



## Minutes of Meeting of the Authority of

# Broadcasting Authority of Ireland

**Date** 25/03/2013 **Time:** 9.30am **Venue:** 2-5 Warrington Place, Dublin 2

## Minutes

### Attendance

**Authority:** Bob Collins (Chairperson), John Waters (items 1,2,4-6), Michael Moriarty, Michelle McShortall, Colum Kenny, Maria Moloney (items 1-2(c), 3-4), Paula Downey, Larry Bass, Siobhán Ní Ghadhra (items 2-6)

**Executive:** Michael O'Keeffe, Celene Craig, Aoife Clabby, Margaret Tumelty, Brian Furey, Clare O'Sullivan (item 2(b)), Anne O'Brien (item 2(d)), Ann Travers (item 2(d)).

### 1. Minutes of Previous Meeting & Matters Arising

Minutes of the previous meeting of the Authority, held on 25<sup>th</sup> February, 2013, were approved by the Members and signed by the Chairperson.

#### a. Review of the Statutory Provisions

Members were provided with an update on the meeting held with representatives of the Department of Communications, Energy and Natural Resources. It was noted that Heads of Bill would most likely be developed within the next six months to enable the introduction of a universal household broadcasting charge. In that context the Executive had highlighted the Authority observations in respect of possible amendments to the Broadcasting Act 2009. The Authority was informed that more formal discussions on any draft legislation would take place with the Department over the course of the next six to twelve months.

#### b. 5 year review of funding for Public Service Broadcasters

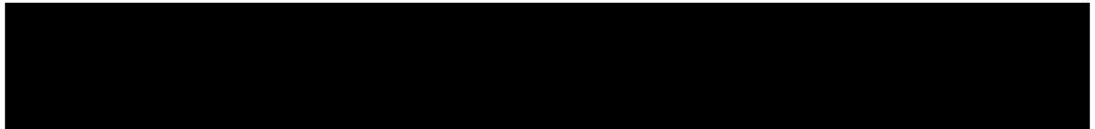
Members were reminded that an additional meeting of the Authority on the five year review of public funding was scheduled to take place on Friday April 5<sup>th</sup> and that a detailed Executive summary would be circulated to members in the preceding week. The proposed structure for the meeting was outlined and it was noted that the full report would be circulated for Members' consideration on the 5<sup>th</sup>.

#### c. Official Languages Act-BAI draft Scheme

Members were informed that the BAI draft Scheme under the Official Languages Act had been submitted to the Department of Arts, Heritage and the Gaeltacht and that feedback was awaited.



**d. Ocean FM: Proposal for Ownership and Control Changes**



**e. Additional meeting of the Authority**

Due to the volume of material requiring Authority consideration in the coming months, Members were advised of the possible requirement for an additional meeting on either May 7<sup>th</sup> or May 20<sup>th</sup>.

**2. Policy**

**a. Draft BAI Communications Policy**

Members considered a draft Communications Policy for the organisation. The draft policy sought to incorporate the Authority's considerations on communications, as discussed at the February meeting; to ground the policy in the BAI's strategic objectives of 'influencing and communicating' and of 'empowering audiences'; and to provide a framework against which communications activity can be planned, implemented and measured.

Following discussion, the Authority was satisfied to approve the BAI Communications Policy, as drafted, subject to a number of minor wording changes.

**b. Review of Commercial DTT**

Members considered an Executive note setting out the proposed approach to a review of the potential for Commercial DTT and had regard to the proposed timeframe and outline budget for the project.

The scope and parameters of the review were discussed in detail by the members. Consideration was also given to the Authority's experience of concluding the first commercial DTT licensing process and the issues which arose at that time. A range of other factors in the broader business, economic and regulatory environments, which had the potential to impact on the viability of commercial DTT, were also highlighted.

Following discussion it was agreed that the matters raised by the Authority were satisfactorily addressed in the scope outlined in the Executive note. The Authority was satisfied to approve the scope and parameters as set out. It was noted that a report would be presented to the Authority for their consideration at the September meeting.

**c. Proposals for Public Conversations**

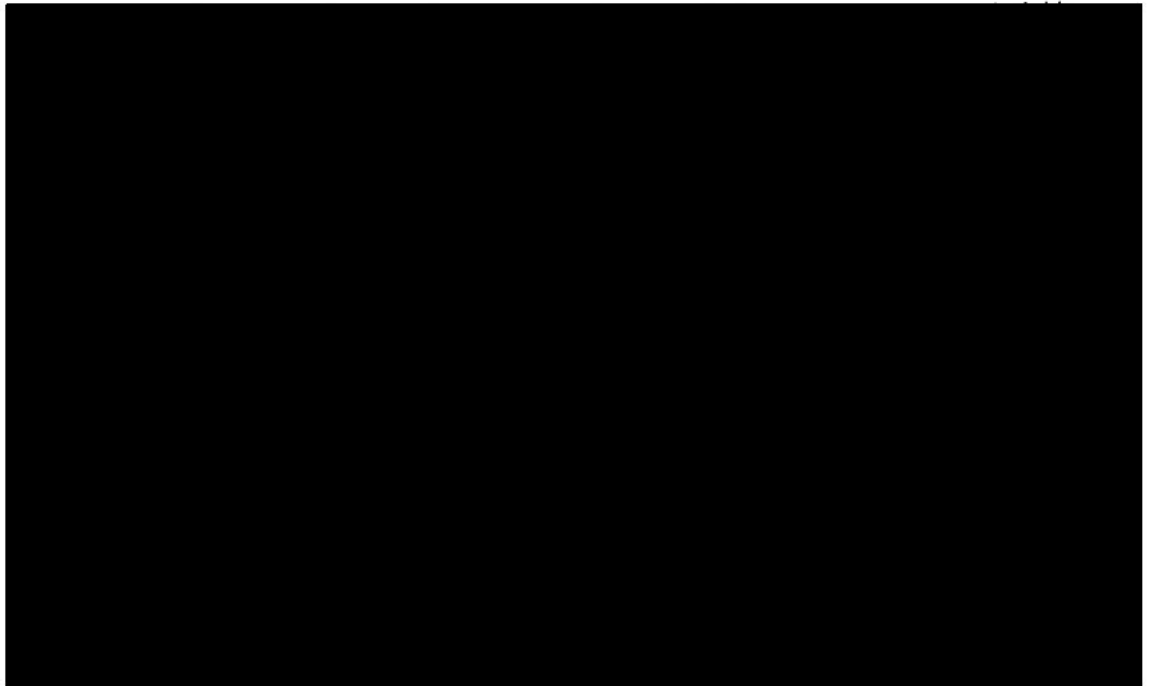
Members considered an Executive note outlining a range of options for engagement with the public and other stakeholders over the next 18 months. The context for the various options proposed was set out, together with a non-exhaustive list of events to which the



BAI could contribute or which the BAI could facilitate. The proposed approach sought to identify and appeal to a range of stakeholders and a variety of demographic groups. Following detailed discussion of the options presented, it was agreed that one large scale and one small scale event would be piloted to gauge the effectiveness of the approaches. It was further agreed that both approaches would be reviewed and, based on the feedback received, that a range of other events would then be considered for incorporation into the workplan over the next 18 months.

It was clarified that the proposals for public conversations were separate from the day-to-day public relations activities of the BAI.

**d. Section 69(6) Recording & Storing of Programme Material by the Holder of a Sound Broadcasting Contract**



**3. Contractual Variations**

**a. Red FM: Appointment of CEO and Financial Controller**

The Authority considered a request received from Red FM regarding the appointment of Ms. Fiona D'Arcy to the Board of Red FM and the appointment of Mr. Diarmuid O'Leary as Chief Executive of the service. It was noted that Ms. D'Arcy who was previously the CEO of Red FM was stepping back in her role in order to take up the Financial/Operations Director position, one which she had previously held with the company.



As no issues arose under the BAI Ownership and Control Policy, the Authority was satisfied to approve the request, as submitted.

#### **4. Organisational Matters**

##### **a. BAI Resources**

*All members of staff, with the exception of the CEO and Deputy CEO, recused themselves from the item under discussion.*

Members considered a proposal from the chief Executive to extend the current outsourced positions in the BAI for a further period of 18 months from 1<sup>st</sup> July 2013 to 31<sup>st</sup> December 2014. The purpose of the proposal was for two principal reasons—to assist in the continued delivery of the workplan and to support the fulfilment of the BAI's governance obligations.

Members noted the rationale for the retention of each of the outsourced positions; the duration of the proposed extensions and the estimated cost of the proposal over the period in questions.

Following discussion, the Authority was satisfied to approve the extension of all of the outsourced positions until the 31<sup>st</sup> December 2014.

##### **b. Protocol for the use of the BAI Seal in the case of Broadcasting Funding Scheme Contracts**

Members considered a note outlining the protocol for the use of the BAI seal and a proposed change to the protocol in respect of contracts signed under the Broadcasting Funding Scheme. Members considered two options in respect of a revised protocol, both of which had been developed by the Executive in consultation with the BAI's internal auditors. Following discussion, it was agreed that the first option outlined in the Executive note should be adopted subject to a revision requiring the minimum authorisation for all contracts under €25k to include a Senior Manager.

#### **5. Date of Next Meeting**

The next meeting of the Authority will be held on Friday, **5<sup>th</sup> April** at 9.30am in the BAI offices.

**Bob Collins,  
Chairperson**

**29<sup>th</sup> April, 2013**