

### **APPENDIX 2 – STATUTORY DEFINITIONS**

**Broadcast:** means the transmission, relaying or distribution by electronic communications network of communications, sounds, signs, visual images or signals, intended for direct reception by the general public whether such communications, sounds, signs, visual images or signals are actually received or not;

**Broadcaster:** means a person who supplies a compilation of programme material for the purpose of its being transmitted, relayed or distributed as a broadcasting service (whether that person transmits, relays or distribute that material as such a service or not);

**Broadcasting Contract:** means a Contract entered into under section 63, 64, 68 or 70 of the Act;

**Broadcasting Service:** means a service which comprises of a compilation of programme material of any description and which is transmitted, relayed or distributed by means of an electronic communications network, directly or indirectly for simultaneous or near-simultaneous reception by the general public, whether that material is actually received or not, and where the programmes are provided in a pre-scheduled and linear order, but does not include:

- (a) A service provided in a non-linear manner where each user of the service chooses a programme from a catalogue of programmes, or
- (b) Other audio and audiovisual services provided by way of the Internet.

**Communications Media'** means:-

- (a) The provision of a broadcasting service,
- (b) The provision of a broadcasting services platform, or
- (c) The publication of newspapers or periodicals consisting substantially of news and comment on current affairs.

**Content Provision Contract:** means a contract between the Authority and a person whereby that person may supply a compilation of programme material for the purposes of its:

- (a) Inclusion as part of a multiplex;
- (b) The purpose of its being transmitted as a broadcasting service in the State, part of the State or elsewhere by means of an electronic communications network including a satellite network, a MMD system, a fixed or mobile terrestrial network, a cable television network, an internet protocol television network or any other form of electronic communications network.

**Electronic Communications Network:** means transmission systems including, where applicable –

- (a) Switching equipment,
- (b) Routing equipment, or
- (c) Other resources.

Which permit the conveyance of signals by wire, by radio, by optical or by other electromagnetic means, and such conveyance includes the use of –

- (i) Satellite networks;
- (ii) Electricity cable systems, to the extent that they are used for the purposes of transmitting signals;
- (iii) Fixed terrestrial networks (both circuit-switched and packet-switched, including the Internet);
- (iv) Mobile terrestrial networks;
- (v) Networks used for either or both sound and television broadcasting, and;
- (vi) Cable television and internet protocol television networks

Irrespective of the type of information conveyed.

**Multiplex:** means an electronic system which combines programme material and related and other data in a digital form and the transmission of that material and data so combined by means of wireless telegraphy directly or indirectly for reception by the general public.

**Multiplex Contractor:** means the holder of a contract entered into under section 131.

**Sound Broadcasting Service:** means a broadcasting service which transmits, relays or distributes, by wireless telegraphy, communications, sounds, signs or signals intended for direct reception by the general public whether such communications, sounds, signs or signals are actually received or not.

**Wireless Telegraphy:** has the same meaning as in the Wireless Telegraphy Act of 1926 which is: “wireless telegraphy means and includes any system of communicating messages, spoken words, music, images, pictures, prints, or other communications, sounds, signs, or signals by means of radiated electro-magnetic waves originating in an apparatus or device constructed for the purpose of originating such communications, sounds, signs, or signals.