



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

Date 21/01/2021 Time: 10.30am Venue: Conference Call

## Attendance

**Authority:** Mary Curtis (Chairperson of Meeting), Alan McDonnell, Denis Wolinski, Grace Smith, Maeve McDonagh, Rosemary Day, Seán Ó Mórdha, Vivien McKechnie.

**Executive:** Michael O'Keeffe, Celene Craig, Andrew Robinson (Secretary), Anne O'Brien (item 4.1), Clare Diamond (items 5.1, 7.1), Declan McLoughlin (item 3.2), Elizabeth Farrelly (item 4.2), Fionnuala Murphy (items 4.3, 5.1), Jane McCarthy (item 7.1), Liam Boyle (item 6.1), Philip Cooper (item 4.1), Stephanie Comey (item 5.1).

## 1. Appointment of Chairperson of the Meeting

Following the expiration of the term of office of the BAI chairperson on 2<sup>nd</sup> December 2020, members discussed legal advice received [REDACTED] on the issue of appointment of chairs of meetings. Members noted that some aspects of the advice were unclear and it was agreed that clarification would be sought [REDACTED] on these matters.

In the absence of a chairperson and an interim chairperson, it was agreed that Mary Curtis would chair the meeting but such chairing would not be regarded as accepting a position of interim chair.

## 2. Matters Arising

### 2.1 Minutes of Authority Meeting 30<sup>th</sup> November 2020

The minutes of the meeting of the Authority of 30<sup>th</sup> November 2020 were approved by members.

Matters arising were as follows:

#### a) Welcome to returning Authority members

At the outset of the meeting, both the Authority and Executive expressed a warm welcome to the returning Authority members. The Chief Executive advised that the BAI had maintained ongoing representations on their behalf over 2020, eventually resulting in a positive outcome.

#### b) Contractual Variation – Eurasian Broadcasting Enterprise Limited

[REDACTED]

[REDACTED]



[REDACTED]

c) **Radio Licensing: Spirit Radio**

The Chief Executive advised members that the Contract Awards Committee is due to consider the Fast-Track Proposal for Spirit Radio at its March 2021 meeting?

d) **Sound & Vision: Upcoming funding rounds**

The Chief Executive advised members that two new Sound & Vision funding rounds would be launched in the coming fortnight. The first, an open round, will make funding of €6.9m available and will include a specific allocation of €1.4m for high-quality programmes that may help to address challenges being faced by the live music sector. The second round will have funding of €2.5m available in a special round to support the independent commercial radio sector in the production of programming which will strengthen public awareness and understanding of Covid-19.

e) **Audiovisual Media Services Directive and Harmful Online Content – Overview of Key Activities**

The Chief Executive advised members that the Executive note on the ongoing key activities of the BAI in the areas of the Audiovisual Media Services Directive and Harmful Online Content, presented to the Authority at its November 2020 meeting, would shortly be circulated to the returning Authority members.

He noted that the Executive would be very pleased to provide a more detailed briefing, or answer any queries arising, in respect of this work.

### **3. Achieving Excellence and Accountability**

#### **3.1 Executive Update on 2020 activities**

The Chief Executive presented members with an overview of the key activities undertaken in 2020 in furtherance of the BAI's Strategy Statement objectives. The presentation set out the key actions under each of the strategic themes and included progress updates in respect of the Broadcasting Funding Scheme, licensing, plurality, compliance and media literacy.

The Authority acknowledged the significant progress on the strategic themes, in what was a particularly challenging year. The Authority agreed that the presentation would be circulated to members following the meeting.

#### **3.2 Risk Update**

Members were presented with an Executive update on the BAI's risk profile and Corporate Risk Register which were presented to the Authority at its November 2020 meeting.



On the issue of Sound & Vision funding, the Authority noted the significant additional funding coming from the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media in recent months for Covid-19 related initiatives. It agreed that it may be appropriate for the FAR Committee to review financial structures in order to reflect this additional level of funding. The Authority also raised the issue as to whether the annual internal audit exercise could take a particular focus on this issue and requested that the FAR Committee further consider this matter.

### **3.3 Dates for Authority Meetings 2021**

Members were presented with an Executive note setting out proposed dates for Authority meetings in 2021. The Authority agreed that it would revert to the Executive if any of the proposed dates presented any concerns.

## **4. Promoting Plurality & Diversity**

### **4.1 Broadcasting Funding awards for Sound & Vision Round 37**

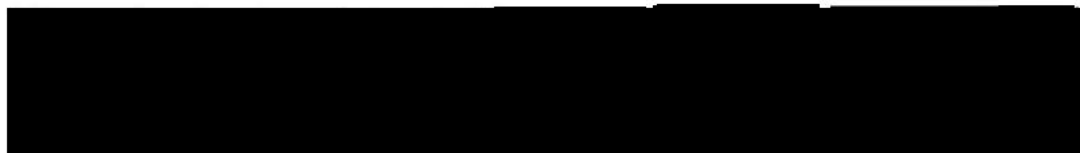
Members considered an Executive note seeking Authority approval for an increase of €1m in the funding allocation for the most recent round of Sound & Vision.

Members noted that, in November 2020, the Authority considered and ratified recommendations for Rounds 36 and 37 of the Sound & Vision Scheme. Subsequent to that ratification process, on 21<sup>st</sup> December 2020, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Catherine Martin, TD, announced additional funding support of €4.59m for the broadcasting sector under the Sound & Vision funding schemes. Of this, €1m was to be allocated to projects which had been submitted under Round 37, with a view to providing further additional support to the independent production sector.

Members noted that, in accordance with the Minister's request, it was being asked to ratify the award of €1m in funding for three additional Round 37 projects, these being the next in line for funding at the strategic assessment phase.

Following discussion, the Authority was satisfied to ratify the award of additional funding as set out in the Executive Note, noting that the total allocation of funding awarded under Round 37 now totalled €5.58m.

### **4.2 Contractual Variation: 98FM**

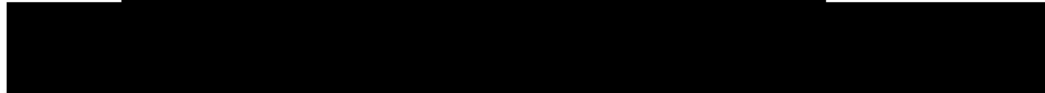




[REDACTED]

[REDACTED]





#### **4.3 Irish Language Action Plan: Progress Update and 2020 Report of the Irish Language Advisory Committee**

Members were presented with an Executive Note which provided an overview of the main actions progressed during 2020 in the implementation of the BAI's Irish Language Action Plan.

Members noted that the Irish Language Action Plan was published in 2019 and set out a number of planned activities in support of the promotion and stimulation of the development of Irish language programming and broadcasting services in the Irish audio-visual industry. Members noted that the Plan outlines a range of objectives for the BAI in respect of the Irish Language, including the exploration of partnership opportunities with key Irish language organisations with a view to jointly supporting Irish language development. The Irish Language Advisory Committee ("the Committee") was set up to further this objective and to help drive implementation of the Plan in consultation with a range of Irish language stakeholders.

As set out in the Irish Language Advisory Committee Report, members noted that the Committee worked to progress a variety of initiatives to support Irish Language development in the audio-visual sector through 2020. Outside of the work of the Committee, other areas of the BAI Plan were supported by BAI activities such as Sectoral Learning and Development and Sound & Vision.

Following discussion, the Authority expressed satisfaction with the significant progress in the implementation of the Irish Language Action Plan, and particularly with regard to the work of the Irish Language Advisory Committee as set out in its report. It acknowledged the work of the BAI's Irish language team for its efforts in the progression of the Plan.

With regard to the assessment of specific Irish language commitments as part of the Irish Language Data Collection report, the Authority commented that an extrapolation of Irish language commitments on non-Irish broadcasters may prove to be quite insightful. It requested that the Executive further considered this matter.

#### **4.4 Ratification of Contract Awards Committee recommendations**

##### **Section 68 – Temporary Licence Applications**

Further to the provisions of Section 68(1) of the Broadcasting Act 2009, the Authority was satisfied to ratify the recommendations of the Contract Awards Committee in respect of the following temporary sound broadcasting services:

- Lissadell Under The Stars Drive-In Movie Theatre (Illogical Events Limited), and



- Bang FM (Institute of Technology – Tralee).

## **5. Enhancing Innovation and Sectoral Sustainability**

### **5.1 Sectoral Learning and Development: Review of 2020 Activities and proposals for 2021**

Members considered an Executive note, detailing sectoral learning and development activities carried out in 2020, together with proposals for activities and budget allocations for 2021.

Members noted that a central element in the BAI's work in Sectoral Development is the provision of funding to a range of industry networks and broadcasters to support various training, learning and development activities. Through these activities, the BAI has created innovative and strategic alliances and promoted a culture of learning and development in the broadcasting sector.

Members noted that the Covid-19 pandemic presented significant challenges for the broadcasting sector in 2020. As a result of levy waivers for the industry, and the resulting funding shortfall for the BAI, the Authority approved revised Sectoral Learning & Development budgets at its meeting on 21<sup>st</sup> May 2020. The budgetary reductions and the impact of Covid-19 resulted in a curtailed work programme and some adaptation in the delivery of events and training programmes.

To support and sustain Sectoral Learning and Development initiatives, members noted the proposal to restore proposed budgets to previous levels with a proposed total funding budget of **€491,500** for disbursement in 2021. In addition to programmes designed to work around the challenges set by Covid-19, there will be an ongoing focus on Gender Balance, Environmental Sustainability, Diversity, Inclusivity and the Irish Language in 2021.

Following discussion, the Authority was satisfied to approve the proposed activities and related budgets for 2021, as presented. In doing so, the Authority commended the work of both the Executive and industry stakeholders in overcoming the challenges brought about by the Covid-19 pandemic in 2020.

The Authority also noted the value of such initiatives and agreed that notification of these activities should be more broadly communicated to BAI stakeholders. It agreed that the Executive would be asked to explore the further utilisation of the BAI website and social media to highlight upcoming BAI supported events, conferences, and other opportunities to a broader audience.

## **6. For Information**

### **6.1 The Future of Media Commission Public Consultation: BAI Submission**

Members were provided with a copy of the BAI submission to the Future of Media Commission Public Consultation, established to examine the future of the media in Ireland.





The Chief Executive advised members that the BAI Executive also had a very positive meeting with the Commission which was promptly progressing with its work.

The Authority acknowledged the well-developed submission, noting that many of the issues under consideration had a particular relevance to the work of the BAI. It agreed that the work of the Commission would be kept under active consideration, particularly when the Commission are developing its recommendations.

## **7. Any other business**

### **7.1 Appointment of Authority members to Statutory Committees**

The Chief Executive advised members that two Authority representatives would be required for each of the Contract Awards and Compliance Committees. He also noted an upcoming vacancy on the FAR Committee as the Chairperson, Alan McDonnell, will complete his second term on the Committee on 3<sup>rd</sup> April next.

Due to quorum issues, the Chief Executive noted a particular urgency in making the appointments at an early date. He asked members to revert with expressions of preference over the coming weeks, noting that a female and male representative would be required for each Committee.

In view of the fact that a meeting of the Contract Awards Committee was scheduled for 18<sup>th</sup> February, and the next meeting of the Authority would not take place until 25<sup>th</sup> February, the Authority agreed to delegate the decision on this occasion to the CEO and Deputy CEO. In doing so, the Authority was satisfied that this was in line with the approved procedures for decision making between meetings.

The Chief Executive noted that a note would be prepared for the Authority, outlining the decisions reached both in respect of Board and Executive nominees to the Committees and that these decisions would be formally recorded as decisions of the Authority at its 25<sup>th</sup> February meeting.

## **8. Recruitment update**

### **8.1 Appointment of Chief Executive**

*Appointment of Chief Executive (Executive attendees were Michael O'Keeffe, Andrew Robinson, Clare Diamond and Jane McCarthy)*

At a private meeting of the Board, members were presented with an Executive Note providing an update on the recruitment process for the role of BAI Chief Executive. The Chief Executive advised members that the Department of Public Expenditure and Reform



was shortly expected to approve the competition booklet and that the position would be formally advertised in the coming week.

The Chief Executive noted that PWC would be assisting in the recruitment process and it was expected that an appointment would be made by early April. He also noted that his own retirement date would be pushed out in order to facilitate a smooth transition of responsibilities.

The Authority identified a number of key responsibilities for the new Chief Executive, including a focus on the AVMSD and strong stakeholder management at a European level, and agreed that these would be reflected in the competition booklet. [REDACTED]

[REDACTED] At the meeting, the Authority also identified a number of potential external members for the Selection Committee which would be further considered by the BAI Executive.

**Mary Curtis**  
**Chairperson of Meeting**  
**25<sup>th</sup> February 2021**