

[IE] Ban on Political Advertisements and Pre-election News Reports

IRIS 2004-8:1/22

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The BCI, which is the regulatory authority for the commercial broadcasting sector, has acted in recent months to prevent certain advertisements and news items being broadcast.

With regard to advertisements, the BCI in June 2004 banned advertisements for an anti-war concert. It did so on the basis that they contravened the Radio and Television Act 1988, which prohibits political and religious advertising and advertising in relation to a trade dispute (see IRIS 2001-7: 9, IRIS 2003-2: 11, IRIS 2004-3: 10). The concert was planned to take place in advance of the visit to Ireland of President Bush. The anti-war movement, which was promoting the concert, had recently registered its "Stop Bush Campaign" as a political party. Separate radio advertisements urging the public to attend protests against Mr. Bush were also refused by the BCI.

The BCI also banned news reports of criticisms by a leading Trade Union, SIPTU, of the Government's decentralisation plans. The reports were being broadcast by a number of commercial radio stations on the day before the European and local elections. The BCI's election guidelines (see IRIS 2002-7: 12), issued further to s.9 of the Radio and Television Act 1988, require stations not to broadcast anything in the 24 hours before polling which might reasonably be considered likely to influence the outcome of the poll. The decision to stop the reports followed a complaint by Fianna Fáil, the major party in government. RTÉ, which, as the public service broadcaster, was not affected by the BCI's ban, continued to broadcast the reports, in accordance with its own voluntary code.

In a separate incident, RTÉ asked the Christian Solidarity Party to remove references to the citizenship referendum from their party political broadcasts. The referendum was held in June 2004 on the same day as the European and local elections. The request followed a number of court rulings in recent years (see IRIS 1998-6: 7, IRIS 2000-2: 7 and IRIS 2001-7: 9) regarding balance in referendum broadcasts.

BCI Election Guidelines

<http://www.bci.ie/electguide.html>

