# [IE] New Broadcasting Guidelines on Referenda Coverage

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On 8 August 2013, the Broadcasting Authority of Ireland (BAI) published BAI Guidelines in Respect of Coverage of Referenda (Guidelines). The Guidelines set out rules with which all Irish broadcasters must comply when covering the forthcoming referenda, on the abolition of Seanad Éireann (upper house of Parliament) and the creation of a new court of appeal. Both referenda are scheduled to take place on 4 October 2013.

Rule 27 of the BAI Code of Fairness, Objectivity and Impartiality in News and Current Affairs provides that broadcasters must comply with Guidelines and codes of practice on election and referenda coverage (see IRIS 2013-5/32). The Guidelines replace the BAI Broadcasting Code on Referenda and Election Coverage, issued in 2011 (see IRIS 2011-9/24), and are broadly in line with existing practice and the former Code.

The Guidelines also reflect the requirements set out in the Referendum Act 1998 (as amended) and s.41(6) of the Broadcasting Act 2009 by confirming that advertisements broadcast at the request of the Referendum Commission are not covered by the general prohibition on political advertising (see IRIS 2004-8/23). Party Political Broadcasts are permitted and broadcasters must ensure that the total time allocated, for such broadcasts, amounts to equal airtime being afforded to both sides of the debate.

Apart from the allocation of equal airtime for Party Political Broadcasts there is no requirement that absolute equality of airtime be allocated to opposing sides of the referenda debates. The Guidelines require broadcasters to ensure that the allocation of airtime is equitable and fair to all interests concerned and is undertaken in a transparent manner; equal airtime is not the only measure of fairness.

Under the new Guidelines it is inappropriate for persons involved with referendum interests - including elected representatives, members of political parties, members of civil society groups and individuals that or who advocate or campaign for a particular outcome to a referendum - to present programmes during the campaign period. The campaign period began on 8 August 2013, the date the Guidelines came into effect, and ends at the close of referendum polling.

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The moratorium period on coverage by broadcasters of a referendum remains unchanged and runs from 2 p.m. on the day before the referendum poll takes place and throughout the day of the poll itself until polling stations close (see IRIS 2011-5/26). The Guidelines confirm that the moratorium is not intended to preclude coverage, during this period, of legitimate news and current affairs but relates to content that may influence or manipulate voters during the moratorium period.

***BAI Guidelines in Respect of Coverage of Referenda, August 2013***

http://www.bai.ie/wordpress/wp-content/uploads/20110913_RefElecCode_Eng.pdf

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