viewing Time</b> |
| BBC One             | 75%   | 90%   |
| BBC Two             | 75%   | 90%   |
| BBC Four            | 75%   | 60%   |
| BBC Parliament      | 90%   | -   |
| BBC News channel    | 90%   | -   |
| CBBC                | 72%   | -   |
| CBeebies            | 70%   | -   |
| BBC Alba            | 75%   | -   |
| <b>BBC Scotland</b> | <b>75%</b>  | -   |

#### **First-run UK originations**

2.33 In respect of **BBC One**, the BBC must ensure that in each Calendar Year at least 4,000 hours are allocated to the broadcasting of first-run UK originations across Daytime and Peak Viewing Time.

- 2.34 In respect of **BBC Two**, the BBC must ensure that in each Calendar Year at least 2,200 hours are allocated to the broadcasting of first-run UK originations across Daytime and Peak Viewing Time.
- 2.35 In respect of **CBBC**, the BBC must ensure that in each Calendar Year at least 400 hours are allocated to the broadcasting of first-run UK originations across Daytime and Peak Viewing Time.
- 2.36 In respect of **CBeebies**, the BBC must ensure that in each Calendar Year at least 100 hours are allocated to the broadcasting of first-run UK originations across Daytime and Peak Viewing Time.
- 2.37 For the purposes of conditions 2.33 to 2.36:
- 2.37.1 “first-run UK originations” means programmes which are commissioned by or for a UK Public Television Service and have not previously been shown on television in the United Kingdom; and
- 2.37.2 references to hours mean hours measured in slot times<sup>34</sup> for programmes with a slot time of 10 minutes or more, or hours measured in running times<sup>35</sup> for programmes with a slot time of less than 10 minutes.

### **Distinctiveness**

- 2.38 In respect of **BBC One** and **BBC Two** taken together, the BBC must ensure that in each Financial Year at least 300 hours are allocated to comedy programmes, some of which must be in Peak Viewing Time. For the purpose of this requirement, “comedy programmes” includes repeats and acquisitions.
- 2.39 In respect of **Radio 1**, the BBC must ensure that:
- 2.39.1 in each Financial Year at least 45% of the music in Daytime is from United Kingdom acts;
- 2.39.2 in each Financial Year at least 50% of the music in Daytime is New Music, of which a significant proportion must come from new and emerging United Kingdom artists;
- 2.39.3 in each week it broadcasts at least 60 hours of specialist music. For the purpose of this requirement, “specialist music” means music which appeals to specific groups of listeners, and focuses on a specific genre of music or on cutting edge music from a range of genres;
- 2.39.4 in each Financial Year it broadcasts at least 175 new sessions live or recorded within the previous three months (excluding repeats);
- 2.39.5 the station plays a broader range of music than comparable providers, taking into account both the number of plays and the size of the playlist, at both Peak Listening Time and Daytime;<sup>36</sup>

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<sup>34</sup> i.e. including presentation material during and at the end of programmes.

<sup>35</sup> i.e. excluding presentation material.

<sup>36</sup> For the purposes of identifying comparable providers, the description of the Radio 1 service published under Part 1, Schedule 1 to the Agreement, and the audiences it attracts, are key considerations. Taking this approach, our expectation

- 2.39.6 in each Calendar Year it offers at least two major social action campaigns.
- 2.40 In respect of **Radio 2**, the BBC must ensure that:
- 2.40.1 in each Financial Year at least 40% of the music in Daytime is from United Kingdom acts;
- 2.40.2 in each Financial Year at least 20% of the music in Daytime is New Music, of which a significant proportion must come from new and emerging United Kingdom artists;
- 2.40.3 in each Financial Year it broadcasts at least 260 hours of live music;
- 2.40.4 in each Financial Year it broadcasts at least 1,100 hours of specialist music programmes. For the purpose of this requirement, “specialist music” means music which appeals to specific groups of listeners, and focuses on a specific genre of music or on cutting edge music from a range of genres; and
- 2.40.5 the station plays a broader range of music than comparable providers, taking into account both the number of plays and the size of the playlist, at both Peak Listening Time and Daytime.<sup>37</sup>
- 2.41 In respect of **BBC Radio 5 live**, the BBC must ensure that in each Financial Year live commentary is offered on at least 20 sports.

The following Regulatory Conditions have been grouped in this Licence under the other Public Purposes to which they specifically relate (purposes 1, 2 and 4) and are also key to securing the Public Purpose of showing the most creative, highest quality and distinctive output.

| <b>Name of service</b>     | <b>Summary of Regulatory Condition<sup>38</sup></b>   | <b>Regulatory Condition number</b> |
|----------------------------|---|------------------------------------|
| <i>BBC One</i>             | <i>Network news programmes at intervals throughout the day</i>  | <i>2.4.1</i>                       |
| <i>BBC One</i>             | <i>Calendar Year quota for network news programmes (1,520 hours, of which 280 hours must be in Peak)</i>  | <i>2.4.2</i>                       |
| <i>BBC One</i>             | <i>Calendar Year quota for network current affairs in Peak (45 hours)</i>                                 | <i>2.4.3</i>                       |
| <i>BBC One</i>             | <i>Financial Year quota for arts and music programmes (45 hours, some of which must be in Peak)</i>       | <i>2.18</i>                        |
| <i>BBC One and BBC Two</i> | <i>Calendar Year quota for current affairs programmes (450 hours, of which 106 hours must be in Peak)</i> | <i>2.5</i>                         |
| <i>BBC One and BBC Two</i> | <i>Financial Year quota for religious programmes (115 hours, some of which must be in Peak)</i>           | <i>2.19</i>                        |

is that a radio service offering a popular music service, featuring new music and appealing to young audiences would be a comparable provider to Radio 1.

<sup>37</sup> For the purposes of identifying comparable providers, the description of the Radio 2 service published under Part 1, Schedule 1 to the Agreement, and the audience it attracts, are key considerations. To the extent that Radio 2 discharges its requirement to play specialist music by playing such music outside Peak Listening Time and Daytime, we would not regard a station specialising in a particular genre of music as a comparable provider.

<sup>38</sup> This table contains a summary of the relevant conditions. The full and authoritative text can be found in this Licence at the Regulatory Condition indicated.

|  |  |                 |
|--|--|-----------------|
| BBC One and BBC Two                              | Calendar Year quota for programmes of national or regional interest ( <del>6,300</del> 5,909 <sup>39</sup> hours after 2019), to include <ul style="list-style-type: none"> <li>• a suitable range of programmes;</li> <li>• <del>700</del> 557<sup>40</sup> hours after 2019 of non-news programming in Peak;</li> <li>• <del>280</del> 179<sup>41</sup> hours after 2019 of non-news programming immediately preceding or following Peak;</li> <li>• a specific requirement for BBC One to broadcast at least 4,300 hours of news of national or regional interest at intervals throughout the day, of which 2,100 hours must be in Peak.</li> </ul> | 2.67; 2.68      |
| BBC Two  | Financial Year quota for arts and music programmes (175 hours, some of which must be in Peak)  | 2.20            |
| BBC One Scotland                                 | Financial Year quota for news and current affairs programmes (290 hours) and non-news programmes (155 hours)   | 2.78            |
| BBC One Scotland and BBC <del>Two</del> Scotland | Range of genres in programming that reflects Scotland's culture  | 2.79, 2.80      |
| <del>BBC Two</del> Scotland                      | <del>Financial Year quota for non-news programmes, including Gaelic language output (200 hours)</del>  | <del>2.80</del> |
| BBC Scotland                                     | Calendar year requirements and quotas <ul style="list-style-type: none"> <li>• a suitable range of programmes, including news programmes which contain news from across Scotland or reflecting a Scottish perspective;</li> <li>• at least 90% of first-run UK originations are made in Scotland; and</li> <li>• news in Peak Viewing Time (212 hours in 2019 and 250 hours after 2019)</li> </ul>   | 2.80            |
| BBC One Wales                                    | Financial Year quota for news and current affairs programmes (275 hours) and non-news programmes (65 hours)  | 2.85            |
| BBC One Wales and BBC Two Wales                  | Range of genres in programming that reflects Wales's culture   | 2.86            |
| BBC Two Wales                                    | Financial Year quota for non-news programmes (175 hours)   | 2.87            |
| BBC One Northern Ireland                         | Financial Year quota for news and current affairs programmes (310 hours) and non-news programmes (90 hours)  | 2.91            |

<sup>39</sup> 5,969 hours in 2019.

<sup>40</sup> 579 hours in 2019.

<sup>41</sup> 195 hours in 2019.

|  |  |               |
|--|--|---------------|
| <i>BBC One Northern Ireland and BBC Two Northern Ireland</i> | <i>Range of genres in programming that reflects Northern Ireland's culture</i>   | <i>2.92</i>   |
| <i>BBC Two Northern Ireland</i>                              | <i>Financial Year quota for non-news programmes (60 hours)</i>   | <i>2.93</i>   |
| <i>BBC Two Northern Ireland</i>                              | <i>Irish language programming and Ulster-Scots programming</i>   | <i>2.94</i>   |
| <i>BBC Four</i>  | <i>Financial Year quota for new arts and music programmes (175 hours)</i>  | <i>2.21</i>   |
| <i>CBeebies</i>  | <i>Financial Year delivery of a range of content which supports pre-school children in their learning</i>                                    | <i>2.22</i>   |
| <i>CBBC</i>  | <i>News at intervals throughout the day</i>  | <i>2.6.1</i>  |
| <i>CBBC</i>  | <i>Financial Year quota for news (85 hours)</i>  | <i>2.6.2</i>  |
| <i>CBBC</i>  | <i>Financial Year quota for drama (1,000 hours)</i>  | <i>2.23.1</i> |
| <i>CBBC</i>  | <i>Financial Year quota for factual programmes (675 hours)</i>   | <i>2.23.2</i> |
| <i>BBC News channel</i>                                      | <i>More international news and more local/regional news than other main continuous news channels in the UK</i>                               | <i>2.7</i>    |
| <i>BBC Parliament</i>  | <i>Financial Year quota for coverage of proceedings of the Scottish Parliament, Northern Ireland Assembly and Welsh Assembly (300 hours)</i> | <i>2.70</i>   |
| <i>BBC Alba</i>  | <i>Weekly quota for originated programming for learners of the Gaelic language (5 hours)</i>   | <i>2.24</i>   |
| <i>BBC Alba</i>  | <i>Live news programmes each weekday evening, including during Peak, and a longer news review at weekends</i>                                | <i>2.81</i>   |
| <i>Radio 1</i>   | <i>News, two extended bulletins with one in Peak</i>   | <i>2.8.1</i>  |
| <i>Radio 1</i>   | <i>Financial Year quota of new documentaries (40)</i>  | <i>2.25</i>   |
| <i>1Xtra</i>   | <i>News, two extended bulletins</i>  | <i>2.9.1</i>  |
| <i>1Xtra</i>   | <i>Financial Year quota for number of documentaries (40)</i>   | <i>2.26</i>   |
| <i>Radio 2</i>   | <i>Weekly quota for news and current affairs programming (17 hours, with 3 hours in Peak)</i>  | <i>2.10.1</i> |
| <i>Radio 2</i>   | <i>Financial Year quota for arts programming (100 hours)</i>   | <i>2.27.1</i> |
| <i>Radio 2</i>   | <i>Financial Year quota for documentaries (130 hours)</i>  | <i>2.27.2</i> |

|                               |   |               |
|-------------------------------|---|---------------|
| <i>Radio 2</i>                | <i>Financial Year quota for religious output covering a broad range of faiths (170 hours)</i>   | <i>2.27.3</i> |
| <i>Radio 3</i>                | <i>Financial Year quota for live or specially recorded music (45%)</i>  | <i>2.28.1</i> |
| <i>Radio 3</i>                | <i>Financial Year quota for live or specially recorded performances (440)</i>   | <i>2.28.2</i> |
| <i>Radio 3</i>                | <i>Financial Year quota for commissions of new musical works (25)</i>   | <i>2.28.3</i> |
| <i>Radio 3</i>                | <i>Financial Year quota for new documentaries on arts and cultural topics (35)</i>  | <i>2.28.4</i> |
| <i>Radio 4</i>                | <i>Financial Year quota for news and current affairs programmes (2,750 hours)</i>   | <i>2.12.1</i> |
| <i>Radio 4</i>                | <i>Daily reports of Parliamentary proceedings when Parliament is sitting</i>  | <i>2.12.2</i> |
| <i>Radio 4</i>                | <i>Financial Year quota for original documentaries covering range of subjects (375 hours)</i>   | <i>2.29.1</i> |
| <i>Radio 4</i>                | <i>Financial Year quota for original religious programming (200 hours) covering a broad range of faiths</i>   | <i>2.29.2</i> |
| <i>BBC Radio 5 live</i>       | <i>Financial Year quota for news and current affairs programming (75% of output)</i>  | <i>2.13.1</i> |
| <i>BBC Radio 5 live</i>       | <i>Extensive coverage of elections (local, general, and the UK's devolved chambers) and regular coverage of European and international politics</i> | <i>2.13.2</i> |
| <i>BBC 6 Music</i>            | <i>Weekly quota for news (6 hours)</i>  | <i>2.14</i>   |
| <i>BBC 6 Music</i>            | <i>Weekly quota on average across each Financial Year for one or more of speech-based features, documentaries and essays (10 hours)</i>             | <i>2.30</i>   |
| <i>BBC Asian Network</i>      | <i>Weekly quota for news and current affairs programming (24 hours)</i>   | <i>2.15</i>   |
| <i>BBC Radio Scotland</i>     | <i>Financial Year quota for speech content (60% in core hours; 100% at breakfast peak)</i>  | <i>2.71</i>   |
| <i>BBC Radio Scotland</i>     | <i>Weekly quota for news and current affairs (50 hours)</i>   | <i>2.82.1</i> |
| <i>BBC Radio Scotland</i>     | <i>Several regional opt-outs each weekday (offering news, sport and information), and some regional opt-out community programming in evenings</i>   | <i>2.82.2</i> |
| <i>BBC Radio Scotland</i>     | <i>Content and music of particular relevance to Scotland</i>  | <i>2.82.3</i> |
| <i>BBC Radio nan Gàidheal</i> | <i>Financial Year quota for speech content (60% in core hours; 100% at breakfast peak)</i>  | <i>2.71</i>   |
| <i>BBC Radio nan Gàidheal</i> | <i>Content and music of particular relevance to Scotland</i>  | <i>2.83.2</i> |
| <i>BBC Radio Wales</i>        | <i>Financial Year quota for speech content (60% in core hours; 100% at breakfast peak)</i>  | <i>2.71</i>   |
| <i>BBC Radio Wales</i>        | <i>Weekly quota for news and current affairs (32 hours)</i>   | <i>2.88.1</i> |

|   |  |                           |
|---|--|---------------------------|
| <i>BBC Radio Wales</i>                      | <i>Content and music of particular relevance to Wales</i>  | <i>2.88.2</i>             |
| <i>BBC Radio Cymru</i>                      | <i>Financial Year quota for speech content (60% in core hours; 100% at breakfast peak)</i>   | <i>2.71</i>               |
| <i>BBC Radio Cymru</i>                      | <i>Weekly quota for news and current affairs (23 hours)</i>  | <i>2.89.1</i>             |
| <i>BBC Radio Cymru</i>                      | <i>Content and music of particular relevance to Wales</i>  | <i>2.89.2</i>             |
| <i>BBC Radio Ulster and BBC Radio Foyle</i> | <i>Financial Year quota for speech content (60% in core hours; 100% at breakfast peak)</i>   | <i>2.71</i>               |
| <i>BBC Radio Ulster and BBC Radio Foyle</i> | <i>Weekly quota for news and current affairs (35 hours for BBC Radio Ulster, 20 hours for BBC Radio Foyle)</i>   | <i>2.95.1;<br/>2.95.2</i> |
| <i>BBC Radio Ulster and BBC Radio Foyle</i> | <i>Content and music of particular relevance to Northern Ireland</i>   | <i>2.95.3</i>             |
| <i>BBC Radio Ulster and BBC Radio Foyle</i> | <i>Financial Year quota for indigenous minority language programming, including Irish and Ulster-Scots output (240 hours)</i>  | <i>2.95.4</i>             |
| <i>BBC Local Radio</i>                      | <i>News and information of particular relevance to the area and communities at intervals throughout the day, other content of particular relevance to the area and communities</i> | <i>2.74</i>               |
| <i>BBC Local Radio</i>                      | <i>Weekly quota for original, locally-made programming (95 hours), with modifications in respect of BBC Radio Guernsey, BBC Radio Jersey and BBC Radio Somerset</i>                | <i>2.75; 2.76</i>         |
| <i>Each BBC Local Radio service</i>         | <i>Financial Year quota for speech content (60% in core hours; 100% at breakfast peak)</i>   | <i>2.71</i>               |
| <i>BBC Online</i>                           | <i>Content that supports children and teenagers in their formal learning in all parts of the UK</i>  | <i>2.31</i>               |



**Purpose (4): To reflect, represent and serve the diverse communities of all of the United Kingdom's nations and regions and, in doing so, support the creative economy across the United Kingdom**

Diversity, audience portrayal and representation

- 2.42 The BBC must report to Ofcom annually on how the UK Public Services as a whole have reflected, represented and served the diverse communities of the whole of the United Kingdom during the previous Financial Year. In particular, the BBC must demonstrate how it has:
- 2.42.1 had regard to the range of diverse communities of the whole of the United Kingdom. This should include age, disability, gender reassignment, race, religion and belief, sex, sexual orientation and socioeconomic background;
  - 2.42.2 served and delivered content for the range of the diverse communities of the whole of the United Kingdom;
  - 2.42.3 accurately represented the diverse communities of the whole of the United Kingdom;
  - 2.42.4 authentically portrayed the diverse communities of the whole of the United Kingdom;
  - 2.42.5 raised awareness of the different cultures and alternative viewpoints of the diverse communities of the whole of the United Kingdom.
- 2.43 The BBC must report to Ofcom annually on the extent to which the BBC has made progress towards meeting its on-screen and on-air representation and/or portrayal targets.
- 2.44 The BBC must measure and report to Ofcom annually on audience satisfaction during the previous Financial Year with the reflection, representation and serving of the diverse communities of the whole of the United Kingdom across the UK Public Services as a whole, with particular regard to first-run content across all genres. This must include audience satisfaction in the following areas:
- 2.44.1 how the BBC represents, portrays and serves diverse audiences;
  - 2.44.2 how the BBC reflects the whole of the United Kingdom population on-screen and on-air, with particular regard to first-run content across all genres; and
  - 2.44.3 how the BBC raises awareness of different cultures and viewpoints.
- 2.45 Where in any particular Financial Year the BBC's measurement of audience satisfaction under condition 2.44 indicates that specific audience groups are dissatisfied with the BBC's performance in these areas, the BBC must:
- 2.45.1 identify in its report under condition 2.44 for that Financial Year the steps that it will take to seek to improve audience satisfaction among those particular audience groups; and

- 2.45.2 include in its report under condition 2.44 for the following Financial Year an account of the steps it has taken and the effect that those steps have had on audience satisfaction in those particular audience groups.
- 2.46 The BBC must, by 1 April 2018, establish and comply with a code of practice, approved by Ofcom, setting out the steps the BBC will take when commissioning content across all genres to ensure that such content accurately represents, authentically portrays and reflects the diverse communities of the whole of the United Kingdom. The code of practice must cover commissions produced by the BBC in-house and commissions produced externally.
- 2.47 In particular, the code of practice must set out the steps that the BBC will take, when commissioning content, in respect of:
- 2.47.1 on-screen portrayal and casting;
- 2.47.2 workforce diversity of commissioned production teams; and
- 2.47.3 the production and commissioning decision process.
- 2.48 The BBC must monitor its compliance with the code of practice and must report annually to Ofcom on its compliance with the code of practice during the previous Financial Year.
- 2.49 Ofcom may, at any time, by notification in writing to the BBC:
- 2.49.1 approve modifications to an approved code where Ofcom considers that the code as so modified would meet the objectives set out in condition 2.46; or
- 2.49.2 withdraw its approval from a code where Ofcom considers that the code no longer meets the objectives sets out in condition 2.46.
- 2.50 The BBC must monitor and report to Ofcom annually on the diversity of all staff (employees and freelance) of the BBC who are employed in connection with the provision of the UK Public Services.<sup>42</sup> The report must be in a form specified by Ofcom and must include the following information:
- 2.50.1 the number of such staff by age, disability, gender reassignment, race, religion and belief, sex, sexual orientation and socioeconomic background;
- 2.50.2 the job level of such staff by the following categories: Board members and non-executives; senior managers; middle/junior managers; and non-management;
- 2.50.3 the job type of such staff by the following categories: programming; commissioning; technical/engineering; sales/marketing; and support functions/administrative;
- 2.50.4 the extent to which the BBC has made progress towards meeting its diversity workforce targets.
- 2.51 Nothing in condition 2.50 requires the BBC to provide any information to Ofcom where such provision would be in breach of relevant data protection legislation.
- 2.52 Ofcom may publish any report provided by the BBC under condition 2.42, 2.43, 2.44, 2.48 or 2.50.

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<sup>42</sup> The UK Public Services do not include the World Service or the BBC's commercial services (see definition of "the UK Public Services" in Schedule 2 to this Licence).

## Programme making in the nations and regions: network programmes

2.52A For the purposes of conditions 2.53 to 2.63, the hours of and expenditure on Network Programmes made only for BBC Alba and BBC Scotland shall be zero-weighted.

### **United Kingdom (outside the M25 Area)**

- 2.53 The BBC must ensure that in each Calendar Year:
- 2.53.1 at least 50% of the hours of Network Programmes made in the United Kingdom are made outside the M25 Area;
  - 2.53.1 the Network Programmes that are made in the United Kingdom outside the M25 Area (taken together) constitute a suitable range of programmes; and
  - 2.53.2 at least 50% of the Expenditure of the BBC on Network Programmes made in the United Kingdom is referable to programme production at different production centres outside the M25 Area.

### **England (outside the M25 Area)**

- 2.54 The BBC must ensure that:
- 2.54.1 in each Calendar Year at least 30% of the hours of Network Programmes made in the United Kingdom are made in England (outside the M25 Area);
  - 2.54.2 until 31 December 2019, in each Calendar Year at least 28% of the Expenditure of the BBC on Network Programmes made in the United Kingdom is referable to programme production at different production centres in England (outside the M25 Area); and
  - 2.54.3 from 1 January 2020, in each Calendar Year at least 30% of the Expenditure of the BBC on Network Programmes made in the United Kingdom is referable to programme production at different production centres in England (outside the M25 Area).
- 2.55 The BBC may request in writing that the percentage of hours of Network Programmes specified in condition 2.54.1 be reduced in respect of a particular Calendar Year. Ofcom will consider any such request and may agree to the request where it appears to Ofcom that in the particular circumstances of the case the reduction would secure a suitable proportion of Network Programmes.<sup>43</sup>

### **Scotland**

- 2.56 The BBC must ensure that in each Calendar Year:
- 2.56.1 at least 8% of the hours of Network Programmes made in the United Kingdom are made in Scotland; and

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<sup>43</sup> For illustration only, an example of when the BBC might wish to make such a request could be if in a particular year it proposed to commission a high cost drama to be made in England (outside the M25 Area) but its proposal would result in the BBC being unable to meet the specified percentage of hours in England (outside the M25 Area) for that year.

- 2.56.2 at least 8% of the Expenditure of the BBC on Network Programmes made in the United Kingdom is referable to programme production at different production centres in Scotland.
- 2.57 The BBC may request in writing that the percentage of hours of Network Programmes specified in condition 2.56.1 be reduced in respect of a particular Calendar Year. Ofcom will consider any such request and may agree to the request where it appears to Ofcom that in the particular circumstances of the case the reduction would secure a suitable proportion of Network Programmes.<sup>44</sup>

## **Wales**

- 2.58 The BBC must ensure that:
- 2.58.1 until 31 December 2021, in each Calendar Year at least 4% of the hours of Network Programmes made in the United Kingdom are made in Wales;
  - 2.58.2 from 1 January 2022, in each Calendar Year at least 5% of the hours of Network Programmes made in the United Kingdom are made in Wales; and
  - 2.58.3 in each Calendar Year at least 5% of the Expenditure of the BBC on Network Programmes made in the United Kingdom is referable to programme production at different production centres in Wales.
- 2.59 The BBC may request in writing that the percentage of hours of Network Programmes specified in condition 2.58.1 or 2.58.2 be reduced in respect of a particular Calendar Year. Ofcom will consider any such request and may agree to the request where it appears to Ofcom that in the particular circumstances of the case the reduction would secure a suitable proportion of Network Programmes.<sup>45</sup>

## **Northern Ireland**

- 2.60 The BBC must ensure that:
- 2.60.1 until 31 December 2021, in each Calendar Year at least 2% of the hours of Network Programmes made in the United Kingdom are made in Northern Ireland;
  - 2.60.2 from 1 January 2022, in each Calendar Year at least 3% of the hours of Network Programmes made in the United Kingdom are made in Northern Ireland; and
  - 2.60.3 in each Calendar Year at least 3% of the Expenditure of the BBC on Network Programmes made in the United Kingdom is referable to programme production at different production centres in Northern Ireland.
- 2.61 The BBC may request in writing that the percentage of hours of Network Programmes specified in condition 2.60.1 or 2.60.2 be reduced in respect of a particular Calendar Year.

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<sup>44</sup> For illustration only, an example of when the BBC might wish to make such a request could be if in a particular year it proposed to commission a high cost drama to be made in Scotland but its proposal would result in the BBC being unable to meet the specified percentage of hours in Scotland for that year.

<sup>45</sup> For illustration only, an example of when the BBC might wish to make such a request could be if in a particular year it proposed to commission a high cost drama to be made in Wales but its proposal would result in the BBC being unable to meet the specified percentage of hours in Wales for that year.

Ofcom will consider any such request and may agree to the request where it appears to Ofcom that in the particular circumstances of the case the reduction would secure a suitable proportion of Network Programmes.<sup>46</sup>

### **Production centres**

2.62 The different programme production centres to which the Expenditure referred to in conditions 2.53, 2.54, 2.56, 2.58 and 2.60 is referable must constitute a suitable range of such production centres.

### **Guidance**

2.63 In complying with conditions 2.53 to 2.60, the BBC must have regard to any guidance that may be issued by Ofcom.

### **Programme making in the nations and regions: radio services**

2.64 In respect of the UK Public Radio Services which are designed for audiences across the UK<sup>47</sup>, the BBC must ensure that in each Financial Year at least one third of relevant expenditure is incurred outside the M25 Area. For the purpose of this requirement, “relevant expenditure” means expenditure on programme production (not including expenditure on centrally funded costs).

2.65 In meeting the requirement in condition 2.64, the BBC must ensure that some of the relevant expenditure is incurred in respect of each of the following radio services:

2.65.1 Radio 1;

2.65.2 Radio 2;

2.65.3 Radio 3;

2.65.4 Radio 4;

2.65.5 BBC Radio 5 live.

2.66 In respect of **Radio 3**, the BBC must ensure that in each Financial Year at least 40% of relevant expenditure is incurred outside the M25 Area. For the purpose of this requirement “relevant expenditure” means expenditure on programme production (not including expenditure on centrally funded costs) and Radio 3’s allocation of the central orchestras’ subsidy.

### **Programming for the nations and regions**

2.67 In respect of **BBC One** and **BBC Two** taken together, the BBC must ensure that ~~in each~~ **Calendar Year**:

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<sup>46</sup> For illustration only, an example of when the BBC might wish to make such a request could be if in a particular year it proposed to commission a high cost drama to be made in Northern Ireland but its proposal would result in the BBC being unable to meet the specified percentage of hours in Northern Ireland for that year.

<sup>47</sup> Radio 1; 1Xtra; Radio 2; Radio 3; Radio 4; BBC 4 Extra; BBC Radio 5 live; BBC Radio 5 live sports extra; BBC 6 Music; BBC Asian Network.

- 2.67.1 in the Calendar Year 2019, at least 5,969 hours are allocated to programmes which are of national or regional interest;
  - 2.67.2 in each Calendar Year after 2019, at least ~~6,300~~ 5,909 hours are allocated to programmes which are of national or regional interest;
  - 2.67.3 those programmes include a suitable range of programmes (including regional news programmes);
  - 2.67.4 at least 95% of those programmes consist of programmes made in the nation or region in relation to which those programmes are to be of national or regional interest;
  - 2.67.5 in the Calendar Year 2019, at least ~~700~~ 579 hours of those programmes consist of non-news programming in Peak Viewing Time;
  - 2.67.6 in each Calendar Year after 2019, at least 557 hours of those programmes consist of non-news programming in Peak Viewing Time;
  - 2.67.7 in the Calendar Year 2019, at least ~~280~~ 195 hours of those programmes consist of non-news programming at times immediately preceding or following Peak Viewing Time; and
  - 2.67.8 in each Calendar Year after 2019, at least 179 hours of those programmes consist of non-news programming at times immediately preceding or following Peak Viewing Time.
- 2.68 The BBC must ensure that in each Calendar Year the time allocated to programmes which are of national or regional interest in accordance with condition 2.67 includes at least 4,300 hours of news of national or regional interest to be broadcast at intervals throughout the day on **BBC One**, of which at least 2,100 hours must be in Peak Viewing Time.
- 2.69 In complying with conditions 2.67 and 2.68, the BBC must have regard to any guidance that may be issued by Ofcom.
- 2.70 In respect of **BBC Parliament**, the BBC must ensure that in each Financial Year at least 300 hours are allocated to proceedings of the Scottish Parliament, Northern Ireland Assembly and Welsh Assembly.
- 2.71 In respect of each **UK Public Radio Service** specified in condition 2.72, the BBC must ensure that in each Financial Year, the proportion of content which is speech content on that service is:
- 2.71.1 on average at least 60% in core hours; and
  - 2.71.2 100% during the breakfast peak.
- 2.72 The following UK Public Radio Services are specified for the purpose of condition 2.71:
- 2.72.1 each BBC Local Radio service;
  - 2.72.2 BBC Radio Scotland;
  - 2.72.3 BBC Radio nan Gàidheal;
  - 2.72.4 BBC Radio Wales;

2.72.5 BBC Radio Cymru;

2.72.6 BBC Radio Ulster and BBC Radio Foyle.

2.73 In condition 2.71 “core hours” means 06:00 to 19:00 on Mondays to Fridays, and “breakfast peak” means 07:00 to 08:30 on Mondays to Fridays.

## England<sup>48</sup>

2.74 In respect of each **BBC Local Radio** station, the BBC must ensure that:

2.74.1 it provides news and information of particular relevance to the area and communities it serves at intervals throughout the day; and

2.74.2 it provides other content of particular relevance to the area and communities it serves.

2.75 In respect of **BBC Local Radio**, the BBC must ensure that each week at least 95 hours are allocated on each BBC Local Radio station to original, locally-made programming. For the purpose of this requirement, “original, locally-made programming” includes programming shared with neighbouring stations broadcast between 06:00 and 19:00.

2.76 The requirement in condition 2.75 applies to the following BBC Local Radio stations as though the minimum requirement for original, locally-made programming were the time shown in the corresponding entry.

| BBC Local Radio station | Minimum requirement for original, locally-made programmes |
|-------------------------|---|
| BBC Radio Guernsey      | 80 hours  |
| BBC Radio Jersey        | 80 hours  |
| BBC Radio Somerset      | 70 hours  |

2.77 In respect of **BBC Online**, the BBC must ensure that:

2.77.1 it provides news and information for the English regions; and

2.77.2 it provides dedicated coverage of sport for the English regions.

## Scotland

2.78 In respect of **BBC One Scotland**, the BBC must ensure that in each Financial Year:

2.78.1 at least 290 hours are allocated to news and current affairs programmes; and

2.78.2 at least 155 hours are allocated to non-news programmes. For the purpose of this requirement, “non-news programmes” includes repeats and acquisitions, and does not include current affairs programmes.

2.79 In respect of **BBC One Scotland** ~~and BBC Two Scotland taken together~~, the BBC must ensure that it provides a range of genres in its programming that reflects Scotland’s culture.

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<sup>48</sup> BBC Local Radio for the Channel Islands has been included under these conditions.

- 2.80 In respect of **BBC Scotland**, the BBC must ensure that:
- 2.80.1 it provides a range of genres in its programming that reflects Scotland's culture;
  - 2.80.2 in each Calendar Year it provides a suitable range of programmes, including news programmes which contain news from across Scotland or reflecting a Scottish perspective;
  - 2.80.3 in each Calendar Year at least 90% of first-run UK originations (as defined under condition 2.37.1) are made in Scotland;
  - 2.80.4 in the Calendar Year 2019, at least 212 hours are allocated to news in Peak Viewing Time; and
  - 2.80.5 in each Calendar Year after 2019, at least 250 hours are allocated to news in Peak Viewing time.

~~**BBC Two Scotland**, the BBC must ensure that in each Financial Year at least 200 hours are allocated to non-news programmes, including Gaelic language output. For the purpose of this requirement, "non-news programmes" includes repeats and acquisitions, and does not include current affairs programmes.~~

- 2.81 In respect of **BBC Alba**, the BBC must ensure that the service includes live news programmes each weekday evening, including during Peak Viewing Time, and a longer news review at the weekends.
- 2.82 In respect of **BBC Radio Scotland**, the BBC must ensure that:
- 2.82.1 in each week at least 50 hours are allocated to news and current affairs (including repeats);
  - 2.82.2 it provides several regional opt-outs each weekday, offering news, sport and information, and some regional opt-out community programming in the evenings; and
  - 2.82.3 it provides content and music of particular relevance to Scotland.
- 2.83 In respect of **BBC Radio nan Gàidheal**, the BBC must ensure that:
- 2.83.1 it includes news frequently across the day, particularly between 07:00 to 08:30 and 16:00 to 19:00 on Mondays to Fridays and 07:00 to 11:00 on Saturdays and Sundays; and
  - 2.83.2 it provides content and music of particular relevance to Scotland.
- 2.84 In respect of **BBC Online**, the BBC must ensure that:
- 2.84.1 it provides news and information for Scotland;
  - 2.84.2 it provides content in Gaelic; and
  - 2.84.3 it provides dedicated coverage of sport for Scotland.

## **Wales**

- 2.85 In respect of **BBC One Wales**, the BBC must ensure that in each Financial Year:
- 2.85.1 at least 275 hours are allocated to news and current affairs programmes; and



- 2.85.2 at least 65 hours are allocated to non-news programmes. For the purpose of this requirement, “non-news programmes” includes repeats and acquisitions, and does not include current affairs programmes.
- 2.86 In respect of **BBC One Wales** and **BBC Two Wales** taken together, the BBC must ensure that it provides a range of genres in its programming that reflects Wales’s culture.
- 2.87 In respect of **BBC Two Wales**, the BBC must ensure that in each Financial Year at least 175 hours are allocated to non-news programmes. For the purpose of this requirement, “non-news programmes” includes repeats and acquisitions, and does not include current affairs programmes.
- 2.88 In respect of **BBC Radio Wales**, the BBC must ensure that:
- 2.88.1 in each week at least 32 hours are allocated to news and current affairs (including repeats and acquisitions); and
- 2.88.2 it provides content and music of particular relevance to Wales.
- 2.89 In respect of **BBC Radio Cymru**, the BBC must ensure that:
- 2.89.1 in each week at least 23 hours are allocated to news and current affairs (including repeats); and
- 2.89.2 it provides content and music of particular relevance to Wales.
- 2.90 In respect of **BBC Online**, the BBC must ensure that:
- 2.90.1 it provides news and information for Wales;
- 2.90.2 it provides content in Welsh; and
- 2.90.3 it provides dedicated coverage of sport for Wales.

## **Northern Ireland**

- 2.91 In respect of **BBC One Northern Ireland**, the BBC must ensure that in each Financial Year:
- 2.91.1 at least 310 hours are allocated to news and current affairs programmes; and
- 2.91.2 at least 90 hours are allocated to non-news programmes. For the purpose of this requirement, “non-news programmes” includes repeats and acquisitions, and does not include current affairs programmes.
- 2.92 In respect of **BBC One Northern Ireland** and **BBC Two Northern Ireland** taken together, the BBC must ensure that it provides a range of genres in its programming that reflects Northern Ireland’s culture.
- 2.93 In respect of **BBC Two Northern Ireland**, the BBC must ensure that in each Financial Year at least 60 hours are allocated to non-news programmes. For the purpose of this requirement, “non-news programmes” includes repeats and acquisitions, and does not include current affairs programmes.
- 2.94 In respect of **BBC Two Northern Ireland**, the BBC must ensure that it provides Irish language programming and Ulster-Scots programming.
- 2.95 In respect of **BBC Radio Ulster** and **BBC Radio Foyle**, the BBC must ensure that:

- 2.95.1 in each week at least 35 hours are allocated to news and current affairs (including repeats) on Radio Ulster;
  - 2.95.2 in each week at least 20 hours are allocated to news and current affairs (including repeats) on Radio Foyle;
  - 2.95.3 it provides content and music of particular relevance to Northern Ireland; and
  - 2.95.4 in each Financial Year at least 240 hours are allocated to indigenous minority language programming, including Irish and Ulster-Scots output. For the purpose of this requirement, “indigenous minority language programming” includes repeats and acquisitions.
- 2.96 In respect of **BBC Online**, the BBC must ensure that:
- 2.96.1 it provides news and information for Northern Ireland;
  - 2.96.2 it provides content in Irish and Ulster-Scots; and
  - 2.96.3 it provides dedicated coverage of sport for Northern Ireland.

## Schedule 2

# Definitions and interpretation

3.1 In this Licence, unless the context requires otherwise:

**“the Agreement”** means the agreement between the Secretary of State for Culture, Media and Sport and the BBC made on 7 December 2016;

**“the BBC”** means the British Broadcasting Corporation;

**“BBC One Northern Ireland”** means the version of BBC One for Northern Ireland;

**“BBC One Scotland”** means the version of BBC One for Scotland;

**“BBC One Wales”** means the version of BBC One for Wales;

**“BBC Two Northern Ireland”** means the version of BBC Two for Northern Ireland;

~~**“BBC Two Scotland”** means the version of BBC Two for Scotland;~~

**“BBC Two Wales”** means the version of BBC Two for Wales;

a **“Calendar Year”** means a period of 12 months starting on 1 January, with the first such period starting on 1 January 2018;

**“the Charter”** means the Royal Charter for the continuance of the BBC for the period ending on 31 December 2027;

**“Daytime”** means:

- (a) 06:00 to 18:00 in relation to a UK Public Television Service;
- (b) 06:00 to 19:00 on Mondays to Fridays and 08:00 to 14:00 on Saturdays and Sundays in relation to a UK Public Radio Service;

**“Expenditure”**, in relation to a programme, means:

- (a) expenditure which constitutes an investment in or is otherwise attributable to the making of the programme, or
- (b) expenditure on the commissioning or other acquisition of the programme or on the acquisition of a right to include it in a service or to have it broadcast;

**“the Licence Period”** means the period from 1 January 2018 to 31 December 2027;

**“the M25 Area”** means the area the outer boundary of which is represented by the London Orbital Motorway (M25);

**“the Mission”** means the mission of the BBC as set out in Article 5 of the Charter;

**“Network Programmes”** means programmes made for viewing on any of the UK Public Television Services, other than programmes made for viewing only on a variation of such a

service that relates to one of the following: (a) Northern Ireland; (b) Scotland; (c) Wales; (d) any region of England;

A music track is to be considered **“New Music”** for a period of either:

- (a) 12 months from first release (whether by physical, radio, download or streaming means), or
- (b) 6 weeks from the date it first enters the Top 20 of the UK Official Singles Chart whichever is sooner.

**“Ofcom”** means the Office of Communications established under the Office of Communications Act 2002;

**“Peak Listening Time”** means 06:00 to 10:00 and 16:00 to 19:00 on Mondays to Fridays, and 07:00 to 11:00 on Saturdays and Sundays;

**“Peak Viewing Time”** means;

- (a) 18:00 to 22:30 in relation to all UK Public Television Services except for BBC Four;
- (b) 19:00 to 24:00 in relation to BBC Four;

**“Public Holiday”** means Christmas Day, Good Friday, or a bank holiday under the Banking and Financial Dealings Act 1971;

**“the Public Purposes”** means the public purposes of the BBC as set out in Article 6 of the Charter;

**“the Regulatory Conditions”** means the regulatory conditions in Schedule 1 to this Licence, as amended by Ofcom from time to time;

**“the UK Public Radio Services”** means those UK Public Services which consist of radio programme services, and **“UK Public Radio Service”** means any of those services;

**“the UK Public Services”** means the services included in the list maintained and published by the BBC under Part 1 of Schedule 1 to the Agreement, as amended by the BBC from time to time;

**“the UK Public Television Services”** means those UK Public Services which consist of television programme services, and **“UK Public Television Service”** means any of those services;

a **“Financial Year”** means a period of 12 months starting on 1 April, with the first such period starting on 1 April 2018.

- 3.2 Terms used in this Licence have the same meaning as in the Charter and the Agreement, unless the context requires otherwise.
- 3.3 Words importing the masculine gender include the feminine and vice versa.
- 3.4 Words in the singular include the plural.

- 3.5 References to particular legislation should be read as referring to that legislation as amended or re-enacted from time to time.
- 3.6 Headings are for convenience only and do not form part of the Regulatory Conditions.
- 3.7 Where any condition of this Licence sets a quota for expenditure, expenditure on co-commissioned programme content shall be allocated to a service in proportion to the percentage contribution it made to the total expenditure.
- 3.8 (a) Subject to (b) below, for the quotas measured in hours in conditions 2.33 to 2.36 and 2.53 to 2.60 of this Licence, hours of co-commissioned content shall be allocated to the service on which the programme first appeared.
- (b) Where hours of content are co-commissioned between the BBC Scotland Channel and any other UK Public Television Service(s), for the quotas measured in hours in conditions 2.53 to 2.60, the hours of co-commissioned content may be allocated to the first UK Public Television Service(s) other than the BBC Scotland Channel on which the programme is shown, even if the content is shown on the BBC Scotland Channel first.

## Schedule 3

# The UK Public Services

- 4.1 The Licence applies to the BBC's UK Public Services. These are the services included in the list maintained and published by the BBC under Part 1 of Schedule 1 to the Agreement, as amended by the BBC from time to time. A material change to the UK Public Services may require the list to be amended.
- 4.2 The Agreement specifies the list of existing UK Public Services.<sup>49</sup> We have reproduced that list here for ease of reference:
- (1) As television services designed for audiences across the United Kingdom:
- (a) BBC One: a mixed-genre channel, with versions for Scotland, Wales and Northern Ireland and variations for English regions and the Channel Islands, providing a very broad range of programmes to a mainstream audience;
  - (b) BBC Two: a mixed-genre channel, with versions for Scotland, Wales and Northern Ireland, carrying a broad range of programmes for a mainstream audience, but with a particular focus on factual programmes, innovative comedy and drama;
  - (c) BBC Four: a channel providing an intellectually and culturally enriching alternative to mainstream programming on other BBC channels;
  - (d) CBeebies: a channel providing a range of programming to educate and entertain very young children;
  - (e) CBBC: a mixed-schedule channel for pre-teen children;
  - (f) BBC News: a rolling news channel providing news, analysis and other international programmes;
  - (g) BBC Parliament: a channel providing substantial live coverage of debates and committees of the United Kingdom's Parliaments and Assemblies, and other political coverage; and
  - (h) BBC Red Button: interactive digital content including news and other information, both freestanding and in support of the other linear services but also providing an access and navigation point for non-linear BBC content.
- (2) As radio services designed for audiences across the United Kingdom:
- (a) Radio 1: principally a popular music services aimed at young audiences, with a commitment to the best new music, but also containing significant speech output;
  - (b) 1Xtra: a service of contemporary black music, with a focus on new and live music, alongside significant speech output for young audiences;
  - (c) Radio 2: a service providing a broad range of popular and specialist music and speech output including news, current affairs and factual programming;

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<sup>49</sup> Paragraph 1(2) and paragraph 2 of Part 1, Schedule 1 to the Agreement.

- (d) Radio 3: a service centred on classical music, alongside other music and art forms and speech output, and with a strong focus on live and specially recorded music;
  - (e) Radio 4: a speech-based service including news, current affairs, factual programmes, drama, readings and comedy;
  - (f) BBC 4 Extra: a speech-based service offering comedy, drama and readings, mainly from the BBC archive;
  - (g) BBC Radio 5 live: 24-hour coverage of news and sport;
  - (h) BBC Radio 5 live sports extra: a part-time extension to BBC Radio 5 live providing additional live coverage of sporting events;
  - (i) BBC 6 Music: a service of popular music outside the current mainstream, together with speech output which provides context for that music; and
  - (j) BBC Asian Network: a service bringing a wide range of news, music and factual programming to audiences of British Asians.
- (3) As television and radio services designed primarily for audiences in particular parts of the United Kingdom:
- (a) BBC Radio Scotland: a radio service available throughout Scotland, with a mixed schedule of music and speech output;
  - (b) BBC Radio nan Gàidheal: a radio service of programming in the Gaelic language in Scotland;
  - (c) BBC Radio Wales: a radio service available throughout Wales, with a mixed schedule of music and speech output in the English language;
  - (d) BBC Radio Cymru: a radio service available throughout Wales with programming in the Welsh language;
  - (e) BBC Radio Ulster and BBC Radio Foyle: a radio service with a mixed schedule of music and speech output, in which BBC Radio Ulster is available throughout Northern Ireland except that at certain times BBC Radio Foyle is provided instead to audiences in the western parts of Northern Ireland;
  - (f) BBC Local Radio: a number of local radio services for audiences in different parts of England and the Channel Islands, providing a mixture of music and speech output; and
  - (g) BBC Alba: a mixed-genre television channel for Gaelic speakers and those interested in the Gaelic language and culture, provided by the BBC in partnership with MG Alba.
  - (h) **BBC Scotland: a mixed genre television channel that appeals to and reflects the diversity of Scotland.**
- (4) As online services designed for users across the United Kingdom, BBC Online: a comprehensive online content service, with content serving the whole range of the BBC's Public Purposes and including the BBC's news and sports websites, BBC iPlayer and BBC Three for younger adult audiences.