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**AN BILLE CRAOLACHÁIN (LEASÚ) 2003**  
**BROADCASTING (AMENDMENT) BILL 2003**

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*Mar a tionscnaíodh*  
*As initiated*

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**ARRANGEMENT OF SECTIONS**

**Section**

1. Amendment of section 19 of Broadcasting Act 2001.
  2. Amendment of section 28 of Broadcasting Act 2001.
  3. Short title, collective citation and construction.
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**AN BILLE CRAOLACHÁIN (LEASÚ) 2003  
BROADCASTING (AMENDMENT) BILL 2003**

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# **BILL**

*entitled*

5 AN ACT TO AMEND THE LAW RELATING TO BROADCASTING AND ADVERTISING.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—Section 19 of the Broadcasting Act 2001 is amended—

Amendment of  
section 19 of  
Broadcasting Act  
2001.

10 (a) by the insertion of the following subsection after subsection (2):

15 “(2A) A direction of the Minister under subsection (1) may also specify that the Commission shall introduce measures which allow for the restriction of the advertising of certain classes of products and the restriction of advertising to children under certain age categories including, *inter alia*, measures to:

20 (a) prohibit the promotion as part of children’s television broadcast schedules of the sale and/or consumption of foodstuffs or beverages with high concentrations of—

(i) sugar,

(ii) salt,

(iii) fat,

25 (b) restrict the promotion as part of children’s television broadcast schedules of the sale and promotion of children’s toys,

(c) restrict the inclusion of advertising during programming where the viewing age profile is designated as being below certain age limits.”;

30 (b) by the insertion of the following paragraph after paragraph (b) of subsection (3):

“(b) Support for the acquisition of media literacy as a tool to combat the effect of advertising on children, aiming to give young people analytical tools

to understand how the media influences their thoughts and actions.”;

(c) by the substitution of the following subsection for subsection (7):

“(7) In preparing a code under paragraph (c) of subsection (1) the Commission shall, taking into account any relevant instrument made or relevant guidelines issued by any body in which are vested functions in relation to the welfare and physical health of children, have regard to— 5  
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(a) any research which it considers appropriate (including research under subsection (8)) conducted with respect to the effect of activities referred to in that paragraph on children, and

(b) the merits or otherwise and the feasibility of such a code containing a prohibition on a specified class or classes of such activity in so far as those activities relate to children in general or children under a particular age.”; 15

(d) by the insertion of the following subsection after subsection (10): 20

“(10A) The Minister shall prepare a response to the Commission’s periodic review in consultation with the Minister at the Department of Health and Children. The Minister shall cause copies of the response to be laid 25  
before both Houses of the Oireachtas.”.

Amendment of section 28 of Broadcasting Act 2001.

2.—Section 28 of the Broadcasting Act 2001 is amended—

(a) by the substitution of the following subsection for subsection (2):

“(2) Without prejudice to the generality of subsection (1), the Authority shall ensure that the programme and advertising schedules of the broadcasting service referred to in that subsection— 30

(a) provide a comprehensive range of programmes in the Irish and English languages that reflect the cultural diversity of the whole island of Ireland and include, both on television and radio (and also, where appropriate, any means of transmission referred to in section 16(2)(bbb) (inserted by this Act) of the Act of 1960) programmes that entertain, inform and educate, provide coverage of sporting, religious and cultural activities and cater for the expectations of the community generally as well as members of the community with special or minority interests and which, in every case, respect human dignity, 35  
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5 (b) provide programmes of news and current affairs in the Irish and English languages, including programmes that provide coverage of proceedings in the Houses of the Oireachtas and the European Parliament, and

(c) facilitate or assist contemporary cultural expression and encourage or promote innovation and experimentation in broadcasting.”;

10 (b) by the insertion of the following paragraph after paragraph (c) of subsection (2):

“(2) promote and protect public health, including the welfare and physical health of children.”;

(c) by the insertion of the following paragraph after paragraph (b) of subsection (3):

15 “(c) by adding thereto provisions specifying actions to ensure that the Authority complies with any code established under section 19(1).”.

3.—(1) This Act may be cited as the Broadcasting (Amendment) Act 2003. Short title, collective citation and construction.

20 (2) The Broadcasting Act 2001 and this Act may be cited together as the Broadcasting Acts 2001 and 2003 and shall be construed together as one Act.