



ÚDARÁS  
CRAOLACHÁIN  
NA hÉIREANN

BROADCASTING  
AUTHORITY  
OF IRELAND

# Annual Report 2021



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## About the BAI

The Broadcasting Authority of Ireland was established under the Broadcasting Act 2009 (“the Act”) on 1st October 2009. The Act sets out a range of general and specific objectives for the BAI and specifies that its constituent parts, in performing their functions, “shall endeavour to ensure:

- that the number and categories of broadcasting services made available in the State by virtue of this Act best serve the needs of the people of the island of Ireland, bearing in mind their languages and traditions and their religious, ethical, and cultural diversity;
- that the democratic values enshrined in the Constitution, especially those relating to rightful liberty of expression, are upheld; and,
- the provision of open and pluralistic broadcasting services.”

The Act also sets out a range of other objectives for the Authority, which includes:

- stimulating the provision of high quality, diverse, and innovative programming;
- facilitating public service broadcasters in the fulfilment of their public service objects;
- promoting diversity of control in the commercial and community broadcasting sectors; and
- providing a regulatory environment that:
  - sustains independent and impartial journalism;
  - sustains compliance with employment law;
  - protects the interests of children;

- facilitates a broadcasting sector which is responsive to audience needs and accessible to people with disabilities; and
- promotes and stimulates the development of Irish language programming and broadcasting services.

The BAI Annual Report 2021 is structured on the strategic themes of the BAI Strategy Statement 2021-2023 – Promoting Plurality and Diversity, Achieving Excellence and Accountability, Leadership in Change, Empowering Audiences, Enhancing Innovation and Sectoral Sustainability.

The BAI consists of the Authority, two statutory committees – the Contract Awards Committee and the Compliance Committee – and the Executive Staff. The Authority has appointed a standing committee (“The FAR Committee”) to oversee finance, audit, and risk matters. The BAI Executive supports the management, administration, and implementation of the functions of the Authority, Contract Awards Committee and Compliance Committee.

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## Chairperson's Statement

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I am very pleased to present the Broadcasting Authority of Ireland Annual Report for 2021. This is my first such statement as Chairperson of the Authority and it comes at a time of immense change for both the organisation and the media environment more broadly.

This is also the final annual report from the BAI as it is now constituted.

In the near future, the enactment of the Online Safety and Media Regulation Bill 2022 will see the dissolution of the BAI and the transfer of its staff and functions to Coimisiún na Meán.

The new regulator will be responsible for creating a new regulatory regime for audio-visual media services as well as having responsibility for online safety and the regulation of online platforms.

The preparation for this transition has been a key area of focus for the BAI over the past twelve months. When preparing our latest Strategy Statement, covering the period 2021 – 2023, we introduced a new overarching theme: Leadership in Change.

This theme ensures that the BAI continues to use its knowledge, experience and expertise to collaborate with national and international stakeholders in informing the future regulatory regime for broadcast and online platforms in order to meet audience and user needs.

As set out in this report, the BAI has been significantly engaged in the regulatory process for the development of the Online Safety and Media Regulation Bill 2022. This has included ongoing collaboration with the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media and engagement with the Joint Committee on Tourism, Culture, Arts, Sport and Media as part of its pre-legislative scrutiny of the Bill.

The BAI made a number of written submissions to the Future of Media Commission which was tasked with considering the future of public service media and public service content in Ireland.

The BAI has also been undertaking preparatory work in anticipation of a number of forthcoming European legislative initiatives, including the Digital Services Act and the European Media Freedom Act, as well as contributing to the work of our European networks, ERGA and EPRA.

While acknowledging the significant changes ahead, the Authority has been keen to ensure that it did not lose focus on its own regulatory responsibilities and objectives.

Particular emphasis in 2021 was given to supporting a financially sustainable broadcasting industry, promoting a plurality and diversity of voices and outlets in Irish media, and fostering culturally relevant quality content for Irish audiences.

Ireland is very fortunate in having an excellent and vibrant broadcasting sector which continues to deliver diverse and high-quality programming to listeners and viewers. The sector, comprising commercial, community and public service media, has performed admirably in responding to the challenges of the COVID pandemic and has been a crucial connection and source of information for audiences through this difficult period.

The results of the BAI-supported Reuters Digital News Report Ireland 2021 supported this view, finding increased levels of public trust in news in Ireland – at a time when disinformation is becoming an increasing concern. As set out in JNLR reports, radio listenership continues to be very strong across the country, demonstrating the enduring relationship of Irish citizens with this medium.

The BAI's Sound & Vision 4 Scheme continues to increase public access to high-quality radio and television programmes in the English and Irish languages while also supporting creativity and innovation in the sector. Over the course of 2021, the BAI allocated over €16m across 223 radio and television projects.

This increased funding was a result of additional finance secured by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Catherine Martin, T.D. For the first time, the BAI allocated funding to a special Live Music funding stream with the objective of supporting high-quality programmes relating to Irish culture, heritage and experience that also helped to address the challenges being faced by the live music sector. €2.7m was also allocated to provide support to the independent commercial radio sector to produce programming which would strengthen awareness and understanding of COVID-19. A focused funding round in 2021 supported social benefit activities in the independent community radio sector.

In addition to Sound & Vision funding, the BAI has also sought to improve regulatory practices in order to reduce regulatory burden and to support initiatives and events which support the achievement of enhanced viability for the Irish audio and audio-visual sectors.

All these activities aim to support the work of the Authority and its staff in contributing to the BAI's Vision of 'An Irish media landscape that reflects and shapes who we are.'. This Vision was also the focus of the BAI's previous Strategy Statement 2017 – 2019 under the stewardship of former Chairperson, Professor Pauric Travers.

I would like to express my sincere gratitude to Professor Travers whose term of office ended in December 2020. Over his six years as Chairperson, Professor Travers provided great leadership, guidance and support to his colleagues on the Board in the effective implementation of two Strategy

Statements while ensuring continued adherence to regulatory responsibilities. He facilitated a culture of respectful and open debate which I hope to continue over the final months of the BAI.

Finally, I would like to acknowledge the continued commitment of my colleagues on the Board and to recognise the support of Chief Executive Celene Craig and her staff in the ongoing delivery of the BAI's workplan.



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**Mary Curtis**  
Chairperson

## Chief Executive Review

This past year saw a continuation of many of the changes that took place in 2020, arising from the commencement of the COVID-19 Pandemic. The BAI, like many other public sector bodies, continued to discharge its statutory functions and operations on a remote-working basis, although plan for a return to the office on a hybrid-working basis became a more realistic prospect in the last quarter of the year.

Nonetheless, 2021 was a notable year in the BAI. The retirement of Michael O’Keeffe, the BAI’s long-standing Chief Executive, marked the end of an era. Michael was appointed to the role of Chief Executive of the Independent Radio and Television Commission in February 1991 and stayed at the helm of the IRTC and its successor organisations, the Broadcasting Commission of Ireland and the Broadcasting Authority of Ireland, until May of 2021. During his time in broadcasting regulation, he witnessed, and, indeed, led, significant changes in the broadcasting regulatory landscape, not least the introduction of licensing and compliance regimes for broadcasting services, the preparation of broadcasting codes and standards, oversight of public service broadcasters, and the establishment and operation of the Broadcasting Funding Scheme. We miss Michael as a much-valued colleague but wish him and his family well in his retirement.

Having worked collegiately with Michael for many years, it was an honour for me to take on the role of CEO following Michael’s departure, at a critical juncture in media regulation. In line with the Online Safety and Media Regulation Bill 2022, a new media regulator, Coimisiún na Meán, will be established and the BAI’s staff and functions will be transferred into the new regulator, once operational. I welcome the challenge of leading the BAI through this period of change to ensure a smooth transition to An Coimisiún and of assisting the Minister and her officials in establishing and operationalising the new regulatory body.

The Authority was delighted to welcome the appointment of Mary Curtis, one of its members, to the role of Chairperson, in late 2021, thereby providing consistency and continuity in the period of transition into which the BAI is facing. The Contract Awards Committee once again had a full complement of members when Ms. Helen Shaw joined the Committee in March of last year. The BAI’s two statutory committees – Contract Awards and Compliance – were very active throughout the year in pursuing their core statutory functions. The Contract Awards Committee licensed 29 radio/television services. There was an increase in the number of broadcasting complaints received in the year (148), with the Compliance Committee considering and determining complaints, further to a range of BAI’s broadcasting codes and rules.

2021 represented the first year of our new organisational strategy, the objectives of which reflected not only our core statutory functions and responsibilities, but also a new, key strategic objective – that of **Leadership in Change**.

In pursuit of our Plurality objective, the BAI’s statutory **Report on Ownership and Control of Media Businesses in Ireland 2018-2020** was submitted to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media in October 2021, and noted that media plurality in the State had improved over the period of the review. The BAI also continued to fund the inclusion of Ireland in the Reuters Digital News Report which was launched in June 2021 and provided an analysis of international and Irish trends in the online news audience, trust in news sources, and trends in paying for news. The BAI’s Sound & Vision Scheme had another significant year in 2021, with an increased level of funding (€16.3m) awarded to 223 radio and television projects over four funding rounds. Once again activity included open rounds, one with a dedicated funding stream for the live Irish music sector, as well as focussed rounds for the commercial and community radio sectors.

The BAI was pleased to continue to implement a range of activities under its Gender Action Plan, including the publication of two research reports – one in conjunction with our academic colleagues in NUI Maynooth and the University of Limerick, the second, in conjunction with Dublin City University. In pursuit of our strategic objective of Diversity, and particularly our commitment to increasing the level of Irish and bilingual programming in Irish broadcasting services, the BAI also published its first report on the levels of such programming on air, based on data collected from across the Irish broadcasting sector.

The COVID-19 pandemic continued to impact on the delivery of BAI's Media Literacy activities in 2021. Most of the engagement with stakeholders, particularly through the Media Literacy Ireland (MLI) network, continued to be delivered virtually, although, as in 2020, this facilitated an increased level of participation through 10 webinars, held across the year. Also through its MLI work, the BAI was delighted once again to promote the Be Media Smart campaign.

As referenced above, a new and central objective in the BAI's 2021-2023 Strategy is that of Leadership in Change and it formed a very significant aspect of our work in 2021, comprising both internal and external dimensions. The BAI seeks to position itself as a leader in the debate on policy development in the future legislative and regulatory framework for digital media services. From an internal perspective, the BAI seeks to lead staff in the transformation of the BAI and the smooth integration of its functions and resources into the new Media Commission.

Externally, we collaborated extensively with a range of stakeholders. We had significant engagement with officials in the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media arising from the publication of the General Scheme of the Online Safety and Media Regulation Bill in late 2020. Later in 2021, we commenced more extensive engagement with our Department colleagues in planning for the establishment and operationalisation of the new media regulator, Coimisiún na Meán. The BAI made two submissions to the Oireachtas Committee on Tourism, Culture, Arts, Sport and Media, the first in

March 2021, on foot of the Committee's invitation for submissions further to its pre-legislative scrutiny of the Bill. A second BAI submission on the Bill was made in July 2021. In May, representatives from the BAI attended a hearing of the Committee to discuss the Bill and its main provisions. The hearing also provided the BAI with the opportunity to set out its own regulatory activities and priorities, and to discuss the proposed regulatory framework for the new Media Commission.

Our engagement with the European Commission and our audiovisual regulatory colleagues in ERGA addressed a range of regulatory concerns about online platforms, such as disinformation and the practical implementation of the Audiovisual Media Services Directive. We also contributed extensively to the European Commission's legislative agenda for the regulation of digital platforms through the formulation of ERGA policy papers on the Digital Services Act (DSA) and the European Media Freedom Act (EMFA). Finally, the BAI welcomed the opportunity to contribute to the work of the Future of Media Commission (FOMC) through face-to-face engagement, as well as through several submissions across a range of areas pertinent to the Commission's remit. The BAI welcomed the submission of the FOMC Report to the Minister and looks forward to contributing to the implementation of the FOMC's recommendations, as recently approved by Government.

In conclusion, I wish to extend my sincere thanks to the BAI Chairperson, Mary Curtis, members of the Authority, and the Chairpersons and members of the Contract Awards, Compliance, and Finance, Audit and Risk Committees for their support and for giving generously of their time and expertise to the work of the BAI. Against a backdrop of very constrained resources and an ever-increasing workload, I also wish to thank the BAI staff for their continued commitment to delivering on the BAI's strategic and operational objectives and to the integrity that they bring to all the tasks on hand.




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**Celene Craig**  
Chief Executive



## The Authority

The Authority has overall responsibility for the operation and functioning of the BAI, which includes setting the strategic direction of the organisation. The Authority has nine members, five of whom are appointed by the Government on the nomination of the Minister. The four remaining members are appointed by the Government following a selection process conducted by the Joint Oireachtas Committee with responsibility for broadcasting matters.

The table below reflects the membership of the Authority and meeting attendance for 2021.

Member	Meetings
Ms. Mary Curtis	10/13
Mr. Alan McDonnell	13/13
Ms. Grace Smith	12/13
Mr. Seán Ó Mórdha	13/13
Mr. Denis Wolinski	12/13
Dr. Rosemary Day	13/13
Professor Emeritus Maeve McDonagh	11/13
Vivien McKechnie	11/13

The Authority's key responsibilities include the regulation of public, commercial and community radio and television services, the making of broadcasting codes and rules, and the provision of funding for programmes and archiving relating to Irish culture, heritage, and experience.

In January 2021, the Authority launched its new Strategy Statement 2021-2023, which will guide its work for the next three years. The strategy was informed by a comprehensive review of the effectiveness of the previous strategy; an extensive public consultation; and an in-depth assessment of the current context, both nationally and internationally.

As set out in this document, the strategy is set out under five key themes:

- 1) Promoting Plurality and Diversity,
- 2) Achieving Excellence and Accountability,
- 3) Leadership in Change,
- 4) Empowering Audiences,
- 5) Enhancing Innovation and Sectoral Sustainability.

Under each of the themes, a series of high-level strategic objectives are proposed, as well as the intended outcomes and associated key performance indicators.

## The Compliance Committee

The Compliance Committee is responsible for monitoring and enforcing compliance, investigation of complaints and has a number of reporting functions. The Committee consists of eight members; four of whom are appointed by the Government on the nomination of the Minister, while the remaining four are appointed by the Authority, comprising two nominees from the Authority members and two nominees from the BAI Executive.

The table below reflects the membership of the Committee and meeting attendance for 2021.

Member	Meetings
Professor Kevin Rafter (Chairperson)	9/9
Ms. Eileen Maher	8/9
Mr. Nigel Heneghan	8/9
Ms. Orlaith Carmody	8/5
Professor Emeritus Maeve McDonagh*	6/8
Ms. Mary Curtis*	5/8
Ms. Stephanie Comey	8/9
Mr. Andrew Robinson	9/9

\*Appointed 25th February 2021

In accordance with its functions, the Compliance Committee undertook a number of activities in 2021 which included:

- Determining the outcomes of complaints by members of the public against broadcasters in relation to their adherence to broadcasting codes and standards;
- Reviewing reports on compliance by television broadcasters with their obligations under the BAI Access Rules; and
- Consideration and approval of a report to the Minister on compliance by non-Irish broadcasters with the BAI's General Commercial Communications Code.

## Contract Awards Committee

The Contract Awards Committee is responsible for the implementation of licence application processes for broadcasting services. The Committee has eight members; four of whom are appointed by the Government on the nomination of the Minister, while the remaining four are appointed by the Authority, comprising two nominees from the Authority members and two nominees from the BAI Executive.

The table below reflects the membership of the Committee and attendance for 2021.

The main activities of the Contract Awards Committee in 2021 included:

- Implementation of licensing plans for commercial and community radio services as directed by the Authority;
- Consideration of applications for content provision contracts; and
- Consideration of applications for temporary and pilot community sound broadcasting contracts.

Member	Meetings
Mr. Ercus Stewart (Chairperson)	8/8
Mr. John Hogan	6/8
Ms. Clodagh O'Donnell	8/8
Ms. Helen Shaw*	5/5
Mr. Seán Ó Mordha**	6/7
Dr. Rosemary Day**	7/7
Ms. Clare Diamond**	8/8
Mr. Declan McLoughlin**	7/7
Ms. Anne Louise O'Donovan***	1/1

\* Appointed 30th March 2021

\*\* Appointed 25th February 2021

\*\*\* Term completed 31st January 2021

## Finance, Audit and Risk Committee

The Finance, Audit and Risk (FAR) Committee was established as a standing committee of the Authority. Its duties and responsibilities encompass systems of internal control, external and internal audit, risk management and financial control. The Committee's membership comprises three members of the Authority and an independent, non-executive member.

The table below reflects the membership of the Committee and meeting attendance for 2021.

Member	Meetings
Mr. Alan McDonnell (Chairperson)*	1/1
Ms. Vivien McKechnie (Appointed Chairperson April 2021)	4/4
Mr. Dermot O'Riordan (Independent Non-Executive)	4/4
Ms. Grace Smith	4/4
Mr. Denis Wolinski (Appointed April 2021)**	2/3

\*Term completed on 3rd February 2021

\*\*Appointed 3rd February 2021

The FAR Committee undertook a range of activities in 2021, which included:

- Oversight of the system of internal controls, including BAI and Broadcast Fund financial statements, external audit and internal audit;
- Liaison with the Office of the Comptroller and Auditor General and with Internal Auditors;
- Consideration of Internal Audit Reports; and
- Risk Management activities including oversight of BAI's Corporate Risk Register.

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## BAI Executive Staff

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The Executive staff supports the work of the Authority, its standing Finance, Audit and Risk Committee and the statutory Compliance and Contract Awards Committees. The BAI's work is guided by the Office of the Chief Executive, which consists of the CEO and Deputy CEO, and is supported by a team of senior managers who, in conjunction with the Office of the Chief Executive, also oversee the implementation of strategy and planning for the organisation as a whole. The BAI operates a matrix structure whereby staff work flexibly across all areas of activity according to business needs.

A list of all staff employed by the BAI on 31st December 2021 is outlined here:

### Office of the CEO

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Chief Executive:	Celene Craig
Deputy Chief Executive:	Vacant

### Senior Managers

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Stephanie Comey, Clare Diamond, Ciarán Kissane, Declan McLoughlin, Anne O'Brien, Neil O'Brien, Anne Louise O'Donovan, Andrew Robinson

### Managers

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Liam Boyle, Gillian Collins, Philip Cooper, Elizabeth Farrelly, Brian Furey, Patrick Goodliffe, Sarah Herron, Sally Kennedy, Jane McCarthy, Louise McLoughlin, Sara McNamara, Deborah Molloy Bergin, Fionnuala Murphy, Roger Woods

### Executive Officers

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Jill Caulfield, Colm Coyne, Lucy Cuddihy, Rachel Ferguson, Laura Forsythe, Teresa Kearns, Caroline Keville, Martina Mimmagh, Kevin Morgan, Marie Murphy, Sinéad Owens, Annette Stone, Deborah Wade

### Clerical Officers

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Barry Casey, Miriam Conlon, Katelin Fleming, Jennifer Gilsenan, Aoife Molloy, Jessica Scott

## BAI Strategy Statement 2021-2023

The BAI's Statement of Strategy 2021 – 2023 sets out the focus of its work over five overarching strategic themes and fifteen high-level objectives. The BAI's annual report on activities for 2021 is set out according to these themes, objectives, and related outcomes. All five themes are of equal importance and are directed towards the achievement of the BAI's strategic vision, which provides for

***An Irish media landscape that reflects and shapes who we are***

2021 marks the first year in a three-year Strategy period. While substantial progress has been made in implementing the strategic objectives in Year 1, some activities will take on a greater focus in Years 2 and 3.

The BAI progresses its strategic objectives through a range of statutory and ancillary functions which are set out in the annual report. Many of the activities are cross-cutting and contribute to a number of objectives at the same time. For example, the BAI has been able to utilise Sound & Vision funding to advance its own Diversity and Irish Language objective while also supporting financial sustainability for the Irish audio and audiovisual sectors. These are further elaborated in the document.





Strategic Theme 1

# Promoting Diversity and Plurality



Strategic Objective	Outcome
1. Facilitate a mix of voices, opinions and sources of news and current affairs in audio and audiovisual media which enhances democratic debate and active citizenship in Ireland.	The mix of voices, opinions and sources of news and current affairs content available for audiences is strong and trust in journalism is sustained and upheld.
2. Increase the production, availability and prominence of relevant audio and audiovisual content for all Irish audiences.	The range and sources of culturally relevant audio and audiovisual content, including content in the Irish language, available to audiences has increased.
3. Foster a media landscape that is representative of, and accessible to, the diversity of Irish society.	Irish audio and audiovisual media are more diverse in terms of content, those involved in its production and in on air presentation.
4. Foster and promote quality programming in the Irish language.	Quality Irish language content, including news and current affairs and content for youth audiences, is available on a variety of media.

The BAI undertakes a number of activities in support of the above. Key highlights in 2021 were:

## (A) Media Plurality

Plurality is a central theme of the BAI's Strategy Statement. Through its regulatory activities, the BAI aims to facilitate a mix of voices and opinions which ensures the plurality of media sources and enhances democratic debate. The work of the BAI in this area is underpinned by legislation and the BAI's Plurality Policy (2019) and Ownership and Control Policy (2019). In addition to ongoing licensing and compliance activities, the BAI undertakes a range of research and other activities that promote and shape debates about the plurality of the media in Ireland. Activities that support the achievement of this objective in 2021 are outlined below.

## Media Ownership and Control

The BAI delivered its Report on Ownership and Control of Media Businesses in Ireland 2018-2020 to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media in October 2021. The report details the ownership and control arrangements of media businesses in the State and describes the changes during the review period. The report also analyses the effects of such changes on the plurality of media in the State.

The report found that, at a national level, media plurality had improved over the period of the review. The report found a modest reduction in plurality at a local level due to the closure and consolidation of local newspaper titles during the review period. However, local radio news consumption remained strong, particularly during the COVID-19 pandemic.

The data contained in the report and the subsequent analysis undertaken was supported by the Media Ownership database ([www.mediaownership.ie](http://www.mediaownership.ie)), an online resource maintained by Dublin City University with funding provided by the BAI.

## BAI Licensing Activity

The licensing activities of the BAI also play a key role in supporting media plurality. The BAI endeavours to ensure that the number and categories of broadcasting services in the State best serve the needs of the people of the island of Ireland, bearing in mind their languages and traditions and their religious, ethical and cultural diversity. The framework for the formulation of licensing plans is set out in the **BAI's Broadcasting Services Strategy**. In 2021, the BAI licensed 29 services, comprising 21 temporary sound broadcasting contracts and eight television content provision contracts.





Cinematographer/Director Karina Costello and Geologist Cormac Mc Ginley behind the scenes in *The Burren: Heart of Stone*, produced by Sea Fever Productions Ltd, funded by the BAI Sound & Vision Scheme

## List of licensed services

### Temporary Sound Broadcasting Services

Digital Screen Display (Drive-In-Movies)	Rosses Radio
Gold Strand Events (Drive-In-Movies)	The Courthouse Gallery & Studios (Folk Radio)
Harrison Productions (Drive-In-Movies)	Oileáin FM (Sherkin Island Development Society)
Mayo Drive-In Movies	Bere Island Community Radio
Galaxy Movies Limited	Heartbeat FM Radio Services Ltd T/A Eden FM
Double R Media (Drive-In-Movies)	Christmas FM
Limerick City Community Radio	Blackrock College
Scariff Bay Community Radio	Cork Education and Training Board aka Juice FM
Kinvara FM	
Ballina Community Radio	
Finn Valley FM	
Donegal Sounds Community Radio	
Limerick City Community Radio	

Contractor	Service
Discovery Broadcasting Ireland Limited	<ul style="list-style-type: none"> <li>• Really</li> <li>• HGTV</li> <li>• Quest Red</li> <li>• DMAX</li> <li>• Food Network</li> </ul>
Premier Media Broadcasting Limited	<ul style="list-style-type: none"> <li>• BoxNation</li> </ul>
SIS	<ul style="list-style-type: none"> <li>• SIS Horseracing Europe</li> <li>• SIS Competitive Gaming</li> </ul>

## Contract Variations

An essential part of the BAI's operational work is the processing of contract variation requests submitted by licensed broadcasters who wish to amend specific aspects of their contracts. A majority of contract variations in 2021 related to ownership and control matters and the BAI facilitated 29 such requests during the year. One of the notable ownership and control proposals concerned the BAI's consideration and subsequent approval of the proposed acquisition of the Communicorp Group by Bauer Media Group in April. The services concerned were SPIN 1038, SPIN South West, Newstalk, Today FM and 98FM.

## Reuters Digital News Report

In support of its plurality objectives, in 2021, the BAI continued to fund the inclusion of Ireland in the Reuters Digital News study which aims to understand how global audiences consume news content and to track news consumption trends from year to year. The report includes an analysis of international and Irish trends in the online news audience, trust in news sources, and paying for news. The analysis of the Irish data is undertaken by researchers from the Institute for Future Media, Democracy and Society (FuJo) at Dublin City University.

The report found that 70% of Irish respondents said they were extremely or very interested in news, increasing five percentage points on the 2020 figures. The percentage of Irish respondents interested in news content is also higher than the EU average (60%), the UK (51%), and North America (54%). It also found that levels of public trust in news in Ireland had increased by five percentage points over the previous year, with 53% of respondents expressing positive levels of trust in the news media, agreeing, or strongly agreeing with the statement 'you can trust most of the news most of the time'.

## Tuairisc faoi Nuacht agus Cúrsaí Reatha as Gaeilge

The BAI-supported research report, entitled '**Nuacht agus Cúrsaí Reatha agus Pobal Labhartha na Gaeilge**', was published in June 2021. The research, undertaken by NUI Galway on behalf of TG4, sought to understand the views and attitudes of Irish language speakers and Irish language viewers towards the provision of news and current affairs available to them, with a particular focus on TG4.

The research found high satisfaction with the quality of news in Irish. It also found that Irish speakers would like to see investment in online news provision, investigative journalism and more extensive coverage of news and current affairs. The final report is available [here](#).

## EU Rule of Law Report 2021

The BAI again provided information for the European Commission's 2021 **EU Rule of Law Report**. The EU Rule of Law Report is an exercise undertaken annually that monitors the application of EU law and the protection of fundamental rights under the EU Charter of Fundamental Rights. The report, including 27 country chapters, presents an overview of positive and negative developments across the Member States in key areas for the rule of law, including the justice system, the anti-corruption framework, and media pluralism.

The BAI noted that the Irish chapter of the 2021 Report was again generally positive about Media Pluralism and Freedom in Ireland and about the BAI's role in this regard. The Chapter also noted positively the launch of the online media ownership database highlighted above.



Cait (Catherine Clinch) and Seán (Andrew Bennett) in *An Cailín Ciúin* produced by Inscéal Limited, funded by the BAI Sound & Vision Scheme

## (B) Increasing the availability of audiovisual content

### Broadcasting Funding Schemes

The objective of the BAI's Broadcasting Funding Schemes are to increase public access to high-quality television and radio programmes in the English and Irish languages and to fund the archiving of programme material made for broadcast, which preserves a historic record of Irish culture, heritage, and experience. The Schemes are financed from the Broadcasting Fund which comprises 7% of the annual net receipts from television licence fees.

The Schemes operating under the fund are Sound & Vision 4, which supports the funding of programming and ancillary measures and the Archiving Scheme 2, which provides funding for the development of an archiving culture in the Irish broadcasting sector which contributes to the preservation of Ireland's broadcasting heritage and experience.

As set out in this report, the Broadcasting Funding Schemes play a pivotal role in progressing a number of the BAI's key strategic objectives. While they increase the availability and visibility of culturally relevant and Irish language audio and audiovisual content for Irish audiences, they also support the enhancement of creativity and innovation and greater sustainability within the sector.

### Sound & Vision 4

The BAI ran four funding rounds of Sound & Vision 4 in 2021, allocating a total of €16.3m across 223 radio and television projects. This represented an increase of €1.6m over 2020 levels and was due to additional funding secured by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Catherine Martin, T.D. Details of the funding rounds in 2021 are set out below:

- **Round 38: An open funding round with total funding awards of €7.2m**

In addition to the allocation of €5.88m to support 96 radio and television projects, an additional €1.4m was awarded to four (4) radio and four (4) television projects under the Live Music Sector funding stream. This funding stream was designed to support high-quality programmes relating to Irish culture, heritage and experience that also helped to address the challenges being faced by the live music sector.

- **Round 39: A focused funding round with total funding awards of €2.7m to support the Independent Commercial Radio Sector**

This special round of Sound & Vision was designed to provide support to the independent commercial radio sector to produce programming which would strengthen public awareness and understanding of COVID-19. The funding awarded under Round 39 was the second such funding initiative for the independent commercial radio sector in response to the COVID-19 pandemic. Funding was allocated to all licensed commercial radio stations with successful projects covering a wide range of sources of information and educational content on the COVID-19 pandemic, including several initiatives in the Irish language.

The funding served the dual purpose of assisting the commercial radio sector through a difficult period and the researching, production and presentation of COVID-19 content specifically for their target audiences.

- **Round 40: An open funding round with total funding awards of €5.94m**

- **Round 41: A focused funding round with total funding of €516k to support social benefit activities of the Independent Community Radio Sector.**

Projects funded under the Social Benefit Community Radio Fund sought to facilitate significant training and development opportunities and to build the capacity of Community Radio services to better fulfil their social benefit objects. This was the second such funding initiative for the sector.

Over the four funding rounds completed in 2021, the BAI funded a wide range of programming which serves a diversity of audiences across TV and radio broadcasting. Diversity of audience is a key criterion in the assessment process, and this is reflected in the spread of programmes funded across audiences in the year.



## Breakdown for Radio/TV, Broadcaster Type, Audience and Programme Language 2021

TV/Radio	Number of Projects	Total Funds Awarded	%
Radio	169	€ 4,518,390	28
TV	52	€11,811,939	72
<b>Total</b>	<b>221</b>	<b>€16,330,328</b>	

Broadcaster Type	Number of Projects	Total Funds Awarded	%
Commercial	107	€6,307,397	39
Community	51	€1,036,110	06
PSB	63	€8,986,821	55
<b>Total</b>	<b>221</b>	<b>€16,330,328</b>	

Format	Number of Projects	Total Funds Awarded	%
Animation	3	€785,514	4.81%
Development	32	€3,088,827	18.92%
Documentary	101	€4,352,828	26.65%
Drama	29	€3,887,895	23.81%
Education	26	€840,852	5.15%
Entertainment	11	€3,374,410	20.66%
<b>Total</b>		<b>€16,330,328</b>	

Genre	Number of Projects	Total Funds Awarded	%
Arts/Culture	42	€2,770,174	16.96%
Children's	17	€2,521,170	15.44%
Covid 19 - Commercial Radio	32	€2,572,500	15.75%
Social Benefit - Community Radio	19	€516,327	3.16%
Contemporary society	48	€5,346,118	32.74%
History/Heritage	45	€1,131,759	6.93%
Media Literacy	3	€261,996	1.61%
Science/Nature/Environment	15	€1,210,282	7.41%
<b>Total</b>		<b>€16,330,328</b>	



Audience	Number of Projects	Total Funds Awarded	%
<15	17	€2,734,561.92	16.75%
15-34	10	€662,812.32	4.06%
35-54	11	€1,225,132.76	7.50%
All adults	148	€9,925,093.21	60.78%
Family	35	€1,782,728.42	10.92%
<b>Total</b>		<b>€16,330,328.63</b>	

## Radio

Channel Type	Number of Projects	Total Funds Awarded	%
Commercial	98	€3,316,520.42	73.40%
Community	46	€784,072.99	17.35%
PSB	25	€417,796.22	9.25%
<b>Total</b>		<b>€4,518,389.63</b>	

## Television

Channel Type	Number of Projects	Total Funds Awarded	%
Commercial	9	€3,316,520.42	73.40%
Community	5	€784,072.99	17.35%
PSB	33	€417,796.22	9.25%
<b>Total</b>		<b>€4,518,389.63</b>	

## Archiving Scheme 2

The second iteration of the Archiving Scheme ("Archiving Scheme 2") was launched in 2018. The purpose of funding archiving initiatives is to contribute to the preservation of Ireland's broadcasting tradition and to secure a record of Irish culture, heritage and experience by supporting the development of an archiving culture in the Irish broadcasting sector.

While no funding rounds were implemented in 2021, work commenced on the statutory review of the Scheme which is required every three years. The review will assess the operation, effectiveness and impact of the Scheme and is expected to be completed by mid-2022, with a further funding round opening soon after.

## (C) Diversity of Irish Society in the Broadcast Media

The BAI plays a central role in promoting increased representation of the diversity of Irish society in the broadcast media. Activities in this area explored partnership opportunities, events, training initiatives, funding opportunities and conversations with the industry to identify approaches to support greater diversity.

### The BAI Gender Action Plan

First published in April 2018, the BAI's Gender Action Plan addresses four key areas in promoting greater gender equality in the media sector as follows:

- data collection and publication;
- supporting research;
- encouraging gender initiatives; and
- accountability.

A number of gender related initiatives were undertaken during the year in support of the above, these are set out below.

### Creating a Diversity Data Collection Framework

One of the BAI's key actions in progressing our aim of increasing diversity in Irish media services concerns the development of a Data Collection Framework, with a view to providing transparent and accurate data on diversity on an ongoing basis. In 2021, the BAI undertook a significant amount of preliminary work to assess the potential development of such a Framework. Initial research highlighted the absence of an 'off-the-shelf' data collection system and the fact that the scale and complexity of developing and operating a unique

framework for Ireland was significant. Over the year, the BAI worked closely with a number of key stakeholders (including Screen Ireland, RTÉ, and the UK's Creative Diversity Network) to further explore how the development of such a framework might be progressed over the medium term, as part of a collaborative/partnership approach.

### Funding Diversity Research

In July 2021, the research report '**Auditing Gender & Diversity Change in Irish Media Sectors**' was published. The report examined how equality, diversity and inclusion policies and initiatives are promoted and implemented on the ground by Irish broadcasters, production companies, and professional organisations to generate a solution-centric discussion on diversity and inclusion in Irish media industries. The findings addressed the policies, perspectives, and practices that encourage diversity, creating a pipeline of diverse workers for the industry, leadership for change in the sector, and educating the industry to understand diversity and inclusion better. The report was authored by Dr Anne O'Brien, Maynooth University, Dr Susan Liddy, MIC, University of Limerick, and Dr Páraic Kerrigan, University College Dublin, and funded under the BAI's Media Research Funding Scheme.

A second BAI-funded research report examined diversity and inclusion in RTÉ during the early stages of the COVID-19 Pandemic. The research, entitled '**RTÉ and COVID-19 – Diversity and Inclusion and meeting public needs**', was conducted by Dr Eileen Culloty and Dr Colm Kearns from Dublin City University, with the cooperation of RTÉ's Diversity and Inclusion lead, Dr Zbyszek Zalinski.

The researchers analysed RTÉ's response to the pandemic between 1st March and 31st May 2020, conducting a content analysis of several RTÉ radio and TV programmes. The report found that the pandemic presented a unique opportunity to assess RTÉ's public service role and the extent to which diversity was reflected within such content.

The research concluded that RTÉ, as Ireland's largest public service broadcaster, has made significant progress in defining and promoting a strategic vision for diversity and that it is taken seriously by decision-makers in RTÉ.

These research initiatives were funded by the BAI under its Media Research Funding Scheme which provides funding to academics to conduct media related research on topical issues pertaining to the broadcasting industry.

## Encouraging Gender & Diversity Initiatives

Through its Sectoral Learning & Development programme, the BAI continued to support a number of events and activities in support of gender and diversity initiatives. In 2021, these included Elevator, the third iteration of the X-Pollinator project, and workshops on Creative Opportunities and on Aging and the Film

Industry which were hosted by Women in Film and Television Ireland. The BAI continued to provide network funding for Women on Air and Women in Film and Television. Further details on these initiatives are set out under the Enhancing Innovation and Sectoral Sustainability theme.

## Gender Action Plan review

In 2021, the BAI commenced a preliminary review of its Gender Action Plan which includes a detailed analysis of the objectives achieved under the four key areas outlined in the Plan. The review will be supported by independent research which will assess the impact of the Plan to date and set out recommendations for future iterations. The research will involve in-depth interviews with key stakeholders and is expected to be completed by mid-2022.



Tomás Hardiman, *The Days of Trees*, produced by Parzival Productions, funded by the BAI Sound & Vision Scheme





Launch of Auditing Gender & Diversity Change In Irish Media Sectors Report, funded by the BAI Sectoral Learning and Development Scheme

## Encouraging More Women in Key Creative Roles

The continuing BAI objective of encouraging more women to be appointed to lead creative roles in programmes funded by Sound & Vision, and the collection of data about this topic, continued to be effective in 2021.

The Scheme collects data from funded applications about women in a leadership role in audiovisual productions and includes the roles of Director, Producer, Writer, Editor and Director of Photography. With the exception of the Director role, there was a general increase in the percentage of women in key creative roles for successful audiovisual applications in 2021 when compared to 2020.

## Successful TV applications 2020 and 2021

	Producer		Director		Writer		DOP		Editor	
	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021
<b>Female</b>	45	42	23	18	29	23	5	10	26	34
<b>Male</b>	14	9	34	32	20	13	36	28	18	12
<b>Total Applicable</b>	59	52	58	52	50	37	51	45	57	51
<b>% of Women in Key Role</b>	76%	81%	40%	35%	58%	62%	10%	22%	46%	67%

Overall, the data indicates that the continuing BAI objective of encouraging more women to be appointed to lead creative roles in programme production continues to be effective.

## (D) Irish Language

### Irish Language Action Plan

The Irish Language Action Plan is a key deliverable under the BAI's strategic objective to 'foster and promote quality programming in the Irish Language'. The Plan sets out the key objectives and proposed activities in support of the promotion and development of Irish language programming and broadcasting services in the Irish audio-visual industry. The Plan addresses five key areas as follows:

- Supporting, developing and promoting Irish language programming and stations through Licensing and Broadcasting Fund initiatives;
- Fostering Irish Language partnerships;
- Supporting Research;
- Collecting Data; and
- Enhancing accountability processes, including compliance monitoring and reporting.



Dr Noel Browne in Connemara, The Seven Ages of Noel Browne, produced by Yellow Asylum, funded by the BAI Sound & Vision Scheme

The Plan's objectives are progressed through various work strands of the BAI, including Sound & Vision, the Archiving Scheme, the Sectoral Learning & Development Programme, Sponsorship Funding, and BAI Licensing and Compliance activities. Key activities undertaken in 2021 are highlighted below.

### Irish Language Advisory Committee

The Irish Language Advisory Committee aims to support the implementation of the BAI's Irish Language Action Plan, to foster co-operative partnerships and to develop and promote initiatives that will help increase the levels of Irish content available to audiences on both radio and television. The Committee is jointly chaired by the BAI and Foras na Gaeilge and comprises representatives from the BAI, Foras na Gaeilge, Oireachtas na Gaeilge, RTÉ, TG4, CRAOL, IBI and SPI.

Four meetings of the Committee took place in 2021. Over the year, it facilitated increased collaboration and enhanced information-sharing among Committee members in order to promote and make use of relevant funding schemes, publications, events and resources.

One of the ongoing activities of the Committee has been to progress developments relating to the potential for an Irish-language radio service for young people. By year end, the Committee had agreed to a research specification to further explore the potential for a hybrid radio model for the 15-34 age group. It is expected that this work will be progressed over the course of 2022.

### Funding of Irish Language Content

The BAI's Sound & Vision Scheme continued to play a pivotal role in delivering quality Irish language content for Irish audiences in 2021. Approximately 23% (c.€3.71m) of the funding awarded by the Authority in 2021 went to Irish language/bi-lingual projects covering a range of formats and genres in radio and television content, and serving both adult and youth audiences.

Format	Number of Projects	Awards
Development	1	€ 30,000.00
Documentary	13	€ 1,282,939.85
Drama	4	€ 1,038,111.00
Education	4	€ 532,744.23
Entertainment	6	€ 825,421.00
<b>Total</b>	<b>28</b>	<b>€ 3,709,216.08</b>

Genre	Number of Projects	Awards
Arts/Culture	7	€ 619,989.23
Children's	4	€ 1,242,817.00
Social Benefit	1	€ 30,000.00
Contemporary Society	8	€ 908,733.85
Science/nature/Entertainment	3	€ 485,883.00
<b>Total</b>	<b>28</b>	<b>€ 3,709,216.08</b>

Audiences	Number of Projects	Awards
<15	4	€ 1,242,817.00
15-34	2	€ 9,938.85
35-54	1	€ 125,000.00
All adults	14	€ 1,473,862.23
Family	7	€ 857,598.00
<b>Total</b>	<b>28</b>	<b>€ 3,709,216.08</b>

## Fostering Irish language partnerships

The BAI Sectoral Learning and Development Programme supports diversity initiatives, including those relating to the Irish language. In 2021, a new Commissioning and Mentorship fund, **Glúin Nua**, was launched by TG4 in partnership with the BAI, Northern Ireland Screen's Irish Language Broadcasting Fund, Údarás na Gaeltachta and Gréasán na Meán Skillnet. The initiative aims to provide a commissioning fund and mentoring support to support new talent in the Irish audiovisual industry.

Under the Scheme, production companies can develop and give mentorship to a new generation of storytellers, helping them to create innovative and original Irish-language content for audiences in the

16-34 age bracket. The content will have a digital-first release on TG4's online platforms and receive a subsequent linear broadcast where relevant.

## Encouraging more Irish Language Content

Work continued on the development of online resources for those broadcasting in Irish on radio stations throughout Ireland. In partnership with Oireachtas na Gaeilge, the BAI funds **Aerthonnta**, an online information service for broadcasters and listeners that provides weekly updates about events, broadcasting-related news and the main stories affecting the Irish language community.

There is an emphasis on publicising Irish-language programmes broadcast across the country on commercial, local, national and community radio stations. In addition, a new online database, Eolaire, provides a registration point for fluent Irish speakers interested in applying for broadcasting jobs in the Irish language.

These serve as a central access point for radio stations and broadcast teams, allowing them to connect with other stations and increase the visibility and availability of quality resources to assist them in making and broadcasting programmes in Irish.

To encourage broadcasters to use these resources and build their skills to support the development of more Irish language programming, the BAI and Oireachtas na Gaeilge organised a workshop for community broadcasters in Q4 2021 and a similar seminar for commercial broadcasters is planned for 2022.



Tomás Hardiman, *The Days of Trees*, produced by Parzival Productions, funded by the BAI Sound & Vision Scheme

## Collecting Data on Irish Language Content

This data collection project is another initiative undertaken by the BAI under its Irish Language Action Plan. The project seeks to collate data on an ongoing basis about the quantity and range of Irish and bilingual programming available to audiences and to identify opportunities for future development. It is hoped that the project will enhance industry and public awareness of this type of programming.

The project's first report was published in February 2021 and found that during the research period (seven days in October 2019), 718.93 hours of Irish language / bilingual programming was broadcast, comprising 1,075 programmes. Of the 1,075 programmes, 736 (68%) were broadcast on radio, and 339 (32%) were broadcast on television.

The most popular programme format on the radio was entertainment (57%), followed by factual programming (24%) and education (7.5%). In TV programming, the most popular format was animation (51%), followed by entertainment (19%) and factual programming (14.5%).

Over time, data collected will serve as a measuring and mapping tool for assessing the level of the Irish language and bilingual programming broadcast across various channels.



Strategic Theme 2

# Achieving Excellence and Accountability



Strategic Objective	Outcome
1. Regulate to achieve a responsible and accountable broadcasting sector	The BAI is a trusted regulator by all stakeholders. The broadcasting sector demonstrates strong accountability and responsibility.
2. Lead, model and promote high standards of environmental, economic, and social practice in line with the UN Sustainable Development Goals (SDG)	The BAI has established transparent practices and reporting mechanisms which demonstrate high engagement by the BAI with the UN SDGs. The BAI has facilitated the Broadcasting Sector in developing a Sustainability Network that demonstrates sound awareness of, and participation in, SDG practice.
3. Demonstrate and promote high standards of governance practice in line with the Code of Practice for the Governance of State Bodies (COPGSB).	The BAI has established transparent practices and reporting mechanisms which demonstrate a high level of compliance by the BAI with the COPGSB.
4. Improve regulatory practices to reduce regulatory burden.	Regulation is proportionate and serves the public interest.

Through its regulatory work, the BAI seeks to demonstrate high standards of governance practice and to role model these in all its activities. During the year, the BAI continued its focus on effective corporate governance and ensuring it remains in full compliance with the requirements of the 2016 Code of Practice for the Governance of State Bodies.

In modelling these governance standards, the BAI also seeks to regulate to achieve a responsible and accountable broadcasting sector.

## (A) Compliance and Accountability

### (i) Achieving a responsible and accountable broadcasting sector

Ensuring compliance by broadcasters with their statutory and contractual obligations is an important element of the BAI's work. The BAI's approach has been developed over many years, principally to monitor, encourage and promote a culture of compliance in the broadcasting sector and to provide safeguards for audiences. The results

of compliance work also inform other key BAI work areas such as awarding licences, developing broadcasting codes and rules, funding activities and providing valuable information about overall industry trends.

## Statutory Reporting

### Public Service Broadcasters

In addition to regulating the content on the Public Service Broadcasters (PSBs), RTÉ and TG4, through monitoring compliance with codes and rules and the complaints process, the BAI also has significant areas of regulatory oversight for these broadcasters, including the Annual Statements of Performance Commitments, Annual Reviews of Performance and Public Funding, a Five-Year Review of Funding for the PSBs and the completion of Sectoral Impact Assessments, when requested by the Minister.

A range of PSB compliance activities was completed in 2021, including the provision of feedback to both PSBs on their Annual Statements of Performance Commitments and the completion of the BAI Annual Review of Performance and Public Funding 2020, including public funding recommendations, which was submitted to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, in line with the BAI's statutory duties.



## 2020 Annual Review of Performance and Public Funding of RTÉ and TG4

The BAI reviewed the performance of both RTÉ and TG4 against their commitments and considered the adequacy of public funding available for both PSBs to meet their respective objectives. The review was undertaken by Mediatique, an external consultancy, and presented to the BAI in September 2021. The BAI supported the findings of Mediatique which concluded that:

- While not having succeeded in fulfilling all commitments as set out in their annual statements of performance commitments, both PSBs broadly met their targets and obligations in a difficult year, highly affected by COVID-19.
- The consultants concluded that the PSBs' existing strategies are robust and reflect market conditions and challenges.
- In terms of the overall format and makeup of the PSBs' Performance Commitments, the Authority noted both broadcasters' efforts to streamline their respective commitments and targets and welcomed TG4's radical reform of their performance commitments for 2020.

With regard to TG4, the review concluded that, overall, the broadcaster performed well in 2020. The BAI recommended a funding increase in 2021 of €57k per annum – being the recommended €6m funding over a five-year period, made by the BAI in 2018, adjusted for public funding increases committed in the 2018-2021 periods (€5.943m).

In the case of RTÉ, the review found that the broadcaster had performed well in 2020, hitting many of its audience, content and sustainability targets. The BAI recommended a funding increase of €19.5m – being the €30m per annum recommended by the BAI in 2018, less previous and planned public funding increases awarded by Government in the 2019 and 2020 periods.

## BAI Access Rules

**The BAI Access Rules** require public service, commercial and community broadcasters to meet subtitling targets, consult with user groups, and promote access to their services for people who are deaf, hard of hearing, partially sighted or blind. In addition, RTÉ and Virgin Media Television must also provide Irish Sign Language and Audio Description on some of their channels, while Oireachtas TV is also required to provide Irish Sign Language.

The BAI undertook a range of compliance activities during 2021 to assess broadcasters' compliance with the Access Rules. These included the monitoring of broadcaster output, and meetings with broadcasters and the User Consultative Panels to elicit their views on the quality and reliability of subtitles, audio description, and Irish Sign Language.

### Access Rules Report

In June 2021, the Compliance Committee of the BAI considered the annual Access Rules Report which assessed the performance of broadcasters and their compliance with the Access Rules.



Emma Ní Chearúil, My Tribe – Mo Threibh, produced by Mind the Gap Films, funded by the BAI Sound & Vision Scheme



Phoenix Masters Swim Club, An Cuan, produced by Oddboy Media, funded by the BAI Sound & Vision Scheme

The Compliance Committee was broadly satisfied with the performance of RTÉ, TG4, eir Sport, Oireachtas TV, DCTV and CCTV, their compliance with the Access Rules, and with the proposals made by each of the broadcasters for the provision of access services for compliance with the Access Rules in 2021.

With regard to the performance of Virgin Media Television in 2020, the Committee noted that the broadcaster had not met a number of specific requirements and directed the BAI to further engage with the broadcaster on these matters with a view to bringing them back into compliance.

### **Non-Irish Licensed TV Broadcasters: Report on Compliance with BAI Codes**

Further to the provisions of the Broadcasting Act 2009, the BAI is required to report to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media on the extent to which television broadcasters regulated in other EU Member States comply with the Broadcasting Authority of Ireland's broadcasting codes. This includes only those television services with broadcasts wholly or mainly directed at Irish audiences.

In 2021, the Compliance Committee finalised the 2020 report for the Minister. The report found that, as with previous reports produced, opt-out advertising broadcast on non-Irish licensed television services was broadly in compliance with the BAI's General Commercial Communications Code and the Children's Commercial Communications Code.

However, the report found that issues arose in respect of commercial communications for products aimed at children under 6 years which did not provide the necessary on-screen oral warnings. The BAI notified the relevant regulators in other jurisdictions of the issues of apparent non-compliance arising from the BAI's analysis.



## (ii) Supporting the Development of a Sustainable Broadcasting Sector

### BAI Sustainable Development Goals ('SDG') Action Plan

Work on the development of a BAI SDG Action Plan and related Reporting Framework progressed during 2021. In September, the BAI agreed the approach to be taken to the development of the Action Plan which will set out the ways in which the BAI will support the achievement of the UN SDGs across a wide range of work areas. In developing the plan, the BAI will identify those SDGs and the related targets that are most relevant to the BAI's work.

It is expected that the draft plan will be published in 2022 and will come into effect in 2023.

### Broadcasting Sustainability Network

The BAI launched the Broadcasting Sustainability Network in late 2020 to encourage green, inclusive and economically resilient practices in the Irish broadcasting sector. A work plan and sustainability roadmap for the sector was adopted by the Network's Steering Group, comprising representatives from the BAI; RTÉ; TG4; Wireless Ltd; Communicorp; CRAOL; Flirt FM; Beat FM; Screen Producers Ireland; Screen Ireland; the Radio Kerry Group; and South East Radio. The Network had its first full year of operation in 2021. In this time, the Network held five events which included sessions on energy efficiency, diversity, equity and inclusion. By the end of 2021, the Charter of the Network had 42 signatories - an increase of 39 since the Network's launch. Overall, there has been high engagement from the broadcasting sector in Network activities throughout the year.

### Public Sector Equality and Humans Rights Duty

The Irish Human Rights and Equality Commission Act 2014 introduces a positive duty on public bodies to have due regard to human rights and equality issues.

This is a legal obligation, contained in Section 42 of the Irish Human Rights and Equality Act 2014, and it imposes a statutory obligation on public bodies, such as the BAI, in performing their functions, to have regard to the need to "eliminate discrimination, promote equality of opportunity and treatment for staff and persons to whom it provides services, and to protect the human rights of its members, staff, and the persons to whom it provides services". The BAI reported to the Irish Human Rights and Equality Commission on its compliance with its public sector duty in September 2021.

In its Strategy Statement 2021-2023, the BAI commits to a proactive approach to implementing this duty. In November, the **BAI Public Sector Duty Action Plan 2021-22** was published. This plan sets out the actions to be undertaken in implementing the Public Sector Human Rights and Equality Duty.

### Climate Action Plan

The Government published its Climate Action Plan in November 2021. The BAI welcomed the inclusion of a commitment in the plan to allocate additional funding to the BAI's Sound & Vision Scheme to support the production of content on the themes of Climate Change and Climate Action.



DJ Mona Lisa, My Tribe – Mo Threibh, produced by Mind the Gap Films, funded by the BAI Sound & Vision Scheme

## Freedom of Information Requests 2021

17

In 2021, the BAI received 17 Freedom of Information requests.

The following decisions had been made regarding these requests.

3

Granted in full

8

Part-Granted

4

Withdrawn

3

Refused

0

On-going into the year ahead

Of those received in 2021:

9

Individuals

6

Journalists

2

Local Authorities

## (B) Governance Practice

### (i) Demonstrating a high level of compliance with COPGSB

The BAI submitted its **Annual Report and Financial Statements 2020** in full compliance with the Code of Practice for the Governance of State Bodies (COPGSB). In addition, the BAI's COPGSB Compliance Checklist was returned to the Department and approved with no issues arising.

### ii) Improving Regulatory Practices and Reducing Regulatory Burden

The reduction of regulatory and administrative burden is core to the work of the BAI across all of its regulatory activities. This has been particularly important in recent years in responding to the

stakeholder challenges resulting from COVID-19. The BAI streamlined the implementation of both the Commercial Radio Covid Funding Round and Community Social Benefit Funding Round of Sound & Vision, which reduced administrative burden on applicants and ensured a swift disbursement of funds. The BAI Statement on Regulatory Burden, required under Section 32(4) of the 2009 Act, is being prepared and is expected to be published in early 2022.

Other activities in 2021 also demonstrated the achievement of this objective:

- The BAI brought its Levy management activities in-house in 2021 to reduce the administrative burden on the broadcasting sector.
- The BAI revised its approval process for low-power temporary and institutional sound broadcasting services, resulting in shorter processing timelines.
- In 2021, the BAI adopted a more streamlined approach to reviewing broadcasters' performance.

- The BAI facilitated requests for temporary changes to programme schedules and approved revised activities and events funded under the BAI's Sponsorship and Sectoral Learning & Development schemes.
- The Schedule of Matters Reserved for Consideration by the Authority and Committees was updated in September 2021 and is kept under review to reduce regulatory burden.

### Providing Access to Records

The Freedom of Information Act 2014 allows members of the public access, on request, to records held by the BAI which are not routinely made available by the BAI or available through other sources. The BAI has prepared its Freedom of Information Publication Scheme, in accordance with section 8 of the FOI Act 2014 and is available on the BAI website. The Scheme is comprised of categories of information with links to a separate webpage containing the relevant information under each of the listed categories.

In 2021, the BAI received seventeen (17) requests for access to records under the Freedom of Information Scheme. In addition, one (1) request was still being considered that was received in 2020.

## Compliance

In 2021, the BAI continued to implement its Compliance Plan. The Plan, approved by the Compliance Committee in May 2020, comprised the following activities:

1. Statutory reports;
2. Public Service Broadcaster (PSB) activity;
3. Design and roll-out of an annual self-reporting return for broadcasters;
4. Develop training and awareness material for BAI Codes and Rules; and
5. Handle ad hoc complaints and queries,

While certain aspects of the Plan were adapted and modified to reflect the impact of certain external factors such as COVID-19, the BAI continued to deliver on its statutory and other compliance-reporting obligations and to handle ad hoc Compliance and Enforcement activity as it arose.

## Broadcasting Funding Scheme Governance

In managing and awarding 7% of the Television Licence Fee via its Broadcasting Funding Scheme, the BAI ensures high governance standards in the administration of the Scheme to benefit all stakeholders. Accordingly, particular emphasis is placed on compliance practices to ensure the successful delivery of projects by contractors in line with funding agreements.

Contractors are regularly monitored for compliance with the terms of their funding contracts by BAI staff and by way of independent audits. All television projects, and a proportion of radio projects that receive funding, are systematically and independently assessed, following completion, against the programme delivery requirements to ensure compliance with the original programme specification and treatment requirements as set down in the funding contract.

## Irish Language Scheme III

The BAI Irish Language Scheme standardises the BAI's approach in fulfilling its obligations concerning the Irish language. The BAI published a new 3-year Irish Language Scheme in 2020. The Scheme seeks to build on and consolidate progress made by the BAI over the past number of years in delivering and enhancing the quality of its services through Irish. New commitments include increasing the use of Irish at public events and in all BAI social media communication, commissioning of Irish language research, the development of an Irish language online complaints system, bespoke Irish language training for staff in Sound & Vision and the provision of Irish language digital resources and glossaries for all BAI staff members.



Strategic Theme 3

# Leadership in Change



Strategic Objective	Outcome
1: Lead debate and influence policy development on the future legislative and regulatory framework for digital and broadcasting media services.	(1) The BAI has used its knowledge and expertise in collaborating with national and international stakeholders in developing the future regulatory regime for broadcast and online platforms and in evolving its digital media policies to meet audience and user needs.  (2) The BAI is viewed by stakeholders as an informative, authoritative, and influential voice on media regulation.
2: Respond, adapt to, and communicate on, developments in the wider environment, anticipating and assessing organisational, sectoral and audience impacts.	BAI stakeholders have confidence in regulatory responses that are evidence-based, timely and proportionate.
3: Lead staff, review and transform the BAI's policies, practices, and processes in preparation for integration into the new Coimisiún na Meán.	Outcome: the BAI has a strong leadership, learning and performance culture and an agile, motivated, and informed workforce, which will support the BAI in its full integration into the new Coimisiún na Meán.

Leadership in Change is a new strategic theme for the BAI and was a key strategic focus for the organisation in 2021. The strategic objectives and associated activities have both internal and external dimensions, both of which were substantially progressed this year. Firstly, the BAI seeks to position itself as a leader in the debate on policy development in the future legislative and regulatory framework for digital media services. From an internal perspective, the BAI seeks to lead staff in the transformation of the BAI and the integration of its functions and resources into the new Coimisiún na Meán. Finally, the theme commits the BAI to respond and adapt to developments in the wider environment.

Details of the wide range of activities undertaken in progressing the implementation of this strategic theme are set out below.

## (A) Engagement on the Future Regulatory Regime

### OSMR Bill

#### Engagement with Oireachtas Joint Committee

The General Scheme of the Online Safety and Media Regulation Bill was published by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and

Media, Catherine Martin T.D., in December 2020. The Bill, when enacted, will transpose the revised Audiovisual Media Services Directive into Irish law. It will also establish a new regulatory framework for online safety, including the development and implementation of online safety codes.

Following publication, the Oireachtas Committee on Media, Tourism, Arts, Culture, Sport and Gaeltacht (renamed the Committee on Tourism, Culture, Arts, Sport and Media in May 2021) commenced its pre-legislative scrutiny of the General Scheme. As part of that process, it invited submissions from stakeholders on the General Scheme.

In March 2021, the BAI made a comprehensive written submission to the Committee. The BAI strongly supported the aims of the Bill and the proposed role and responsibilities of Coimisiún na Meán, noting that the key pillars of its original 2019 public consultation response were broadly consistent with the provisions of the General Scheme. The BAI submission also addressed the broad areas of focus of the General Scheme, including the Categories of Harmful Online Content, the Governance Structure, and the Compliance and Sanctioning Powers of the new organisation.





Journalism Graduate Programme Launch outside BAI office, funded by the BAI Sectoral Learning and Development Scheme

In May, representatives from the BAI attended a meeting with the Committee to discuss the Bill and its main provisions. The meeting provided the BAI with the opportunity to set out its own responsibilities and regulatory activities, and to discuss the regulatory framework for the new Coimisiún na Meán.

The BAI made an additional submission to the Joint Committee in July. This written submission concerned a number of specific matters relating to the General Scheme, including additional Heads of Bill on the Closure of Aertel, Advertising Minutage, Prominence of Public Service Content, and the Integration of the Broadcasting (Amendment) Bill, 2019.

In November, the Joint Committee's report on the Pre-Legislative Scrutiny of the General Scheme of the Online Safety and Media Regulation Bill was published. The Bill was subsequently published in January 2022.

## Engagement with the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media

Over the year, the BAI closely collaborated with Department officials on a range of regulatory matters in preparation for the dissolution of the BAI

and the transfer of its functions and staff to the new Coimisiún na Meán. Formal transition meetings were held on a monthly basis and matters for discussion included legislative proposals, regulatory policy and transition planning and integration.

By year end, with significant progression in the legislative process, it was agreed that a number of working groups would be established to further this collaborative work. These working groups would focus on HR and Recruitment, Corporate Transition and Regulatory Transition and commenced in early 2022.

## Future of Media Commission

The Future of Media Commission was established in late 2020, tasked with considering the future of public service media and public service content in Ireland. Matters which fell to be considered by the Commission included how public service aims should be delivered over the next ten years, how the media is overseen and regulated, and how RTÉ should be structured and financed.

Reflecting our extensive experience in regulating the performance of public service broadcasters, and in the regulation of the broadcast media more broadly, the BAI contributed five submissions to the Commission. These covered a range of subjects impacting the future provision of public service

content in the State, including the regulation and funding of Public Service Media, Archiving of Content, Diversity and Irish Language media. The submissions were supplemented by ongoing engagement with the Commission and the Department regarding its work.

The BAI looks forward to contributing to the implementation of the Future of Media Commission's recommendations, as recently approved by Government

## ERGA

At a European level, the BAI continued to actively participate in the European Regulators Group for Audiovisual Media Services (ERGA). ERGA is the European Commission's advisory group on audiovisual regulatory matters and the BAI is Ireland's designated body to the group.

Celene Craig, BAI Chief Executive, was elected to the five-person ERGA Board for 2021. The BAI also participated in all three sub-groups and supporting action groups during the year and contributed to the production of a range of ERGA reports and recommendations.

### i) Sub-group 1 – Consistent implementation and enforcement of the new AVMSD framework

The work programme for 2021 continued the work undertaken in 2020 and focused on ensuring a smooth and consistent implementation and enforcement of the revised AVMSD. It tracked how implementation was occurring across the European Union. Areas of focus included an assessment of criteria for the qualification of vloggers as audiovisual media services, assessment of the new rule on prominence of general interest content and the rules on prominence of European Works. It also included an assessment of some of the critical issues relating to the interpretation of Article 28b of the Directive.

While the AVMSD has not yet been transposed in Ireland, the review and findings should prove to

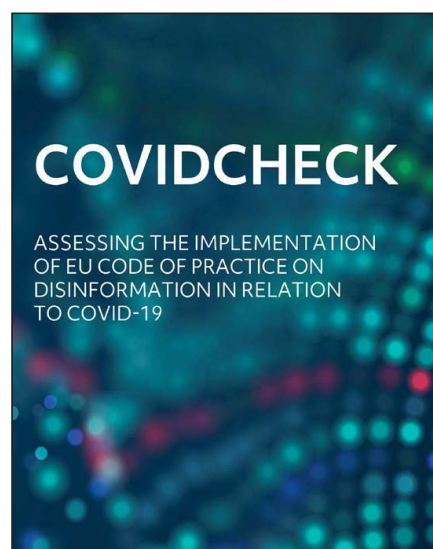
be of value to the new Coimisiún na Meán when considering such matters.

### (ii) Sub-group 2 – Completion of the EU Regulatory Framework


ERGA Sub-group 2 concerned the completion of the EU Regulatory Framework relevant for media. Again, it sought to build on work undertaken in 2020, particularly in light of a number of legislative developments. During the year, the sub-group prepared comprehensive position papers on the *Digital Services Act* and the *Digital Markets Act*. It also undertook structured monitoring of European Parliament discussions on the key provisions of the DSA and, in that regard, considered ERGA's own role in the future regulatory landscape. The Sub-group also gave initial consideration to the forthcoming *European Media Freedom Act* which will seek to ensure media freedom and pluralism across the Union.

### (iii) Sub-group 3 – Disinformation

The final ERGA sub-group focused on media plurality and in particular on the implementation of the **EU's voluntary Code of Practice on Disinformation**. The BAI had chaired this group in 2019 and continued to devote significant resources to its activities in 2020 and 2021. The Subgroup assists the EU Commission in assessing the implementation of the Code.



Covid Check Report Launch, funded by the BAI



Flossie Donnelly, *An Cuan*, produced by Oddboy Media, funded by the BAI Sound & Vision Scheme

## Review of the Implementation of the Code of Practice on Disinformation

In 2021, the BAI-funded **Covid Check Report** assessed the implementation of the EU Code of Practice on Disinformation concerning COVID-19. The research analysed the 47 monthly transparency reports submitted by the signatories to the Code between August 2020 and April 2021 in response to the European Commission's June 2020 communication on tackling COVID-19 disinformation.

The research found that while the Code has proven a helpful instrument in prompting signatories to respond to concerns about disinformation, there are shortcomings concerning its implementation and scope. Researchers cited difficulties in assessing the timeliness, completeness and impact of the actions undertaken by the signatories. The findings were supplemented by Irish case studies focused on Facebook and TikTok and a review of the signatories' transparency regarding the use of AI and automation in fighting COVID-19 disinformation.

The BAI was the only ERGA member to have published its national research on the implementation of the Code of Practice. The report and emerging recommendations from the 2021 monitoring

activities were adopted by ERGA and were annexed to the ERGA Recommendations for a New Code of Practice on Disinformation in October 2021. The European Commission was complementary of the work of both the BAI and ERGA in the formulation of the final report.

## (iv) Action Group 3 - Media Literacy

Given its strong track record both nationally and internationally, in 2021, the BAI was asked to co-chair the ERGA Action Group on Media Literacy. The group was specifically tasked with supporting the EU Commission in the development of a Media Literacy Toolbox focussing on VSPs, in accordance with the provisions of the European Media and Audiovisual Action Plan published in December 2020.

The Action Group Report set out recommendations for key principles, best practices and a Media Literacy Toolbox for Video-sharing Platforms. The report should also be useful to regulators in developing plans further to their Media Literacy obligations under the revised AVMSD. The work outputs of the Action Group were commended as being of an "exceptional" standard by the European Commission.



## V) ERGA Action Groups 1 and 2

The final Action Groups for 2021 continued the work of the previous year. Action Group 1 was responsible for monitoring the application of the Memorandum of Understanding (MoU) agreed by ERGA members in 2020. The BAI along with its colleagues in the CSA (France) led the development of the MoU in 2020. The principal aim of the document was to strengthen cooperation between NRAs in order to ensure a consistent and effective implementation of the revised Directive.

Action Group 2 continued to track the economic impact of the COVID-19 pandemic on the European Audiovisual sector and the response of the Member States to this. The emerging report published in December 2021 set out a range of recommendations and will inform ERGA's contribution to EU initiatives including the EU Audiovisual Action Plan.



Digital News Report 2021

## EPRA

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The BAI continued to participate in the European Platform of Regulatory Authorities (“EPRA”) which is the Europe-wide independent network of audiovisual regulators. EPRA, comprising 55 regulatory authorities from 47 countries, provides a valuable setting for co-operation, and exchange of information and best practices between broadcasting regulators in Europe.

The network arranges two plenary meetings each year which support the exploration of key themes. In 2021, these moved online and a number of sessions were held on topics including sessions on Hate Speech and the Regulation of Online Platforms. BAI Executive member, Stephanie Comey, was elected to the Board of EPRA in 2021.

## Digital Services Act

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As set out above, the BAI has been monitoring the progress of the Digital Services Act (DSA) through the European legislative process, noting its potential impact on the future work of the Irish media regulator. By December 2021, IMCO, the lead committee within the European Parliament on the DSA, adopted its position on the draft regulation.

The European Parliament considered the report and adopted its position in January 2022. With the EU Council having concluded negotiations on its position on the DSA, trialogue discussions are expected to commence in early 2022. The BAI will continue to monitor developments over the course of 2022.

## Other BAI Activities

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In the course of 2021, the BAI continued to engage with a variety of external stakeholders on regulatory matters relating to both current and future activities of the organisation. Highlights from 2021 include:

### euConsent Project

At the invitation of the EU Consent Project, (an EC-funded project), the BAI participated in a meeting to discuss their research project into online age-verification mechanisms which could potentially assist the new Coimisiún na Meán in meeting a number of its objectives in respect of the regulation of online services.

### Australian e-Safety Commission

In 2021, the BAI held a number of meetings with the Australian e-Safety Commission to discuss its approach to the regulation of harmful online content as well as its approach to compliance and enforcement.

### ARTICLE 19 Social Media Council

The BAI continued to engage with Article 19 this year to explore potential co-operative arrangements for the regulation of online platforms in the future. The BAI is one of a number of stakeholders with whom ARTICLE 19 has been engaging on the feasibility of establishing a multi-stakeholder mechanism for the oversight of content moderation on social media, known as the Social Media Council (SMC), and for securing continued freedom of expression in the online environment.

Article 19 has proposed to establish a pilot SMC in Ireland and is planning to establish a working group to progress the project. The BAI has accepted an invitation to join the working group which is expected to convene in 2022.

### Online Content Regulators Forum

The BAI continued to participate in the international forum of content regulators active in the online regulatory sphere. The Forum comprises Ofcom (UK), the ACMA (Australia), CRTC (Canada) and the BAI. The purpose of the Forum is to establish a structured collaboration between the group of regulators who are, or may be, facing similar challenges in the regulation of harmful online content. This dialogue on issues of mutual interest aims to share expertise and experience in facing some of the coming challenges of online regulation.

## Department of Enterprise, Trade and Employment

In January 2021, the BAI responded to the Department of Enterprise, Trade and Employment's consultation on the European Commission's Digital Services Act and Digital Markets Act proposals.

Throughout the year, the BAI and its colleagues in ComReg, the CCPC and the DPC continued to meet with the Department to discuss matters of Digital Regulation. The discussions allowed for the regulators to provide the Department with an update on the EU's digital agenda for the coming years, outlining potential implications for Government and Regulators, and exploring where regulators can 'plug-in' to the Government's overarching National Digital Strategy, as well as contributing to policy debates arising from the EU's proposed Digital Services Act and Digital Markets Act.

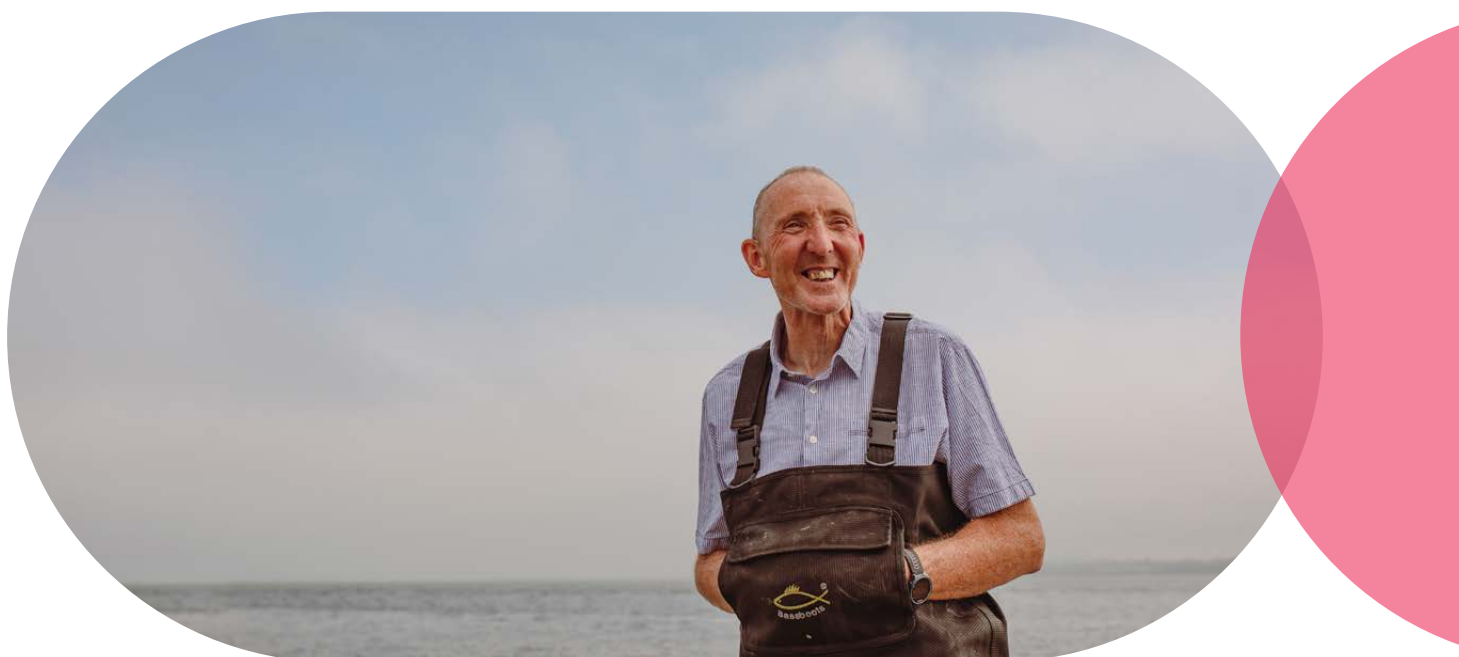
It is expected that these discussions will continue into 2022 as the DSA and DMA legislative processes progress.

## Advisory Culture Audit

In preparation for the dissolution of the BAI and the transfer of its staff and functions to Coimisiún na Meán, the BAI commenced work on an Advisory Culture Audit in 2021. The Advisory Culture Audit, which will be undertaken by the BAI's internal auditors, will have two phases:

- Phase 1 will include an assessment of the 'as is' formal and informal culture in the BAI and will consider BAI policies, processes and systems which are typically aligned to culture as well as BAI values and behaviours;
- Phase 2 is planned to assist the BAI in determining its view on the design of the Cultural Framework for Coimisiún na Meán and produce a potential roadmap for embedding this over a medium-term period. While, of course, the desired culture of the new organisation will ultimately be a matter for Coimisiún na Meán itself to determine (and not solely a matter for the BAI), the BAI would hope that the findings and recommendations from the audit will make a valuable contribution to this work.

Phase 1 of the Audit commenced in December and is expected to be completed in quarter 1 2022.



Dave Tilly, An Cuan, produced by Oddboy Media, funded by the BAI Sound & Vision Scheme

## Launch of BAI Strategy Statement 2021-2023

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In January 2021, the BAI launched its new Strategy Statement 2021-2023 which will guide its work for the next three years. This is the fourth strategy since the establishment of the BAI in 2009. The strategy has been informed by a comprehensive review of the effectiveness of the previous strategy; extensive public consultation; and an in-depth assessment of the current context, both nationally and internationally.

The Strategy has been designed to take account of the anticipated developments in the regulatory environment over the period of the Strategy Statement, including the transposition of the AVMSD and the transfer of the BAI's functions to a new media regulator. Cognisant of this period of transition, the new Strategy Statement provides direction to enable the continuation of the BAI's current work, while also ensuring we have the capabilities to meet the challenges and opportunities that lie ahead.

## (B) BAI Change Management Programme for Staff

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One of the key objectives for the organisation in 2021 was to prepare and support staff through the transition period as it is integrated into Coimisiún na Meán. A significant Staff Change Management Programme commenced in 2021, encompassing two principal strands:

- A staff communications plan (which was developed in consultation with staff and explains how the organisation will communicate, consult and engage with staff about the transition programme), and,

- A comprehensive Training and Development Plan 2021-2022 (which aims to deliver training on the BAI's five main strategic themes, taking into account the skills requirements of the organisation as it moves forward into the new Coimisiún na Meán).

Both strands are led by the BAI's senior management team operating as the Transition Leadership Team (TLT) and updates on progress are reported to the Board of the BAI on a monthly basis.

During the year, the TLT utilised a variety of approaches to communicate with staff on the transition programme, including formal staff briefings, town-hall meetings, drop-in clinics and the creation of a portal on the organisation's Teams platform. Matters for discussion included updates on the overall Transition Programme and progress on the draft legislation and associated timelines.

The broad objectives of the Training and Development Plan as they relate to transition include the building of awareness of legislative progress and changes in the scope of regulation, delivering change management training as appropriate to prepare and support staff for the changes ahead, and to deliver a structured staff wellbeing programme.

During the year, a wide variety of training and development initiatives were rolled out in furtherance of the above aims. These included:

- A bespoke change management training programme for middle managers;
- Staff briefings on the AVMSD and OSMR Bill;
- Information programmes on areas of interest including artificial intelligence, Freedom of Information, Diversity and Inclusion
- Workshops on areas including dignity at work, disability awareness training, resilience, workplan wellbeing; and
- Practical skills training on matters such as 'Plain English Writing', the 'Role of the Secretary' and 'Embedding a Risk Aware Culture'.



Strategic Theme 4

# Empowering Audiences



Strategic Objective	Outcome
1: Enhance the understanding, engagement, and participation of the public in the media landscape and promote media literacy.	Audiences in Ireland are more connected to, informed and engaged with, audio and audiovisual content.
2: Inform and engage the public and BAI stakeholders on the review and revision (as appropriate) of BAI Codes, Rules and Policies.	(1) Public knowledge and understanding of BAI Codes and Rules, and the values underpinning them, is enhanced. (2) There is increased public participation in the BAI's regulatory processes.

The three key areas which support the achievement of this BAI strategic theme and associated objectives are Media Literacy, Broadcasting Codes and Rules and public participation in the BAI's regulatory processes. These are elaborated on hereunder.

## (A) Promoting Media Literacy

The BAI's work in the area of Media Literacy is underpinned by the **BAI Media Literacy Policy** which outlines how the BAI seeks to empower Irish people with the skills and knowledge to make informed choices about the media content and services they consume, create and disseminate. 2021 continued to be a busy and productive year in this area, with the majority of work achieved through partnership with Media Literacy Ireland (MLI) and the BAI's funding and support of the network's activities.

### 1.1. Media Literacy Ireland

Media Literacy Ireland (MLI) is an independent, informal alliance of organisations and individuals working together voluntarily to promote media literacy in Ireland. It's overarching objective is to empower Irish people with the skills and knowledge to make informed choices about the media content and services that they consume, create and disseminate – across all media platforms.

In 2021, the COVID-19 pandemic continued to impact on the network's activities, with most of the engagement with stakeholders moving online. As with 2020, the online rather than in-person nature of its activities continued to facilitate increased accessibility for and participation by the 245 members of the network and the wider public. Overall, 10 MLI webinar/online events were held during the year on a range of topics including Young People and Media Literacy – Perspectives, Practice and Potential, Race in Media, an Irish language webinar, and Media Literacy and the Representation of Women in Media. MLI also supported a webinar on Media Literacy in Europe.

#### 1.1.1 Be Media Smart

MLI continued to build upon the success of its "Be Media Smart" campaign in 2021. The campaign's "Stop, Think, Check" message continued to be promoted, this time encouraging the public to make informed choices about vaccination based on accurate and reliable information. The website was updated to include practical tips on how to check if information about COVID-19 vaccines was accurate and reliable. Signposting to reliable and accurate sources and factchecking services also featured on the website.

### 1.1.2 Participation in National Fora

The outcome of successive “Be Media Smart” campaigns, coupled with the range of content in the webinars that were held, has increased the profile of MLI nationally, making it a recognisable, ‘go-to’ source for stakeholders interested in media literacy-related matters. MLI engaged with SOLAS, the State agency tasked with building a world-class further education and training sector, and made a submission to the consultation on the Adult Literacy, Numeracy and Digital Literacy Strategy, following which the BAI and MLI were invited to join the SOLAS Technical Advisory Committee on the Strategy.

### 1.1.3 MLI Annual Conference

Due to the ongoing pandemic, the annual MLI Conference took place virtually on the 28th October 2021. It was held during Global Media Literacy Week and adopted the theme of ‘Media Literacy for Public Good’. Professor Renee Hobbs of the University of Rhode Island and Director of The Media Education Lab provided the keynote lecture on “Media Literacy for Public Good”.

## 2. Participation in European Fora

Separately to its work in MLI, the BAI continued to be actively involved in media literacy activities through several European fora. In 2021, the BAI co-chaired an ERGA (European Regulators Group for Audiovisual Media Services) Action Group on media literacy.

The BAI also represented Ireland on the European Commission’s Media Literacy Expert Group and sat on the EMIL, a media literacy task force chaired by EPRA (The European Platform of Regulatory Authorities).

## Social Media Stats 2021

### Twitter



Tweet Total  
**165**



Follower Total  
**5995**  
(+367 from 2020)

### Facebook



Post Total  
**50**



Likes Total  
**415**



## (B) Codes and Rules

BAI broadcasting codes and rules and the BAI broadcasting complaints function combine to support audience enjoyment, understanding, and interaction with audiovisual content.

### 2.1 Broadcasting Complaints

The BAI's complaints handling function supports the public's right to complain about programming or commercial content broadcast on Irish television and radio that they believe has not met the required standards set out in the Broadcasting Act 2009 or in the BAI's Codes.

Complaints are usually submitted to the broadcaster in the first instance and then referred to the BAI if complainants are not satisfied with the broadcaster's response.

Referred complaints are processed through the BAI's online complaints system, which streamlines the process and reduces the administrative burden associated with processing such complaints.

In 2021, the BAI received 361 complaints, of which 148 were valid. A complaint may be deemed invalid if the complaint was received outside of the statutory timeframe or if the content complained about is not within the statutory remit of the BAI's complaints process.

The 148 valid complaints represent an increase of 67 complaints compared to 2020. Twenty-six (26) of these were considered by the BAI Compliance Committee, and the BAI Executive Complaints Forum considered fifty-three (53). Nineteen (19) complaints were resolved by way of the complainant being satisfied with the broadcaster's response before consideration by the BAI. Fifty (50) complaints submitted to the BAI in 2021 were carried over for review into Q1 2022.

## Complaints recieved in 2021

0

Children's Commercial  
Communications Code

2

General Commercial  
Communications Code

32

Code of Programme  
Standards

55

Code of Fairness, Objectivity  
and Impartiality in News and  
Current Affairs and the Code  
of Programme Standards

59

Code of Fairness, Objectivity  
and Impartiality in News  
and Current Affairs



The Burren: Heart of Stone produced by Sea Fever Productions Ltd, funded by the BAI Sound & Vision Scheme

Of the valid unresolved complaints that were considered (79), eight (8) were upheld in full (10%), ten (10) complaints were upheld, in part (13%). Sixty-one (61) were rejected (77%).

The one hundred and forty-eight (148) valid complaints submitted to the BAI in 2021 were made under the following BAI Codes:

## 2.2 Reviews of BAI Content and Commercial Codes and Rules

In 2021, the BAI commenced the process of reviewing a number of its statutory content and commercial codes and rules. These were:

- **BAI General Commercial Communications Code**

This Code sets out the rules required when broadcasters air commercial communications i.e. advertising, sponsorship, product placement and other forms of commercial communications.

- **BAI Rules on Advertising and Teleshopping**

These Rules outline the daily and hourly limits for advertising on commercial and community radio and television services.

- **BAI Code of Programme Standards**

This Code details the principles applying to all editorial content with a view to minimizing harm and undue offence which such content may cause. The Code deals with privacy, the public interest, violent and sexual content, the protection of children amongst other matters.

- **BAI Code of Fairness, Objectivity and Impartiality in News and Current Affairs**

This Code is concerned with ensuring that the broadcasting of editorial content that constitutes news is objective and impartial and content that is current affairs is fair, objective, and impartial and that both are presented in an objective and impartial manner and without any expression of the broadcaster's own views.

The statutory review has three elements comprising a jurisdictional review, a public call for comments and observations, and an operational review which will seek to highlight any operational issues arising from the practical implementation of the codes and rules.



Sound & Vision Funded Project Wolfwalkers, produced by Cartoon Saloon, received Academy Award Nomination for Best Animated Features

It is expected that the review process will be completed in 2022. The outcomes of the review are intended to support the work of the new regulator, Coimisiún na Meán, which is expected to have a statutory role in revising the Codes and ensuring that they will reflect any changes arising from the Online Safety and Media Regulation legislation, including the incorporation of the new and amended provisions of the Audio Visual Media Services Directive (the AVMSD).

## 2.3 BAI Access Rules Review

The BAI Access Rules outline the specific steps each broadcaster is required to take to promote the understanding and enjoyment of programmes by persons who are deaf or hard of hearing, persons who are blind or partially sighted and persons who are hard of hearing and are partially sighted. The Rules set minimum quotas for broadcasters to reach along with obligations regarding engagement with users of access services about the quality of the access services provided.

A statutory review of the BAI Access Rules was initiated in 2021, with completion expected in 2022.

Following consideration of the review outcomes, the BAI will then move to commence a revision of the Rules, having regard to the findings of the review.

### Increasing access to BAI funded programmes

In parallel with the above, all television projects funded by the BAI's Sound & Vision funding scheme are required to facilitate the understanding and enjoyment of television programmes by audience members who are deaf or have hearing difficulties. All television programmes must make provision for subtitling. Similarly, to facilitate access to programmes for audience members who are deaf, have hearing difficulties, are blind or have visual impairments, some funded programming must make provision for Irish Sign Language (ISL) for deaf or hearing impaired persons and/or Audio Description (AD) for blind or visually impaired persons. With that in mind, television drama and applications for children's television programmes must have at least one broadcast with AD and/or ISL, with the cost deemed an eligible expense and funded by the Scheme. Funding is also available to applicants who wish to provide Irish Sign Language (ISL) and/or audio description (AD) services in other genres (e.g., Education, Documentary, Entertainment). The BAI strongly encourages such applications.

### Audio-Description Production Practices Research

In 2021, the BAI supported the Dundalk Institute of Technology (DkIT) in conducting research relating to Access Services for the visually impaired.

The research project, entitled ‘Investigating a Standardised Approach to Setting Audio Description Dip Values’, aims to understand better the relationship between audio-described television programme volume levels and the perceived quality of a programme’s audio description. The study primarily focused on the end-user experience, how this experience can be improved, and how greater consistency can be brought to audio description services. An industry survey was circulated in October 2021, through which participants from Ireland, the UK, Europe, Australia, Canada, and the USA provided informative detail on current AD production practices. Early data analysis points out discrepancies within AD production practices and indicates that a set of international guidelines and recommendations, along with an automated option for setting Audio Description dip and fade values, would be strongly welcomed. An interim report will be shared with the BAI in early 2022 once the survey data has been evaluated. Separately, a set of experiments is being developed to benchmark current standards in AD mixing and in the production of AD content. These experiments are designed to determine best-practice standards in AD mixing and production, and the results will inform the design and implementation of the end-user listening tests. It is hoped to run these final listening tests towards the summer of 2022, after which a final report on overall findings will be written up and submitted to the BAI.

## (C) Increased participation in BAI Regulatory Processes

To assist in raising awareness of, and engagement with, broadcasting Codes and Rules, the BAI has commenced the preparation of informational video presentations, in English and Irish, on the following Codes:

- BAI Code of Programme Standards;
- BAI Code of Fairness, Objectivity and Impartiality in News and Current Affairs; and
- General Commercial Communications Code.

With a combination of visuals and voiceover, the presentations provide an overview of the principles and rules of each Code and explain key concepts in broadcasting standards and how they may be understood and applied to broadcast content. The presentations will be available on the BAI’s website in 2022 and are designed to benefit both broadcasters and members of the public.

### BAI Online Events

With the impact of COVID-19, several BAI events and launches moved online which facilitated an increased level of virtual attendance and participation. These included the launch of the Reuters Digital News Report Ireland 2021 and a number of MLI events.

To increase the accessibility of such events, captioning and ISL signing were provided when the BAI was able to offer such services. The BAI will examine the potential for increasing accessibility for similar events in the future.



Strategic Theme 5

# Enhancing Innovation and Sectoral Sustainability



Strategic Objective	Outcome
1: Enhance creativity and innovation as distinctive features of the Irish audio and audiovisual sectors	Creativity and innovation are a focus of the BAI's sectoral support activities (including the Broadcasting Funding Scheme and BAI Sectoral Development).
2: Support the achievement of enhanced financial sustainability for the Irish audio and audiovisual sectors.	The long-term viability of the Irish audio and audiovisual sectors has been enhanced by BAI initiatives in this area

The Strategic Objectives under this theme are central to the work of the BAI and are progressed through a wide range of funding and sectoral support initiatives across the organisation. These include Sectoral Learning and Development, the Broadcasting Funding Scheme and other activities such as sponsorship funding.

## Creativity and Innovation

The BAI continued to promote and support creativity and innovation and the achievement of enhanced financial sustainability in 2021, some of the highlights from the year are set out below.

## (A) Sectoral Learning and Development

The BAI's **Sectoral Learning and Development Policy** sets out our role in fostering and maintaining a culture of learning and development within the audiovisual sector in Ireland. The Policy provides a framework for the BAI to plan, support, measure and evaluate the continued growth and development of the sector, through a variety of training, learning and development activities and approaches within its statutory and strategic remit.

The Policy was updated in 2021 to reflect the relevant strategic objectives of the BAI Strategy Statement 2021-2023 and the broader BAI objectives and functions as set out in the Broadcasting Act 2009.

Central to the implementation of this Policy is the provision of funding to a range of industry networks that supports their various learning and development activities. The BAI also operates several funding schemes targeted at community broadcasters and temporary services and administers innovation schemes to support new training, learning and development initiatives in partnership with experts in the sector. Through these activities, the BAI has created innovative and strategic alliances and has promoted a culture of learning and development in the broadcasting sector. The support and enhancement of creativity and innovation are core to all these activities.

The BAI's Sectoral Learning and Development activities provide critical funding support to sectoral networks to support the sustainability of the networks and, in turn, their work in sustaining sub-sectors of the Irish audio and audiovisual sectors. This funding will be ongoing throughout the strategy period. The BAI's Strategy target of 60% of BAI Sectoral Development funding to support training and skills development in the sector was exceeded in 2021 with most of the funding going towards training activities, seminars, mentoring programmes, peer support and networking events.

Support for the following Schemes operated in 2021:



## Network Funding

In 2021, the BAI allocated Network Funding of **€342,500** to 16 networks. The recipient networks represent a diverse range of sectoral interests, including community and commercial broadcasters, independent producers and production companies, journalists, directors, animators, and gender equality advocates. In line with the BAI Strategy KPI to 'allocate a minimum of 60% of annual BAI Sectoral Development funding to a range of training and skills development initiatives organised by the Irish audio and audiovisual sectors aimed at supporting the financial sustainability of the sectors', most funding went towards training activities, seminars, mentoring programmes, peer support and networking events. A list of recipients is provided below.

### BAI Network Funding Recipients

CRAOL
Learning Waves
Community Television Association (CTA)
Creative Europe Desk Ireland – Media Office Dublin
Creative Europe Desk Ireland – Media Office Galway
Screen Producers Ireland (SPI)
Women on Air
National Union of Journalists (NUJ)
Women in Film & Television Ireland
Animation Skillnet and Animation Ireland
Writers Guild of Ireland (WGI)
Galway Film Centre
IFTA
Screen Composers Guild of Ireland (SDGI)
Screen Skillnet
ACE Producers

The advent of the COVID-19 pandemic continued to have a significant impact on Network Funding activities in 2021 with many events being downscaled or moved online. Others were rescheduled, hoping that a physical event would be possible with the easing of restrictions.

Below is a sample of network activities supported and funded by the BAI in 2021:

- CRAOL**  
 CRAOL's learning and development plan focused on governance, station guidance, skills development and communications. Activities for 2021 included a celebration of National Community Radio Day on 18th June 2021, the CRAOL Féile which returned as a physical event in Kilkenny in October and the preparation of a new 3-year workplan for the organisation.
- Learning Waves**  
 Alongside its skills development and training provision to the commercial radio sector, *Learning Waves* engaged in a number of key activities which supported diversity and sectoral sustainability in 2021. These included the development of a training course on diversity in partnership with the Irish Centre for Diversity.



The BAI Community Media Policy was published in 2021



CRAOL members supporting Community Radio Ireland at the European Parliament in Strasbourg

- Community Television Association**  
*The Community Television Association* ran a range of training programmes over 2021 and also held its annual Community Television Festival online in November. Skills workshops took place as part of the event, and there was a panel discussion on Strategic Issues for Community Television.
- Women in Film & Television Ireland**  
*Women in Film & Television Ireland* hosted a wide range of events in 2021, including panel discussions on 'Gender and class in the Irish screen industries: double trouble?' and 'Equality and diversity in the Irish film industry: Where are we now?'.
- Screen Producers Ireland**  
*Screen Producers Ireland* ran a range of workshops and webinars for its members over the year. Topics included Section 481 Tax Credits, Factual and Entertainment Programming for SVOD, and Brexit Challenges and Opportunities.

## The Community Broadcasting Support Scheme

The BAI's Community Broadcasting Support Scheme (CBSS) is open to all Community and Community of Interest radio and television broadcasters and

is designed to offer funding support to enable broadcasters to undertake projects that will advance the organisational development of their stations, for example, reviewing station policies and procedures, staff training, the building of links with the community, and sharing of best practices. It is a rolling scheme and applications are accepted and reviewed throughout the year.

In 2021, Community Radio Kilkenny City (CRKC) was awarded €4,750 in CBSS funding to conduct a listenership and awareness survey in July 2021. The survey tested awareness of the station among the general public, sought views on the perceived social benefits generated by the station, and elicited opinions on the type of programming that listeners would like to hear.

## X-Pollinator ELEVATOR

Funding was awarded to the X-Pollinator initiative, **ELEVATOR**, that supported emerging and diverse female and non-binary writers and directors to build a network, meet the screen industry, develop projects and become inclusive leaders of the future. The X-Pollinator team worked with a Diversity and Inclusion consultant to ensure the participation of a broad range of under-represented and emerging voices. Twenty (20) participants undertook an eight-week online development programme during October and November 2021. They engaged with screen industry representatives who supported them in building a professional network and in developing their projects. The ELEVATOR initiative culminated in a competitive pitching session where the winning applicant received development funding to write a treatment and to support a script editor and designer to create a pitch book for the project. The prize was awarded to Esosa Ighodaro with her project, JUST ENOUGH CHILLI, with honourable mentions going to Caitlin Magnall-Kearns for her project CHRIS & LOU and Al Bellamy for their project SCULPT.



Mná na bPiob, produced by Tyrone Productions Ltd, funded by the BAI Sound & Vision Scheme

## Temporary Radio Services Support Scheme

In 2021, Christmas FM received €500 through the BAI's Temporary Radio Services Support Scheme to support radio production training which was delivered online to station volunteers in the service which brings Christmas-themed music to listeners, as well as supporting the station's substantial charity activities each December.

## The Innovation Fund

The BAI's Innovation Fund is aligned to the BAI Strategic Theme of Enhancing Innovation & Sectoral Sustainability, with a strategic objective to "Enhance creativity and innovation as distinctive features of the Irish audio and audiovisual sectors". In January 2021, the BAI approved Innovation Funding of €45,000 for the following initiatives.

- **Learning Waves Journalism Graduate Programme 2021**

In 2021, Learning Waves Skillnet was awarded Innovation Scheme funding of €32,000 to run an expanded version of its 2019 inaugural journalism bursary programme. Under the 2021 programme, the number of graduate placements was doubled to ten, allowing the successful candidates to receive mentorship, hands-on training, personal development and content creation opportunities while working in one of the country's independent commercial radio stations. There was significant interest in the 2021 scheme, which received 15 broadcaster applications and 104 student applications. The participating broadcasters and graduates were chosen following a competitive selection process, and the Journalism Graduate Programme was launched in September 2021. Placements are offered for five months in the following stations: Newstalk (including 'Off the Ball'), Shannonside, Radio Kerry, Ocean FM, Galway Bay FM, South East Radio, LMFM, KCLR, and Cork's Red FM.



Cáit (Catherine Clinch) and Eibhlín (Carrie Crowley) in *An Cailín Ciúin* produced by Inscéal Limited funded, by the BAI Sound & Vision Scheme

- **Glúin Nua**

The Glúin Nua initiative is a partnership between BAI, TG4, Northern Ireland Screen's Irish Language Broadcast Fund, Údarás na Gaeltachta and Gréasán na Meán Skillnet. Further details on the scheme are set out under the Promoting Plurality and Diversity Strategy theme above.

## (B) Sound & Vision

Central to the achievement of the BAI's strategic objective of supporting the sustainability of the sector, and enhancing creativity and innovation is through Sound & Vision funding. The Scheme became a significant and important funding source for both the commercial broadcasting and independent production sectors throughout 2021, particularly given the market impacts of the COVID-19 pandemic. The Scheme has been an essential source of funding for Irish independent producers in recent times, and 2021, in common with 2020, marked the Scheme's potential to support the development of local broadcasters, particularly those broadcasters making local content for local audiences that would, potentially, not otherwise have been made.

Additional funding was provided to several projects to facilitate unforeseen costs relating to COVID-19.

During 2021, the Fund, provided funding awards totalling c.€13m to 144 independent producers/production companies, and c.€633k and c.€2.8m directly to 19 community and 32 commercial radio stations, respectively.

Creativity and innovation are key qualitative aspects of the Sound & Vision funding application process. Additional funding rounds in 2021 resulted in increased production and availability of programming for Irish audiences, including several new initiatives, e.g., the Irish language drama series 'Saol Ella' aimed at younger audiences and '**Irish Music Month**' run by Hotpress Magazine in partnership with commercial radio stations across the country.





Cáit (Catherine Clinch) in *An Cailín Ciúin* produced by Inscéal Limited, funded by the BAI Sound & Vision Scheme

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## (C) Commercial Radio Revenue Reports

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The BAI produced detailed Quarterly Revenue Reports to the Minister for Media on the impact of COVID-19 on the commercial radio broadcasting sector during 2021. The data in these reports were central to decision-making by the Minister in respect of additional funding provided to the sector at the end of 2021. The BAI also supported the launch of the JNLR Committee's Report, **Radio and the Irish Audio Market**, in October 2021.

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## (D) BAI Community Media Policy

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On National Community Radio Day, June 18th, the BAI launched its new Community Media Policy. This new Policy, which embraces both community radio and community television activities, and replaces the BAI's former Community Radio Policy, outlines the key characteristics and attributes that are representative of the community media sector and acknowledges the significant contribution it makes to the Irish media landscape. It provides guidance for achieving successful and sustainable operations in such services, as well as for robust operational and governance structures and practices for the future of community media.

The Policy was developed following extensive consultation, ensuring a robust, relevant policy that resonates with the objective of building a sustainable community media sector.

## (E) BAI Sponsorship Scheme

The BAI facilitated increased content availability and visibility across the regions through its annual Sponsorship Scheme. In 2021, the Scheme also focused on events and activities that help to promote diversity and plurality and enhance innovation and sectoral sustainability. The BAI awarded €162,000 to 24 applicants for events and activities in 2021. These included:

### Applicants awarded for events and activities in 2021

Animation Ireland

Celtic Media Festival

Choice Music Prize

Harp Media (Student Film and Screenplay Competition)

Guth Gafa International Documentary Festival

Raidió Rí Rá (Irish Language Radio Workshops)

Rockfinch Limited (Audio Futures 2021)

Student Marketing Network (National Student Media Awards)

Women in Film and Television

Writers Guild of Ireland (ZeBBies)

IMRO





Broadcasting Authority Ireland

# **Financial Statements for the Year ended 31st December 2021**



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## Authority Information

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**Authority Members**

Mary Curtis

Rosemary Day

Maeve McDonagh

Alan McDonnell

Vivien McKechnie

Seán Ó Mordha

Grace Smith

Denis Wolinski

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**Authority Secretary**

Andrew Robinson

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**Solicitors**Byrne Wallace  
88 Harcourt Street  
Dublin 2Ivor Fitzpatrick & Company  
Solicitors  
44-45 St Stephen's Green  
Dublin 2Philip Lee  
7/8 Wilton Terrace  
Dublin 2

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**Bankers**Ulster Bank  
Baggot Street Lower  
Dublin 2

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**Auditors**Comptroller and Auditor General  
3A Mayor Street Upper  
Dublin 1

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# Governance Statement and Authority Members Report

## Governance

The Broadcasting Authority of Ireland (“BAI”) was established under the Broadcasting Act 2009 (“the Act”). The functions of the Authority are set out in section 26 of this Act. The Authority is accountable to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media and is responsible for ensuring good governance. It performs this task by setting strategic objectives and targets and taking strategic decisions on all key business issues. Day-to-day management of the BAI is the responsibility of the Chief Executive who is appointed pursuant to section 14 of the Act. He/she is accountable to the Authority for the functions delegated to him/her by the Authority and for the efficient and effective management of the administration of the Authority and the BAI’s two statutory committees, the Contract Awards Committee and the Compliance Committee. The Chief Executive performs his/her functions subject to such policies as may be determined from time to time by the Authority and in line with the Authority’s Statement of Strategy, drawn up and adopted by the Authority pursuant to section 29 of the Act. The Chief Executive may delegate his or her functions to a member of staff of the Authority, subject to such conditions he considers appropriate.

The BAI is also responsible for the administration of the Broadcasting Fund and the authorisation of transactions on the Fund. The governance arrangements and control procedures within the BAI apply to the Broadcasting Fund.

## Authority Responsibilities

The functions and objectives of the Authority are set out in the Act. The specific and reserved decision-making responsibilities of the Authority and each statutory committee are set out in the BAI’s Schedule of Matters Reserved for Decision of the Authority and Statutory Committees. Standing items considered by the Authority include:

- Consideration and approval of the draft minutes of the previous meeting
- Declarations of Interest
- Matters concerning the functions and business of the BAI pursuant to the Act
- Matters relating to the achievement of the BAI’s strategic objectives
- Minutes of meetings of the Contract Awards Committee and the Compliance Committee
- Minutes of the Finance, Audit and Risk Committee
- Risk Updates
- Reserved matters

Section 37(2) of the Broadcasting Act 2009 (“the Act”) requires the Chief Executive, under the direction of the Authority, to keep all proper books and records of account of all income and expenditure of the Authority and of the sources of such income and the subject matter of such expenditure, and of the property, assets and liabilities of the Authority. He/she is also required to keep and to account to the Authority for all such special accounts as required by part 10 of the Act, and as the Authority, with the consent of the Minister, or the Minister may from time to time direct should be kept.

- Select suitable accounting policies and then apply them consistently;
- Make judgements and estimates that are reasonable and prudent;
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Authority will continue in operation; and

- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.  
The Authority is responsible for keeping adequate accounting records which disclose with reasonable accuracy at any time, its financial position and enables it to ensure that the financial statements of the BAI and the Broadcasting Fund comply with section 37(2) of the Act. The maintenance and integrity of the corporate and financial information on the BAI's website is the responsibility of the Authority.

The Authority is also responsible for safeguarding the assets of the BAI and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

## Statement of Strategy

The Authority is responsible for approving the Statement of Strategy (including its strategic objectives) and a three-year work plan and three-year budgetary estimates. The BAI's current Strategy Statement was launched in early 2021, covering the period 2021-2023 in line with the statutory provisions set out in section 29 of the Broadcasting Act 2009. In addition to setting out the Authority's Vision, Mission and Values, the statement includes Strategic Objectives under five strategic thematic headings, as follows:

1. Promoting Plurality and Diversity
2. Achieving Excellence and Accountability
3. Leadership in Change
4. Empowering Audiences
5. Enhancing Innovation and Sectoral Sustainability

## Online Safety and Media Regulation Bill

On the 10th January 2020, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media published the General Scheme of the Online Safety and Media Regulation Bill 2019.

This Bill outlines measures required to be transposed under the revised Audiovisual Media Services Directive and includes online safety proposals. The Bill envisages that the Broadcasting Authority of Ireland (BAI) and its Statutory Committees will be dissolved and replaced by a multi-person Media Commission.

On the 9th December 2020 the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media published the finalised details of the General Scheme of the Online Safety and Media Regulation Bill. In December 2020 the finalised General Scheme was forwarded to the Office of the Attorney General so that they could continue detailed drafting of the Bill. The finalised General Scheme was also referred to the relevant Joint Oireachtas Committee for pre-legislative scrutiny. The Joint Oireachtas Committee have since completed pre-legislative scrutiny. In addition, on 18th May 2021, the Government approved the integration of the Broadcasting (Amendment) Bill 2009 into the Online Safety and Media Regulation Bill and the introduction of three further heads of Bill. The Government approved the publication of the Bill on 12th January 2022. The Bill was then initiated in Seanad Éireann on 25th January 2022 for consideration for enactment.

The Financial Statements of the BAI and the Broadcasting Fund are prepared on a going concern basis and do not reflect any provisions relating to the proposed dissolution.

## Levy waiver for the independent radio sector

The COVID-19 pandemic has had a significant impact on the finances of the independent broadcasting sector since March 2020. In recognition of this, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media requested the Authority to consider waiving the levy on independent radio stations for the first six months of 2020. The Authority considered this request at its March 2020 meeting and agreed to the waiver.

This levy waiver reduced the BAI's 2020 income by €1M, approximately 20% of the Authority's levy income per its original 2020 approved budget. To bridge this shortfall, the Authority approved a Revised Budget and workplan for 2020 at its May 2020 meeting and it was subsequently agreed that Exchequer funding would also be made available. To ensure adequate cashflow during 2020, the Authority approved a drawdown of €500k from its loan facility with the NTMA. This loan was repaid in February 2021. In October 2020, the Minister for Tourism,

Culture, Arts, Gaeltacht, Sport and Media announced that the 2021 Exchequer Budget would make €839k available to the BAI in respect of the Q1/Q2 2020 waiver of the broadcasting levy for the independent radio sector. This funding was received by the BAI in February 2021 and €690k of this was redistributed as part of the levy reconciliation process for 2020 which took place Q3 2021. It was agreed with the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media that the remaining balance of €149k would be offset against the 2021 levy and would be redistributed to all levy broadcasters as part of the levy reconciliation process for 2021 which will take place in Q3 2022.

The Authority considers that the financial statements of the Broadcasting Authority of Ireland give a true and fair view of the financial performance and the financial position of the Broadcasting Authority of Ireland at 31st December 2021.

## Authority Structure

The Authority consists of nine members, one of whom is appointed as Chairperson. The Authority members are appointed by Government on the nomination of the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media pursuant to Section 8 of the Act. Each member of the Authority holds office for such a term as the Minister specifies when making the appointment, subject to the provisions of Section 9 of the Act.

The Chairperson position has been vacant since the expiration of the term of the previous Chair on 1st December 2020. In line with Section 9 of the Act, that Chair was not eligible to be reappointed as members are not permitted to serve more than 2 consecutive terms of office. In the absence of a chairperson, at each meeting, the Authority appointed a member to act as chair for that meeting. In May 2021, the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media launched a public recruitment process for a new Chairperson via the Public Appointment Service (PAS). On 23rd November 2021, the Cabinet approved the appointment of Mary Curtis as the new BAI Chairperson.

The table below details the appointment date for the current eight members of the Authority.

Authority Member	Role	First Appointed	Reappointed	Expiry Date
Alan McDonnell	Ordinary Member	02/12/2014	02/12/2019	01/12/2022
Grace Smith	Ordinary Member	02/12/2014	02/12/2019	01/12/2022
Denis Wolinski*	Ordinary Member	17/02/2015	22/12/2020	21/12/2023
Seán Ó Mordha*	Ordinary Member	17/02/2015	22/12/2020	21/12/2023
Rosemary Day*	Ordinary Member	17/02/2015	22/12/2020	21/12/2023
Maeve McDonagh*	Ordinary Member	17/02/2015	22/12/2020	21/12/2023
Mary Curtis	Ordinary Member	13/01/2017	02/12/2019	01/12/2022
Vivien McKechnie	Ordinary Member	20/03/2018		19/03/2023

\*Was not a member of the Authority between 16th February and 22nd December 2020



Section 6 of the Act also established two statutory committees as follows:

- 6. Contract Awards Committee:** this Committee comprises up to eight members. Pursuant to section 8 of the Act, four of the members are appointed by Government on the nomination of the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media and four members are appointed by the Authority; being two members of the Authority and two members of the staff of the Authority. The functions of the Contract Awards Committee are set out in Section 27 of the Act.
- 7. Compliance Committee:** this Committee comprises eight members. Pursuant to section 8 of the Act, four of the members are appointed by Government on the nomination of the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media and four members are appointed by the Authority; being two members of the Authority and two members of the staff of the Authority. The functions of the Compliance Committee are set out in Section 28 of the Act.

### **Finance, Audit and Risk Committee**

The Authority has also established a Finance, Audit and Risk (FAR) Committee which is comprised of three Authority members and one independent member with financial expertise. The role of the Finance, Audit and Risk Committee ("FAR Committee") is set out in terms of reference approved by the Authority and its purpose is to assist the Authority in relation to its responsibilities pursuant to the Act and the Code of Practice for the Governance of State Bodies such as risk, internal control and associated assurance.

The FAR Committee, which is independent of the Chief Executive and management of the BAI, ensures that the BAI's internal control systems, including its risk and audit activities, are monitored actively and independently. The FAR Committee reports to the Authority after each meeting, and formally in writing annually.

The February 2021 meeting was the final meeting with Alan McDonnell as Chairperson of the Finance Audit and Risk Committee in advance of the expiry of his term as Chairperson on 3rd April 2021. Denis Wolinski was reappointed to the FAR Committee in 2021 and attended his first meeting of the year in June. The Authority appointed Vivien McKechnie as Chairperson of the FAR Committee. Ms. McKechnie had been a member of the FAR Committee since February 2019 and took up her position as Chairperson at the June 2021 meeting.

In 2021, the members of the FAR Committee were Alan McDonnell (until 3rd April 2021), Vivien McKechnie, Grace Smith and Denis Wolinski. Dermot O'Riordan had been appointed as an independent member to serve from 1st September 2017 for a three-year term and was reappointed for a further three-year term from September 2020.

## Schedule of Attendance, Fees and Expenses

A schedule of attendance at the Authority and Committee meetings for 2021 is set out below including the fees and expenses received by each member.

	Fees	Expenses	Attendance
	€	€	
<b>Authority Members</b>			
Alan McDonnell	7,695	-	13/13
Grace Smith	7,695	-	12/13
Denis Wolinski	7,931*	-	12/13
Seán Ó Mordha	7,931	-	13/13
Rosemary Day	-	-	13/13
Maeve McDonagh	7,931*	-	11/13
Mary Curtis	7,695	-	10/13
Vivien McKechnie	7,695	-	12/13
<b>Compliance Committee</b>			
Kevin Rafter	-	-	9/9
Nigel Heneghan	7,695	-	8/9
Orlaith Carmody	7,695	-	8/9
Mary Curtis	-	-	5/8**
Maeve McDonagh	-	-	6/8**
Eileen Maher	7,695	-	8/9
Andrew Robinson	-	-	9/9
Stephanie Comey	-	-	8/9
<b>Contract Awards Committee</b>			
Ercus Stewart	11,970	-	8/8
John Hogan	7,695	258	6/8
Clodagh O'Donnell	7,695	-	8/8
Sean Ó Mordha	-	-	6/7***
<b>Finance, Audit and Risk Committee</b>			
Helen Shaw	5,801	-	5/5***
Rosemary Day	-	-	7/7***
Anne Louise O'Donovan	-	-	1/1
Clare Diamond	-	-	8/8
	110,819	-	

\* Denis Wolinski, Seán Ó Mordha and Maeve McDonagh were reappointed to the Authority on 22nd December 2020. Their 2021 fees included arrears from 22nd December to 31st December 2020.

\*\*Mary Curtis and Maeve McDonagh were appointed to the Compliance Committee with effect from 25th February 2021.

\*\*\*Helen Shaw was appointed by the Government to the Contract Awards Committee on 30th March 2021 and Rosemary Day and Seán Ó Mordha were appointed by the Authority to the Contract Awards Committee on 25th February 2021.

One member of the current Authority (Rosemary Day) and one member of the Compliance Committee (Kevin Rafter) did not receive a Member Fee under the One Person One Salary (OPOS).

## Conflict of Interest

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In the normal course of business, the BAI may approve the award of contracts and grants to undertakings in which Authority and/or Committee Members are employed or otherwise interested.

The Authority has adopted procedures in accordance with the provisions of the Broadcasting Act 2009 and the guidelines issued by the Department of Public Expenditure and Reform in relation to the disclosure of interests by Authority and/or Committee Members and those procedures were adhered to by the Authority and Committees during the year.

Members of the Authority who also serve as the Authority's nominees on the statutory Contract Awards Committee recuse themselves as a matter of course from all deliberations and decisions relating to recommendations for the award of contract, made by the Contract Awards Committee to the Authority.

The BAI complied with the provisions of the Broadcasting Act 2009 and the Department of Public Expenditure and Reform guidelines covering situations where interests are declared. In each case, the Member did not receive documentation on a licence application, complaint or issue arising, nor did the Member participate in, or attend decisions on, the matter, once the Member became aware of a conflict and/or had declared an interest in the matter.

## Key Personnel Changes

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**Chief Executive Officer:** On 31st May 2021, Michael O'Keeffe retired as CEO of the BAI. Following an open public competition recruitment process, the Minister appointed Celene Craig as CEO with effect from 1st June 2021.

**Contract Awards Committee:** The Government appointed Helen Shaw to the Contract Awards Committee on 30th March 2021. Executive member Anne Louise O'Donovan's term of appointment ended on 31st January 2021. The Executive vacancy was filled by Declan McLoughlin who was appointed on 25th February 2021. At that date Clare Diamond was also reappointed to the Committee. Rosemary Day and Séan Ó Mordha were also appointed by the Authority to the Contract Awards Committee on 25th February 2021.

**Compliance Committee:** The Authority appointed Meave McDonagh and Mary Curtis to the Compliance Committee with effect from 25th February 2021.

**Finance Audit and Risk Committee:** The February 2021 meeting was the final meeting with Alan McDonnell as Chairperson of the FAR in advance of the expiry of his term as Chairperson on 3rd April 2021. Denis Wolinski was reappointed to the FAR in 2021 and attended his first meeting of the year in June. The Authority appointed Vivien McKechnie as Chairperson of the FAR. Ms. McKechnie had been a member of the FAR since February 2019 and took up her position as Chairperson at the June 2021 meeting.

## Disclosures Required by Code of Practice for the Governance of State Bodies

The Authority is responsible for ensuring that the BAI has complied with the requirements of the Code of Practice for the Governance of State Bodies ("the Code"), as published by the Department of Public Expenditure and Reform in August 2016. The following disclosures are required by the Code:

### Employee Short-Term Benefits Breakdown

Employees' short-term benefits in excess of €60,000 are categorised into the following bands:

Range of total employee benefits From To	2021	2020
€60,000 - €69,999	2	3
€70,000 - €79,999	2	4
€80,000 - €89,999	7	5
€90,000 - €99,999	-	-
€100,000 - €109,999	-	1
€110,000 - €119,999	-	-
€120,000 - €129,999	2	-
€130,000 - €139,999	-	1

For the purposes of this disclosure, short term employee benefits in relation to services rendered during the reporting period include salary, overtime, allowances and other payments made on behalf of the employee, but exclude employers PRSI.

## Consultancy costs

	2021	2020
	€ '000	€ '000
Auditing & Monitoring	35	21
Policy, Codes and Rules	243	177
General Consultancy	203	198
IT Consultancy	-	-
Total Consultancy	481	396

	2021	2020
	€ '000	€ '000
Legal Advice (General in nature)	84	43
	84	43

## Travel and Subsistence Expenditure

Travel and subsistence expenditure is categorised as follows:

	2021	2020
	€ '000	€ '000
<b>Authority/Committee Members</b>		
Domestic	-	1
Foreign	-	1
	1	1
<b>Employees</b>		
Domestic	1	7
Foreign	-	1
	1	8

Note that in the Financial Statements Authority and Committee Member travel and subsistence expenditure paid directly to Authority/Committee members is recorded as an Authority/Committee Members' Fees & Expenses (2021: €Nil; 2020: €1k) and Employees travel and subsistence expenditure is recorded as an Administrative Cost (2021: €1k; 2020: €8k).

## Hospitality Expenditure

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The Statement of Income and Expenditure includes hospitality expenditure of €4k (€9k in 2020). This included €4k for staff hospitality (€9k in 2020) and €Nil for client hospitality (€Nil in 2020). The Code of Practice for the Governance of State Bodies requires costs relating to the Employee Wellbeing Programme to be included under this category.

## Statement of Compliance

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The Authority has adopted the Code of Practice for the Governance of State Bodies (2016) and has put procedures in place to ensure compliance with the Code. The Broadcasting Authority of Ireland was in full compliance with the Code of Practice for the Governance of States Bodies during 2021.



**Mary Curtis**

Chairperson

23rd June 2022



## Statement on Internal Control

### Scope of Responsibility

On behalf of the Broadcasting Authority of Ireland, I acknowledge the Authority's responsibility for ensuring that an effective system of internal control is maintained and operated in respect of the Broadcasting Authority of Ireland and the Broadcasting Fund. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

### Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a tolerable level rather than to eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions are authorised and properly recorded and that material errors or irregularities are either prevented or would be detected in a timely way.

The system of internal control, which accords with guidance issued by the Department of Public Expenditure and Reform has been in place in the Broadcasting Authority of Ireland for the year ended 31st December 2021 and up to the date of approval of the financial statements.

The Broadcasting Authority of Ireland has a Finance, Audit and Risk Committee ("FAR") comprising three Authority members and one external member with financial and audit expertise. The FAR Committee met four times in 2021.

### Risk Management Framework

The Authority applies its Risk Management Framework to the BAI's operational and strategic activities. The framework consists of the BAI's Risk Management Policy, its Risk Appetite Statement and its Corporate and Project/Operational Risk

Registers along with accountability measures in place via periodic reporting of risk throughout the organisation.

The Risk Management Policy provides the overall framework for risk management in the BAI. Specifically, the Policy:

- Links risk to the organisation's strategic objectives;
- Provides a clear and explicit risk policy statement with appropriate risk management objectives;
- Articulates the manner in which risk will be identified and classified;
- Requires that risk assessment is completed by identifying, describing and estimating the various risks that will impact on the Authority and sets out the tools, processes and structures that will give this practical effect;
- Describes the risk reporting process to ensure full visibility of all identified risks and the actions planned to deal with the risks;
- Sets out roles and responsibilities of the Authority, BAI statutory committees and BAI staff with regard to risk management;
- Sets out an implementation and monitoring plan that ensures that BAI staff fulfil their responsibilities regarding risk and the agreed actions;
- Sets out what supports are in place to maintain a risk-aware culture (e.g. training).

The BAI's Risk Management Policy provides a risk control framework for the BAI which ensures risk-based decision-making, having regard to the risk appetites and related tolerances identified in the Risk Appetite Statement. The policy outlines the processes in place to identify, assess and report key risks as well as the internal controls and ongoing actions being taken to manage and, to the extent possible, to mitigate those risks. The Risk Management Policy details the roles and responsibilities of staff as it relates to risk management and includes risk ownership and risk escalation criteria and procedures.

The Policy has been issued to all staff and training on risk management is provided on a periodic basis. In 2021, specific training on risk culture was offered to members of the Authority (including Authority members of the Finance, Audit and Risk Committee) and to staff. In addition, briefings on IT and cyber-risks were provided to staff and to the Authority and Finance, Audit and Risk Committees.

## Risk and Control Framework

A Corporate Risk Register is in place which identifies the principal corporate and strategic risks and uncertainties facing the Broadcasting Authority of Ireland and these have been identified, evaluated and graded according to their significance. In addition, the Project/Operational Risk Register identifies risks for the BAI's project and operational areas. The registers detail the controls and additional actions considered necessary to mitigate and manage risks identified.

The risk management systems also include the BAI Risk Appetite Statement. This sets out the methodology to be used by the BAI to establish and manage risk appetite. The Statement identifies five risk themes for the BAI which link to the BAI's Strategy Statement. A risk appetite level has been identified for each of the five themes. In addition, risk tolerances have been established, as have key risk indicators and related metrics.

Risk is a standing agenda item at meetings of the Authority, the Finance, Audit and Risk Committee, the Senior Management Team, the Operations Team, and the Middle Management Team. The Corporate Risk Register and the Risk Appetite Statements are reviewed by the Finance, Audit and Risk Committee at each meeting. The Committee also reviews the Operational Risk Register bi-annually. The registers and Risk Appetite Statement are reviewed on a scheduled basis (as set out in the Risk Management Policy) by the Authority, the Senior Management Team and the BAI's Operational and Middle Management Teams.

In its Terms of Reference, the FAR Committee commits to a review of the Policy on an annual basis and any revisions to the Policy are submitted to the Authority for approval. A review of the Policy was undertaken in 2021. This involved input from the Authority, the Finance, Audit and Risk Committee and BAI staff. The Contract Awards and Compliance Committees were also invited to input into the process. Following the review, the Authority was satisfied that the policy but agreed with the recommendation of the review that the organisations risk culture could be enhanced. It was also agreed that the risk registers would be reviewed in detail with revised registers in effect from early 2022. The review outcomes will be implemented in 2022.

## Control Framework

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I confirm that a control environment containing the following elements is in place:

- Procedures for all key business processes have been documented,
- Financial responsibilities have been assigned at management level with corresponding accountability,
- There is an appropriate budgeting system with an annual budget which is kept under review by senior management,
- There are systems aimed at ensuring the security of the information and communication technology systems,
- There are systems in place to safeguard the assets, and
- Control procedures over grant funding to outside agencies ensure adequate control over approval of grants and monitoring and review of grantees to ensure grant funding has been applied for the purpose intended.

## Ongoing Monitoring and Review

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Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to management and the Authority, where relevant, in a timely way. I confirm that the following ongoing monitoring systems are in place:

- Key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies,
- Reporting arrangements have been established at all levels where responsibility for financial management has been assigned, and

- There are regular reviews by senior management of periodic and annual performance and financial reports which indicate performance against budgets.

## Internal Audit

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The BAI has outsourced its internal audit function which is adequately resourced and conducts a risk-based programme of work agreed with the FAR Committee. Internal Audit is responsible to the FAR for providing independent and objective evaluation of risk management, control and governance processes within BAI. Internal Audit examines the adequacy, efficiency and effectiveness of systems, people, and processes to identify potential risks and areas for improvement. During 2021, two operational audits were completed by the Internal Auditor who reported their findings and recommendations to the Finance, Audit and Risk Committee. These were as follows:

- Review of Effectiveness of Business Continuity Planning
- Review of GDPR

## Procurement

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I confirm that the Broadcasting Authority of Ireland has procedures in place to ensure compliance with current procurement rules and guidelines and that during 2021. The BAI complied with those procedures

## Review of Effectiveness

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I confirm that the BAI has procedures to monitor the effectiveness of its risk management and control procedures. The BAI's monitoring and review of the effectiveness of the system of internal controls is informed by the work of the internal and external auditors, the FAR Committee which oversees their work, and the senior management within the BAI responsible for the development and maintenance of the internal control framework.

I confirm that in December 2021 the Authority conducted an annual review of the effectiveness of the internal controls for 2021. This review was informed by work carried out by the BAI Executive, the internal auditor and the Finance, Audit and Risk Committee.

## Internal Control Issues

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No weaknesses in internal control were identified in relation to 2021 that require disclosure in the financial statements.



**Mary Curtis**

Chairperson

23rd June 2022



## **Ard Reachtaire Cuntas agus Ciste** **Comptroller and Auditor General**

### **Report for presentation to the Houses of the Oireachtas** **Broadcasting Authority of Ireland**

#### **Opinion on the financial statements**

I have audited the financial statements of the Broadcasting Authority of Ireland for the year ended 31 December 2021 as required under the provisions of section 37 of the Broadcasting Act 2009. The financial statements comprise

- the statement of income and expenditure and retained revenue reserves
- the statement of comprehensive income
- the statement of financial position
- the statement of cash flows, and
- the related notes, including a summary of significant accounting policies.

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of the Broadcasting Authority of Ireland at 31 December 2021 and of its income and expenditure for 2021 in accordance with Financial Reporting Standard (FRS) 102 — *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

#### ***Basis of opinion***

I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Broadcasting Authority of Ireland and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### **Report on information other than the financial statements, and on other matters**

The Broadcasting Authority of Ireland has presented certain other information together with the financial statements. This comprises the annual report (including the governance statement and Authority members' report) and the statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.

**Mary Henry**  
**For and on behalf of the**  
**Comptroller and Auditor General**

**29 June 2022**

## Appendix to the report

### Responsibilities of Authority members

As detailed in the governance statement and Authority members' report, the Authority members are responsible for

- the preparation of annual financial statements in the form prescribed under section 37 of the Broadcasting Act 2009.
- ensuring that the financial statements give a true and fair view in accordance with FRS 102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### Responsibilities of the Comptroller and Auditor General

I am required under section 37 of the Broadcasting Act 2009 to audit the financial statements of the Broadcasting Authority of Ireland and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.

- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Broadcasting Authority of Ireland's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Broadcasting Authority of Ireland to cease to continue as a going concern.
- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.

### Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

### Reporting on other matters

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.



# Statement of Income and Expenditure and Retained Revenue Reserves

For the year ended 31st December 2021

	Note	2021 € '000	2020 € '000
<b>Income</b>			
Levy	2	5,210	4,242
Exchequer Funding		-	839
Licensing Fees	3	67	56
Other Income	4	837	711
<b>Gross Income</b>		6,114	5,848
<b>Expenditure</b>			
Staff Costs	5	2,443	2,557
Retirement Benefit Costs	17(c)	331	349
Authority/Committee Members' Fees & Expenses		111	88
Consultancy Fees	7	481	396
Legal Expenses		84	43
Advertising		27	44
Administrative Expenses	8	363	301
Auditors' Remuneration		15	14
Grant & Development Payments	9	582	398
Premises & Related Expenses	10	771	766
Depreciation		41	61
Bad Debts		4	-
Bank interest and charges		20	12
		5,273	5,029
<b>Surplus Income over Expenditure</b>		841	819
Refund of Levy	2	(812)	(794)
<b>Surplus after refund of Levy</b>		29	25
Transfer to/(from) Capital Account	15	38	33
<b>Retained Revenue Reserve</b>			
Balance at the beginning of the year		786	728
Surplus after refund of Levy and transfer to/(from) capital account		67	58
<b>Balance at the end of the year</b>		853	786

**The Statement of Cash Flows and Notes 1–21 form part of these Financial Statements.**

The Financial Statements were approved by the Authority on 23rd June 2022 and signed on its behalf by:



**Mary Curtis**

Chairperson

23rd June 2022



**Celene Craig**

Chief Executive

## Statement of Comprehensive Income

For the year ended 31st December 2021

	2021	2020
	€'000	€'000
Surplus after Refund of Levy	67	58
Experience gain/(loss) on retirement benefit scheme liabilities	728	(439)
Changes in assumptions underlying the present value of retirement benefit scheme obligations	(1,127)	(1,813)
Total actuarial (loss)/gain in the year	(399)	(2,252)
Adjustment to deferred Exchequer Retirement Benefit funding	399	2,252
<b>Other Comprehensive Income for the year</b>	<b>67</b>	<b>58</b>

**The Statement of Cash Flows and Notes 1–20 form part of these Financial Statements.**

The Financial Statements were approved by the Authority on 23th June 2022 and signed on its behalf by:



**Mary Curtis**

Chairperson

23rd June 2022



**Celene Craig**

Chief Executive

## Statement of Financial Position

As at 31st December 2021.

	Note	2021 € '000	2020 € '000
<b>Fixed Assets</b>			
Property, Plant and Equipment	11	41	79
<b>Current Assets</b>			
Receivables	12	592	2,002
Cash and cash equivalents	13	2,549	1,537
		3,141	3,539
<b>Current Liabilities</b>			
Payables (amounts falling due within one year)	14	(2,288)	(2,753)
<b>Net Current Assets</b>		853	786
<b>Total Assets less Liabilities before Retirement Benefits</b>		894	865
Deferred retirement benefit asset	17	19,994	18,864
Retirement benefit liabilities		(19,994)	(18,864)
<b>Net Assets</b>		894	865
<b>Representing</b>			
Retained Revenue Reserves		853	786
Capital Account	15	41	79
		894	865

**The Statement of Cash Flows and Notes 1–20 form part of these Financial Statements.**

The Financial Statements were approved by the Authority on 23rd June 2022 and signed on its behalf by:



**Mary Curtis**

Chairperson

23rd June 2022



**Celene Craig**

Chief Executive

## Statement of Cash Flows

For the year ended 31st December 2021

	2021 € '000	2020 € '000
<b>Net Cash Flows from Operating Activities</b>		
Surplus for Year	67	58
Depreciation Charge	41	61
Transfer from Capital Account	(38)	(33)
Decrease/(Increase) in Receivables	1,410	1,175
Increase/(Decrease) in Payables	(465)	757
<b>Net Cash Inflow /(Outflow) from Operating Activities</b>	<b>1,105</b>	<b>(332)</b>
<b>Cash Flows from Investing Activities</b>		
Loan Drawdown	-	500
<b>Cash Flows for Investing Activities</b>	<b>(3)</b>	<b>(28)</b>
<b>Increase/(Decrease) in Cash and Cash Equivalents</b>	<b>1,012</b>	<b>140</b>
<b>Cash/Cash Equivalents at beginning of the year</b>	<b>1,537</b>	<b>1,397</b>
<b>Cash/Cash Equivalents at end of year</b>	<b>2,549</b>	<b>1,537</b>

# Notes to the Financial Statements

## 1. Accounting Policies

The basis of accounting and significant accounting policies adopted by the Broadcasting Authority of Ireland are set out below. They have all been applied consistently throughout the year and for the preceding year.

### a) General Information

The Broadcasting Authority of Ireland was established under the Broadcasting Act 2009, with a head office at 2-5 Warrington Place, Dublin 2. The Broadcasting Authority of Ireland's primary objectives, as set out in Section 25 of the Broadcasting Act 2009, are as follows:

1. The Authority and the statutory committees, in performing their functions, shall endeavour to ensure –
  - a. that the number and categories of broadcasting services made available in the State by virtue of this Act best serve the needs of the people of the island of Ireland, bearing in mind their languages and traditions and their religious, ethical and cultural diversity;
  - b. that the democratic values enshrined in the Constitution, especially those relating to rightful liberty of expression, are upheld, and
  - c. the provision of open and pluralistic broadcasting services.
2. Without prejudice to the generality of subsection (1), the Authority, and the statutory committees, shall –
  - a. stimulate the provision of high quality, diverse and innovative programming by commercial, community and public service broadcasters and independent producers;
  - b. facilitate public service broadcasters in the fulfilment of their public service objects as set out in this Act;
  - c. promote diversity in control of the more influential commercial and community broadcasting services;
  - d. provide a regulatory environment that will sustain independent and impartial journalism;
  - e. provide a regulatory environment that will sustain compliance with applicable employment law;
  - f. protect the interests of children taking into account the vulnerability of children and childhood to undue commercial exploitation;
  - g. provide a regulatory environment that will facilitate the development of a broadcasting sector in Ireland that is responsive to audience needs and in particular is accessible to people with disabilities and
  - h. promote and stimulate the development of Irish language programming and broadcasting services.
3. The Authority and the statutory committees, in performing their functions, shall seek to ensure that measures taken –
  - a. are proportionate having regard to the objectives set out in this section,
  - b. are applied across the range of broadcasting services taking account of the degree of influence that the different types of broadcasting services are able to exert in shaping audience views in the State,
  - c. are mindful of the objects, functions and duties set for public service broadcasters in Parts 7 and 8,
  - d. (a) will produce regulatory arrangements that are stable and predictable, and

- e. will readily accommodate and encourage technological development, and its application, by the broadcasting sector.

## b) Statement of Compliance

The financial statements of the Broadcasting Authority of Ireland for the year ended 31st December 2021 have been prepared in accordance with FRS 102, the financial reporting standard applicable in the UK and Ireland issued by the Financial Reporting Council (FRC), as promulgated by Chartered Accountants Ireland.

## c) Basis of Preparation

The Financial Statements are prepared under the accruals method of accounting and under the historical cost convention in the form approved by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media with the concurrence of the Minister for Public Expenditure and Reform pursuant to section 37(4) of the Broadcasting Act 2009.

The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the Broadcasting Authority of Ireland's financial statements.

## d) Income

### Levy Income

The Authority's main source of income is generated from a levy raised on public service broadcasters and broadcasting contractors as required under section 33 (1) of the Broadcasting Act 2009. The levy is used to fund the expenses of the operation of the Authority and the statutory committees and is based on budgeted expenditure for a given financial year.

Under Section 33(5) of the Broadcasting Act 2009, any surplus of levy income over the expenses incurred by the Authority in the discharge of its functions relevant to that levy in a particular financial year shall either be retained by the Authority to be offset against levy obligations for the subsequent year or be refunded proportionately to the providers of broadcasting services on whom the levy is imposed.

The basis of the calculation of the levy is detailed in the Broadcasting Act 2009 (Section 33) Levy Order 2010 (S.I. no 7/2010) and SI 521/2020 Levy (Amendment) Order and is accounted for on an accruals basis.

## Exchequer Funding

In October 2020, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media announced that the 2021 Exchequer Budget would make €839k available to the BAI in respect of the Q1/Q2 2020 waiver of the broadcasting levy for the independent radio sector. This Exchequer Funding was used by the BAI for the 2020 Levy Reconciliation Process which was carried out in 2021. This Exchequer funding was recognised as income in 2020 and it was agreed that any excess funds not used as part of the Levy Reconciliation process would be retained by the BAI for offset against general expenditure and cash flow purposes.

Following the Levy Reconciliation process, the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media agreed that any Exchequer Funds not used for the 2020 Levy Reconciliation Process would be redistributed as part of the 2021 Levy Reconciliation Process.

### Licensing Fee Income

Further to the provisions of the Broadcasting Act 2009, the Authority is responsible for the awarding of contracts for television and radio services on a variety of platforms. In general, the Authority enters into two kinds of contracts with broadcasting operators as follows:

- Broadcasting Contracts; and
- Content Provision Contracts

Licensing fees may be payable by applicants for contracts and by contractors to the BAI pursuant to the statutory provisions. Such fees may vary from time to time in line with the Authority's policies and strategies.



## Other Income

Other Income is recognised on an accruals basis.

## Interest Income

Interest Income is recognised on an accruals basis using the effective interest method.

## e) Property Plant and Equipment and Depreciation

Property, plant and equipment are stated at cost less accumulated depreciation, adjusted for any provision for impairment. Depreciation is provided on all property, plant and equipment, at rates estimated to write off the cost less the estimated residual value of each asset on a straight-line basis over their estimated useful lives, as follows:

Computer Software & Equipment	33% per annum
Office Equipment	20% per annum
Fixtures and Fittings	10% per annum
Leasehold Improvements	10% per annum
Audio/Technical Equipment	33% per annum
Motor Vehicles	25% per annum

Residual value represents the estimated amount which would currently be obtained from disposal of an asset, after deducting estimated costs of disposal, if the asset were already of an age and in the condition expected at the end of its useful life. If there is objective evidence of impairment of the value of an asset, an impairment loss is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves in the year.

## f) Receivables

Receivables are recognised at fair value, less a provision for doubtful debts. The provision for doubtful debts is a specific provision, and is established when there is objective evidence that the Authority will not be able to collect all amounts owed to it. All movements in the provision for doubtful debts are recognised in the Statement of Income and Expenditure and Retained Revenue Reserves.

## g) Operating Leases

Rental expenditure under operating leases is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves over the life of the lease. Expenditure is recognised on a straight-line basis over the lease period, except where there are rental increases linked to the expected rate of inflation, in which case these increases are recognised when incurred. Any lease incentives received are recognised over the life of the lease.

## h) Employee Benefits

### i. Short-term Benefits

Short term benefits such as holiday pay are recognised as an expense in the year, and benefits that are accrued at year-end are included in the payables figure in the Statement of Financial Position.

### ii. Retirement Benefits

#### Nature of Schemes

The Broadcasting Authority of Ireland operates the following defined pension schemes in respect of employees:

- Employees appointed before 1st January 2013 are members of the BAI Superannuation Scheme and its Spouses and Children's' Pension Scheme. These scheme structures are based on the Public Service Model (the "Model Scheme").
- Employees appointed after 1st January 2013 are members of the Single Public Service Pension Scheme, which provides consumer price index-linked defined benefit pensions based on career-average pay (the "Single Scheme").

The schemes are unfunded by the Authority, with pension benefits payable by the Exchequer. The Authority's arrangements have a number of specific characteristics:

- The Authority makes agreed contributions to the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (for the Model Scheme) and to the Department of Public Expenditure and Reform (for the Single Scheme)

- The contributions for both schemes comprise an employee element along with an employer element. The employer contributions, paid by the Authority, for the Model Scheme amount to 16.66% of gross pay. The employer contribution paid by the Authority to the Single Scheme amount to three times the employee contribution
- There is a commitment from the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, with the agreement of the Department of Public Expenditure and Reform, that the Exchequer will meet the cost of benefits as they fall due
- An asset corresponding to the unfunded deferred liability for retirement benefit on the Single Public Service Pension Scheme is recognised on the basis of the provisions of Section 44 of the Public Service Pensions (Single Scheme and other provisions) Act 2012

In substance, the Authority considers that the obligation to pay pension benefits remains with the Authority, but that the Exchequer will provide the Authority with sufficient funds to settle any such obligations as they fall due, on the basis that the Authority pays over employees' and the employer's contributions at rates specified by the Minister for Public Expenditure and Reform.

Accordingly, the financial statements recognise both a deferred pension benefit obligation and a deferred exchequer pension funding receivable and full details of Superannuation benefit payments are included in the financial statements as an expenditure item and there is a corresponding income representing Exchequer Retirement Benefit.

#### **Schemes actuarial gains or losses**

Actuarial gains or losses arising from changes in actuarial assumptions and from experience surpluses and deficits are recognised for the year in which they occur and a corresponding adjustment is recognised to the balance for deferred exchequer retirement benefit funding.

Pension costs in the statement of income and expenditure and retained revenue reserves comprise the employer's contribution in the year.

#### **Schemes liabilities**

Scheme liabilities represented by the present value of future payments earned by Authority employees to date are measured on an actuarial basis using the projected unit method. Pension costs reflect pension benefits earned by employees. The amount to be included in the financial statements for the deferred exchequer benefit funding amount is estimated at an amount equal to the estimate of the obligation for the pension scheme liabilities.

Further information on the schemes is provided in note 17.

### **i) Capital Account**

The Capital Account represents the unamortised amount of income used to purchase fixed assets.

### **j) Foreign Currencies**

Transactions denominated in foreign currencies are translated into euro and recorded at the rate of exchange ruling at the dates of transactions. Monetary assets and liabilities denominated in foreign currencies are translated into euro at rates of exchange ruling at the reporting date.

### **k) Taxation**

The Authority is not liable for Corporation Tax. Income raised by the Authority is subject to VAT.

### **l) Critical Accounting Judgements and Estimates**

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for assets and liabilities as at the reporting date and the amounts reported for revenues and expenses during the year. However, the nature of estimation means that actual outcomes could differ from those estimates. The following judgements have had the most significant effect on amounts recognised in the financial statements.

## Going Concern

There is no material uncertainty regarding the Broadcasting Authority of Ireland's ability to meet its liabilities as they fall due, and to continue as a going concern. On this basis, the Broadcasting Authority of Ireland considers it appropriate to prepare financial statements on a going concern basis. Accordingly, these financial statements do not include any adjustments to the carrying amounts and classification of assets and liabilities that may arise if the Broadcasting Authority of Ireland was unable to continue as a going concern.

## Impairment of Property, Plant and Equipment

Tangible Fixed Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less cost to sell and value in use. For the purpose of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash flows (cash-generating units). Non-financial assets that suffered impairment are reviewed for possible reversal of the impairment at each reporting date.

## Depreciation and Residual Values

The Authority has reviewed the asset lives and associated residual values of all fixed asset classes, and, in particular, the useful economic life and residual values of fixtures and fittings, and have concluded that asset lives and residual values are appropriate.

## Provision for Doubtful Debts

The Authority makes an estimate of the recoverable value of debtors and other receivables. The Authority uses estimates based on historical experience in determining the level of debts which may not be collected. These estimates include such factors as the current rating of the debtor, the ageing profile of debtors and historical experience.

The level of provision required is reviewed on an on-going basis. The fair value of debtors in the financial statements approximate to their carrying amounts..

## Provisions

The Authority makes provisions for legal and constructive obligations, which it knows to be outstanding at the period end date. These provisions are generally made based on historical or other pertinent information, adjusted for recent trends where relevant. However, they are estimates of the financial costs of events that may not occur for some years. As a result of this and the level of uncertainty attaching to the final outcomes, the actual out-turn may differ significantly from that estimated.

## Retirement Benefit Obligation

The assumptions underlying the actuarial valuations for which the amounts recognised in the financial statements are determined (including discount rates, rates of increase in future compensation levels, mortality rates and healthcare cost trend rates) are updated annually based on current economic conditions, and for any relevant changes to the terms and conditions of the pension and post-retirement plans.

The assumptions can be affected by:

- i. the discount rate, changes in the rate of return on high-quality corporate bonds;
- ii. future compensation levels, future labour market conditions; and
- iii. health care cost trend rates, the rate of medical cost inflation in the relevant regions.

## Deferred pension funding

The Authority recognises amounts owing from the State for the unfunded deferred liability for pensions on the basis of a number of past events. These events include the statutory backing for the superannuation schemes, and the policy and practice in relation to funding public service pensions including the annual estimates process. While there is no formal agreement and therefore

no guarantee regarding these specific amounts with the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media or the Department of Public Expenditure and Reform, the Authority has no evidence that this funding policy will not continue to progressively meet this amount in accordance with current practice.

## 2. Levy

### a) Industry Levy

Section 33 of the Broadcasting Act 2009 requires the Authority to recoup the expenses properly incurred by the Authority and the statutory committees in the performance of their functions through the imposition of a levy or charge on public service broadcasters and broadcasting contractors. The terms of this Levy, including the method of calculation, are set out in Statutory Instrument No. 7 of 2010, Broadcasting Act 2009 (Section 33) Levy Order 2010 (the 'Levy Order').

On 22nd January 2010, in exercise of the powers conferred on it by Section 33 of the Broadcasting Act 2009, the Authority published the Levy Order. The Levy Order came into operation on the 17th January 2010. Aspects of this Levy Order were changed under the BAI Levy Amendment Order 2020 which came into operation on 1st January 2021.

The amount levied on broadcasters in 2021 was €5.210m. The levy amount was based on the Authority's budgeted expenditure for levy purposes for 2021 and broadcasters' qualifying income for 2020.

Each year, the Authority conducts a levy reconciliation to compare the amount levied on broadcasters against the actual levy charge. This reconciliation will be carried out when the 2021 Authority expenditure for levy purposes has been approved and broadcasters have provided their actual qualifying income for 2020. Broadcasters will be subsequently issued with an invoice or a credit note for this adjustment.

The levy reconciliation processes for 2020 was carried out during 2021. The 2020 Financial Statements recognised a refund of €794k. This included Exchequer funding of €389k which had been received to fund the estimated shortfall incurred resulting from the Q1 and Q2 levy waiver for independent radio broadcasters. The total levy refunded to television broadcasters was €647,629. The balance of €147k will be redistributed across independent radio and television broadcasters as part of the 2021 levy reconciliation process.

An estimated refund of €812k is due to broadcasters in respect of the 2021 levy year and has been recognised in the 2021 Statement of Income and Expenditure and Retained Revenue Reserves.

## 3. Licensing Fees

	2021	2020
	€'000	€'000
Television	67	56
	<b>67</b>	<b>56</b>

## 4. Other Income

	2021	2020
	€'000	€'000
Broadcasting Fund Income	837	711
	<b>837</b>	<b>711</b>

Other income includes expenditure incurred by the Broadcasting Authority of Ireland and which is recharged to the Broadcasting Fund. This includes salaries of €521k (2020: €494k), general overheads of €206k (2020: €163k), BFS sponsorship contribution of €79k (2020: €40k) and investment advice €13k (2020: €13k).

## 5. Remuneration

### a) Aggregate Employee Benefits

	2021	2020
	€ '000	€ '000
Staff short-term benefits	2,241	2,356
Employer's contribution to social welfare	202	201
	<b>2,443</b>	<b>2,557</b>

In 2021, Staff Costs include €521k (2020: €494k) which is recharged to the Broadcasting Fund and is recognised in Other Income. There were three people (2020: 3) working in the BAI during 2021 employed via an agency. The gross cost to the BAI in respect of agency personnel in 2021 was €106k (2020: €90k). The average number of persons employed by the Authority (excluding Agency personnel) during the year was as follows:

	2021	2020
Senior Management	9	10
Other Staff	26	28
Actual Full-time Equivalent	<b>35</b>	<b>38</b>
Actual Full-time Equivalent at 31st December	35	37
Employment Control Framework (ECF) at 31st December	<b>35</b>	<b>35</b>

### (b) Additional Superannuation Contribution

From 1st January 2019 onwards, members of public services defined benefit pension schemes pay an Additional Superannuation Contribution (ASC) arising from the Public Stability Agreement (2018 – 2020) and the Public Pay and Pensions Act 2017. ASC has replaced the Pension-Related Deduction (PRD) which ceased at the end of 2018. While PRD was a temporary emergency measure, ASC is a permanent contribution. ASC deductions of €82,561 (2020: €77,430) were made from staff salaries during the year and were submitted to the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media.



### c) Staff Short-Term Benefits

	2021	2020
	€ '000	€ '000
Basic pay	2,241	2,356
Overtime	-	-
	<b>2,241</b>	<b>2,356</b>

There were no termination payments made during the period.

### d) Single Public Service Pension Scheme (Single Scheme)

Pensionable public servants appointed on or after 1st January 2013 join the Single Scheme, which is an average salary, defined benefit scheme. In 2021, staff contributions to the Single Scheme totalled €28,902 (2020: €26,529). The BAI's liability for employer contributions to the Single Scheme was €86,707 (2020: €85,586).

### e) Key Management Personnel

On 31st May 2021 the Chief Executive retired and a new Chief Executive was appointed (formerly the Deputy Chief Executive). Current key management personnel in the Broadcasting Authority of Ireland consists of the Chief Executive and the eight members of the Senior Management Team. The total value of employee benefits for key management personnel, including the salary of the former Chief Executive, is set out below:

	2021	2020
	€ '000	€ '000
Salary	863	862
	<b>863</b>	<b>862</b>

This does not include the value of retirement benefits earned in the period. The key management personnel are members of the Broadcasting Authority of Ireland pension scheme and their entitlements in that regard do not extend beyond the terms of the Single Scheme or the Model Scheme.

## 6. Chief Executive's Remuneration

### Total Remuneration

	2021	2020
	€ '000	€ '000
Former CEO (to 31st May 2021)	60	133
Current CEO (June to December 2021)	79	-
	<b>139</b>	<b>133</b>

## Employer Superannuation Contributions

	2021	2020
	€ '000	€ '000
Former CEO (to 31st May 2021)	9	22
Current CEO (June to December 2021)	13	-
	<b>22</b>	<b>22</b>

The former and current Chief Executives' pension entitlements do not extend beyond those standard entitlements of the Public Sector Model Scheme. No bonus was paid to either the Chief Executive or the former Chief Executive in 2021.

## 7. Consultancy Fees

	2020	2019
	€ '000	€ '000
Auditing & Monitoring	35	21
Policy, Codes and Rules	243	177
General Consultancy	203	198
IT Consultancy	-	41
	<b>481</b>	<b>396</b>

## 8. Administrative Expenses

	2021	2020
	€ '000	€ '000
Travel & Subsistence	1	8
Human Resources	147	57
Telephone & Postage	35	35
Office Expenses	27	33
Professional Affiliations & Subscriptions	36	39
Information Technology	117	129
	<b>363</b>	<b>301</b>

In 2021, staff foreign travel of €Nil (2019: €1k); staff domestic travel of €1k (2020: €7k) and non-staff travel costs of €Nil (2020: €Nil) are included in Travel & Subsistence costs. Costs of €4k (2020: €9k) relating to staff and other BAI catering are included in Office Expenses.

## 9. Grant & Development Payments

	2021	2020
	€ '000	€ '000
Network Funding	321	243
Broadcasting Innovation Scheme	45	26
Community Broadcasting Support Scheme	5	16
Diversity/Gender	54	-
Media Research Funding Scheme	-	33
Sponsorship	157	80
	<b>582</b>	<b>398</b>

## 10. Premises & Related Expenses

	2021	2020
	€ '000	€ '000
Rent, Rates, Service Charges & Building Maintenance	671	667
Security & Cleaning	86	84
Light & Heat	14	15
	<b>771</b>	<b>766</b>

## 11. Property, Plant and Equipment

	Total	Computer Software & Equipment	Office Equipment	Fixtures & Fittings	Leasehold Improvements	Audio/ Technical Equipment
	€ '000	€ '000	€ '000	€ '000	€ '000	€ '000
<b>Cost</b>						
<b>At 01.01.2021</b>	<b>3,880</b>	<b>397</b>	<b>56</b>	<b>633</b>	<b>2,630</b>	<b>164</b>
Additions	3	3	-	-	-	-
Disposals	-	-	-	-	-	-
<b>At 31.12.2021</b>	<b>3,883</b>	<b>400</b>	<b>56</b>	<b>633</b>	<b>2,630</b>	<b>164</b>
<b>Depreciation</b>						
<b>At 01.01.2021</b>	<b>3,801</b>	<b>342</b>	<b>48</b>	<b>631</b>	<b>2,617</b>	<b>163</b>
Charge for Year	41	33	3	1	3	1
Disposals	-	-	-	-	-	-
<b>At 31.12.2021</b>	<b>3,842</b>	<b>375</b>	<b>51</b>	<b>632</b>	<b>2,620</b>	<b>164</b>
<b>Net Book Value</b>						
<b>At 01.01.2021</b>	<b>79</b>	<b>55</b>	<b>8</b>	<b>2</b>	<b>13</b>	<b>1</b>
<b>At 31.12.2021</b>	<b>41</b>	<b>25</b>	<b>5</b>	<b>1</b>	<b>10</b>	<b>-</b>

## 12. Receivables

	2021	2020
	€ '000	€ '000
Debtors	44	595
Department of TCAGSM	-	839
Prepayments	180	208
Broadcasting Fund	366	360
Others	2	-
	<b>592</b>	<b>2,002</b>

The fair values of debtors and prepayments approximate to their carrying amounts. All debtors are due within one year. Debtors are shown net of impairment in respect of doubtful debts.

## 13. Cash and cash equivalents

	2021	2020
	€ '000	€ '000
Short Term Deposits	279	279
Cash at Bank	2,270	2,270
<b>Total</b>	<b>2,549</b>	<b>1,</b>

Short term deposits have maturities of less than 3 months and are rolled over on maturity.

## 14. Payables (amounts falling due within one year)

	2021	2020
	€ '000	€ '000
Trade Creditors	38	37
Levy Refundable to Broadcasters	959	794
Superannuation Contributions	68	161
Accruals	489	526
Revenue Commissioners	419	510
Deferred Income and Other Creditors	315	225
NTMA Loan	-	500
	<b>2,288</b>	<b>2,753</b>

Tax and social insurance are subject to the normal terms of the relevant legislation. No interest was due at the financial year end. The terms of accruals are based on underlying contracts. Other amounts included within creditors not covered by specific note disclosures are unsecured, interest-free and repayable on demand.

## 15. Capital Account

	2021	2020
	€ '000	€ '000
Balance as at 1st January	79	112
Transfer (to)/from Income and Expenditure Account:		
Funding of Asset Additions	3	28
Amortisation in line with Asset Depreciation	(41)	(61)
Disposal	-	-
Reclassification	-	-
<b>Transfer (to)/from Income and Expenditure Account</b>	<b>(38)</b>	<b>(33)</b>
<b>Balance as at 31st December</b>	<b>41</b>	<b>79</b>

## 16. Operating Leases

The Authority occupies premises at 2-5 Warrington Place, Dublin 2, on which it holds a lease entered into in 2001 for 20 years. On 2nd December, 2021, a deed of variation was executed by the BAI and the landlord of the premises, Davy Ireland, which extended the term of the lease by a further two years to 7th December 2023. The annual rent remains unchanged at €530,000 per annum. Under this lease, rent payments amounting to €530,000 were made in 2021 (2020: €530,000).

### Lease Commitments

	2021	2020
	€	€
Under 1 Year	530,000	530,000
Between 2-5 Years	495,151	-
Over 5 Years	-	-
	<b>1,025,151</b>	<b>530,000</b>



## 17. Retirement Benefit Costs

### (a) Retirement Benefits

The Broadcasting Authority of Ireland operates the following defined pension schemes in respect of employees:

- Employees appointed before 1st January 2013 are members of the BAI Superannuation Scheme and its Spouses and Children's Pension Scheme. These scheme structures are based on the Public Service Model (the Model Scheme).
- Employees appointed after 1st January 2013 are members of the Single Public Service Pension Scheme, which provides consumer price index-linked defined benefit pensions based on career-average pay (the "Single Scheme").

The Broadcasting Authority of Ireland is a statutory body, established under the Broadcasting Act 2009. Section 16 of the Act provides that the Authority shall make a scheme or schemes for granting of superannuation benefits to, and in respect of, its staff members subject to Ministerial approval. The Broadcasting Authority of Ireland's Superannuation Scheme and its Spouses & Children's Pension Scheme (compulsory with membership of the main scheme) were operated on an administrative basis until 15th June 2017. The Scheme was sanctioned by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media with the consent of the Minister for Public Expenditure and Reform and formally came into operation on the 16th June 2017. The former scheme provides retirement benefits (lump sum and pension) to staff members, and death gratuity benefits in respect of death in service. The latter scheme provides pension benefits for the surviving spouses and dependent children of deceased members. Both schemes are unfunded, defined benefit, superannuation schemes.

The Single Public Service Pension Scheme (Single Scheme) is the defined benefit pension scheme for pensionable public servants appointed on or after 1st January 2013 in accordance with the Public Service Pension (Single Scheme and Other Provisions) Act 2012. The scheme provides for a pension and retirement lump sum based on career-average pensionable remuneration, and spouse's and children's pensions. The minimum pension age is 66 years (rising in line with State pension age changes). It includes an actuarially-reduced early retirement facility from age 55. Pensions in payment increase in line with the consumer price index.

As described in the accounting policy, the Broadcasting Authority of Ireland makes an annual contribution to the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, which has undertaken to provide funding to the Authority to pay retirement benefits as they fall due. The Authority has adapted the treatment and disclosures required by FRS 102 to reflect the arrangements in operation.

The pension liability at 31st December 2021 is €19.994m (2020: €18.864m). Under the arrangement in place, the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media will reimburse in full the pension liability of the Authority, as and when those liabilities fall due for payment. The Authority recognises its right to the reimbursement as a separate asset.

The results are set out below on an actuarial valuation of the pension liabilities in respect of Authority staff as at 31st December 2021. This valuation was carried out by a qualified independent actuary. The results are set out below on an actuarial valuation of the pension liabilities in respect of Authority staff as at 31st December 2020. This valuation was carried out by a qualified independent actuary.

## b) Principal Actuarial Assumptions

The principal actuarial assumptions were as follows:	2021	2020
Rate of increase in salaries	2.50%	2.50%
Rate of increase in pensions in payment	2.00%	2.00%
Discount Rate	1.25%	0.80%
Inflation Rate	1.50%	1.50%

The mortality basis adopted allows for improvements in life expectancy over time, so that life expectancy at retirement will depend on the year in which a member attains retirement age (age 65). The table below shows the life expectancy for members attaining 65 in 2020 and 2040.

Year of attaining age 65	2021	2041
Life expectancy – male	21.80	24.10
Life expectancy – female	24.20	26.20

## c) Analysis of Total Retirement Benefit Costs

Total retirement benefit costs charged to the Statement of Income and Expenditure and Retained Revenue Reserves in respect of retirement benefit costs consist of the following:

	2021	2020
	€'000	€'000
Employer contribution paid to DTCAGSM/DPER	331	349
Current service cost	830	766
Interest on retirement benefit scheme liabilities	150	186
Adjustment to deferred retirement benefit funding	(980)	(952)
	<b>331</b>	<b>349</b>

## d) Movement in net retirement benefit obligations during the financial year

	2021	2020
	€'000	€'000
Opening balance	18,864	15,666
Current service cost	830	766
Interest on retirement benefit scheme liabilities	150	186
Actuarial Loss/(Gain)	399	2,252
Benefits paid	(249)	(6)
Net retirement benefit obligation at 31st December	<b>19,994</b>	<b>18,864</b>

## e) History of scheme liabilities and experience (gains)/losses

	Financial year ending in				
	2021	2020	2019	2018	2017
	€'000	€'000	€'000	€'000	€'000
Defined benefit obligation	19,994	18,864	15,666	12,092	11,491
Deficit	(19,994)	(18,864)	(15,666)	(12,092)	(11,491)
Experience loss/(gains) on plan liabilities	(399)	(439)	(1,501)	(216)	358
Experience gains as percentage of plan liabilities	(2%)	(2%)	(10%)	1.8%	(3.4%)

## 18. Capital Commitments

There were no capital commitments at 31st December 2021.

## 19. Related party disclosure

The Authority has adopted procedures in accordance with the provisions of the Broadcasting Act 2009 and the guidelines issued by the Department of Public Expenditure and Reform in relation to the disclosure of interests by Authority and/or Committee Members and those procedures were adhered to by the Authority and Committees during the year.

There were no transactions in the year in relation to the Authority's activities in which any Authority members had any beneficial interest. Please refer to Note 6 for the Chief Executive details and to the Governance Statement and Authority Members Report for Authority Members fees and expenses.

## 20. Approval of Financial Statements

The financial statements were approved by the Authority at its meeting on 23rd June 2022.



The Broadcasting Fund

# **Financial Statements for the Year ended 31st December 2021**

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## Authority Information

### Authority Members

Mary Curtis

Rosemary Day

Maeve McDonagh

Alan McDonnell

Vivien McKechnie

Seán Ó Mordha

Denis Wolinski

### Solicitors

Byrne Wallace  
88 Harcourt Street  
Dublin 2

Hayes Solicitors  
Lavery House  
Earlsfort Terrace  
Dublin 2

Ivor Fitzpatrick & Company  
Solicitors  
44-45 St Stephen's Green  
Dublin 2

Philip Lee  
7/8 Wilton Terrace  
Dublin 2

### Bankers

Ulster Bank  
Baggot Street Lower  
Dublin 2

### Auditors

Comptroller and Auditor General  
3A Mayor Street Upper  
Dublin 1



## Statement of Responsibilities

Pursuant to the terms of the Broadcasting Act 2009, the Broadcasting Authority of Ireland is responsible for the control and management of the Broadcasting Fund. The Authority manages and controls a current account and an investment account as per Section 157 (2) of the Act. The Authority manages the current account for the day to day running of the Broadcasting Fund, including the receipt of income under Section 156 (2)/(3) of the 2009 Act, payment of Grants and Awards under schemes of the Broadcasting Fund and any expenditure incurred by the Authority for the operation of the Broadcasting Fund.

Monies not required to meet the current liabilities of the Broadcasting Fund are paid into the investment account. These monies are invested in line with the Authority's Investment Policy.

The Broadcasting Authority of Ireland is also responsible for preparing financial statements of the Broadcasting Fund for the year 1st January to 31st December 2021, so as to give a true and fair view of the financial performance and financial position of the Fund.

Details of the Broadcasting Authority of Ireland's governance and control systems and procedures are set out in the Broadcasting Authority of Ireland's statement on internal control and governance statement.

In preparing the financial statements, the Authority is required to:

- Select suitable accounting policies and then apply them consistently;
- Make judgements and estimates that are reasonable and prudent;

- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Fund will continue in operation; and
- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.
- The Broadcasting Authority of Ireland is responsible for:
  - Keeping adequate accounting records which disclose with reasonable accuracy at any time the financial position of the Fund and enabling it to ensure that the financial statements comply with section 157(8) of the Schedule to the Broadcasting Act 2009 and are in a form approved by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media after consultation with the Minister for Public Expenditure and Reform.
  - Safeguarding the assets of the Fund and taking reasonable steps for the prevention and detection of fraud and other irregularities.



**Mary Curtis**

Chairperson

23rd June 2022



## Ard Reachtaire Cuntas agus Ciste Comptroller and Auditor General

### Report for presentation to the Houses of the Oireachtas Broadcasting Fund

#### Opinion on the financial statements

I have audited the financial statements of the Broadcasting Fund for the year ended 31 December 2021 as required under the provisions of section 157 of the Broadcasting Act 2009. The financial statements comprise

- the statement of income and expenditure and retained revenue reserves
- the statement of financial position
- the statement of cash flows, and
- the related notes, including a summary of significant accounting policies.

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of the Broadcasting Fund at 31 December 2021 and of its income and expenditure for 2021 in accordance with Financial Reporting Standard (FRS) 102 — *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

#### *Basis of opinion*

I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Broadcasting Authority of Ireland and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### Report on information other than the financial statements, and on other matters

The Broadcasting Authority of Ireland has presented certain other information together with the financial statements of the Broadcasting Fund. This comprises the annual report (including the governance statement and the Authority members' report) and the statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.

**Mary Henry**  
For and on behalf of the  
Comptroller and Auditor General

29 June 2022

## Appendix to the report

### Responsibilities of Authority members

As detailed in the statement of responsibilities, the Authority members are responsible for

- the preparation of annual financial statements in the form prescribed under section 157 of the Broadcasting Act 2009
- ensuring that the financial statements give a true and fair view in accordance with FRS 102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### Responsibilities of the Comptroller and Auditor General

I am required under 157 of the Broadcasting Act 2009 to audit the financial statements of the Broadcasting Fund and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.

- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Broadcasting Fund's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Broadcasting Fund to cease to continue as a going concern.
- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.

### Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

### Reporting on other matters

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

# Statement of Income and Expenditure and Retained Revenue Reserves

For the year ended 31st December 2021

	Note	2021 € '000	2020 € '000
<b>Income</b>			
Oireachtas Grant	3 (a)	14,759	14,877
Exchequer Funding	3 (b)	3,900	3000
Recoupment of Income from Funded Projects	2	68	158
<b>Total</b>		18,727	18,035
<b>Expenditure</b>			
Grants and Awards	3	14,642	11,591
Staff Costs	5	521	494
Legal Fees		7	12
Interest Payable		-	3
Administration Costs	6	488	413
Audit Fee		8	8
Assessment Costs		69	63
Consultancy Costs	7	47	28
<b>Total</b>		15,782	12,612
<b>Surplus of Income over Expenditure</b>		2,945	5,423
<b>Balance at beginning of year</b>		28,264	22,841
<b>Balance at end of year</b>		31,209	28,264

**The Statement of Cash Flows and Notes 1–12 form part of these Financial Statements.**

The Financial Statements were approved by the Authority on the 23rd June 2022 and signed on its behalf by:



**Mary Curtis**

Chairperson

23rd June 2022



**Celene Craig**

Chief Executive

## Statement of Financial Position

As at 31st December 2021

	Note	2021 € '000	2020 € '000
<b>Current Assets</b>			
Receivables	9	5	70
Cash and cash equivalents	8	23,521	13,704
Other short term deposits	8	16,049	18,750
		39,575	32,524
<b>Current Liabilities</b>			
Payables (amounts due within one year)	10	(8,366)	(4,260)
<b>Net Assets</b>			
		31,209	28,264
<b>Representing</b>			
Retained Revenue Reserves		31,209	28,264
		28,264	22,841

**The Statement of Cash Flows and Notes 1–12 form part of these Financial Statements.**

The Financial Statements were approved Authority on the 23rd June 2022 and signed on its behalf by:



**Mary Curtis**

Chairperson

23rd June 2022



**Celene Craig**

Chief Executive

## Statement of Cash Flows

For the year ended 31st December 2021

	2021	2022
	€ '000	€ '000
<b>Net Cash Flows from Operating Activities</b>		
Surplus for Year	2,945	5,423
Returns on Investments	-	3
Decrease in Receivables	65	(42)
Increase in Payables	4,106	4,065
<b>Net Cash Inflow from Operating Activities</b>	<b>7,116</b>	<b>9,449</b>
<b>Cash Flows from Investing Activities</b>		
Interest Received	-	(3)
Invested in Short-term Deposits	2,701	(6,500)
<b>Net Cash Flows for Investing Activities</b>	<b>2,701</b>	<b>(6,503)</b>
<b>Net Increase in Cash and Cash Equivalents</b>	<b>9,817</b>	<b>2,946</b>
<b>Cash/Cash Equivalents at 1st January</b>	<b>13,704</b>	<b>10,758</b>
<b>Cash/Cash Equivalents at 31st December</b>	<b>23,521</b>	<b>13,704</b>



# Notes to the Financial Statements

## 1. Accounting Policies

The basis of accounting and significant accounting policies adopted by the Broadcasting Authority of Ireland (BAI) in respect of the Broadcasting Fund are set out below. They have all been applied consistently throughout the year and for the preceding year.

### a) General Information

The Broadcasting Fund was set up under the Broadcasting Funding Act 2003, and it was previously managed by the Broadcasting Commission of Ireland. Under the Broadcasting Act 2009, management of the Fund transferred to the Broadcasting Authority of Ireland.

The BAI is responsible for the administration of the Broadcasting Fund and the authorisation of transactions on the Fund. The governance arrangements and control procedures within the BAI apply to the Fund.

### b) Statement of Compliance

The financial statements of the Broadcasting Fund for the year ended 31 December 2021 have been prepared in accordance with FRS 102, the financial reporting standard applicable in the UK and Ireland issued by the Financial Reporting Council (FRC), as promulgated by Chartered Accountants Ireland.

### c) Basis of Preparation

The Financial Statements are prepared under the accruals method of accounting and under the historical cost convention in the form approved by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport & Media, with the concurrence of the Minister for Public Expenditure and Reform, in accordance with Section 157 of the Broadcasting Act 2009.

The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the Broadcasting Fund's financial statements.

### d) Income (television licence fee)

Pursuant to Section 156 of the Broadcasting Act 2009, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport & Media, with the approval of the Minister for Public Expenditure and Reform, may pay to the Authority out of monies provided by the Oireachtas for the purposes of grants under a scheme and any administration of, or reasonable expenses relating to, a scheme, in respect of each financial year, an amount being equal to 7 per cent of net receipts in that year in respect of television licence fees.

Net receipts, in relation to the receipt of television licence fees, means the total receipts less any expenses in respect of those receipts certified by the Minister as having been incurred by him or her in that year in relation to the collection of the fees.

This income is accounted for on a cash receipts basis.

### e) Grants

Grants under the Broadcasting Funding Scheme impose specific future performance-related conditions on the recipients. These are recognised as an expense only when the grantee has fulfilled all performance-related conditions attaching to the award of the grant. Grant commitments represent funding approvals where the grantee has yet to fulfil the conditions attached to the grant.

Performance-related conditions include a provision for the recoupment of a grant from revenues generated by the grantee until such a time as the Authority has recouped its grant investment. Recoupment of Income from Funded Projects is outlined in Note 2.

In certain circumstances, grant amounts paid in previous years are repaid by the grantee as the grantee is unable to fulfil the grant conditions. The grant expenditure recognised in the Statement of Income and Expenditure and Retained Revenue Reserves is net of grant amounts repaid in the year.

## f) Critical Accounting Judgements and Estimates

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for assets and liabilities as at the reporting date and the amounts reported for revenues and expenses during the year. However, the nature of estimation means that actual outcomes could differ from those estimates. The following judgements have had the most significant effect on amounts recognised in the financial statements.

### Going concern

There is no material uncertainty regarding the Broadcasting Fund's ability to meet its liabilities as they fall due, and to continue as a going concern. On this basis, the Broadcasting Fund considers it appropriate to prepare financial statements on a going concern basis.

## 2. Recoupment of Income from Funded Projects

	2021	2020
	€ '000	€ '000
Recoupment of Income from Funded Projects	68	158

A recoupment clause is included in Sound & Vision contracts to allow for the grant to be repaid if the project is a commercial success. The above monies reflect a portion of grants repaid during the year in relation to three productions previously funded. Amounts recouped are accounted for on a cash receipts basis.

## 3. Broadcasting Funding Scheme

### a) Oireachas Grant

	2021	2020
	€ '000	€ '000
Oireachas Grant	14,759	14,877

Under the Broadcasting Act 2009, the Authority is required to prepare a scheme or schemes for the payment of grants to support, inter alia, certain television and radio programmes and the development of archiving of programme material produced in the State. These grants are funded out of an amount of 7% of net receipts of television licence fees. The 2021 Oireachtas Grant was included in subhead E6 of Vote 33 for the Department of Tourism, Culture, Arts, Gaeltacht, Sport & Media.

### b) Exchequer Funding

	2021	2020
	€ '000	€ '000
Exchequer Funding	3,900	3,000

The BAI allocated €7.2m under Round 38 of Sound & Vision. This included a funding stream for Irish music following a request from the Minister for Tourism, Culture, Arts, Gaeltacht, Sport & Media. The BAI received €1.4m in exchequer funding to support this initiative.

The BAI implemented a funding round for the commercial radio sector further to a request from, and the securing of additional funding of €2.5m by, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media. This was the second such funding initiative open to the independent commercial radio sector to raise awareness and understanding of global issues and in this particular instance, Covid-19.

### 3. Broadcasting Funding Scheme (cont.)

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The €1.4m and €2.5m received from the Exchequer were separate and in addition to the 7% of new receipts of the television licence. This additional funding totalling €3.9m was received in 2020 and had been included in deferred income in the 2020 end of year financial statements of the Broadcasting Funding Scheme.

The BAI currently operates two approved Schemes.

The first of these is the **Sound & Vision 4 Scheme ("the Scheme")**. The Scheme was originally approved by the European Commission, initially from 2005-2009 and then from 2009-2012. The current Scheme falls under section 54 of the General Block Exemption Regulation (GBER) and does not require European Commission approval. The Regulation covers aid to schemes for audio-visual works below the threshold of €50m per scheme per year.

The Authority submitted the draft Sound & Vision 4 Scheme to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport & Media for approval on the 11th December 2019 and on the 6th March 2020 the Minister approved the new scheme for a three year period.

The second scheme operated by the BAI is the **Funding Scheme for the Archiving of Programme Material ("Archiving Scheme")**. It is designed to provide funding support for the development of an archiving culture in the Irish broadcasting sector which contributes to the preservation of Ireland's broadcasting heritage. It is concerned with programme material only broadcast in whole or in part, or recorded for broadcast, on radio and/or television, and includes programmes and advertisements. The first Archiving Scheme came into effect in 2012 and expired in April 2016. A review of the operation, effectiveness and impact of this first scheme was conducted in 2016 and the subsequent report was submitted to the Minister in September 2017. The Archiving Scheme 2 was approved by the Minister in March 2018 and is effective for a five-year period (2018-2022).

## c) Broadcasting Fund Commitments

### Sound & Vision Scheme

	2021	2020
	€ '000	€ '000
<b>Opening Commitment Figure</b>	17,061	12,751
Awards made	16,335	15,769
Grants paid	(14,197)	(11,169)
Grants re-paid	-	-
Grants de-committed	(1,137)	(290)
<b>Closing Commitment Figure</b>	<b>18,062</b>	<b>17,061</b>

### Archiving Awards Scheme

	2021	2020
	€ '000	€ '000
<b>Opening Commitment Figure</b>	3,618	4,040
Awards made	-	-
Grants paid	(445)	(422)
Grants de-committed	-	-
<b>Closing Commitment Figure</b>	<b>3,173</b>	<b>3,618</b>
<b>Total Closing Commitments</b>	<b>21,235</b>	<b>20,679</b>

Total grants paid were €14,642k (2020: €11,591k)

## 4. Broadcasting Fund Recharge

The Broadcasting Fund recharge relates to expenditure incurred by the Broadcasting Authority of Ireland and which is recharged to the Broadcasting Fund. This includes salaries of €521k (2020: €494k), general overheads of €206k (2020: €164k), BFS sponsorship contribution of €79k (2020: €40k) and investment advice expenditure of €13k (2020: €13k). The Broadcasting Fund recharge is detailed further in Notes 5 and 6 below.

## 5. Staff Costs

	2021	2020
	€ '000	€ '000
Wages and Salaries	418	397
Social Welfare Costs	33	31
Pension Costs	70	66
<b>Staff Costs Recharged to BAI</b>	<b>521</b>	<b>494</b>
Temporary Staff	-	-
<b>Total Staff Costs</b>	<b>521</b>	<b>494</b>

There are no employees directly employed by the Broadcasting Fund.

A number of Broadcasting Authority of Ireland employees spend a proportion of their time working on Fund-related matters. In 2021, this equated to 8 (2020:7) full-time equivalents.

## 6. Administration Costs

	2021	2020
	€ '000	€ '000
Overheads:		
Rent & Rates	135	113
Premises costs	39	27
Office expenses	10	20
Staff training	22	4
<b>Subtotal overhead costs</b>	<b>206</b>	<b>164</b>
<b>Sponsorship</b>	<b>79</b>	<b>40</b>
Direct costs:		
Sound & Vision /Archiving Schemes	141	131
Professional fees	13	13
Public Awareness	5	7
IT licence and support costs	38	45
Translation	5	12
Other	1	1
<b>Subtotal direct costs</b>	<b>203</b>	<b>209</b>
<b>Total Administration Costs</b>	<b>488</b>	<b>413</b>

The overhead costs charged to the Fund are based on the full-time equivalent of staff numbers working on the Fund as a percentage (in 2021 23%; in 2020, 19%) of the total staff complement of the BAI in the period. During 2021, €275k (2020: €177k) was recharged by the Broadcasting Authority of Ireland to the Broadcasting Fund for administration expenditure relating to the Broadcasting Fund.

## 7. Consultancy

	2021	2020
	€ '000	€ '000
General	15	-
Auditing and Monitoring	32	28
	<b>47</b>	<b>28</b>

## 8. Deposits and Cash/Cash equivalents

	2021	2020
	€ '000	€ '000
<b>a.</b> Short Term (maturity less than 3 months)	13,600	7,500
Other (maturity between 3 and 12 months)	16,049	18,750
Cash at bank and on hand	9,921	6,205
	<b>39,570</b>	<b>32,455</b>
<b>Cash/cash equivalents</b>		
Movement in Short Term Deposits		
Balance at 1st January	13,705	8,000
Additions	-	2,700
Withdrawals	(105)	(500)
Cash at bank and on hand at 31st December	9,921	6,205
<b>Cash and cash equivalents at 31st December</b>	<b>39,570</b>	<b>32,455</b>
<b>b.</b> Movement in Other Short Term Deposits		
Balance at 1st January	18,750	12,250
Additions	-	6,500
Withdrawals	(2,701)	-
<b>Balance at 31st December</b>	<b>16,049</b>	<b>18,750</b>



- c. As required under Section 157(4) and (6) of the Broadcasting Act 2009, monies standing to the credit of the current account and not required to meet current liabilities shall be paid into the investment account of the Fund.

Monies in the investment account of the Fund that are not required to meet current and prospective liabilities of that account shall be invested and the investments shall be realised or varied from time to time as occasion requires and the proceeds of any such realisation, and any income received in respect of monies invested, shall be paid into the investment account of the Fund.

In the period of account, the Authority retained the surplus funds on deposit with commercial banks and in Treasury Notes with the NTMA.

## 9. Receivables

	2021	2020
	€ '000	€ '000
Accrued Interest	5	6
Other	-	64
	<b>5</b>	<b>70</b>

## 10. Payables

	2021	2020
(Amounts falling due within one year)	€ '000	€ '000
Broadcasting Authority of Ireland	366	360
Deferred Income Department of TCAGSM	8,000	3,900
	<b>8,366</b>	<b>4,260</b>

## 11. Capital Commitments

There were no capital commitments at 31st December 2021.


## 12. Approval of financial statements

The financial statements were approved by the Authority at its meeting on the 23rd June 2022





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