



Minutes of Meeting of the Authority of Broadcasting Authority of Ireland

Date 25/07/2019 Time: 11.00am Venue: BAI Offices

Attendance

- Authority:** Pauric Travers (Chairperson), Alan McDonnell, Denis Wolinski, Grace Smith, Mary Curtis, Rosemary Day, Seán Ó Mórdha
- Apologies:** Maeve McDonagh, Vivien McKechnie
- Executive:** Michael O'Keeffe, Celene Craig, Andrew Robinson (Secretary), Anne O'Brien (item 2.1), Elizabeth Farrelly (item 2.2), Declan McLoughlin (item 3.1), Anne Louise O'Donovan (item 4.2).

1. Matters Arising

1.1 Minutes of Authority Meeting 27th June 2019

The minutes of the meeting of the Authority of 27th June 2019 were approved by the members and signed by the Chairperson.

Matters arising were as follows:

- a) **Environmental, Social & Governance Practice**
The Chief Executive advised members that Sustainability Works Limited were the successful tenderers for the Sectoral Sustainability Co-ordinator role. He advised that an initial meeting with representatives from Sustainability Works had taken place with a formal kick-off meeting scheduled for the coming weeks.
- b) **PSBs: Annual Statement of Performance Commitments for RTÉ and TG4 2019**
The Chief Executive advised members that the BAI response letter to TG4, outlining its observations on the broadcasters Annual Statement of Performance Commitments 2019, was circulated to the broadcaster on 10th July.
- c) **Raidió na Life Grant Income Issue re: Broadcaster Levy**
The Chief Executive advised members that the Executive was continuing its efforts to find a solution to the funding issues highlighted by Raidió na Life in respect of Aerthonnta, the Irish language informational website initiative funded under the BAI's Sectoral Learning & Development Scheme.
- d) **Contractual Variation – Proposed Acquisition of Clare FM and Tipp FM by Kerry Acquisitions Limited**
The Chief Executive noted that the proposed acquisition of Clare FM and Tipp FM by Kerry Acquisitions Limited, as approved by the Authority at its January 2019 meeting, would not be going ahead.



2. Promoting Plurality & Diversity

2.1 Sound & Vision 3 – Statutory Review

At its June 2019 meeting, the Authority considered the Mediatique Report on the Statutory Review of Sound & Vision 3, further to section 158(1) of the Broadcasting Act 2009. Subject to a number of minor amendments, the Authority was satisfied to endorse the findings and recommendations of the report.

At its July meeting, members were presented with a revised draft Mediatique report for approval. It was also presented with the draft BAI report to the Minister for Communications, Climate Action and Environment on the Review of the Operation, Effectiveness and Impact of Sound & Vision 3 which would accompany the Mediatique document.

Following discussion, the Authority was satisfied to approve both documents for submission to the Minister. In doing so, the Authority noted the success of the Scheme to date in delivering quality programming, supporting new talent and portraying the Irish experience at home and abroad in all its diversity. The Authority emphasised the importance of the Scheme to the role of the BAI and the significant impact it has had on the audiovisual sector and in the enrichment of broadcast schedules for Irish audiences.

The Authority agreed that a cover letter from the BAI, reflecting the comments as set out above, would accompany the review reports.

2.2 Development of new Sound & Vision Scheme

Members were presented with an Executive note setting out a draft programming Scheme which is intended to replace Sound & Vision 3 ("S&V3") when it expires at the end of 2019.

Members noted that the draft Scheme had been informed by the Mediatique review into the operation, effectiveness and impact of S&V3. Members noted that minimal changes were proposed to the Scheme document itself. The changes proposed by Mediatique were primarily concerned with the administration of the Scheme and reducing administrative burden on the BAI and applicants without sacrificing oversight and accountability.

Members noted the proposed changes to the draft Scheme document, including the digital first approach which would reflect the changing consumption patterns among younger audiences as they continue to move to online providers; consideration of the establishment of funding support schemes for the development of broadcasting, including local and community broadcasting; suggested enhancements to the ancillary measures elements of the Scheme; and the development of a standardised points system to inform the evaluation of applications and the feedback provided to an applicant.

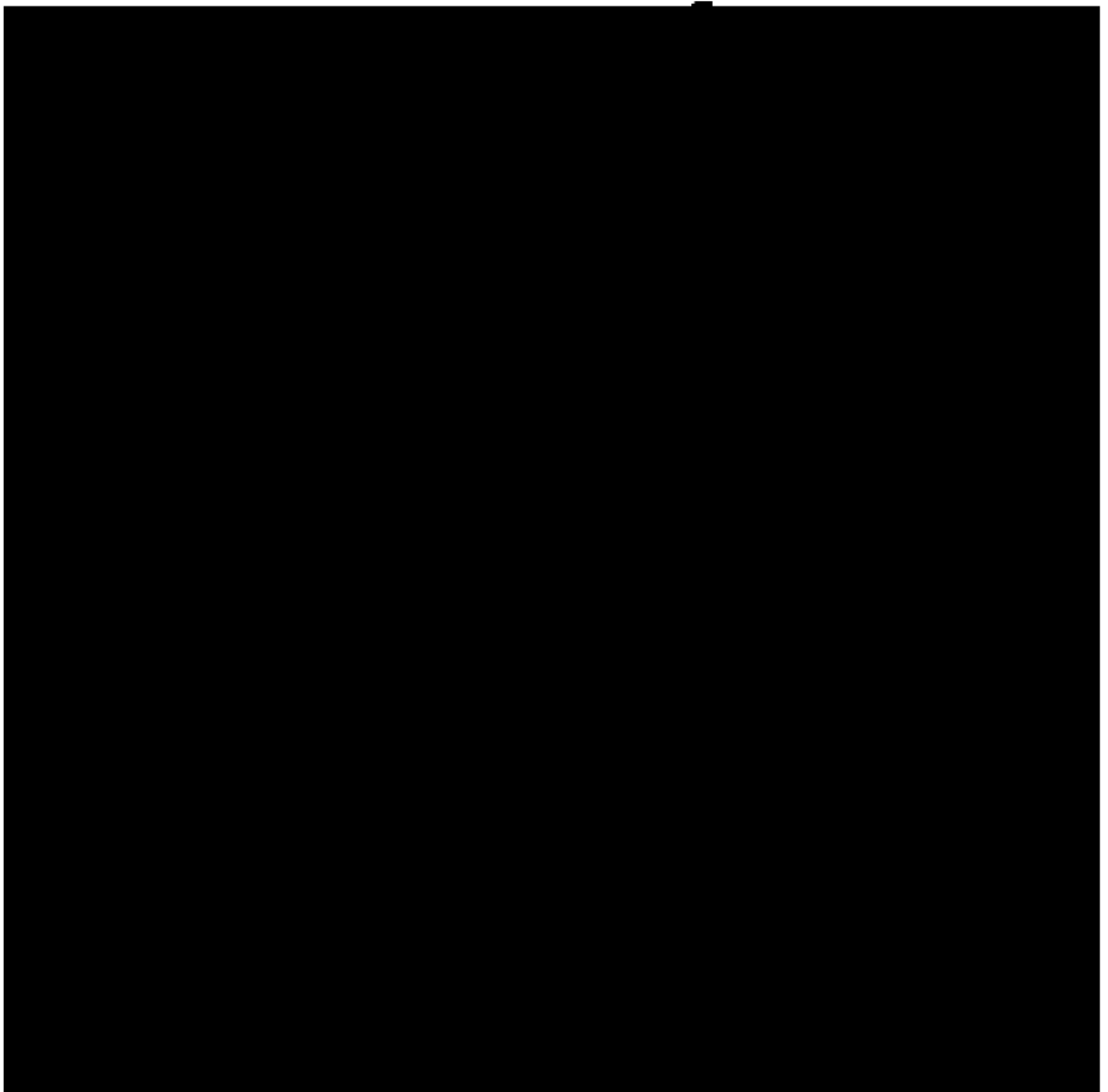
Following discussion, the Authority was satisfied to approve the draft Sound & Vision 4 Scheme for public consultation. It noted that the Executive will devise supporting documentation to provide contextual information for its development, including how the stakeholder's views were taken on

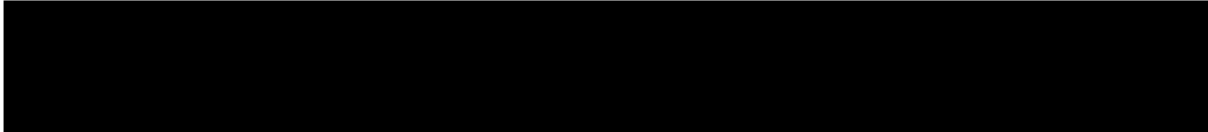


board and how the administration of the Scheme will be reviewed and improved. The Authority also agreed that the Chairperson would draft a foreword to accompany the Scheme document, outlining the Authority's continued vision for the Scheme and the key role it plays for both the BAI and the audiovisual sector more broadly.

The Authority noted that the public consultation on the draft Scheme would commence in the Autumn.

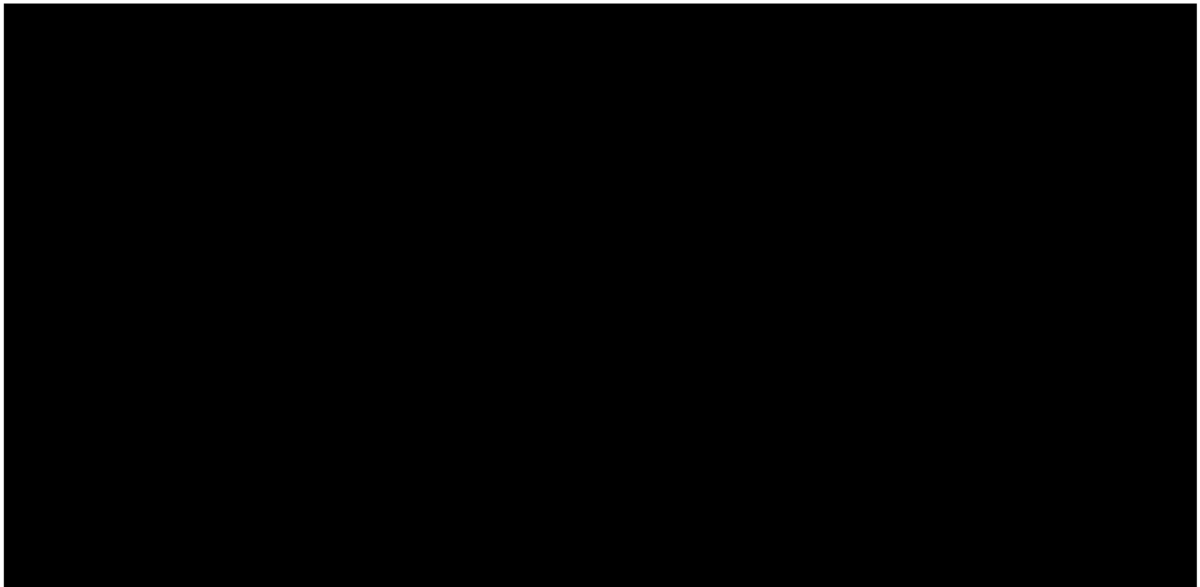
2.2 Licensing & Contractual Matters – Classic Rock Broadcasting Limited t/a Radio Nova





3. Empowering Audiences

3.1 BAI Children's Commercial Communications Code – Statutory Review



4. Achieving Excellence & Accountability

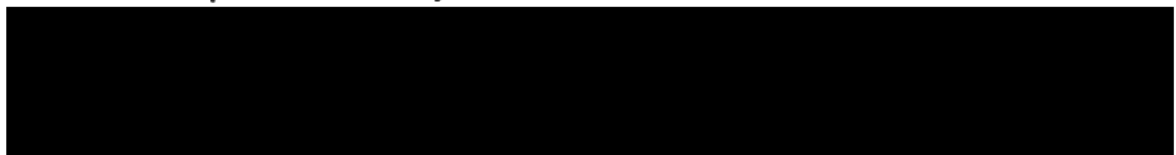
4.1 FAR Committee Annual Performance Assessment: Report to the Board

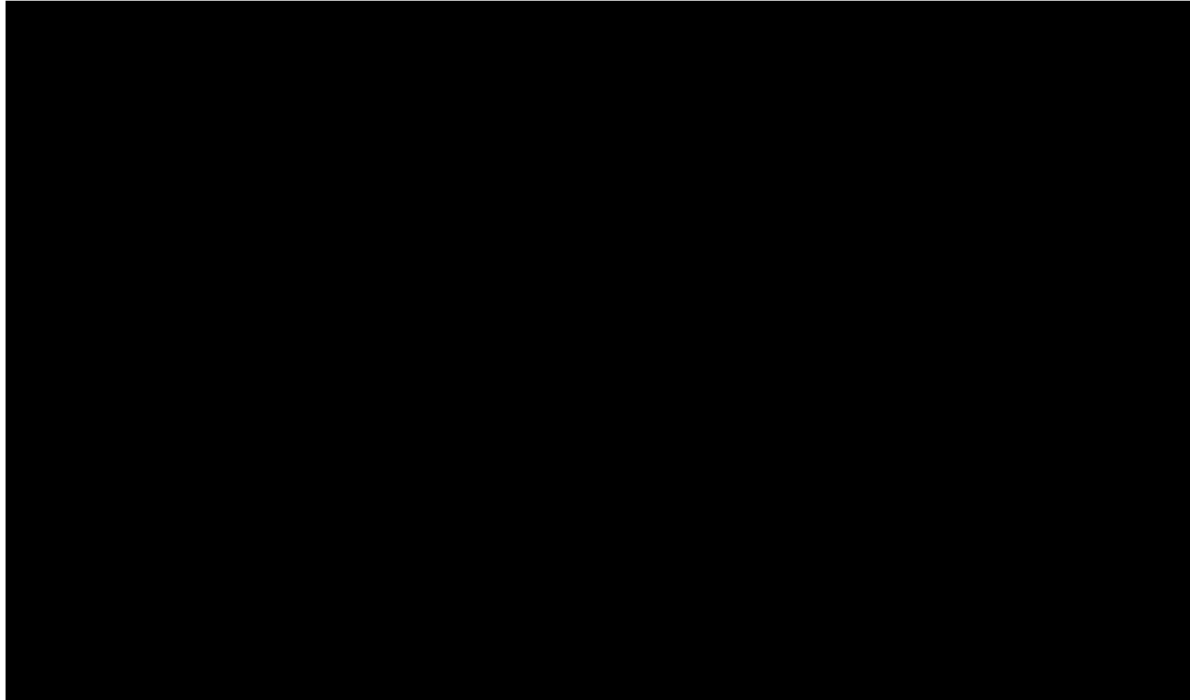
Members were presented with a report from the Finance, Audit and Risk ("FAR") Committee which recorded the issues arising, and actions to be implemented, in response to the 2018 FAR Committee Performance Assessment exercise.

The Authority noted that the report focused on the findings of the Performance Assessment exercise which concerned areas which were not deemed acceptable by respondents. The Authority expressed its satisfaction with the responses and, where relevant, the proposed actions arising.

In conclusion, the Authority reiterated its appreciation for the significant work undertaken by the FAR Committee on behalf of the Board.

4.2 Near FM response to Authority decision





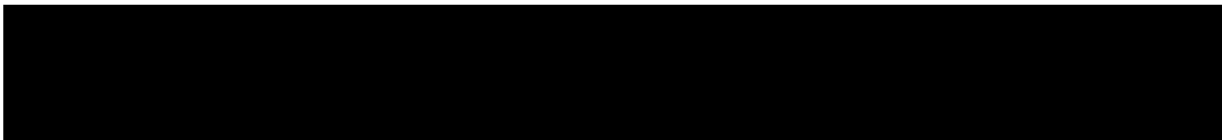
4.3 Risk Update

This is a standing agenda item. No issues arose at the meeting.

5. For Information

5.1 BAI response to Public Consultation on the Regulation of Harmful Content on Online Platforms and the Implementation of the Revised Audio-visual Media Services Directive VMSSD Update

The Chief Executive advised members that the Department of Communications, Climate Action and Environment had that morning published all submissions to its public consultation on the regulation of harmful online content and the implementation of the revised Audiovisual Media Services Directive. He noted that 84 submissions were received in total and these would be reviewed by the Executive over the coming weeks.



5.2 Minutes of the Contract Awards Committee Meeting, 15th April and 16th May 2019

Minutes of the Contract Awards Committee meetings, held on 15th April and 16th May 2019, were circulated to members for information.



6. Date of next meeting

The next meeting of the Authority will be held at **11am on Thursday 12th September** in the BAI offices.

A handwritten signature in black ink, which appears to read 'Paucic Travers', is written over a horizontal line.

**Professor Paucic Travers,
Chairperson**

12th September 2019