



# Minutes of Meeting of the Authority of **Broadcasting Authority of Ireland**

**Date** 20/05/2013 **Time:** 9.30am **Venue:** 2-5 Warrington Place, Dublin 2

## Minutes

### Attendance

**Board:** Bob Collins (Chairperson), John Waters, Colum Kenny, Michael Moriarty, Paula Downey, Larry Bass, Michelle McShortall

**Apologies:** Maria Moloney, Siobhán Ní Ghadhra

**Executive:** Michael O'Keeffe, Celene Craig, Aoife Clabby, Diarmaid Breathnach, Margaret Tumelty

### 1. Policy

#### a. Five Year Review of Public Funding

Members considered a paper drafted by the Chairperson the aim of which was to reflect the discussions and decisions of the Authority in respect of the five year review of public funding at its meeting on April 29<sup>th</sup>. Members were asked for their views in relation to the paper and whether they were satisfied to approve the paper, as drafted.

A number of points of discussion and clarification arose and consequently some minor amendments to the draft document were proposed and agreed. The amendments proposed were primarily concerned with providing additional context for the Authority's views and enhancing the structure and layout of the information contained in the paper. It was also agreed that the document would benefit from being prefaced by an Executive summary, setting out key considerations, related recommendations and conditions attaching.

Overall the members expressed their broad satisfaction with the document as drafted. It was agreed that it adequately conveyed the complexities surrounding issues of public funding and appropriately positioned the Authority's observations and recommendations within its statutory remit and the broader cultural, social and policy contexts.

One member requested that an additional section would be included in the report proposing that further policy consideration be given by Government to the model by which Irish language television is currently provided and operated. Following discussion, it was agreed that the inclusion of such a paragraph would not reflect the views of the majority of



the members and it would therefore not form part of the Authority's final recommendations to the Minister.

The members unanimously accepted the observations and recommendations contained in the document in respect of RTÉ, in addition to the recommendations pertaining to the change in approach to public funding and a proposal for legislative change in respect of responsibility for the regulation of advertising minuteage across the broadcasting sector, as had been agreed at the previous meeting. The observations and recommendations in respect of TG4 were supported by a majority of the members.

It was agreed that both the Crowe Horwath report and the Authority's recommendations would be presented to the Minister at an early date. It was also noted that there would be a process of engagement with both PSBs to ensure that no commercially sensitive information would be contained in the final report to be laid before the Houses of the Oireachtas, while striving to keep any redacted elements to the minimum possible.

**b. Commercial DTT: Ratification of Consultants**

Members were informed that four submissions had been received in response to a call for tender to review the potential for the licensing of DTT multiplexes to be operated on a commercial basis. The submissions received were reviewed and assessed in accordance with the criteria specified in the request for tender. The assessment was undertaken by the Executive staff members who will be working on the project. The contract was awarded in principle to Oliver & Ohlbaum Associates, subject to the 14-day standstill period mandated under the procurement process.

The appointment of Oliver & Ohlbaum as consultants to the project was ratified by the Authority.

## **2. For Information**

**a. Sectoral Impact Assessment; Departmental Request**

Members were apprised of a request received from the Department of Communications, Energy and Natural Resources, on behalf of the Minister, to conduct a sectoral impact assessment (SIA) of the proposed changes to the RTÉ Two HD service, in accordance with the provisions of section 100 of the Broadcasting Act 2009.

Given the speed with which the Minister wishes to deal with the matter, the Authority was advised that a derogation from the BAI Procurement Policy had been invoked and that Mr.



Rob Kenny of Communications Chambers had been appointed to undertake the SIA. It was noted that the outcomes of the SIA were scheduled for consideration at the July meeting of the Authority.

### **3. Date of Next Meeting**

The next meeting of the Authority will be held on Monday, 10<sup>th</sup> June at 9.30am in the BAI offices.

A handwritten signature in blue ink, appearing to read 'Bob Collins', is written over a horizontal line.

**Bob Collins,  
Chairperson**

**10<sup>th</sup> June, 2013**