

Reforms to the European regional minority-language television corporations in the current context of crisis

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Abstract

The European economic crisis has motivated the reform of some of the most important European regional television corporations, like Scotland's BBC Alba, Wales's S4C and Ireland's TG4. This article analyses the situation of these regional TV operators, the fulfillment of their public service mission, funding, and governance, and then offers a comparison between these TV systems and Spain's regional minority-language TV corporations: EITB, CCMA, RTVG, RTVA and IB3. The initial hypothesis of the study is that the reform of the Spanish system of regional television corporations should only adopt some aspects of the European regional television corporations, because the size and the public service mission of the former is greater those of the latter.

Keywords

European regional television; public service television; linguistic identity; governance.

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1. Introduction

In 2006 the European regional television corporations, including the Spanish regional television corporations, initiated a process of reform, after the majority of the national public television corporations completed theirs. The redefinition of the French television as a public service in 2000, which led to the merging of *France 2*, *France 3* and *Cinquème* and the privatization of *TF1*, was followed by the restructuring of the Irish *RTÉ (Radio Telefís Eireann)* in 2002, the Portuguese *RTP (Radiotelevisao Portuguesa)* and the Belgian *VRT (Vlaamse Radio- en Televisieomroep)* and *RTBF (Radio-Télévision Belge de la Communauté française)* in 2003, the Italian *RAI* in 2005, and the *BBC* and *RTVE* in 2006 [1].

While the reforms of these national public television corporations between 2000 and 2006 were characterised by the prioritisation of the fulfilment of the public service mission -to the point that other aspects such as funding were conditioned to such demand-, the situation seems to be the

complete opposite in the reforms made to the regional television corporations after 2006 and particularly after 2010: the priority problem is funding, which compromises the degree of fulfilment of the public service mission of television [2]. The consequences of this change of priorities on the European regional minority-language TV corporations have been diverse, but all include one effect: the neutralisation of their public mission as identity and proximity television corporations.

This article offers a description of the most important European regional minority-language television systems [3], such as the British system with the Scottish BBC Alba and the Welsh S4C and the Irish TG4, and the reforms that they have undertaken in recent years, prompted by the situation of economic crisis. The objective is to offer a comparison between these reforms and those initiated in the Spanish regional minority-language television corporations.

The hypothesis of this study is that the reform of the Spanish regional television corporations should only adopt some partial aspects of the model of other European regional television corporations, because the size and public service mission of the former TV corporations are greater than those of the European systems.

2. United Kingdom: BBC Alba and S4C

Scotland and Wales [4] are two British Nations with a different political, social, and cultural heritage. Located at the North and Southwest of the island, respectively, these nations made an important advance at the end of the 1990s in the recognition of their political powers, through the establishment of their own parliaments. Scotland has its own Parliament since 1998 and Wales since 1999.

In this socio-political context there is an interest in promoting their minority languages, the Scottish Gaelic and the Welsh Gaelic, respectively, and in having public television corporations in these languages: BBC Alba in Scotland, and S4C in Wales.

In the case of Scotland the need for identity and proximity television is greater due to the agreement reached between the British and Scottish governments, of 15 October, 2012, to provide a legal framework to hold a referendum on the independence of Scotland in 2014; and the announcement, on 21 March, 2013, of the date for the referendum: 18 September, 2014.

2.1. Scotland's BBC-Alba

2.1.1. BBC Alba and the Gaelic language

It is impossible to speak of BBC Alba without providing some information about the Scottish Gaelic language, which is a key part of the Scottish identity and its regional television.

According to the 2012 report produced by Teresa Tinsley and Philip Harding Esch for the British Council, Scotland has a population of 5.22 million, of which 92,000 citizens, less than 2% of the population (according to 2001 Census [5]), have some knowledge of the Gaelic language.

Some of the reports on Scotland's population trends, like the *Scotland's Population 2010, The Registrar General's Annual Review of Demographic Trends, August 2011*, acknowledge the existence of a new problem for the Gaelic language: up to 138 different languages are spoken in Scotland, due to the growing immigration. Without taking into consideration the English

language, the Polish language ranks first in number of speakers, followed by Punjabi, Urdu, Arabic, Cantonese, French and Gaelic. This explains some striking facts about the development of the Gaelic language, such as the fact that according to *The Registrar General's Annual Review*, in 2010 there were only 626 students who speak Gaelic at home and 4064 school children (one in every 180 school children) who received education in this language.

In view of this situation, the British Government has decided to emphasise the teaching of English in children from immigrant families in order to ensure their integration. This is a problem from the point of view of the promotion of the Gaelic language according to the *Gaelic Language (Scotland) Act 2005* and the *National Gaelic Language Plan 2012-2017*.

In was in this context of openness to the alternative politics of independence with the referendum of 2014, and of certain neutralisation of the promotion of the Scottish Gaelic language due to the increase in immigrant population, that BBC Alba was born in September 2008 as a television channel from the BBC for Scotland. This channel broadcasts 1.5 hours of content in Scottish Gaelic. Its accessibility is limited: until June, 2011, BBC Alba had been broadcast only via satellite and partially through the internet, via the BBC's iPlayer service. Today, this channel is also available in Scotland via cable and terrestrial broadcasting.

BBC Alba is the result of the agreement between the BBC and MG Alba (*Gaelic Media Service*), an independent body funded by the Scottish Government to monitor Gaelic-language audiovisual content in Scotland. Its 12 members are appointed by Ofcom -the British regulator of the broadcasting and telecommunications industries- and approved by the Scottish Government. It is precisely this mixed formula of appointment by the central state and supervision-funding by the Scottish Government what explains the weakness of the institution in terms of decision-making, in particular in relation to the consortium formula adopted for the creation of BBC Alba, a regional television with a weak perspective on identity and proximity.

2.1.2. The public service mission of BBC Alba

The Declaration of Public Service of BBC Alba [6] indicates:

“The remit of BBC Alba is to offer a mix of original television programmes, including output first shown on other BBC services as well as archive programmes. It aims to serve Gaelic speakers, those learning the language, those who might wish to learn and those interested in the language and culture. It aims to reflect and support Gaelic culture, identity and heritage”.

The 2011-2012 report (published in March, 2012) is also indicates that “MG Alba ensures that a wide and diverse range of high quality Gaelic programmes are broadcasted or transmitted through other media so that they are available to all persons in Scotland”. The report further indicates that MG Alba “fulfils this mission through BBC Alba, the television and multimedia service in Gaelic that operates in partnership with the BBC”.

The public service obligations of BBC Alba revolve naturally around the Gaelic language, as it is emphasised in the institutional statements and reports, like the service remit declaration of BBC Alba contained in the BBC's website [7]. And it is precisely for this purpose that the audiovisual digital services are presented as an integral part of the public service of BBC Alba, expanding the public service obligations of the Gaelic television channel:

- a) “We will continue to deliver a credible, relevant service for Gaelic speakers and learners, while providing content which offer alternative viewing to audiences and communities of interest across Scotland and the rest of the UK. We will focus on programmes which will attract a broader Scotland-wide audience to factual, music and sport content”.
- b) “Provide resource support to those learning the Gaelic language, working to develop bbcalba.co.uk into a world-class non-linear environment for Gaelic learning”.

However, in reality, the programmes that are produced in Gaelic and are focused on Scottish culture, society and politics are minimal. BBC Alba is currently committed to transmitting up to 7 hours of programming per day and 10 hours of programmes per week through *BBC iPlayer*. This time includes programmes shown on other BBC services as well as two hours aimed at those learning the Gaelic language. Along with this, news programmes are transmitted during the prime time and a longer summary of information is offered on the weekend.

BBC Alba is also committed to commissioning 50% of its original programmes (excluding news) to independent producers. In other words, BBC Alba has a high level of outsourcing, aimed at promoting the Scottish audiovisual industry, although it bans the commissioning of news content.

With regards to the audience levels, the data provided by the BBC in 2011 indicates that an average of 530,000 people watches this channel per week since June 2011, when the channel became available throughout Scotland, and of 220,000 before this date [8]. There are no other sources to confirm these data.

The same report points out that the number of viewers through the BBC iPlayer system increased from April 2011 to March 2012 to 2.197.466, of which 1.872.510 reproduced content on-demand, 282.796 watched live programmes, and there were 42.160 downloads.

2.1.3. Funding of BBC ALBA

According to the BBC Trust’s 2012 report on the BBC Alba, available in the website of MG Alba, for the period 2011-2012, the total budget of BBC Alba for 2012 was £12,134,795, of which £4.8m correspond to the contribution of the BBC in the period 2012-2013 [9].

The effect of the economic crisis on the income and expenses plan is evident in the decrease in the forecast for all areas in 2012 in comparison to the previous year. This is explained in the report of MG Alba: “The prevailing economic climate of austerity has, of course, proved challenging. The sector is static and there is not to sufficient supply of opportunities in broadcast media currently to meet the aspirations of a generation of emerging talent”.

The cuts in MG Alba in 2011-2012 reached £600,000. This corporation states that it has sought to apply the cuts to the area of marketing, training and development, but that it has been impossible to avoid a decrease in drama content and children’s programmes in Scottish Gaelic. In addition to the cuts, MG Alba aims to increase commercial revenue –currently absent on BBC Alba-, but this will require legal changes, even to the status of MG Alba, which will become a content provider for BBC Alba. This will be complemented with a greater accessibility to the funded programmes without

ruling out the possibility for producers to exploit their productions when there is a business opportunity.

More specific data on the funding of BBC Alba for the 2011-2012 period is offered by the report released by MG Alba on its website, which says, firstly, that public funding for 2012 decreased £650,000 (table 1.), and that the budget for channel operating costs in 2012 decreased £116,977, and that the budget for BBC Alba *online development expenditures* for 2012 was of just £39,068 (table 1), which corresponds to the basic level of its Internet services. The emoluments and salaries for the Chief Executive of the television channels were frozen in 2012 (table 2). In 2012 the most important budget cuts were applied to productions commitments: £5,034,886 less than in 2011 (table 3).

Table 1. Income & Expenditure Account for the year ended 31 March 2012

	2012 (£)	2011 (£)
INCOME		
Treasury Subsidy	11,800,000	12,450,000
Movement in Productions to be Transmitted	208,326	239,002
Studio Income	126,469	75,174
	12,134,795	12,764,176
OPERATING EXPENDITURE		
Television Production Grants and Rights	10,389,529	10,551,832
Radio Production Grants	108,379	37,117
Channel Operating Costs	79,781	196,758
Development Costs	165,211	120,207
On-line Costs	39,068	570
Channel & Corporate Promotion	78,327	111,564
Industry Training Grants	239,685	272,782
Stakeholder Engagement	70,842	64,284
Community Liaison	16,432	3,108
Channel Administration Costs	444,664	498,715
Audience Research Costs	98,961	99,260
	11,679,317	12,007,759

Source: (2011-2012 Report, p. 44).

Table 2. Chief Executive and Employees' remuneration

	2012 (£)	2011 (£)
Employee cost (for above persons)		
Wages and salaries	861,873	891,287
Social security costs	101,635	100,589
Other pension costs	123,957	126,821
	1,087,465	1,118,697
Remuneration in respect of the Chief Executive was as follows:		
Emoluments (including benefits in kind)	96,371	96,371
Pension contributions to money purchase pension scheme	13,706	13,706
	110,077	110,077

Source: 2011-2012 Report, p. 50.

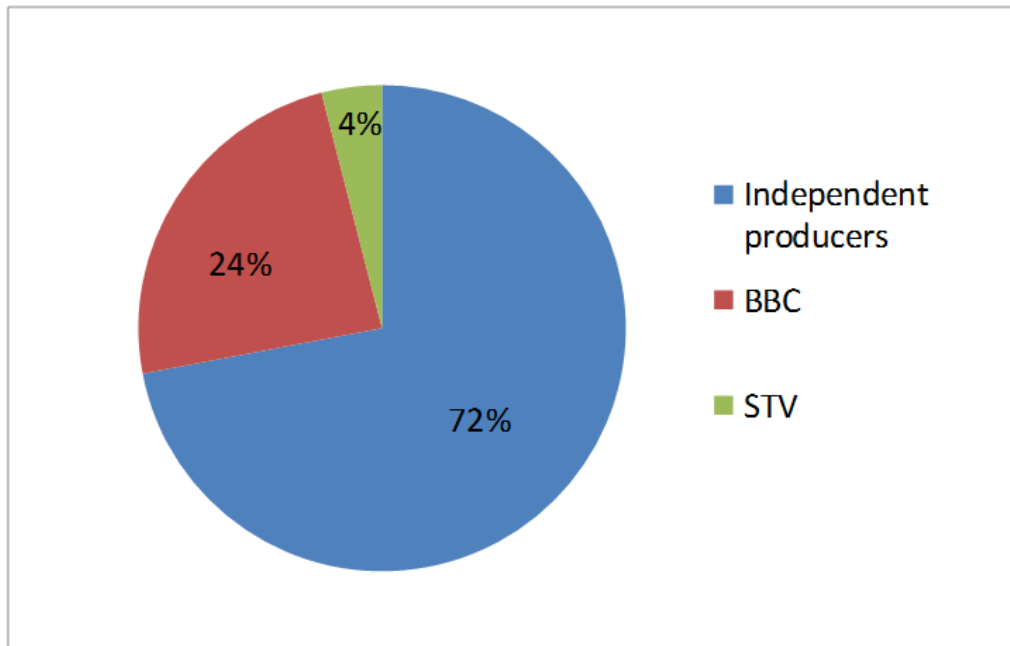
Table 3. Productions Commitments

As at 31 March 2012 forward production commitments were £1,977,658 (2011: £7,012,544). This commitment is payable over 3 years (2011: 4 years) as follows:

	2012 (£)	2011 (£)
2011/2012	-	5,979,543
2012/2013	1,258,554	849,667
2013/2014	667,437	136,667
2014/2015	51,667	46,667
	1,977,658	7,012,544

Source: 2011-2012 Report, p. 56.

Figure 1. Allocation of TV Programme & TV Programme Development Grants, 2011|12



Source: 2011-2012 Report, p. 58.

In 2012, MG Alba financed 384 hours of content (23 less than the previous year) and transmitted 403 hours of new content. This is all that is disclosed in the MG Alba 2011/2012 report. However, the graph about the origin of the TV contents in 2012, the percentage of production supplied between MG Alba (with a large majority of programmes produced by independent producers) and BBC shows the efforts made by the former in programming. Another piece of relevant information on the TV programmes of the Scottish television is that most of the total hours of programming are repeats (2003.45 hours), as shown in the BBC Scotland Management Review 2011/12 [10]:

Table 4. BBC ALBA television hours

News and Current Affairs	184.13
Other BBC funded programmes	32.07
Total BBC funded programmes	216.20
Partner (MG ALBA) funded programmes	401.31
Joint Funded programmes	0.98
Total hours	618.49
Repeats	2,003.45
Total hours	2,621.94

2.1.4. Governance BBC Alba

A) General organization aspects

The powers, organization and responsibility of the Board of BBC Alba are determined by the *Communications Act 2003* and its supplementary legislation. The publication of all of these governance aspects of the regional television channel on the BBC Alba’s website facilitates their compliance.

Table 5. Responsibilities of the Chief Executive BBC ALBA and the BBC ALBA Board

<p>CHIEF EXECUTIVE BBC ALBA</p>	<ul style="list-style-type: none"> • Formulate the strategy of BBC Alba by following the legal obligations • Represent the views of BBC Alba • Boost the standards of conduct • Promote the efficient and effective use of staff and other human resources through organisations • Advise on the suitability of those members who are nominated for re-appointment on BBC Alba or for the appointment of the Board or other public body
<p>BBC ALBA’s BOARD</p>	<ul style="list-style-type: none"> • Work in compliance with the <i>Communications Act 2003</i> and other supplementary legislation • Establish measures and resources for the activities of BBC Alba and the implementation of management strategies in the framework of the organisation • Ensure that the highest standards of corporate governance are met at all times • Ensure that BBC Alba -within the limits of its statutory authority- and its staff operate within the limits of their delegated authority

The board of BBC Alba is composed of a President and 11 members that are elected by Ofcom with the approval of the Secretary of State for Scotland and, since 2012, by the Scottish Government. The appointment of each member lasts four years. As described in the BBC Alba 2011-12 report, the team includes members nominated by the Highlands and Islands Enterprise (HIE), which is the Scottish government agency for social and economic development, the BBC and the *Bòrd na Gàidhlig*, an independent public body for the promotion of Scottish Gaelic, funded by the Scottish government. Ofcom must also ensure –as far as possible– that the board’s membership is such that the interests of the Scottish independent production sector are adequately represented.

The Chief Executive is appointed by the Board. Its role is to design an overall strategy to recommend and review measures and practices that allow the fulfilment of the strategic objectives of BBC Alba. Along with this, the Board is responsible for advising and carrying out the direction of the areas of funding, projects, planning, resources, outsourced services, needs of consumers and relations with other players involved in the Scottish television.

The President and the members of BBC Alba are bound by the 2008 *GMS Members Codes of Conduct*, which includes issues relating to gifts and economic resources, conflicts of interest and also values such as objectivity and impartiality, all in reference to the ethical principles of public action within MG Alba [11].

B) Committees as internal organs of control of the compliance with the governance of BBC Alba

Apart from supervising role given to Ofcom, there are other two internal supervision organs: 1) the *Audit and Assurance Committee*, responsible for overseeing the corporate governance of BBC Alba and ensuring the Board members fulfil their responsibilities; and 2) the *Quality and Standards Committee*.

Table 6. Features of the Audit and Assurance Committee

Composition	<ul style="list-style-type: none"> • At least 3 members of BBC Alba, none of which shall be the President or belong to any other Committee television • At least one member with a background in the financial world or an independent financial advisor • Its members name the Secretary of the Committee
Mission and functions	<ul style="list-style-type: none"> • Investigate any activity under its jurisdiction • It can request information from any employee, and, at the same time, all employees are obliged to cooperate at the request of the Committee • Make recommendations on the remuneration of the members of BBC Alba • Review internal controls, verify the compliance with the measures adopted and the external audit • Ensure that the adopted measures, procedures and systems are adequate, that they comply with the legislative requirements and that they are properly implemented • Advise on the risks and the efficiency of BBC Alba

	<ul style="list-style-type: none"> • Review the agreements on expenses at least every three years • Appoint an independent financial advisor to carry out a proper internal audit • Consider and advise the Board in the Annual Plan of Operations for the next year, including on the wages and the remuneration plan • Supervise the recruitment, early retirement and dismissal policies • Review the terms and conditions of employment
Operation	<ul style="list-style-type: none"> • Hold meetings no less than two times per year and at least once with external auditors • Hold a meeting at least once a year as a Remuneration Committee.

Table 7. Features of the Quality and Standards Committee

Composition	<ul style="list-style-type: none"> • Its members have to be approved by the Board, and they will appoint the Secretary of the Committee
Mission and functions	<ul style="list-style-type: none"> • Advise the Board on whether BBC ALBA is fulfilling the objectives established by this body in relation to programming • Advise the Board on the achievement of universal access to TV programmes in Gaelic in Scotland; • Advise the Board on the linguistic, cultural and socioeconomic impact of the use of the Gaelic Television Fund • Advise the Board on the brand and corporate identity of BBC Alba • Advise the Board on gender and audiences policies to be applied in the distribution of the <i>Gaelic Television Fund</i> (in the context of the Broadcasting Act 1990, which is a subsidy from the Treasury, approved annually by the government of Scotland)
Operation	<ul style="list-style-type: none"> • It meets at least twice a year

2.1.5. Collaboration agreement between MG Alba and the BBC in terms of management: the Joint Management Board

MG Alba and the BBC are under a collaboration agreement which specifies the co-management of resources that they must provide. Compliance with the terms of the agreement is monitored by the Joint Management Board, which is formed by six members, three from MG Alba and three from BBC Scotland.

It is the responsibility of the *Joint Management Board* to produce the annual report and accounts in accordance with the law and the UK Accounting Standards. The *Broadcasting Act* 1990 (amended by the *Broadcasting Act* 1996 and the *Communications Act* 2003) requires the Board to prepare the accounts for each financial period, which provides an accurate view of the state of the public service television and its results for that period of time. The Board is also responsible for providing information to the external auditors, and for making sure the corporation's finance data that appears on the website is correct.

2.1.6. Progress in governance: greater involvement of the public through the BBC Audience Council

One of the differential aspects of BBC Alba in comparison to the Spanish regional television channels is the adaptation of the BBC system of Audience Councils to the Scottish regional television system. These councils are advisory bodies of the BBC Trust, the governing body of the BBC. In 2007, these Audience Councils replaced the *Broadcasting Councils* of each region. There are four Audience Councils -for England, Northern Ireland, Scotland and Wales. The Audience Councils play an important role as they transmit to the BBC Trust the direct opinions of viewers and listeners of the public broadcasting services, which allows assessing the needs and interests of the audiences in their respective nations and the performance of the BBC in satisfying these needs and interests and fulfilling its public objectives.

The members of the Audience Councils are appointed by the BBC Trust, usually for a period of 3 years, as volunteers independent and external from the BBC. The Council in each nation is chaired by a member of the Trust of the nation in question [12].

2.2. Wales's SC4 Sianel Pedwar Cymru

S4C, *Sianel Pedwar Cymru or Channel 4 Wales*, was started broadcasting in November 1982, as part of the Gaelic-language programming of the Welsh public television *Channel 4*. S4C is currently independent of *Channel 4*. According to its 2011 report published on 22 March 2013, S4C transmits about 115 hours of Welsh language programmes every week through a “variety of platforms, including the internet”. Most of these programmes are commissioned to independent Welsh producers. In addition, it commissions *ITV Cymru Wales* and *BBC Cymru Wales*, which provide about 10 hours of programming per week for S4C, funded out of the license fee. Its main source of funding is the subsidy from the Department for Culture, Media & Sport (DCMS) of the British Government. However, S4C is allowed to obtain revenue from commercial advertising. S4C is currently in negotiations with the BBC and the Department for Culture to change its funding model, as explained in its 2011 Report.

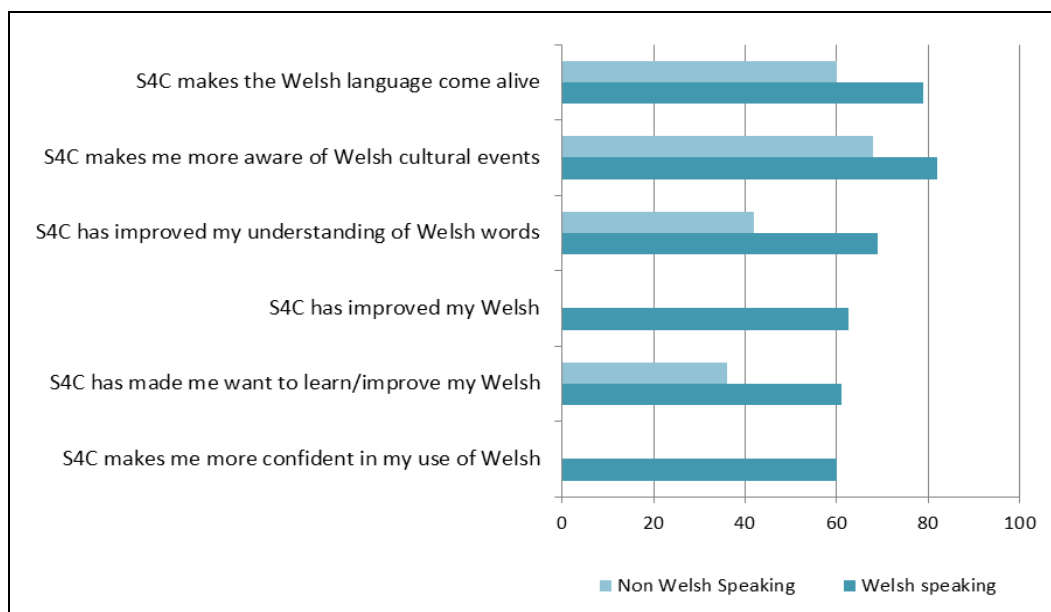
With regards to the audience, the 2011 report indicates that S4C experienced a slight growth in 2011 in conventional television and a considerable increase in certain online programmes (including about 75,000 views of some programmes and 972,000 annual visits).

During 2011, 80 programmes reached an audience peak of 100,000 viewers (measuring only a permanence of 3 minutes during the program), four less than in 2010. News and sports are the most important genres in this regard, although some series like (*Pobol and Cwm*), movies (*Patagonia*), entertainment (*Jonathan and Rhydian*) and news programmes (*ClwbRyghi Shane*) are also part of the list.

2.2.1. Public service: promotion of Welsh

The focus of the public service mission of S4C is the promotion of the Welsh Gaelic language, which is editorial aspect that stands the most in the annual reports of the corporation (since 2001 to the last one published in 2011). Moreover, S4C is the television channels that represents and reflects Wales. The following graph which was included in the 2011 report reflects this fact.

Figure 2. Percentage of respondents who agreed to the statements about the impact of S4C on the Welsh language, included in the survey carried in November & December 2011



Source: Report 2011 S4C, SPA.

However, the results of the 2011 Census for England and Wales, carried out by the British Office for National Statistics (ONS) [13], confirmed a decline of up to 56% in the population that can speak this language. Currently of the adult residents in Wales only 562,016 can speak Welsh and 2,393,825 cannot. The negative data on the use of Welsh and the strong entrance of the BBC in S4C (in terms of governance and funding) has caused concerns in the Welsh government as this might affect the fulfilment of the public service mission of the regional TV operator. To counteract this situation the Welsh government designed a strategic plan (for the 2012-2017 period) to promote Welsh, to which S4C pays special attention: *A living language, a language for living* [14].

2.2.2. Funding

The entrance of the BBC on S4C resulted from the agreement between the British Government, the BBC and S4C, in 2011. However, there were previous attempts in 2010, when S4C was undergoing a crisis of strategy, audiences and funding. Of the 600,000 spectators reached by the Welsh television in its most successful moments, in 2010 the audience level rarely exceeded the 100,000 viewers. Another situation that highlighted the crisis of S4C was the progressive reduction of the number of production companies working for it, going from 80 to 30, with longer contracts.

There were many reactions against the agreement, including those from the four main parties in Wales, which wrote a letter to the British Prime Minister demanding a prior consultation to the Welsh Parliament *-the Assembly-* before taking any decision on regional public television. In addition, there was a joint review made by the Welsh parliament and government prior to the implementation of the agreement. As published in *The Guardian* newspaper, the leaders of the Labour, Conservative and Democrat Welsh political parties (Carwyn Jones, Plaid Cymru's Ieuan Wyn Jones, Nick Bourne and Kirsty Williams) recognised that an agreement with the BBC would mean an improvement in efficiency for S4C but also feared that, once the BBC took the lead in the governance of S4C, the body governing the regional television, the Authority, would disappear and with it the editorial independence [15]:

“We believe... it is time for a comprehensive examination of all aspects relating to the governance and regulatory oversight of S4C, including where political responsibility should lie, on the basis of ensuring a secure and sustainable funding stream for the channel [...] It is our view that with the conclusion of the review and the creation of a new machinery of governance for S4C, along with a redefined mission, the term of office of the current S4C Authority should end”.

Also in 2011, the subsidy of the British Department for Culture, Media & Sport to S4C was 90 million pounds. At the same time, some programmes produced by BBC Wales were transmitted by S4C as part of the operating agreement between the Ministry, the BBC and S4C. However, it is expected that by 2013 the BBC Trust, through the TV license fee, will be responsible for the funding of S4C, while the contribution of the Ministry shall be reduced to 7 million pounds. In real terms, this readjustment will mean 36% less income in comparison to the previous period.

Currently the collaboration agreement between the British Government, S4C and the BBC continues provoking protests, like the ones expressed by the *Welsh Language Society* (a pressure group which contributed to the creation of S4C) and the Welsh government (with an uncertain intention of making effective the statements of discontent) [16], which understood that the budget cuts to S4C, and the consequent decrease of commissions to local producers, endangers both the mission to support the language of this regional operator and the Welsh network of independent production companies. Indeed, in 2012, the decline in public funding had already provoked cuts in the budget dedicated to the commissioning of the production of content (which went from 83 million pounds in 2011 to 67 million pounds in 2012), and the internal restructuring of S4C.

The latest annual report (of 2011, given that the one from 2012 is not available) on the budget of S4C presented the following data [17].

Table 8. Public Service Fund income and General Fund turnover

	2011 £000	2010 £000
Income received from the DCMS	90,000	101,647
Other income	59	68
General Fund turnover	90,059	101,715
Programme and airtime sales	2,330	2,4010
Publishing and merchandising	153	274
Other	518	
	3,001	2,684
Group turnover	93,060	104,399

Source: Annual Report 2011, p. 119.

Table 9. Operational and administrative expenses

	2011 £000	2010 £000
Staff Cost	1334	1364
Auditor's remuneration		
Audit Services	63	59
Other services	13	8
Other Administrative Expenses	2,036	2,177
Travel and subsistence	42	35

Source: Annual Report 2011, p. 120.

2.2.3. Accountability and governance. 2011 Report

In the same way that the agreement between the British Government, the BBC and S4C involved a change in the funding scheme of S4C, there has also been a change in the accountability scheme from 2013 onwards:

<p>Accountability after the BBC-S4C agreement, from 2013 onwards</p>	<ul style="list-style-type: none"> • Accountability for the use of the licence fee will be directed to the BBC Trust • Accountability for the use of the subsidy will be directed to the British Parliament • The <i>S4C Authority</i> -the governing body of the Welsh television- will have to produce annual reports, which will be presented first to the BBC Trust and then to the Secretary of State, which will in turn present it to the British Parliament. The BBC Trust will provide an introductory statement that will be included in the report before it is handed over to the Secretary of State/Parliament. The report will be published.
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<p>Areas of autonomy for S4C and the BBC Trust, from 2013 onwards</p>	<ul style="list-style-type: none"> • S4C will maintain its commercial freedom and but its business activities should be carried out in accordance with the framework of the statute. • The BBC Trust will continue performing its role as guardian of the license fee digital revenues, as defined by the Charter.
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The operations agreement signed by BBC Trust and S4C acquired a fundamental regulatory role, of which we can highlight the following:

<p>Operating agreement between S4C and the BBC Trust (valid until 2016)</p>	<ul style="list-style-type: none"> • It will involve a public consultation to the audience • It will specify the scope of the service to be financed through the licence fee • It will set the efficiency objectives that must be fulfilled by S4C and the accountability objectives and requirements consistent with the public mission legislated for S4C • It will guarantee the management and editorial independence of S4C • The distribution of the license fee money will be similar to that implemented in other television services that are also funded, for example, by the BBC Trust • If, in the reasonable opinion of the BBC Trust, the terms of the operating agreement were not to be achieved the BBC Trust will be required to set a deadline to S4C to make the necessary changes. In extreme cases the BBC Trust can reduce or withdraw funding. Any decision in this regard will be done in an open and transparent manner • In the event that this collaborative process does not reach a mutual agreement, the BBC Trust reserves its right to set the final provisions of the agreement before transferring the funds to S4C
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The specific data on the funding of S4C until 2017, as published in the operating agreement, confirm the amount of funding that the BBC Trust will give to S4C from the licence fund: 76.3 million pounds for 2013/14; 76 million pounds for 2014/15; 75.25 million pounds for 2015/16, and 74.5 million pounds for 2016/17. However, the funding of S4C in the immediate future will come from three sources: licence fee, subsidy from the Welsh government, and commercial income.

The responsibility of S4C with the audiences is based on the payment of the TV license fee. Its two most characteristic expressions are 1) the accountability to the British Parliament -not the Welsh

Parliament at least for now- through the appearance before parliamentary committees, when requested by the Parliament, and 2) the production of an annual report by S4C.

The board of the S4C is currently in the process of reconstitution. Its main body is the *S4C Authority*, consisting of 9 members. Its President is appointed by the Secretary for State for Culture, Olympics, Media and Sport through a publicly-advertised process of appointments. The other members are selected through the same procedure by a panel formed by the BBC Trust, S4C, the DCMS and a group representing the Welsh government.

In terms of the structure of its management team, the agreement reached with the BBC Trust on 25 October 2011 maintains the limits of action of the BBC and S4C teams, although it sets guidelines and timetables for the collaboration between the two entities in order to achieve a progressive joint articulation and operation. Three measures of the agreement express this particular dynamism:

1. The S4C management team will be led by the Chief Executive and will be formed only by executives of S4C. There will be no members of the BBC in the management team.
2. The agreement with the BBC Trust will require a meeting, every three months, of the management teams of S4C and BBC Wales to monitor the progress in efficiency. The head of this group will be rotational between the Chair of S4C and the Director of the BBC Wales.
3. The joint management will mean a closer collaboration between S4C and BBC, which will contribute to greater efficiency to achieve the objectives set out in the Operating Agreement. Any savings achieved by S4C through this collaboration will be invested on the production of contents for S4C.

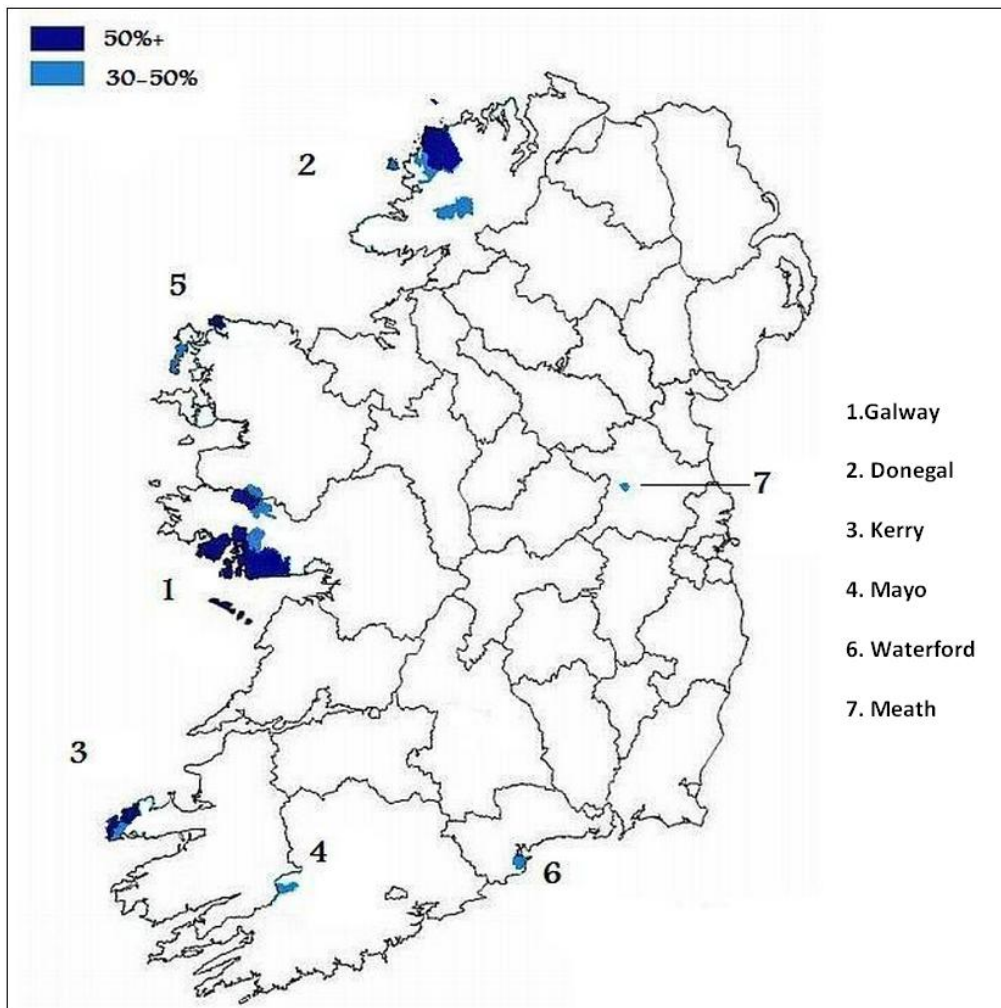
In August 2012, after the controversy caused by the entry of the BBC in S4C, the BBC Trust launched a public consultation, in which all Welsh citizens could participate, on the agreement with the BBC and the changes that it would entail for S4C [18].

3. Ireland's TG4 *Telefís na Gailge*

3.1. TG4 as Irish television: the beginning of TG4 in RTÉ and the challenge for the Irish government

Telefís na Gailge (TG4) is a national public television channel spoken in Irish language (also known as Irish Gaelic or Gaelic language), launched in 1996 as part of the Irish public television *Radio Telefís Éireann* (RTÉ). In 2007, it became an independent public television corporation. Its programming is focused on the public service and the development of the Irish language. Like RTÉ, its funding comes from two sources: commercial revenue and public subsidy. The challenge of TG4 is to maintain a public service television system in Irish and to generate, indirectly, a broadcasting industry, talent and innovation in this language that is a minority today. The signal of TG4 reaches the whole of Ireland and, from 2012, also Northern Ireland, thanks to a governmental agreement between Ireland and the United Kingdom, derived from the “Good Friday Agreement”, whereby TG4, RTÉ 1 and RTÉ 2 are broadcast through a digital multiplex. However, the so-called *Gaeltacht* territory, where Irish is spoken, is reduced and dispersed.

Figure 3. Regions that constitute the Gaeltacht territory



Source: Politics.ie [19]

The Irish language is currently spoken by about 92,000 people, which represents 2.1% of the Irish population which is composed of 4,240,000 inhabitants (Acadamh na hollscolaíochta Gaeligie, 2007).

An interesting fact is that Donegal (Northern Ireland) did not have open access to TG4 until 2012, as it was only available through the satellite paid-for TV services of Sky (since 2005) and Virgin (since 2007), considering that it represents almost half of the Irish speakers, with 16,000 regular speakers and 35,000 Irish-only-speakers of the total of 92,000 Irish-speakers in the island (Diarmuid Mac Giolla Chríost, 2000 and Pádraig Ó Riagáin, 2007).

In terms of the audience levels of this identity and proximity television channel, according to the latest report (of 2011) published by TG4 (on 22 March, 2013), in 2011 TG4 had a national audience share of 2.1%. Meanwhile, in 2011, TG4's online service (through its Beo Player), which offers a delayed signal, reached 2.8 million Player programme streams, and 1.5 million visitors (TG4 Annual Report, 2011, p. 28).

3.2. TG4 is investigated by the European Commission: recommendations and a refunding of the Irish public television in Irish language

TG4 (*Teilifís na Gaeilge*) and RTÉ (*Radio Teilifís Éireann*) were reported to the European Commission, in 1999, by the Irish private *Television Network Limited*, aka TV3. The reason was the incompatibility of the licence fee funding of the public television corporations with the EU regulation on state aid, in particular for three reasons: 1) the absence in both TV operators of a concrete definition of their public service remit; 2) the fact that RTÉ did not have a commitment to the public service mission; and 3) the lack of transparency needed to make sure to verify that the public funds are proportionate and not used for other than public service activities (C(2008)723 final, p. 1, “Communication from the Commission to the Government of Ireland on the occasion of the State financing of RTÉ and TG4”, hence C(2008)723).

With respect to TG4, TV3 complained particularly about two irregularities: 1) that beyond the dissemination of content in *Irish*, TG4 offered paid-for sports programming -as well as RTÉ- and 2) that it was not possible to differentiate its accounts from those of RTÉ- (C(2008) 723 final, footnotes 7 and 9). A factor that influenced, both the intervention of the European Commission and the specification of the demands to the Irish public television corporations, was the “Almark” case solved by the European Court of Justice in 2003 (C-280/00) (Azurmendi, 2010,1: p. 41).

As a result of this requirement, the Irish authorities:

- Redefined their concept of public service television to make it more specific –by defining its purposes and obligations- and included the new online audiovisual services in its list of services.
- Incorporated measures to ensure transparency and proportionality in the use of state aid by these TV operators, which resulted in the adoption, every five years, of the *Public Service Broadcasting Charter*.
- Instituted a system of *Public Value Test* and *Sector-based impact test* for each new audiovisual service and any statutory modification of the public service remit.
- Required the separate accounting of the public service and commercial activities of the public television corporations, according to the European directive on Transparency.
- Created the new *Broadcasting Authority* to fulfil the control duties and give advice to the Irish government on issues related to public television.
- Drafted the new *Broadcasting Act 2009*, based on the previous actions and with the approval of the European Commission.

In December 2011, TG4 adopted its first *Public Service Broadcasting Charter* which it called the *Public Service Statement*, in order to implement the *Broadcasting Act 2009*. In it, TG4 meets one by one all the requirements made by the European Commission to conform to the European legislation on State aid to public broadcasting. In this way, TG4 clearly defined the public service remit and obligations, and recognises the control activities of the *Broadcast Authority of Ireland* (BAI) to ensure compliance with:

a) The public service remit and obligations

“TG4’s mission is to provide an attractive and innovative television and content service in Irish, that celebrates Irish creativity and identity -language, culture, music and sport- packaged and presented to be accessible and appealing in order to connect with audiences in Ireland and worldwide” (Section 3, p. 7)”. TG4’s vision is “to continue to promote

successfully the Irish language and culture using television and web content so as to ensure a central place in Irish people's lives, both in Ireland and abroad" (Section 4, p. 7)".

- b) The broadcasting regulation
- c) The codes of conduct of TG4

TG4 considers essential to reach a broad public sector in Ireland, both habitual Irish speakers and people "interested in their culture, sport and music" (section 1, *TG4's Statutory Mandate*, p. 3). According to the *Charter*, TG4 can achieve this through online services, teletext and other subsidiary services –even those that are not properly broadcasting services (*Public Service Broadcasting Charter* 2011, section 1, TG4's Statutory Mandate, p. 3).

Another important aspect of the *Public Service Broadcasting Charter* 2011 is that it explicitly points out that TG4 may, in accordance with national legislation, "produce the programmes or get them from any source":

"[TG4] does not have statutory obligations to produce its own content, in comparison to content produced by independent (or external) companies. In any case, as editor/broadcaster, TG4 will commission a significant number of original programmes in the Irish language and is committed to annually spend all the public money -removing the operating expenditure- in Irish language content" (*Public Service Broadcasting Charter* 2011, section 1, TG4's Statutory Mandate, p. 3).

At the same time, the *Public Service Broadcasting Charter* of 2011 makes it clear that it is possible for TG4 to offer subscription-based or pay-per-view services, when they are of interest only to some members of the community, but it prohibits the use of public money for the production of any of these services, since they "must be managed exclusively from a commercial basis" (*Public Service Broadcasting Charter* 2011, section 1, TG4's Statutory Mandate, p. 3).

3.3. TG4's Public service remit: Irish language and culture

Irish language and culture are at the core of the public mission of TG4, as reflect in some of the objectives of the *Public Service Broadcasting Charter* 2011, Section 2: *Provision of Services -TG4's Principles*, pp. 4-6:

- Spend at least 70% of current public funding on Irish language content.
- Commission from the Irish language independent production sector, a minimum of 500 hours of new, original Irish language content per year, with the necessary funding.
- Create programmes on traditional Irish music, with the objective of distributing series on an annual basis.
- Produce programmes about Ireland's history, culture and news events.

An example of the implementation of such proposals is that the *2011 Annual Report* (which is the latest published report), on the results of the annual objectives, lists the lines of action in which TG4 is working (*2011 Annual Report*, p. 6):

- Commit a share of Irish language programming to Gaeltacht-based companies (those based in territories in which Irish is spoken).

- Continue with the TV distribution system together with *Údarás na Gaeltacht Gaeltachta* (a regional agency for the economic, social and cultural development of *the Gaeltacht*), supported by 10 production companies from the *Gaeltacht*, and to incorporate two new production development initiatives to advance the creative talent in the sector.
- Provide 100 jobs directly and support approximately 300 full-time jobs in the independent production sector, enhancing Ireland’s capability in the knowledge-based creative sectors.
- Build on the previous year’s contribution to the national economy by adding approximately €58m to national earnings and having an associated employment impact of some 1000 additional jobs.
- Achieve a share of Irish language programmes which allows to commission contents from Gaeltacht-based companies.
- Work with the ILBF (Irish Language Broadcast Fund), a charity from Northern Ireland created in 2005 as a result of the Belfast Agreement, to further develop the Irish language production sector in the North by targeting a small number of companies for joint programming project development in 2011.
- Strengthen the Irish language production sector by ensuring that a minimum of €3m is secured by the sector from the BAI (*Broadcasting Authority of Ireland*) and £1.95m from the ILBF, for TG4 commissioned programming/content in 2011.

3.4. Funding

TG4 is funded with public resources (through the license fee), advertising revenue and other commercial means. The 2011 *Annual Report* is the most appropriate source to assess the way in which the resources are distributed.

Table 10. Income TG4 2011

Source	€000	%
Grant-in-Aid	32,750	91.3%
Commercial (Advertising & sponsorship)	1,801	5.0%
Commercial other	1,309	3.7%
Total Income	35,860	100 %

Source: TG4 Annual Report 2011, p. 33.

Table 11. Irish Language Content Expenditure 2011

Description	€000	%
Current exchequer funding	32,750	100 %
Irish language programmes		
Commissioned	17,541	53.6 %
Acquired/dubbed/subtitled	4,201	12.8 %
Production staff costs (including salaries)	1,759	5.4 %
Total Irish Language Content Production Costs	23,501	72 %

Source: TG4 Annual Report 2011, p. 34.

3.5. Governance

The 2011 Public Service Broadcasting Charter dedicates an entire section, the fourth, to Accountability (pp. 8-10). It details what type of reports should be produced by TG4, what issues should be covered, and the platforms or authorities to which they should be presented. In addition, it defines the kind of competencies of each of these authorities on the Irish language television operator.

3.5.1. The Board

The Board and its sub-committees, made up of 12 members: 6 are appointed by the government, through the Minister for Communications, Energy and Natural Resources and the Broadcasting Authority of Ireland, 4 are appointed by the government taking into account the advice of the Joint Oireachtas, an executive director and a director general. It is the responsibility of the internal governing body to apply the “2001 Code of Practice for the Governance of State Bodies”. The Board members are also ruled by the “1995 Ethics in Public Office Act” and the “2001 Standards in Public Office”.

The 2001 Annual Report also lists the objectives in terms of “Excellence in Governance” (p. 8):

<p>Objectives of Excellence in Governance</p>	<ul style="list-style-type: none"> • 40. Deliver (between the members of TG4) all our statutory requirements as reflected in our objects, broadcasting codes and regulations, etc. • 41. Work closely with our two key Stake-holders, DCNER and the BAI, to support broadcasting policy development and to deliver on all of our governance and compliance requirements. • 42. Engage in ongoing dialogue with key industry stakeholders, regulators, broadcasters, policy-makers and other key bodies on all aspects of broadcasting operations, codes and regulations. • 43. Work closely with the TG4 Board to comply with all relevant and binding codes and regulations under which we function. • 44. Publish an updated Strategic Plan and, as part of this, revise our funding plan to reflect the current economic realities. We will also continue to position the case with Government for longer-term increase in funding and a multi-annual funding approach. • 45. Deliver two Internal Audits and a Risk Management review of TG4.
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These objectives had already been established in 2010, with one exception: the creation of an Audience Council. The 2010 Report pointed out that TG4 should have an Audience Council and deliver a TG4’s Customer Charter, a Public Service Statement, a Code for Fair Trading, and a Code of Practice for the Handling of Complaints. Indeed, in 2010 this Council was created with 15

members, because according to the President of TG4, Peadar Ó Cuinn, “this Council is vital to ensuring that TG4 receives and utilises effectively the public feedback on its performance”. However the 2011 Report barely refers to the Council, which is mentioned only in the acknowledgments section and in one tables about the expenditures of TG4, which indicates that the Council has met on 7 occasions and that its maintenance has cost €7,000.

3.5.2. Entities to which the Board responds: The DCENR and the Broadcasting Authority of Ireland (BAI)

The Board has the obligation of reporting regularly to the Department of Communications, Energy and Natural Resources (DCENR). Moreover, TG4 must keep all accounting data that allow the corresponding Minister to examine the performance of TG4 in the fulfilment of its statutory mission. In addition, TG4 must offer to the DCENR an annual *Statement of Commitments* that details the activities to be undertaken for the development of the public service mission.

<p>Documents that TG4 must deliver to the DCENR</p>	<ul style="list-style-type: none"> • The five-year Statement of Strategy for public television. • The Annual Statement of Performance Commitments, based on 5-year plans. • The Public Service Statement, every 5 years. It is aimed at defining the public service mission of TG4 and establishing standards or principles to fulfil its mission, as well as the mechanisms of supervision in TG4. • The Annual Report describing in details all operations and aspects of the funding of TG4 and the audited accounts (which must also be presented to the Parliament).
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<p>Functions of the BAI towards TG4</p>	<ul style="list-style-type: none"> • Control the governance of TG4 • Guide TG4 in the fulfilment of its obligation to report to the DCENR on income and expenses • Limit the use of public funding to public service contents • Annually review the appropriateness of the allocation of public funds • Demand from the Board an annual report on the use of public funds • To produce a report on TG4's fulfillment of the commitments set out in its Statement of Commitments for the previous financial year • Advise the DCENR on the funding it should give each year to TG4 • Investigate and decide upon any complaint against TG4, in terms of failure to comply with its codes and standards
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TG4 is also subjected to the "public value" and "impact on the sector" tests, whenever it introduces major changes to its services and they do not fall in the scope of its public service mission, such as a

change in the number of TV channels and the establishment of any new service not explicitly included in the legislation.

TG4 also requires permission from the DCENR to carry out any changes in the time devoted to advertising, and for the establishment of subsidiary services, investments and mergers.

TG4's Board also responds to the Broadcasting Authority of Ireland (aka the BAI or the Authority), which monitors the fulfilment of the obligations of TG4 with respect to codes and legislation in general (although it focuses on ethical issues).

3.5.3. The Audience Council

Through this body TG4 encourages the public to express their views on its performance and aims to establish communication with its audience base. The council is also a vehicle for complaints. The Council aims to ensure that all complaints are received, known, investigated and answered.

<p>Main functions of the Audience Council</p>	<ul style="list-style-type: none"> • Investigate viewers' reactions to the services and contents of TG4 through a series of annual actions. • Meet up with TG4 to discuss and examine the latter's performance. • Identify priority areas of action and improvement for the audience.
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4. A comparison with the Spanish case: reforms, funding and governance of Spain's regional minority-language television corporations in a context of severe economic crisis

Of the 14 Spanish regional TV operators, five produce content in their minority languages: EITB *Euskal Irratia Televista*, CCMA *Corporació Catalana de Mitjans Audiovisuals*, CRTVG *Compañía de Radio e televisión de Galicia*, RTVV *Radiotelevisión Valenciana* and IB3 *Radio i Televisio de les Illes Balears*. These TV corporations are an essential tool in the consolidation of the Basque, Catalan, Galician and Valencian languages in the territories where they are spoken, as acknowledged by the regulatory laws of these corporations (Azurmendi, López-Vidales, Manfredi, 2012: 93-99).

Within the context of economic crisis in Europe, which is particularly serious in Spain, all regional television corporations have been affected by budget cuts, which is something they have in common with the identity and proximity TV corporations of the UK and Ireland. However, there are three aspects that differentiate the minority language TV corporations from Spain from those from the UK and Ireland: 1) their size and, consequently, budgets; 2) the peculiar nature of each one of European identity TV corporations; and 3) the different perception of the outsourcing of content production.

While the revenues of the UK and Irish channel were all under 100 million pounds (BBC Alba £12.1M in 2012, S4C £93M in 2011 and TG4 £35.8M in 2011 [last published official data]), the revenues of the Spanish regional TV corporations in 2011 exceeded 120 million euros in all cases, with the exception of IB3 from the Balearic Islands, whose public subsidy was 35 million euros for that year (commercial revenues were minimal).

Table 12. Income in million euros (public subsidies / advertising revenue)

Corporación	2011	2012
EITB	160.9	148.9
CCMA	444.5	378.5
CRTVG	121.9	117.1
RTVA	206.7	189.1
IB3	35	30

Source: Fernández-Alonso (2013, p. 17).

Regarding the peculiar nature of BBC Alba, S4C and TG4, it suffices to point out that BBC Alba is a consortium formed by MG Alba and the BBC, and most of its content are repeats and only offers 7 hours per day of programming in Scottish Gaelic. For its part, S4C has been transformed from an autonomous public TV corporation to a *quasi*-consortium with the BBC, in 2013, will high likelihood of becoming a full consortium in the next years, given that the BBC Trust manages almost 100% of its funding. With regards to TG4, it has a national and transnational coverage (as it is aired in Northern Ireland since 2012), which makes it incomparable to the Spanish regional minority-language television corporations.

Table 13. Legal frameworks, Statement of Commitments and legal external control mechanisms of the Spanish regional public broadcasters

Public broadcasting corporations	Legal framework	Statement of Commitments	External control mechanisms
EITB	NO	Expired	Parliamentary Control Committee Financial control*
CCMA	YES	Expired	Parliamentary Control Committee Broadcasting Council Financial control
RTVG	NO	NO	Parliamentary Control Committee Broadcasting Council (non-existent) Financial control
RTVA	NO	NO	Parliamentary Control Committee Financial control
Balearic Islands	YES	YES	Parliamentary Control Committee Broadcasting Council (non-existent) Financial control

Source: Fernández-Alonso, 2012, Table 3.

*Refers financial control in general terms because this is carried out by different regional bodies such as the Court of Accounts of the Balearic Islands, the Spanish Court of Accounts and the Parliamentary commissions.

Regarding the outsourcing of production, it is notorious that BBC Alba, S4C and TG4 maintain an open policy to the commissioning of content to local independent producers. This is an essential part

of their public service remit as identity broadcasters as they understand that this system strengthens the identity-TV production industry. Precisely, the reforms have led to a decrease in the budget dedicated to the commission content to independent production companies, which is considered to be a negative practice that should be discouraged in the management reports of these TV corporations. This is the opposite of what has happened with the reforms of the regional TV corporations, at least since the coming into force of the Law 6/2012 (of 1 August) which modifies the 2010 General Law on Audiovisual Communication (ley 7/2010, of 31 March) to increase the flexibility of the management models of the regional public broadcasting services.

Despite the differences, there is one aspect of inescapable comparison: the efforts made to introduce criteria and procedures of good governance by the three European regional television corporations and their absence in the case of Spanish regional minority-language TV corporations (and all other Spanish regional television corporations). As Fernández-Alonso (2012, p. 137) points out, in the Spanish case “we face really fragile control mechanisms, due to their clearly political profile (in the case of the Parliamentary Committees and the Broadcasting authorities, whose advisors are usually affiliated to the political parties that nominated them) and their evident difficulties to be implemented”.

5. Conclusions

1. In the main European regional minority-language television corporations, like BBC Alba (Scotland), S4C (Wales) and TG4 (Ireland), their minority language (Scottish Gaelic, Welsh, and Irish Gaelic, respectively) is the core of their public service mission, and is considered to justify the existence of these TV operators despite of their low viewership (an average of 500,000 viewers for BBC Alba and TG4 and 100,000 for S4C, in 2011).

2. BBC Alba, S4C and TG4 promote the outsourcing of their content production. They consider this practice as key in the dissemination of the language and culture of the territories in which they operate, since it supports the local minority-language content production industry (in Scottish Gaelic, Welsh and Irish Gaelic, respectively). The estimation of hours of content commissioned to local producers is included in their annual reports.

3. The remarkable efforts made by BBC Alba, S4C and TG4 to improve their governance contrasts with the current absence of control mechanisms in the Spanish regional television system.

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7. Notes

[1] A Azurmendi, *La reforma de RTVE*, in A Azurmendi (Dir.), *La reforma de la televisión pública española* (Tirant lo Blanch, Valencia, 2007), pp. 269 and 270.

[2] In Spain, the exponent of this approach is the law 6/2012, from 1 August 2012, which modified the 2010 Audiovisual Communication Law (Ley 7/2010) to increase the flexibility of governance models of the public regional TV operators.

[3] This study did not take into consideration the two Belgian television corporations because it has two communities (the Flemish and the French-speaking communities) which have their own public television system.

[4] Northern Ireland, in its configuration since the end of the war of independence in 1921, is not included in this study because it does not have a regional television corporation as such, and instead receives a TV signal from the BBC, which offers programmes from BBC One and BBC Two.

[5] A new census was carried out in 2011 and its first results were published in December 2012. It mentions a population of 5,295,000 but does not include data on the number of Gaelic speakers.

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[6] Available at

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