

SDLP response to a Review of the Ofcom Rules on Party Political and Referendum Broadcasts and Proposed Ofcom Guidance for broadcast coverage of elections

1. Do you agree with amending Rule 11 of the PPRB Rules and Section Six of the Code by inserting the proposed wording set out in paragraph 3.19 above?

The SDLP would agree to the removal of the list of major parties from the PPRB Rules (and code), placing it in the annex and including the Alliance Party in the list. We understand that this will be regularly reviewed and refreshed.

2. Do you agree with amending Rule 10 of the PPRB Rules by inserting the proposed wording set out in paragraph 3.31 above?

The SDLP recognises the difficulties that would be created by offering all independent candidates a PEB and do not believe that this would be feasible. However we note that there is ambiguity in the wording of the legislation and Ofcom will be asking the Electoral Commission to seek clarification from the government with regard to the law to remove any ambiguity. We do recognise that there are certain elections as outlined in the consultation where it may be appropriate and feasible for candidates to have a PEB. We would agree to the proposed amendment to rule 10 of the PPRB.

3. Do you agree with amending Rule 9 of the PPRB Rules by inserting the proposed wording set out in paragraph 3.40?

The effect of this proposal would allow candidates standing in the London Mayoral Elections a PEB. The SDLP does not have an opinion on the proposed amendment.

4. Do you agree with amending Rules 7-9 of the PPRB rules by inserting the proposed wording, including new Rule 9A set out in paragraph 3.51.

The effect of this proposal would require local television services to carry PEBs for significant elections. The SDLP would agree with the proposed amendments.

5. Do you agree with Option (A) or Option (B) in relation to inserting new Rules 17A and 17B as set out in paragraph 3.68?

As stated in paragraph 3.61 some parties may not wish, or have the resources to produce locally focused PEBs alongside their regional/national PEB. The SDLP would therefore support Option A which would require local digital television programme service licensee to carry the same PEB as broadcast by the relevant Channel 3 licensee.

6. Do you agree with the 'one-sixth' threshold set out in Rule 13 of the PPRB Rules?

The SDLP recognise that under the 'one-sixth' threshold parties in Northern Ireland would be eligible for a PEB if they stood in three constituencies which is a very small number. As stated in the consultation this could be used as a means to broadcast particular messages to the viewing public. We note that on a 25% and 33.3% threshold one party would be affected by this. However, we would agree with maintaining the one-sixth rule.

- b) This questions refers to the allocation of PEBs to independent candidates and issues with regard to feasibility have been raised. Amendment to rule 12 would offer at least two PEBs to each major party which we would support. New rule 13a would allow candidates standing in a London Mayoral and Police and Crime Commissioners' elections a PEB and 14 would allow other registered parties a PEB on evidence of past or current electoral support. Amendment 17 refers to England, Scotland and Wales. The SDLP would have no strong views on these amendments.
7. This question refers to the duration requirements for PEBs etc. We note that in the consultation the question of more and shorter PEBs was not a factor. At present parties may choose from 2.40, 3.40 or 4.40. The SDLP would support the retention of the present arrangements.
8. This question deals with the scheduling of PEBs and at present the scheduling for major parties is between 6.00pm and 10.30pm and on radio between 5.00pm and 9.00pm. In Northern Ireland the first evening broadcast is usually after the NI news which is either 6.30 or 7.00pm approximately. The SDLP would support the retention of the present arrangements.
9. In Northern Ireland PPBs are offered to parties between 1 September to 30 March which we believe is satisfactory.
10. The SDLP understands that changes to rules 8 and 9 would require the two channel 3 licensees which straddle the Scottish English border to carry RCBS and it is important that Scottish viewers in those areas have access to RCBS in advance of the referendum which we would support. The amendment to rule 19 takes into consideration lower public profile referendums. At present the rule states that designated organisations must automatically receive at least two if not more, RCBS during a referendum period. The amendment would state that designated organisations would have series of RCBS. This would be acceptable to the SDLP.
11. The British PM has announced that there will be a referendum on the EU. We would seek clarity as to how this would be managed with regard to Referendum Broadcasts in England, Scotland, Wales and Northern Ireland with respect to designated organisations being assigned referendum broadcasts.
12. The SDLP is satisfied that the proposed Code Guidance covers a wide range of issues.