



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

Date 26/02/2015 Time: 11.00am Venue: 2-5 Warrington Place, Dublin 2

## Minutes

### Attendance

**Authority:** Pauric Travers (Chairperson), Alan McDonnell, Claire Duignan, Grace Smith, Rosemary Day, Denis Wolinski, Seán Ó Mórdha, Maeve McDonagh (Conference Call),

**Apologies:** Séamus Martin

**Executive:** Michael O'Keeffe, Celene Craig, Aoife Clabby, Ciarán Kissane, Neil O'Brien, Stephanie Comey, Clare O'Sullivan.

### 1. Minutes of Previous Meeting

Minutes of the previous meeting of the Authority, held on 26<sup>th</sup> January, 2015, were approved by the members and signed by the Chairperson.

### 2. Matters Arising

#### a. Membership of the Authority and Statutory Committees

At the outset of the meeting, the Chairperson welcomed those members of the Authority who had been appointed through the Joint Oireachtas Committee selection process and invited each member of the Authority to introduce themselves.

The Chief Executive advised that the appointments to the Compliance Committee had been approved by Government, while appointments to the Contract Awards Committee were still awaited.

■ [REDACTED]

[REDACTED]

[REDACTED]

#### c. Annual Meeting with TV3

The Chief Executive informed the members that the annual meeting between TV3 and the BAI Executive had taken place on January 23<sup>rd</sup> and advised that key issues arising would be presented for information at the next meeting of the Authority.



**d. Award of Contract for the Provision of Financial Accounting Oversight Service to the BAI**

Members were informed that, following the award of contract, Crowleys DFK had commenced their financial accounting oversight role with the BAI.

**e. Sectoral Learning and Development; BAI Sponsorship Scheme**

Members noted that a successful launch had taken place, promoting the BAI's Sponsorship Scheme and its Sectoral Learning and Development initiatives.

**f. Contractual Matters**

Members were informed that the supplemental contract with TV3 had been signed but that arrangements between the contractor and the satellite service provider remained to be finalised.

**g. Meeting Dates for 2015**

It was agreed that the 11a.m. start time for the meetings would continue, subject to review, if required. The Chairperson signalled a difficulty regarding availability for the May meeting and an alternative date of Monday May 11<sup>th</sup> was agreed.

**h. Induction Day**

Following discussion, members provisionally agreed a date of Tuesday April 21<sup>st</sup> for the Induction Day. It was further agreed that the Secretary would liaise with the Secretaries to the Contract Awards Committee and Compliance Committee regarding the availability of the committee members to attend and would revert, if required.

**3. Organisational Matters**

**a. BAI and Broadcast Fund Draft Financial Statements 2014**

The Authority was presented with draft unaudited financial statements for the Broadcasting Authority of Ireland and the Broadcasting Fund, for the year ended 31<sup>st</sup> December 2014, for its consideration. Members noted that the financial audit of the BAI by the C&AG was underway and that the drafted unaudited financial statements would be submitted to the Department by 28<sup>th</sup> February, in accordance with the requirements of the Code of Practice for the Governance of State Bodies.

A number of clarifications were provided to the members, in particular in relation to the BAI's budgeting process; the operation of the BAI Levy and interactions with broadcasters in this regard; [REDACTED] and, the notification received from the C&AG regarding the accounting framework for 2015.



Following discussion, the Authority was satisfied to formally ratify the BAI and Broadcast Fund 2014 draft financial statements 2014, as presented.

**b. Award of Contract: Provision of Facilities Management Services to the BAI**

Members were presented with a note detailing the outcomes of a tender process conducted in respect of the award of a contract for the provision of facilities management services to the BAI. Following consideration of the information provided, the Authority was satisfied to ratify the appointment of Aramark for a period of three years.

**c. Award of Contract: Media Research, Ownership and Control**

Members were presented with a note detailing the outcomes of a tender process conducted for the award of a contract to compile a report for the BAI on the ownership and control structures of media businesses in the State; the changes in such ownership and control over the past three years; and, the impact of such changes on plurality in the media.

Following consideration of the information provided, the Authority was satisfied to ratify the award of contract to Communications Chambers.

#### **4. Policy**

**a. Referenda Guidelines**

The Authority was asked to consider draft BAI Referenda Guidelines, further to rule 27 of the Code of Fairness, Objectivity and Impartiality in News and Current Affairs. Members considered the proposed content and related executive commentary.

A number of points of clarification were raised in respect of jurisdiction, monitoring for compliance, and the approach to the promotion of the Guidelines. A number of clarifications were sought in respect of matters related to the Guidelines and some wording amendments to aid clarity were suggested and agreed.

Following discussion, and subject to small number of minor amendments, the Authority was satisfied to approve the Guidelines, as proposed.

**b. Information Briefing on Public Service Broadcasting**

The Authority was provided with a comprehensive overview of the BAI's regulatory role in relation to public service broadcasting (PSB) in Ireland. The briefing encompassed a range of elements including the European background to funding of public service broadcasting and issues which arose in an Irish context; the Irish legislative framework for the regulation of PSBs;



the BAI's strategic and policy approach to PSB regulation, achievements to date and lessons learned; the experience of engagement with both RTÉ and TG4 in the implementation of regulation in this area; and, activities anticipated in 2015.

Following the presentation there was a wide ranging discussion in relation to a number of matters highlighted in the presentation. Further elaboration on the process of engagement with both PSBs was sought, together with a consideration of how this process could be further developed and advanced at both the Executive and Authority level. The Authority discussed in more detail its role in respect of the Annual Statement of Performance Commitments and Annual Reviews of Public Funding, in addition to considering other factors impacting on the regulation of, and public funding for, public service broadcasting in Ireland.

It was agreed that it would be extremely useful for the Authority to meet with the Board of each PSB with regard to the regulatory agenda and that this matter would be progressed later in 2015.

## **5. Contractual Matters**

### **a. Donegal Highland Radio Limited – Appointment of Managing Director**

Members considered a submission received from Donegal Highland Radio Limited (trading as Highland Radio), seeking approval for the appointment of Ms. Fionnuala Rabbitt as its new Managing Director. In considering the submission, the Authority had regard to an Executive consideration of the proposal, further to the relevant criteria in the BAI Ownership and Control Policy (2012).

The Authority was satisfied to approve the appointment, as submitted.

## **6. For Information**

### **a. Workplan 2014 – Outcomes**

A report detailing the work outcomes delivered in 2014, against the workplan for the year, was circulated to the Authority for information. Members were informed that revised proposals for 2015, including priority work areas, would be presented from approval at the April meeting.

## **7. Any Other Business**

Members were informed of the requirement, under statute, for the Authority to nominate four nominees; two Authority members and two members of staff, to the Contract Awards Committee and the Compliance Committee. In addition, Members were advised that one standing



committee of the Authority, the Finance Audit and Risk Committee also operated and nominations to this Committee were also being sought.

In this regard, the Chairperson requested that any member interested in serving on either statutory committee or the standing Finance, Audit and Risk committee would express their interest to the Chair over the course of the following week. Following the receipt of any expressions of interest proposals for nominations to the statutory committees and the standing committee of the Authority would be submitted to the Authority for ratification at the April meeting.

**8. Date of Next Meeting**

The next meeting of the Authority will be held on Thursday, 2<sup>nd</sup> April at 11.00am in the BAI offices.

A handwritten signature in black ink, appearing to read 'Pauric Travers', is written over a horizontal line.

**Professor Pauric Travers,  
Chairperson**

**2<sup>nd</sup> April, 2015**