[IE] New Broadcasting Bill

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On 5 September 2006, the Department of Communications, Marine and Natural Resources published a new wide-ranging Broadcasting Bill. The Bill consists of 129 sections divided into twelve parts and followed by a Schedule. Its purpose is to update the legal framework for broadcasting in Ireland. Part II of the Bill provides for a single content regulator to be called the Broadcasting Authority of Ireland (BAI), which will encompass the existing regulatory functions of the Broadcasting Commission of Ireland (BCI), the RTÉ Authority and the Broadcasting Complaints Commission (BCC). It will also have a Contract Awards Committee (s.26) and a Compliance Committee (s.27). The latter will take over the role of the BCC and be responsible for the complaints process (s.44). The right of reply contained in s.24(2)(f) of the Broadcasting Act 2001 (see IRIS 2001-4: 9) will be widened (s.45) and enforcement mechanisms will be expanded to include monetary penalties of up to EUR 250,000 for breaches of duties, codes or rules set out in the Bill (s.48). The objectives of the BAI will include upholding democratic values, especially freedom of expression, and the provision of open and pluralistic broadcasting services (s.24). It will be independent in the exercise of its functions (s.28). However, in the case of an emergency, the Minister is to have power to suspend any licence and may operate or require such service to be operated as he directs (s.31). Other provisions include the establishment of the Irish-language station, TG4, independently of RTÉ, and the requirement of a public service broadcasting charter, an annual statement of commitments and the setting-up of an audience council by both RTÉ and TG4 (ss.103, 104, 108). Both RTÉ and TG4 will be established as companies limited by guarantees (s.70) under the Companies Acts 1963-2005.

Broadcasting Bill 2006

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