



Minutes of Meeting of the Authority of Broadcasting Authority of Ireland

Date 11/05/2015 Time: 11.00am Venue: 2-5 Warrington Place, Dublin 2

Minutes

Attendance

Authority: Pauric Travers (Chairperson), Clare Duignan, Alan McDonnell, Grace Smith, Séamus Martin, Seán Ó Mórdha, Denis Wolinski, Rosemary Day, Maeve McDonagh (conference call).

Executive: Michael O'Keeffe, Celene Craig, Aoife Clabby (Secretary), Neil O'Brien, Clare O'Sullivan, Elizabeth Farrelly (item 2)

1. Minutes of Previous Meeting and Matters Arising

Minutes of the previous meeting of the Authority, held on 2nd April 2015, were approved by the Members and signed by the Chairperson.

There were no matters arising from the previous meeting of the Authority.

2. Codes & Policy

a. Effect of the General Commercial Communications Code: Draft Report

At the outset of the item, the Members were given a presentation on the BAI General Commercial Communications Code, including its evolution and scope. The process of reviewing the effect of the Code, as required under the Broadcasting Act was outlined. It was noted that the outcomes of the review would inform decisions in relation to any revisions to the existing Code and that the revisions would be the subject of a statutory public consultation.

Members then had regard to the outcomes of the review.

[REDACTED]

[REDACTED]



Following discussion, the Authority was satisfied to approve the draft report on the effect of the BAI General Commercial Communications Code, subject to a minor wording amendment. The Authority was advised that the review report would be submitted to the Minister for Communications, Energy and Natural Resources for laying before the Houses of the Oireachtas, after which time, it would be made publicly available.

3. Organisational Matters

a. BAI Finance, Audit and Risk Committee Members

Members considered an Executive note setting out proposals for the formation of the BAI's Finance, Audit and Risk Committee along with recommendations on its roles and responsibilities.

It was clarified at the outset of the discussion that the proposals circulated did not constitute the Terms of Reference for the Finance, Audit and Risk (FAR) Committee and that, subject to Authority approval, the aim was to update current FAR Terms of Reference to align with current best practice. Once revised, the Terms of Reference would be brought to the Authority for approval.

Following discussion, the Authority was satisfied to approve the proposed roles and responsibilities of FAR Committee members, subject to an amendment to include reference to the area of risk.

The Authority approved the recruitment process for the appointment of an external FAR member.

The Authority was satisfied to appoint Alan McDonnell as the Chairperson of the FAR Committee.

The Authority discussed possible dates for induction of the FAR Committee and agreed that this would require further consideration, in the context of the recruitment of an external member to the Committee. It was agreed that this would be pursued directly by the Executive with the FAR members.

b. Meetings with Stakeholders-Proposals

Members considered a paper addressing the proposed meeting with the RTÉ Board, scheduled for Tuesday May 19th in addition to a proposed approach to meeting with other key stakeholders. It was noted that the proposals made were in line with the BAI's strategic objective in this regard.



Members discussed and agreed its approach to meeting with the RTÉ Board and requested that the Secretary would liaise with the Secretary of the RTÉ Board in this regard.

The Authority went on to consider proposals in respect of meetings with other stakeholders and noted that a stakeholder engagement plan for the 2015/2016 period would be presented to the Authority in due course. The Authority discussed the approach of the previous Authority in this regard.

Following discussion, the Authority requested that a programme for meeting other stakeholders be developed by the Executive and that consideration be given to a number of the meetings taking place outside Dublin. The Authority further requested that a calendar of upcoming events, where the BAI has involvement or is a participant, would also be circulated at an early date.

4. Broadcasting Matters

a. Licensing-Briefing Note

The Authority was circulated with a briefing note and given a presentation on the BAI's approach to the licensing of broadcasting services. The material circulated gave an overview of the types of licensing activity undertaken, together with an overview of the framework of policies and processes underpinning licensing work and the respective functions of the Authority and Statutory Committees in respect of licensing.

It was noted that proposals for a new licensing plan would be brought to the Authority for consideration later in the summer.

5. For Information

a. Reports re RTÉ

Members were circulated with two reports emerging from the five year review of public funding for public service broadcasters; *Review of RTÉ for the Department of Communications, Energy and Natural Resources*, undertaken by the National Treasury Management Agency (NewEra), and *Indecon Economic Analysis of the Advertising Market in Ireland 2013*, undertaken by Indecon International Economic Consultants. It was noted that both reports had been independently commissioned by the Department of Communications, Energy and Natural Resources (DCENR) and that they would be made available to Oliver & Ohlbaum in the context of their work, on behalf of the BAI, on the annual reviews of public funding for TG4 and RTÉ. Clarification was sought regarding a second phase of work referenced in the NewEra report and it was agreed that the Executive would seek further information from DCENR on the matter.



b. Minutes of Compliance Committee

Members were circulated with minutes of the Compliance Committee meetings held on 10th November 2014 and 10th February 2015. It was noted the process of circulating minutes between the Authority, Compliance Committee and Contract Awards Committee would serve a useful information sharing purpose, while recognising the independent roles of the Authority and Committees.

6. Any Other Business

The Authority offered its congratulations to the Deputy Chief Executive, Celene Craig, on her nomination as Chairperson of the European Platform of Regulatory Authorities for a period of two years.

7. Date of Next Meeting

The next meeting of the Authority will be held on Thursday, 11th June, 2015 at 10.00am in the BAI offices.

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

**Dr. Pauric Travers,
Chairperson**

11th May, 2015