

Access Rules Rialacha Rochtana



Broadcasting Commission of Ireland
Coimisiún Craolacháin na hÉireann

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Introduction

The Broadcasting Act, 2001 makes a number of provisions in respect of rules to be made by the Broadcasting Commission of Ireland (BCI) to promote the understanding and enjoyment of programmes by persons who are deaf or hard of hearing and persons who are blind and partially sighted. The relevant provisions of the Act are Sections 19(11) and 19(12) (as amended by Section 53 of the Disability Act, 2005).

Section 19 (11) provides that:

The Commission shall make rules requiring each broadcaster to take specified steps to promote the understanding and enjoyment by –

- (a) persons who are deaf or hard of hearing, and*
- (b) persons who are blind or partially sighted,*

of programmes transmitted on any broadcasting service provided by him or her.

Section 19 (12) provides that:

Rules under subsection (11) may, in respect of any specified period beginning on or after the commencement of this subsection, require a broadcaster to ensure that a specified percentage of programmes transmitted on a broadcasting service provided by him or her in that period employs specified means by which the understanding and enjoyment by persons referred to in paragraphs (a) and (b) of that subsection of that percentage of programmes may be promoted.

Réamhrá

Déanann an tAcht Craolacháin, 2001 roinnt forálacha i leith rialacha a dhéanfaidh Coimisiún Craolacháin na hÉireann (CCÉ) chun tuiscint agus taitneamh as cláracha a chur chun cinn do dhaoine atá bodhar nó a bhfuil allaíre orthu agus do dhaoine atá dall nó caoch. Is iad na forálacha ábharacha den Acht; Alt 19(11) agus 19(12) (mar a leasaítear in Alt 53 den Acht Míchumais, 2005).

Forálann **Alt 19 (11)** an méid seo:

Déanfaidh an Coimisiún rialacha á cheangal ar gach craoltóir bearta sonraithe a dhéanamh chun an tuiscint agus an taitneamh a chur chun cinn a bhainfidh –

- (a) daoine atá bodhar nó a bhfuil allaíre orthu, agus*
- (b) daoine atá dall nó caoch,*

as cláir a tharchuirfear ar aon seirbhís craolacháin a sholáthróidh sé nó sí.

Forálann **Alt 19 (12)** an méid seo:

Féadfar le rialacha faoi fho-alt (11), i leith aon tréimhse sonraithe dar tosach dáta thosach feidhme an fho-ailt seo nó dáta dá éis sin, a cheangal ar chraoltóir a chinntiú go ndéanfaidh céatadán sonraithe de chláir a tharchuirfear ar sheirbhís craolacháin a bheidh á sholáthar aige nó aici sa tréimhse sin modhanna sonraithe a oibriú lena bhféadfar an tuiscint agus an taitneamh a chur chun cinn a bhainfidh daoine dá dtagraítear i míreanna (a) agus (b) den fho-alt sin as an gcéatadán sin de chláir.

In accordance with these provisions of the Broadcasting Act 2001, the BCI hereby sets out the following rules. The Commission has given the title **Access Rules** to these rules.

Definitions

A number of terms are used throughout the rules. These terms are set out and defined below.

Subtitling

Subtitling is on-screen text that represents what is being said on the screen. Subtitling can be open or closed. Open subtitling is subtitling that remains on the screen at all times. Closed subtitling can be added to the picture or taken away as viewers wish, using, for example, page 888 on Teletext. Subtitling is formatted so as to assist interpretation and understanding of the text and link it more accurately to the on-screen action. For example, in subtitling the colour of the text changes to alert the viewer that a different person is speaking in the scene.

Captioning

Captioning refers to on-screen text that represents what is being said on the screen. However, while similar to subtitling, it is not as sophisticated and entails a more basic representation of what is being said on screen sometimes having only one colour, verbatim and can have the text only in upper case.

De réir forálacha an Achta Craolacháin 2001, leagan Coimisiún Craolacháin na hÉireann amach na rialacha seo a leanas. Chuir an Coimisiún an teideal **Rialacha Rochtana** ar na rialacha seo.

Sainmhínte

Úsáidtear roinnt téarmaí tríd síos na rialacha ar fad. Leagtar amach agus sainmhínítear thíos na téarmaí seo.

Fotheidealú

Téacs ar an scáileán a léiríonn cad atá ag tarlú ar an scáileán is ea fotheidealú. Is féidir le fotheidealú a bheith dúnta nó oscailte. 'Sé atá i gceist le fotheidealú oscailte ná fotheidealú a fhanann ar an scáileán an t-am ar fad, is féidir fotheidealú dúnta a chur leis an bpictiúr nó a bhaint de mar is mian leis an lucht féachana, ag úsáid leathanach 888, mar shampla, ar Theiliteacs. Déantar fotheidealú a fhoráidíú le tacú le tuiscint agus léirmhíniú ar an téacs agus len é a nascadh go beacht leis an aicsean ar an scáileán. Mar shampla, athraíonn dath an téacs sa bhfotheidealú le cur in iúl don lucht féachana go bhfuil duine éagsúil ag labhairt sa radharc.

Fortheidealú

Baineann fortheidealú le téacs ar an scáileán a thaispeánann cad atá á rá ar an scáileán. Ach, cé go bhfuil sé cosúil le fotheidealú, níl sé chomh sofaisticiúil agus baineann sé le léiriú níos bunúsaí den rud atá á rá ar an scáileán. Uaireanta ní bhíonn sa bhfortheidealú ach dath amháin, focal ar fhocal agus bíonn an téacs sa chás uachtair amháin.

Irish Sign Language

Irish Sign Language is the indigenous language of the Deaf community in Ireland. It is a visual, spatial language with its own syntax and complex grammatical structure. Signing may be presented on-screen through the use of a signer as part of the programme content, or the use of a signer (either a real person or avatar) acting as an interpreter in a box superimposed in the corner of the screen.

Audio Description

Audio description is a commentary that gives a viewer with a visual impairment a verbal description of what is happening on the screen at any given moment, as an aid to the understanding and enjoyment of the programme. The technique uses a second sound track that gives a description of the scene and the on-screen action.

Jurisdiction

These rules apply to broadcasters under the jurisdiction of the Republic of Ireland or those who make use of a frequency or satellite capacity or up-link based in the Republic of Ireland.

The BCI reserves the right to extend the rules and their applicability to new services licensed by the BCI under the Broadcasting Act 2001, from time to time. The BCI will make this assessment on a case-by-case basis.

Teanga na mBodhar in Éirinn

Teanga dhúchasach phobal na mBodhar in Éirinn is ea Teanga na mBodhar in Éirinn. Teanga físiúil, spásúil, le comhréir dá cuid féin agus struchtúr casta gramadaí is ea í. Is féidir comharthaíocht láimhe a chur i láthair ar an scáileán ag baint úsáid as comharthóir mar chuid d'ábhar an chláir, nó trí chomharthóir (fíor-dhuine nó samhail duine) a úsáid mar theangaire i mbosca a bhíonn forshuite i gcúinne an scáileáin.

Tuairisciú Fuaime

Tráchttaireacht a thugann cur síos i bhfocail ar an méid a bhíonn ag tarlú ar an scáileán ag am ar bith, chun cabhrú le tuiscint agus taitheamh iadsan a mbíonn laige súl orthu is ea Tuairisciú Fuaime. Tíg le Tuairisciú Fuaime a bheith dúnta nó oscailte. Úsáideann Tuairisciú Fuaime dúnta fuaimrian eile a thugann cur síos ar an radharc agus ar an aicsean a bhíonn ar an scáileán.

Dlínse

Bainfidh na rialacha seo le craoltóirí faoi dhlínse Phoblacht na hÉireann nó leosan a bhaineann úsáid as minicíocht nó as acmhainn saiteilíte nó as uasnasc atá bunaithe i bPoblacht na hÉireann.

Forchoimeádann an Coimisiún an ceart na rialacha a shíneadh agus an méid a chuirfear i bhfeidhm iad ar sheirbhísí nua a bheidh ceadúnaithe ag an gCoimisiún de réir an Achta Craolacháin 2001. Déanfaidh an Coimisiún a mheasúnú orthu seo ar bhun 'cás ar chás'.

1. Rules Applying to All Forms of Provision

- 1.1 These rules apply to programming content only and performance will be evaluated based on the scheduled duration of the programme.
- 1.2 Monitoring and measuring of performance shall take place throughout the timeframe for the implementation of the rules.
- 1.3 All of the rules contained herein shall be reviewed after a period of three years.

2. Subtitling Rules

- 2.1 Specific targets have been identified for each broadcast service.
- 2.2 All targets are based on a ten-year timeframe.
- 2.3 In evaluating and measuring performance, percentage targets will be calculated over an 18-hour broadcast day from 7am to 1am.
- 2.4 Targets will be measured on an annual basis taking a weekly average.
- 2.5 Targets will be calculated based on the level of subtitling provision on each individual broadcast service.
- 2.6 In the case of RTÉ 1 and RTÉ 2, of the annual percentage increase in subtitling, a reasonable proportion shall include children's programming, where applicable.

1. Rialacha a Bhaineann le Gach Saghas Foráil

- 1.1 Baineann na rialacha seo le h-ábhair na gclár amháin agus measfar feidhmiú bunaithe ar fhaid an chlár de réir an sceidil.
- 1.2 Beidh monatóireacht agus tomhas ar fheidhmiú ar siúl le linn an chreata ama a bheidh ann chun na rialacha a chur i bhfeidhm.
- 1.3 Déanfar athbhreithniú ar na rialacha ar fad atá istigh anseo tar éis tréimhse de thrí bhliain.

2. Rialacha i Leith Fotheidealú

- 2.1 Aithníodh spriocanna sonrathite do gach seirbhís craoltóireachta
- 2.2 Tá gach sprioc bunaithe ar chreat ama deich mbliana.
- 2.3 Agus feidhmiú á mheas agus á thomhas, áireofar spriocanna céadchodán le linn lae craoltóireachta 18 uair ó 7 am go 1 am.
- 2.4 Tomhasfar spriocanna ar bhun bhliantúil ag glacadh an mheáin gach seachtain.
- 2.5 Áireofar spriocanna bunaithe ar an leibhéal soláthar fotheidealú ar gach seirbhís craoltóireachta ar leith.
- 2.6 I gcás RTÉ 1 agus RTÉ 2 éilíonn na rialacha go n'áireofar, mar a oireann, méid réasúnta de chláracha do leanaí mar chuid d'fhorbairt bhliantúil an fhotheidealú.

- 2.7 The rules do not, at this time, prioritise any programme genres/types or time-blocks within the 18-hour day. However, broadcasters shall consult periodically and not less than once annually, with user groups, as to their viewing preferences.
- 2.8 Broadcasters are permitted to include some captioning in the attainment of subtitling targets in the first three years during which the rules shall apply. However, it is the intention of the Commission that the initial three years of the ten-year timeframe will function as a transition period to facilitate a changeover from captioning to subtitling.
- 2.9 Broadcasters shall comply with standards and guidelines set out from time to time in the *BCI Subtitling Guidelines*.
- 2.10 Broadcasters shall comply with the targets and timeframes applying to their service(s). Current timeframes and targets are detailed in the Appendix.

3. Irish Sign Language Rules

- 3.1 An initial target of 1% Irish Sign Language is required for RTÉ 1 and RTÉ 2. This target is based on a three-year timeframe (March 2005-March 2008). There are no requirements in respect of other services in the first three years of the implementation of the rules.

- 2.7 Ní thugann na rialacha tosaíocht, ag an bpointe seo, d'aon cineálacha/séanraí nó blocaí ama laistigh den lá 18 uair. Ba chóir do chraoltóirí, áfach, comhairleacht a dhéanamh ó am go chéile, agus ar a laghad uair sa bhliain, le grúpaí úsáideoirí eile maidir lena roghanna clár.
- 2.8 Beidh cead ag craoltóirí roinnt fortheidealú a áirithint i mbaint amach spriocanna fotheidealú sa chéad trí bhliain ina mbeidh na rialacha seo i bhfeidhm. 'Sé aidhm an Choimisiúin, áfach, go bhfeidhmeoidh an chéad trí bhliain den chreat ama deich mbliana seo mar idirthréimhse leis an athrú ó fhortheidealú go fotheidealú a éascú.
- 2.9 Comhlíonfaidh craoltóirí na caighdeáin agus na treoirlínte a leagfar amach ó am go chéile i "*Treoirlínte CCÉ i Leith Fotheidealú*".
- 2.10 Cloífidh craoltóirí leis na spriocanna agus na creataí ama a bhaineann lena seirbhís(i) féin. Tá na creataí ama agus na spriocanna reatha leagtha amach san Aguisín.

3. Rialacha i leith Teanga na mBodhar in Éirinn

- 3.1 Tá sprioc tosaigh de 1% de Theanga na mBodhar in Éirinn riachtanach do RTÉ 1 agus do RTÉ 2. Tá an sprioc seo bunaithe ar chreat ama de thrí bhliana (Márta 2005-Márta 2008). Níl aon riachtanas ar sheirbhísí eile sa chéad trí bhliana de chur i bhfeidhm na rialacha.

- 3.2 In evaluating and measuring the performance of RTÉ 1 and RTÉ 2, the percentage of Irish Sign Language shall be calculated over a 24-hour broadcast day, taking into account the cumulative percentage across the two services. It shall be measured on an annual basis.
- 3.3 In evaluating and measuring performance, the percentage of Irish Sign Language shall refer to Irish Sign Language provided on-screen through the use of a signer as part of the programme content, or the use of a signer (either a real person or avatar) acting as an interpreter in a box superimposed in the corner of the screen.
- 3.4 Of the total increase in Irish Sign Language provision provided on an annual basis, a reasonable proportion of children’s programming shall be included.
- 3.5 Broadcasters shall comply with standards and guidelines set out from time to time in the *BCI Irish Sign Language Guidelines*.

4. Audio Description Rules

- 4.1 An initial target of 1% audio description is required for RTÉ 1 and RTÉ 2. This target is based on a three-year timeframe (March 2005-March 2008). There are no requirements in respect of other services in the first three years of the implementation of the rules.

- 3.2 Agus feidhmiú RTÉ 1 agus RTÉ 2 á mheas agus á thomhas, áireofar an céatadán de Theanga na mBodhar in Éirinn le linn lae craoltóireachta de 24 uair a’ chloig, ag cur san áireamh an céatadán carnaithe ar fud an dá sheirbhís. Tomhasfar é ar bhun bhliantúil.
- 3.3 Agus feidhmiú á mheas agus á thomhas tagróidh an céatadán de Theanga na mBodhar in Éirinn do sholáthar Theanga na mBodhar in Éirinn ar an scáileán trí úsáid lámhchomharthóra mar chuid d’ábhar an chláir, nó trí lámhchomharthóir a úsáid (fíor-dhuine nó samhail duine) a ghníomhaíonn mar theangaire i mbosca forshuite i gcúinne an scáileáin.
- 3.4 Mar chuid den méadú iomlán ar sholáthar Theanga na mBodhar in Éirinn a sholáthrófar ar bhun bhliantúil, beidh sciar réasúnta de chláracha do leanaí san áireamh.
- 3.5 Comhlíonfaidh craoltóirí na treoirlínte agus na caighdeáin i leith Teanga na mBodhar in Éirinn a eiseofar ó am go chéile i *“Treoirlínte CCÉ i Leith Teanga na mBodhar”*.

4. Rialacha i leith Tuairisciú Fuaim

- 4.1 Tá sprioc tosaigh de 1% de thuairisciú fuaim riachtanach do RTÉ 1 agus do RTÉ 2. Tá an sprioc seo bunaithe ar chreat ama de thrí bhliana (Márta 2005-Márta 2008). Níl aon riachtanas ar sheirbhísí eile sa chéad trí bhliana de chur i bhfeidhm na rialacha.

- 4.2 In evaluating and measuring the performance of RTÉ 1 and RTÉ 2, percentages will be calculated over a 24-hour broadcast day, taking into account the cumulative percentage across RTÉ 1 and RTÉ 2. It shall be measured using weekly averages on an annual basis.
- 4.3 Of the total increase in audio description provision provided on an annual basis, a reasonable proportion shall comprise home-produced programming.
- 4.4 Broadcasters shall comply with standards and guidelines set out from time to time in the *BCI Audio Description Guidelines*.

5. Promotion of Access Services

Broadcasters are required to indicate through the use of a standard symbol those programmes for which access provision (subtitling, sign language or audio description) is available. Insofar as possible, broadcasters should ensure that any programme listings also indicate those programmes for which access provision is available.

Broadcasters shall promote regularly the existence and usage of the form(s) of access provision available on their services.

6. Review of the Access Rules

These Rules will be reviewed in 2008 and 2010.

- 4.2 Agus feidhmiú RTÉ 1 agus RTÉ 2 á mheas agus á thomhas, áireofar céatadán le linn lae craolacháin de 24 uair ag cur san áireamh an céatadán carnaithe ar fud RTÉ 1 agus RTÉ 2. Tomhasfar é ag úsáid na meán seachtainiúla ar bhun bhliantúil.
- 4.3 Mar chuid den méadú iomlán ar sholáthar tuairisciú fuaim a sholáthrófar ar bhun bhliantúil, beidh sciar réasúnta ann de chlár a mbeidh léirithe sa mbaile.
- 4.4 Beidh riachtanas ar chraoltóirí déanamh de réir treoirlínte agus caighdeán i leith Tuairisciú Fuaim a eiseofar ó am go chéile i “*Treoirlínte CCÉ i Leith Tuairisciú Fuaim*”.

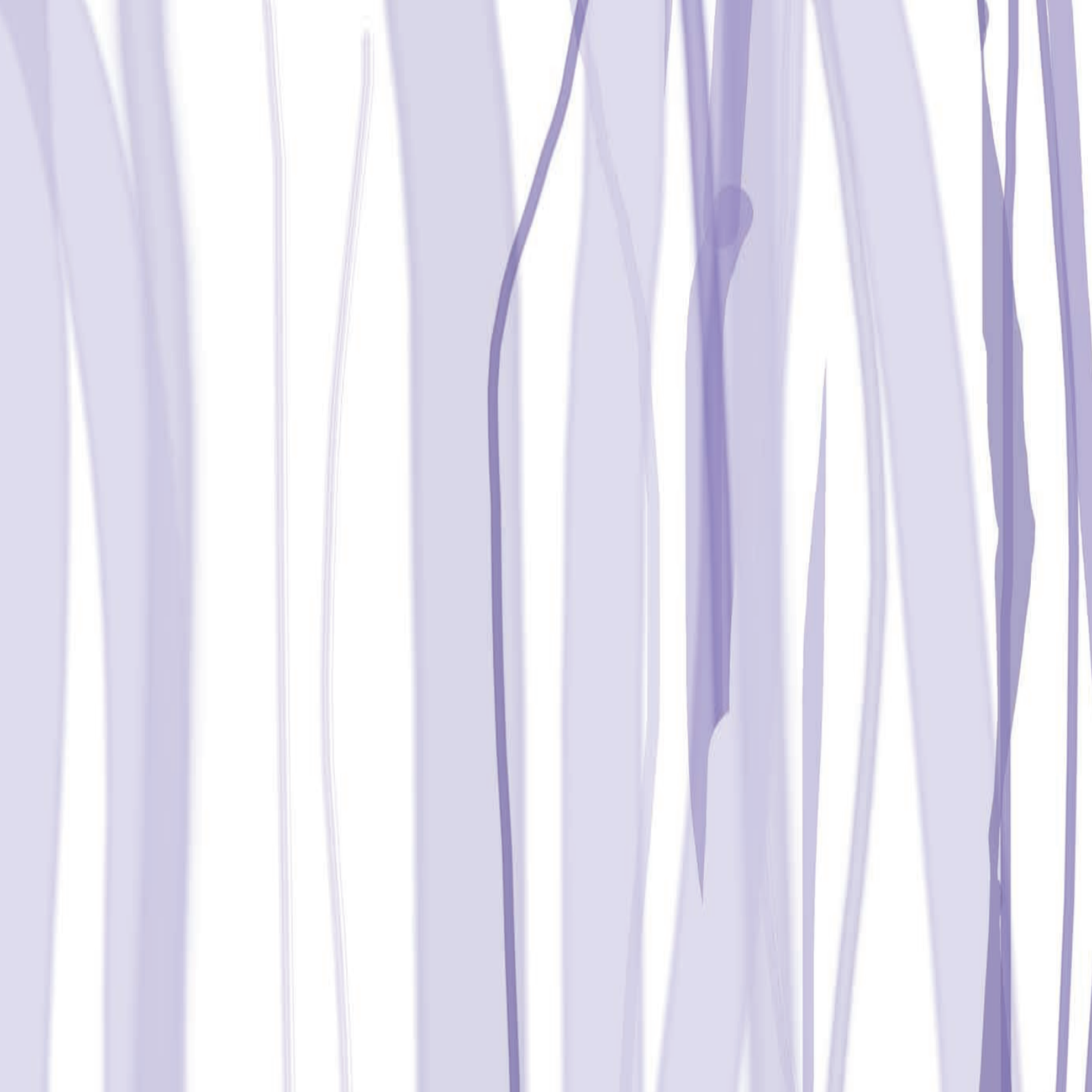
5. Cur chun cinn Seirbhísí Rochtana

Tá riachtanas ar chraoltóirí a chur in iúl trí shiombail chaighdeánach a úsáid, na cláracha sin a mbíonn soláthar rochtana (fotheidealú, Teanga na mBodhar nó Tuairisciú Fuaim) ar fáil dóibh. A mhéid agus is féidir, ba chóir do chraoltóirí a chinntiú go dtaispeántar chomh maith ar liostaí na gclár na cláracha sin a mbíonn soláthar rochtana ar fáil dóibh.

Cuirfidh craoltóirí chun cinn go rialta na saghasanna soláthairtí rochtana a bheidh ar fáil ar a gcuid seirbhísí maraon lena n-úsáid.

6. Athbhreithniú ar na Rialacha Rochtana

Déanfar athbhreithniú ar na Rialacha seo i 2008 agus 2010.



Appendix Targets and Timeframes

Issued May 2007

RTÉ 1 (2005-2014)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
55%	65%	75%	85%	93%	95%	97%	98%	99%	100%

RTÉ 2 (2005-2014)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
24%	33%	42%	51%	60%	67%	73%	80%	85%	90%

TG4 (2005-2014)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
24%	30%	36%	42%	50%	56%	62%	68%	74%	80%

TV3 (2005-2014)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
12%	19%	26%	33%	40%	44%	48%	52%	56%	60%

Setanta Ireland (2006-2015)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
2%	4%	6%	8%	10%	12%	14%	16%	18%	20%

NASN – UK/Ireland (2006-2015)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
2%	4%	6%	8%	10%	12%	14%	16%	18%	20%

City Channel – Dublin (2006-2015)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
0%	1%	2%	3%	4%	5%	6%	7%	8%	9%

City Channel – Galway (2007-2016)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
0%	1%	2%	3%	4%	5%	6%	7%	8%	9%

City Channel – Waterford/South East (2007-2016)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
0%	1%	2%	3%	4%	5%	6%	7%	8%	9%

Channel 6 (2007-2016)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
2%	4%	6%	8%	10%	12%	14%	16%	18%	20%

Aguisín Spriocanna agus Creatáí Ama

Eisithe Bealtaine 2007

RTÉ 1 (2005-2014)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
55%	65%	75%	85%	93%	95%	97%	98%	99%	100%

RTÉ 2 (2005-2014)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
24%	33%	42%	51%	60%	67%	73%	80%	85%	90%

TG4 (2005-2014)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
24%	30%	36%	42%	50%	56%	62%	68%	74%	80%

TV3 (2005-2014)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
12%	19%	26%	33%	40%	44%	48%	52%	56%	60%

Setanta Ireland (2006-2015)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
2%	4%	6%	8%	10%	12%	14%	16%	18%	20%

NASN – UK/Ireland (2006-2015)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
2%	4%	6%	8%	10%	12%	14%	16%	18%	20%

City Channel – Dublin (2006-2015)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
0%	1%	2%	3%	4%	5%	6%	7%	8%	9%

City Channel – Galway (2007-2016)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
0%	1%	2%	3%	4%	5%	6%	7%	8%	9%

City Channel – Waterford/South East (2007-2016)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
0%	1%	2%	3%	4%	5%	6%	7%	8%	9%

Channel 6 (2007-2016)

Bliain 1	Bliain 2	Bliain 3	Bliain 4	Bliain 5	Bliain 6	Bliain 7	Bliain 8	Bliain 9	Bliain 10
2%	4%	6%	8%	10%	12%	14%	16%	18%	20%