[IE] Court Upholds Broadcast Licence Decision

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The Supreme Court rejected on 2 February 2001 an appeal against a High Court decision on the awarding of a broadcast licence. The High Court had upheld the decision of the Independent Radio and Television Commission (IRTC) to award a Dublin "youth" radio licence to a consortium called "Spin FM". A rival consortium, "Storm FM" had claimed that there was objective bias against it on the part of a member of the IRTC. The IRTC member had made inquiries to the garda (police) regarding reports of drug abuse in a nightclub owned by a member of the "Storm FM" consortium. The garda responded that they endorsed the system of controls that the nightclub had put in place concerning the use of drugs. The Court said that once a Commission (IRTC) member became aware that the chairman of one of the consortiums applying for a radio licence was the owner of a nightclub about which there were adverse reports concerning abuse of drugs, he was put on legitimate inquiry as to the suitability of the applicant in question. The evidence disclosed no more than that the member of the IRTC had grounds for making the inquiries, the Court said. The radio licence was to provide a station for the 15-34 age group.

Décision de la Cour Suprême du 2 février 2001

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