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Economic Area will entail compliance with our content regulations. I do not know whether that is clear to those who argue about the dumbing down of British television as a result.

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In radio, Ofcom will have to protect the local content of radio. It will also be able to vary the licence conditions when local licences change control in order to preserve the local character of the station and maintain the quality and range of the service.

Unlike the United States, we also have rules preventing broadcasters from using their companies to further their own political agenda. Broadcast news must be accurate and impartial and companies must not use television or radio in order to express their own views on politics or current public or industrial policy.

I do not know what motivated Rupert Murdoch when he went into the American market and took American citizenship to do so. Although I used to know him very well I have not met him for 50 years and so I am somewhat out of contact. But, whatever were his motivations, they could not apply here. If he was looking to do in this country what he has done with Fox, for example, in the United States, he could not do it. Our regulatory system makes it impossible.

The next matters I want to address concern the plurality amendments we propose to table at Third Reading and the plurality issue which was the subject of our previous debate. The noble Lord, Lord Crickhowell, opened his speech by saying that the plurality issue was irrelevant to this issue. The noble Lord, Lord Gordon, said that this is a totally separate issue and should not be considered in the same breath. That is simply not the case.

The government plurality test addresses the concerns expressed over foreign ownership. My noble friend Lord Puttnam has already acknowledged that case. The test will cover the need for a wide range of high-quality broadcasting calculated to appeal to a wide range of tastes and interests. It will cover the need for a genuine commitment to the standards objectives. Just like existing domestic players, foreign acquirers of UK media could be and will be judged against those tests. I stress that the tests would bite even if foreign companies had no existing UK assets.

6.15 p.m.

Lord Phillips of Sudbury: My Lords, I am grateful to the Minister for giving way. As he is now dealing with the amendment of the

noble Lord, Lord Puttnam, does he not accept that that is posited on the basis of plurality of media owners? So it would scarcely be possible for objection to be raised if, for example, one of the big American combines were to purchase one of our television channels.

Lord McIntosh of Haringey: My Lords, as I said, we have considered changes to the Bill to introduce a plurality test. As I have explained, this test would allow us to look at a proposed foreign acquisition from the point of view of the number of owners in the relevant market—the noble Lord, Lord Phillips, is right, in some cases such an acquisition would not change the numbers—and it would enable us to look at a proposed foreign acquisition in the light of the need for a wide range of high-quality broadcasting
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which is calculated to appeal to a wide variety of tastes and interests, and the need for a genuine commitment to the Ofcom standards code.

Even if the numbers were not changed—and I acknowledge that that could happen—the other criteria in our test, which will be debated at Third Reading, will still apply. Therefore I flatly contradict the view that what we have done and what we have said to the noble Lord, Lord Puttnam, on the plurality test does not affect the issue of foreign ownership.

Lord Phillips of Sudbury: My Lords, I am grateful to the Minister for allowing me to intervene again. Is the noble Lord saying that the Government will go further than the amendment of the noble Lord, Lord Puttnam? There is no reference in that amendment to the "high quality" mentioned by the Minister. The only requirement in the amendment of the noble Lord, Lord Puttnam, is for balanced and impartial presentation of news and balanced presentation of comment. There is nothing about sufficiency of news or comment. It then goes on to refer to a wide range of voices. It mentions nothing about quality.

Lord McIntosh of Haringey: Yes, my Lords. I am saying that we are going further than the amendment of the noble Lord, Lord Puttnam. I am saying that I have done my best in my contribution to the previous debate to set out the basis on which we will uphold the principles of plurality, with which we agree. I am saying that that is directly relevant to the issue of foreign ownership. A very much better argument needs to be brought forward for the paradoxical wish to retain national restrictions when these restrictions have to be shown to be damaging to the national interest.

I am saying to the House that it is in this country's national interest to have free trade. I am saying that it is in our interest to have investment to and from this country. I am saying that there is

protection not only in the content regulations which are already part of the Bill, but there is additional protection in the amendments on plurality which will be introduced at Third Reading.

Lord McNally: My Lords, I appreciate the Minister's indignation, but the basic facts are that any of the American groups that will come calling—for example, Disney—would walk past the plurality test. If the Government tried to stop them, I suggest that the Prime Minister would be hauled over to Camp David and any objections would be removed.

Lord McIntosh of Haringey: My Lords, it is a good rhetorical trick to intervene into someone's peroration, is it not? A very good rhetorical trick.

I am saying that if Disney or Viacom or any such organisations want to enter this market they will have to meet the conditions we will set down in a plurality test, which will include the quality conditions and the commitment to a code of standards conditions. On that basis, I would argue that the House should not

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approve the amendment of the noble Lord, Lord Crickhowell, but should sustain the principle we unanimously supported in the previous debate on plurality.

Lord Crickhowell: My Lords, I can be relatively brief because I am in the happy position that the Minister, for understandable reasons, prepared his speech before he heard mine. Virtually every point he made I had specifically dealt with in the course of my speech, except, perhaps, the last. On the last point, I can only say that I still do not believe it really makes a difference. If and when the company has passed the test and acquired, the question is whether regulation will be an effective weapon with which to defend one of the jewels in our broadcasting system.

I do not often find myself dealing with remarks made from my own Front Bench, but they are relatively easy here, too. My noble friend Lady Buscombe has simplified my task. She advanced only a single argument—one that she advanced at Second Reading—she did not speak in the Committee stage and she repeated her words from Second Reading this afternoon. I am not being difficult; they are useful words. I shall repeat them again so that we are all clear about them—

Baroness Buscombe: My Lords, I am sorry to intervene, but I did speak in Committee. I confirmed and reaffirmed what I had said at Second Reading.