

Question 1: Do you have any comments on the drafting of the proposed amendments to the Broadcasting Code set out in Section 4? Please provide drafting suggestions where appropriate.:

such drafting is premature until an accurate assessment of the impact of the Ofcom proposals has been conducted. We are also aware that there are alternatives to the suggested rules changes that could prove attractive when the true impact of the Ofcom proposals are understood and we would be pleased to address this an appropriate time.

Question 2: Do you have any comments on the draft explanatory guidance set out in Section 4? Please provide drafting suggestions where appropriate.:

it is essential to await the results of a properly conducted Impact Assessment. However, for the record, we would like to confirm at an early stage that the guidance appears more concerned with outlawing certain channels/content than truly ensuring separation or achieving correct content classifications. In short, the guidance prematurely and unfairly distinguishes between certain types of programmes when this should be considered on a case by case basis in line with the ECJ Judgement.

Question 3: Do you agree that the proposed rules should apply to radio as well as to television?:

Radio and television are similar broadcast media and should attract similar regulatory controls.

Additional comments:

it is essential that a new Impact Assessment be conducted to properly assess the consequences of Ofcom's rule changes since Part 1 of the Consultation across the entire interactive broadcast value chain.