



DÁIL ÉIREANN

**AN BILLE UM RIALÁIL SÁBHÁILTEACHTA AR LÍNE AGUS
NA MEÁN, 2022**

ONLINE SAFETY AND MEDIA REGULATION BILL 2022

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

DÁIL ÉIREANN

AN BILLE UM RIALÁIL SÁBHÁILTEACHTA AR LÍNE AGUS NA MEÁN, 2022 —ROGHCHOISTE

ONLINE SAFETY AND MEDIA REGULATION BILL 2022 —SELECT COMMITTEE

Leasuithe Amendments

SECTION 2

1. In page 8, line 14, to delete “Commission” and substitute “Coimisiún”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 3

2. In page 9, line 32, to delete “section 139ZZ(1)” and substitute “section 139ZZH(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

3. In page 9, line 34, to delete “section 139ZZ(2)” and substitute “section 139ZZH(2)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

4. In page 9, line 36, to delete “section 139ZZ(3)” and substitute “section 139ZZH(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

5. In page 10, line 6, to delete “Commissioner” and substitute “Coimisinéir”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

6. In page 10, line 30, to delete “definition” where it firstly occurs and substitute “definitions”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

7. In page 10, between lines 31 and 32, to insert the following:

“ ‘E-Commerce Directive’ means Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market;”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

8. In page 11, to delete line 24 and substitute the following:

“(a) the nature, characteristics and impacts of published material,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

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SECTION 5

9. In page 16, line 19, to delete “meaning given by” and substitute “same meaning as in”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

10. In page 16, lines 19 to 22, to delete all words from and including “Directive” in line 19 down to and including “Market” in line 22 and substitute “the E-Commerce Directive”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 6

11. In page 16, between lines 30 and 31, to insert the following:

“Meaning of “under the jurisdiction of the State”: providers of other services that may be relevant online services

6. The Principal Act is amended by the insertion of the following section after section 2B:

“2C. (1) For the purposes of this Act, the provider of an information society service, other than a provider to whom section 2A or 2B applies, is under the jurisdiction of the State if the provider of the service is established in the State within the meaning of Article 3(1) of the E-Commerce Directive.

(2) In this section ‘information society service’ has the same meaning as in Article 1(1)(b) of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

12. In page 16, line 32, to delete “section 2B” and substitute “section 2C”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

13. In page 16, line 33, to delete “2C.” and substitute “2D.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 7

14. In page 19, line 4, after “efficiently” to insert the following:

“, including the power to compel online services to provide any data requested that pertains to public interest research, or any data that the Commissioner deems to be relevant in protection of the common good in a time specified and determined by the Commission”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

15. In page 19, line 16, after “traditions,” to insert “in particular the Irish language,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

16. In page 19, line 16, after “traditions,” to insert the following:

“in particular, the duty not only to satisfy existing demand but to stimulate increased demand for Irish language programming and

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content, in line with the national aim of restoring the Irish language as a spoken language nationwide,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

17. In page 19, line 24, after “to” to insert “, and visible representation on,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

18. In page 20, line 3, to delete “promote and stimulate the development of” and substitute “ensure and increase the development and provision of”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

19. In page 20, line 7, after “encourage” to insert “increased use of the Irish language and”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

20. In page 20, lines 32 to 34, to delete all words from and including “and” in line 32 down to and including line 34 and substitute the following:

“(d) the promotion of the Irish language and the Gaeltacht and published policies of the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, and

(e) published policies of the Government in respect of any matter referred to in paragraph (a), (b), (c) or (d).”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

21. In page 21, between lines 22 and 23, to insert the following:

“(iia) broadcasting in the Irish language;”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

22. In page 21, line 27, after “matter” to insert the following:

“, including at least a bi-annual meeting with the Gambling Regulatory Authority, and will produce an annual report on online gambling to be laid before the Houses of the Oireachtas on a yearly basis”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

23. In page 22, line 1, to delete “section 48(3), (4) or (5)” and substitute “subsection (3), (4) or (5) of section 48”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

24. In page 22, line 4, to delete “section 139W(6) or (8)” and substitute “subsection (6) or (8) of section 139ZE”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

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25. In page 22, between lines 33 and 34, to insert the following:

“(1A) The chairperson and at least one other member of the Commission will be competent in the use of the Irish language.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

26. In page 25, line 36, to delete “a nominee of the person” and substitute “a person acting on behalf of the person”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

27. In page 27, between lines 5 and 6, to insert the following:

“(3) In the case of no fewer than 30 per cent of Commissioners and at least 20 per cent of members of the staff of the Commission, a person shall not be appointed to these roles unless he or she is able to communicate proficiently in the Irish language. This provision shall be in force in relation to all new appointments following the enactment of this Act.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

28. In page 28, between lines 16 and 17, to insert the following:

“(6) Appointments to the staff of the Commission shall be made with regard to the objective referred to in section 18C(3)(b) of the Official Languages Act 2003.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

29. In page 30, between lines 20 and 21, to insert the following:

“Coiste don Ghaeilge sna Meáin

19A. (1) The Commission shall, no later than 6 months after being established, establish a permanent committee, to be known as *Coiste don Ghaeilge sna Meáin*, whose functions shall include to monitor and report on compliance with obligations relating to the Irish language and the Irish-speaking community in media, and propose recommendations to the Commission to increase use of the Irish language in media, as well as other such functions as the Commission may determine.

(2) A person shall not be appointed to the *Coiste don Ghaeilge sna Meáin* unless they are able to communicate proficiently in the Irish language, and Irish shall be the working language of the *Coiste*.

(3) The Commission shall specify in writing the purpose and terms of reference of the Committee, with due regard to the core functions outlined in subsection (1).

(4) The acts of the *Coiste don Ghaeilge sna Meáin* are subject to confirmation in writing by the Commission unless the Commission dispenses with the necessity for confirmation.

(5) The Commission may, at any time, or for any reason remove any members of the *Coiste don Ghaeilge sna Meáin*.

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- (6) The Commission may regulate the procedures of the *Coiste don Ghaeilge sna Meáin* but, subject to any such regulation, the *Coiste* may regulate its own procedures.
- (7) The *Coiste don Ghaeilge sna Meáin* shall have no expenses unless provided for as a Committee in line with section 19(8).”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

30. In page 32, between lines 16 and 17, to insert the following:

“(13) The Minister shall within 180 days of the passage of this Act lay before the Houses of the Oireachtas a report on provision for a reduction in the levy in recognition of the public information service provided by independent radio stations.”.

—Denis Naughten, Seán Canney.

31. In page 32, line 33, to delete “monies” and substitute “moneys”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

32. In page 33, lines 12 and 13, to delete “Central Fund” and substitute “Exchequer”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

33. In page 36, line 25, to delete “and” and substitute the following:

“(ca) include specific detail, which shall be made available in the Irish language, on objectives, intended outcomes, strategies and performance assessment of previous and future strategies, relating to progressing the increased visibility and use of Irish as a spoken language in media, and”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

34. In page 36, line 37, after “statement” to insert “, in both official languages,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

35. In page 36, line 37, after “Oireachtas” to insert the following:

“and before the Joint Oireachtas Committees responsible for media matters and matters relating to the Irish speaking community”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

36. In page 36, line 38, after “statement” to insert “, in both official languages,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

37. In page 38, line 15, after “report” to insert “, in both official languages,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

38. In page 38, line 16, after “Oireachtas” to insert “and before the Joint Oireachtas Committee”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

39. In page 38, between lines 39 and 40, to insert the following:

- “(8) (a) The Commission shall, following consultation with Raidió Rí-Rá, RTÉ, Foras na Gaeilge, Conradh na Gaeilge, and the Irish speaking community, no later than one year following its establishment, prepare and publish a report, to be laid before the Minister, both Houses of the Oireachtas, and the Joint Oireachtas Committee upon its publication, outlining options and recommendations for the provision of a national Irish language radio service for young people within the following five year period.
- (b) The Minister shall take account of the recommendations of the Commission in the report set out in paragraph (a) and prepare a Bille um Raidió don Óige, setting out steps to achieve the aim of a national Irish language radio service for young people, to be presented before the Houses of the Oireachtas no later than one year following receipt of the report.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

40. In page 38, between lines 39 and 40, to insert the following:

- “(8) (a) The Commission shall prepare and publish a report following consultation with workers, businesses and State bodies affected, and no later than one year from its establishment, detailing the breakdown of representation in terms of gender, race, and ethnicity, on television and radio, including specifically in the music content broadcast on radio, for the previous five years, and outlining options for the advancement of gender equality and of ethnic and racial diversity in media, including an examination of the feasibility and merit of introducing minimum quotas as a condition of licence or State funding.
- (b) The report referred to in paragraph (a) shall be laid before the Minister, both Houses of the Oireachtas, and the Joint Oireachtas Committee upon publication for consideration.
- (c) The Commission shall prepare and publish a follow-up report every five years following the publication of the report outlined in paragraph (a) detailing the progress or lack thereof in working towards gender equality and ethnic and racial diversity in media, which shall be laid before the Minister, both Houses of the Oireachtas, and the Joint Oireachtas Committee upon publication.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

41. In page 38, between lines 39 and 40, to insert the following:

- “(8) (a) The Commission shall conduct a review of the non-linear audio-visual media services established under sections 114(h) and 118(h) of the Broadcasting Act 2009 and prepare and publish a report no later than six months after its establishment describing the

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performance of the various services in terms of value-for-money, user-friendliness, functionality, impact of advertisements on the user experience, visual and audio quality, and consumer satisfaction, particularly in comparison to other similar non-linear audio-visual media services and in terms of accessibility for users with disabilities, availability to the public across the whole of the island of Ireland, and in both serving the needs of Irish language learners and speakers and promoting engagement with the Irish language and with works of Irish cultural expression.

- (b) The report outlined in paragraph (a) shall include recommendations for improving the user experience and the performance of the services, particularly in terms of accessibility for users with disabilities, availability to the public across the whole of the island of Ireland, and in both serving the needs of Irish language learners and speakers and promoting engagement with the Irish language and with works of Irish cultural expression.
- (c) The report outlined in paragraph (a) shall examine the feasibility, merit, and potential cost of establishing one national public service non-linear audio-visual media service outside the control of RTÉ or Teilifís na Gaeilge, to which RTÉ and Teilifís na Gaeilge would be required to provide content, as an alternative to current arrangements.
- (d) The report outlined in paragraph (a) shall be laid before the Minister, both Houses of the Oireachtas and the Joint Oireachtas Committee for consideration upon publication.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

42. In page 41, between lines 28 and 29, to insert the following:

“(1A) Provision made for the purpose referred to in subsection (1) may not include regulation of commercial communications.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

43. In page 44, line 29, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 8

44. In page 45, between lines 26 and 27, to insert the following:

“Duties to the whole community of the island of Ireland

8. The Principal Act is amended by the insertion of the following section after section 39:

“Duties to the whole community of the island of Ireland

- 39A.** (1) The Commission shall prepare and publish a report no later than six months following its establishment outlining concrete steps for

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ensuring all RTÉ, Teilifís na Gaeilge, and holders of television broadcasting licences or audiovisual media service providers under its remit, make every effort to guarantee the widespread availability of these services in full to the whole community of the island of Ireland, including making every effort to achieve a resolution and cooperation across rights holders in the case of competing claims across jurisdictions, and place no obstacle or barrier, such as the geographical restriction of their broadcasting rights to one part of the island or the use of geoblocking to enforce such a restriction, to their equal availability across the whole island, paying particular regard to the State's role in supporting the fulfilment of commitments in the Good Friday Agreement relating to the widespread availability of services provided by Teilifís na Gaeilge and acknowledging the public service owed by RTÉ to the whole community of the island of Ireland.”.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 7

45. In page 45, between lines 26 and 27, to insert the following:

“Duties to the whole community of the island of Ireland

8. The Principal Act is amended by the insertion of the following section after section 39:

“Duties to the whole community of the island of Ireland

39A. RTÉ and Teilifís na Gaeilge, as national public service broadcasters with a duty to the whole community of the island of Ireland, shall endeavour to ensure that in the event of any graphic or pictorial representation or map of Ireland that is broadcast or used in a broadcast to depict data or information for the public, every practicable effort is made to present the relevant data for the whole island of Ireland where possible, and shall always, including in cases where data or information for any part of the island cannot be depicted, present the island of Ireland as a geographical whole, maintaining the integrity of its coastline, and refraining in all cases from presenting any jurisdictional boundaries within the island as equivalent to coastline.”.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

46. In page 45, between lines 26 and 27, to insert the following:

“Duties in the broadcasting of sport and interactive games and polls

8. The Principal Act is amended by the insertion of the following section after section 39:

“Duties in the broadcasting of sport and interactive games and polls

39A. (1) In recognition of the entitlement and birth right of every person born in the island of Ireland to be a part of the Irish nation as outlined in Article 2 of the Constitution, and of the contribution of people from the whole island of Ireland to both the sporting life of the Irish nation

and representing the Irish nation in sport at an international level, *Coimisiún na Meán* shall endeavour to ensure that enjoyment of live broadcasts, subsequent transmissions and online media coverage of sports by television and audiovisual media service providers is extended, to the greatest extent possible, equally to the whole community of the island of Ireland, particularly in the case of, but not limited to, events of major importance to the Irish nation.

- (2) In the event of any game of chance, interactive competition or poll, including phone-in, SMS, or online competitions, quizzes and surveys organised by a television broadcaster or audiovisual media service provider following the commencement of this Act, the media service provider in question shall make every reasonable effort to ensure participation is equally accessible to the public across the whole of the island of Ireland and not restricted to any one part or parts of the island, unless given expressed permission to limit geographical spread by *An Coimisiún* following a request in the case of a specific game or poll.
- (3) Assistance provided by Spórt Éireann under section 8(4)(a) of the Sport Ireland Act 2015, following the commencement of this Act, shall only be provided to an organisation which makes every practical effort, including through the licencing of broadcasting rights to their events, to ensure that any broadcast of events organised by the licence-holder, whether live, in subsequent transmissions, or in online catalogues, is made equally accessible to the public on the whole island of Ireland, and places no barrier to their equal availability across the whole island, unless given expressed permission by *An Coimisiún* following a request in the case of a specific event where conflicting jurisdiction-based broadcasting rights hamper that organisation's ability to do so.
- (4) Nothing in this section shall be taken to impose a cost on the Exchequer.”.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

47. In page 45, between lines 26 and 27, to insert the following:

“Duties with regard regional balance

8. The Principal Act is amended by the insertion of the following section after section 39:

“Duties with regard regional balance

39A. (1) All public bodies engaged in the distribution of State moneys for the production, screening and broadcast of audiovisual or sound content, including but not limited to RTÉ, Screen Ireland, and the Commission, shall ensure that these funds are distributed equitably and proportionally across the whole community of the island of Ireland with particular regard to the need for regional balance in investment

and representation in audiovisual content, screen and sound, including in programmes relating to news and current affairs, culture, and sport, of communities across the whole island.

- (2) Subsection (1) shall not apply to Teilifis na Gaeilge or State moneys spent on productions in the Irish language.
- (3) The Commission shall prepare and publish a report every 3 years from its establishment detailing the regional spread of investment and representation of regional voices and communities by State bodies in audiovisual content, screen and sound across the whole community of the island of Ireland, including specifically in programmes relating to news and current affairs, culture, and sport.
- (4) The reports referred to in subsection (3) shall be laid before the Minister, both Houses of the Oireachtas, and the Joint Oireachtas Committee upon publication, and shall include recommendations on how to improve the regional balance of investment and representation in the subsequent three-year period.”.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

48. In page 45, between lines 26 and 27, to insert the following:

“Duties to the Irish Language

8. The Principal Act is amended by the insertion of the following section after section 39:

“Duties to the Irish Language

- 39A.** (1) All audiovisual media service providers and sound media broadcasters in the State have a duty to support the promotion of the Irish language as the national language.
- (2) The Commission shall examine the feasibility and merit of setting mandatory minimum content requirements for percentage of content in the Irish language through the awarding of television programme contract and sound broadcast contract licences to be introduced by 31 December 2030, with a higher obligation for public service broadcasters and local broadcasters service Gaeltacht areas, and with a view towards progressively increasing these content requirements over the periods from 2030 to 2035 and again from 2035 to 2040. The Commission shall publish a report no later than one year following its establishment, which shall be laid before the Minister, both Houses of the Oireachtas, and the Joint Oireachtas Committee, outlining the findings of this examination and proposing recommendations for the implementation of such mandatory minimum content requirements for the Irish language.”.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

[SECTION 9]

SECTION 9

49. In page 49, line 33, to delete “: ‘**relevant media service provider**’”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

50. In page 49, line 34, to delete “Part,” and substitute “Part—”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

51. In page 49, line 34, after “Part,” to insert the following:

“ ‘party political programme’ means a programme broadcast, or made available in a catalogue of an audiovisual on-demand media service, by or on behalf of a political party for the purpose of promoting the political party;

‘political party’ means a political party registered in the Register of Political Parties;”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

52. In page 50, line 5, to delete “million.” and substitute “million;”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

53. In page 50, between lines 5 and 6, to insert the following:

“ ‘relevant service’ in relation to a relevant media service provider means an audiovisual on-demand media service provided by that provider.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

54. In page 50, line 6, after “in” to insert “paragraph (c) of the definition of ‘relevant media service provider’ in”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

55. In page 50, line 6, to delete “(c)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

56. In page 50, line 22, after “in” to insert “paragraph (c) of the definition of ‘relevant media service provider’ in”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

57. In page 50, line 22, to delete “(c)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

58. In page 50, to delete lines 23 to 25.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

59. In page 50, line 32, after “or” to insert “undue”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

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60. In page 52, lines 3 and 4, to delete “they do not give an unfair preference” and substitute “an unfair preference is not given”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

61. In page 52, to delete lines 26 to 28.

—Denis Naughten, Seán Canney.

62. In page 52, between lines 30 and 31, to insert the following:

“Music in the Irish language and of European Origin

46LA.(1)A provider of a sound broadcasting service shall ensure that, in the programmes to be provided for under the sound broadcasting service contract—

- (a) of the aggregate amount of transmission time allocated to music content in a given year, excluding time allocated to music content which would reasonably be considered Irish traditional music, at least 5 per cent shall be reserved for musical compositions containing lyrics mostly in the Irish language from 31 December 2025, increasing to a minimum of 10 per cent from 31 December 2030. The provider shall aim to broadcast music with lyrics mostly in the Irish language across the full variety of musical genres broadcast,
 - (b) of the aggregate amount of transmission time allocated to music content containing lyrics mostly in the English language in a given year, from 31 December 2025, at least 40 per cent shall be reserved for content which satisfies two of the following conditions:
 - (i) the music or lyrics are composed or written by a resident of the island of Ireland or the European Economic Area;
 - (ii) at least one of the artists involved in the performance of the music is a resident of the island of Ireland or the European Economic Area;
 - (iii) the performance is recorded entirely within the island of Ireland or the European Economic Area or performed wholly and broadcast live on the island of Ireland or in the European Economic Area.
- (2) The Commission shall conduct an annual review of the compliance by providers with the conditions set out in subsection (1) and produce a report annually on the use of music with lyrics mostly in the Irish language and of music originating on the island of Ireland or in the European Economic Area with lyrics mostly in the English language across service providers, as well as the impact of such conditions on service providers as well as workers, artists, and businesses involved in the music industry nationally, which shall be laid before both Houses of the Oireachtas and the Joint Oireachtas Committee on an

annual basis no later than 31 December each year, beginning with 2026.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

63. In page 52, between lines 30 and 31, to insert the following:

“Sound Streaming Media and Music Sharing Platform Services

46LA.(1)The Commission shall, no later than one year after its establishment, designate as a category of services the sound streaming media and music-sharing platform services under the jurisdiction of the State.

(2) The Commission shall designate as a named service under this section any relevant online service that appears to the Commission to be a sound streaming media and music-sharing platform service under the jurisdiction of the State.

(3) Where the Commission has reason to believe that a relevant online service may be a sound streaming media and music-sharing platform service under the jurisdiction of the State, the Commission shall issue a notice requiring the provision of any information that appears to the Commission to be relevant for the purpose of complying with subsection (2).

(4) The Commission shall make rules for determining whether a sound streaming media and music-sharing platform service provider has such a low turnover or low audience as to mandate its exemption from the rules under this section.

(5) In making rules under subsection (4), the Commission shall have regard to any relevant characteristics of the market in which a sound streaming media or music-sharing platform service provider under the jurisdiction of the State provides a sound streaming media or music-sharing platform service, including—

(a) the turnover of the provider from the service in the market, as a proportion of the total turnover of providers of sound streaming media and music-sharing platform services from those services in the market, and

(b) the number of audience members of the service in the market, as a proportion of the total number of audience members for sound streaming media and music-sharing platform services in the market.

(6) The Commission may make rules prescribing records a provider must keep and any other action a provider must take to enable compliance with the requirement in subsection (1) to be assessed.

(7) A failure to comply with subsection (1) or any rules made under subsection (6) is a contravention for the purposes of Part 8B.

Sound & Music Media Levy

46LB.(1)An annual levy shall be imposed on all named service providers

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designated under section 46LA(2)*, unless exempted under section 46LA(4)*, of 20 per cent of the net annual revenue derived by that company for the provision of sound streaming media and music-sharing platform services, through subscriptions, advertising or other associated incomes, for the year previous.

- (2) The proceeds of the levy described in subsection (1) shall be provided for a scheme of funds to be administered by the Arts Council and granted to provide support for the following purposes:
 - (a) the creation, production and performance of music that qualifies as music of Irish cultural expression across a wide range of musical genres;
 - (b) sound broadcasting licence holders to commission or produce programmes or radio content promoting and airing music of Irish cultural expression across a wide range of musical genres.
- (3) For the purposes of this section, music of Irish cultural expression is defined as any performance or work of music that satisfies any two or more of the following conditions:
 - (a) the music or lyrics are composed or written by a resident of the island of Ireland or associated small offshore islands;
 - (b) at least one of the artists involved in the performance of the music is a resident of the island of Ireland or associated small offshore islands;
 - (c) the performance is recorded entirely on the island of Ireland or associated small offshore islands or performed wholly and broadcast live on the island of Ireland or associated small offshore islands;
 - (d) the majority of the lyrics are in the Irish language.
- (4) The scheme outlined in subsection (2) shall allocate not less than 25 per cent of its annual funds for the creation, production, promotion and airing of music of Irish cultural expression with lyrics in the Irish language, and this shall be distributed across a wide range of musical genres.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

*[*This is a reference to a subsection proposed to be inserted by this amendment.]*

64. In page 52, between lines 34 and 35, to insert the following:

- “(1A) (a) A television broadcaster or provider of audio-visual services shall ensure that of the total hourly time devoted to the broadcasting of advertisements on any service, at least 20 per cent of the advertisements shall be in the Irish language from 31 December 2025.

- (b) The Commission shall prepare and publish a report to be laid before the Minister, both Houses of the Oireachtas and the Joint Oireachtas Committee no later than 31 December 2025 outlining recommendations for increasing the percentage of total hourly time devoted to the broadcasting of advertisements to ensure at least 50 per cent of that is devoted to advertisements in the Irish language on any service provided by a television broadcaster or provider of audio-visual media services, or 100 per cent in the case of services provided by Teilifís na Gaeilge, by 31 December 2030, including recommendations on measures that could be taken across television broadcasting services to ensure Teilifís na Gaeilge would not lose out in its proportion of advertising revenue relative to other television broadcasting services as a result of this additional responsibility.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

65. In page 53, line 35, after “or” to insert “unduly”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

66. In page 54, between lines 9 and 10, to insert the following:

“(iii) increase the visibility and use of the Irish language in media and commercial life,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

67. In page 54, between lines 14 and 15, to insert the following:

“(3) Media service codes may provide that party political programmes may be broadcast or made available only at specified times.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

68. In page 54, line 15, to delete “(3) The Commission” and substitute “(4) The Commission”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

69. In page 54, line 20, to delete “(4) The Commission” and substitute “(5) The Commission”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

70. In page 54, line 40, to delete “(5) Provision” and substitute “(6) Provision”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

71. In page 55, line 5, to delete “(6) In preparing” and substitute “(7) In preparing”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

72. In page 55, line 8, to delete “(7) The Commission” and substitute “(8) The Commission”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

[SECTION 9]

73. In page 55, line 9, to delete “(8) A failure” and substitute “(9) A failure”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

74. In page 55, line 11, to delete “(9) Subject to subsection (10)” and substitute “(10) Subject to subsection (11)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

75. In page 55, line 20, to delete “(10) After” and substitute “(11) After”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

76. In page 55, line 21, to delete “subsection (9)” and substitute “subsection (10)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

77. In page 56, line 13, after “subtitling” to insert “in both official languages”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

78. In page 56, line 14, after “description” to insert “in both official languages”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 11

79. In page 59, line 34, to delete “**Complaints**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

80. In page 60, line 23, to delete “or” and substitute the following:

“(c) the complaint has been resolved effectively under a code of practice prepared under section 47(3), or”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

81. In page 60, line 24, to delete “(c) the complaint” and substitute “(d) the complaint”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

82. In page 60, line 27, to delete “section 139ZA(2)” and substitute “section 139ZI(2)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 12

83. In page 61, between lines 16 and 17, to insert the following:

“(e) in subsection (21), in paragraph (q), by the substitution of “section 31 of the Electoral Reform Act 2022” for “section 3 of the Act of 1998”,.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 23

84. In page 65, to delete lines 14 and 15 and substitute the following:

“(a) in subsection (2)—

(i) in paragraph (d) after “language”, to insert the following:

[SECTION 23]

“, including at least 30 minutes in Irish between the hours of 09:00 and 18:00 between Monday and Friday,”

and

(ii) in paragraph (l), by the deletion of “where directed by the Authority,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 31

85. In page 68, between lines 28 and 29, to insert the following:

“Amendment of section 82 of Principal Act

31. Section 82 of the Principal Act is amended by the insertion of the following subsection after subsection (2):

“(2A) In the case of no fewer than 50 per cent of the board members of RTÉ, a person shall not be appointed to these roles unless he or she is able to communicate proficiently in the Irish language.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 33

86. In page 69, to delete lines 24 to 26 and substitute the following:

“33. Section 114 of the Principal Act is amended—

(a) in subsection (1)—

(i) in paragraph (a), after “service” where it firstly occurs, to insert “in the Irish and English languages”,

(ii) in paragraph (h), by the substitution of “audiovisual on-demand media services” for “non-broadcast non-linear audio-visual media services”,

and

(b) in subsection (2)(a), by the substitution of “the national aim of restoring the Irish language to use as a spoken language nationwide” for “the Irish language”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

87. In page 69, to delete lines 24 to 26 and substitute the following:

“33. Section 114 of the Principal Act is amended in subsection (1)—

(a) in paragraph (a), by the substitution of “in full” for “in so far as it is reasonably practicable”, and

(b) in paragraph (h), by the substitution of “audiovisual on-demand media services to the whole community of the island of Ireland” for “non-broadcast non-linear audio-visual media services”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

[SECTION 33]

88. In page 69, to delete lines 24 to 26 and substitute the following:

“33. Section 114 of the Principal Act is amended in subsection (1)—

- (a) in paragraph (f), by the substitution of “in full, unless limited by factors beyond the control of RTÉ,” for “, in so far as RTÉ considers reasonably practicable,” and
- (b) in paragraph (h), by the substitution of “audiovisual on-demand media services” for “non-broadcast non-linear audio-visual media services”.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

89. In page 69, to delete lines 24 to 26 and substitute the following:

“33. Section 114 of the Principal Act is amended—

- (a) in subsection (1)(h), by the substitution of “audiovisual on-demand media services” for “non-broadcast non-linear audio-visual media services”, and
- (b) in subsection (4)(o), to insert the following after “websites”:

“where all text published in the English language prior to the enactment of this paragraph shall be made available in the Irish language by 31 December 2025, and where all text published subsequent to the enactment of this paragraph shall be published simultaneously, or within an hour of each other, in both official languages, save for exceptional circumstances preventing translation”.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

90. In page 69, line 26, after “services” ” to insert the following:

“and in subsection (3), in paragraph (a), to delete “in the Irish and English languages” and substitute “in the Irish language across all its services, and in the English language.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 34

91. In page 69, between lines 26 and 27, to insert the following:

“Equal Pay for Equal Work

34. The Principal Act is amended by the insertion of the following section after section 114:

“Equal Pay for Equal Work

114A. RTÉ shall ensure that no worker is paid more for the same amount and form of work to produce content in the English language as a worker is paid to produce content in the Irish language.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

[SECTION 34]

92. In page 69, between lines 26 and 27, to insert the following:

“Amendment of section 116 of Principal Act

34. Section 116 of the Principal Act is amended by the insertion of the following subsection after subsection (16):

“(17) No less than 25 per cent of monies spent by RTÉ on independent television or sound broadcasting in any given year shall be spent on programming or content in the Irish language, from 31 December 2025.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 35

93. In page 70, between lines 24 and 25, to insert the following:

“(iii) ensure that no more than three times the amount provided to TG4 in a given year will be provided to RTÉ that year, beginning from 31 December 2028.

(c) The Commission shall conduct a review of the funding imbalance between RTÉ and TG4 and publish a report, to be laid before the Minister, both Houses of the Oireachtas and the Joint Oireachtas Committee no later than 31 December 2028, examining the feasibility and merit of working towards parity of funding between RTÉ and TG4 by 31 December 2035, and including recommendations on the transfer of responsibility for Raidió na Gaeltachta from RTÉ to TG4 and the expansion of services provided by TG4 to meet the multimedia needs of existing Irish speaking communities and foster growth in engagement with the language by non-speakers and learners.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 39

94. In page 71, line 21, to delete “(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

95. In page 71, lines 24 and 25, to delete “and accessed by the use of a terminal”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

96. In page 72, to delete line 18 and substitute “77.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

97. In page 72, to delete lines 19 to 27.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

[SECTION 39]

98. In page 74, between lines 9 and 10, to insert the following:

“(d) programming and services in the Irish language.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

99. In page 74, between lines 13 and 14, to insert the following:

“(aa) the need to give prominence to Irish language broadcasters and content in line with the national aim of restoring the Irish language to use as a spoken language nationwide;”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

100. In page 74, line 14, after “guides” to insert the following:

“including the right of Irish-speaking users to engage with interactive guides in the Irish language;”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 44

101. In page 78, between lines 9 and 10, to insert the following:

“(da) online content by which a person makes available disinformation or false information which is intended to mislead;”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

102. In page 80, between lines 24 and 25, to insert the following:

“(2) The Media Commission shall produce a directive outlining appropriate minimum age requirements for children to create online accounts within 12 months of its establishment.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

103. In page 81, line 28, after “services” to insert “the provider of which is”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

104. In page 81, line 32, after “service” to insert “the provider of which is”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

105. In page 81, line 34, after “service” where it secondly occurs to insert “the provider of which is”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

106. In page 83, between lines 28 and 29, to insert the following:

“(e) that service providers provide and publish robust duty of care and well-being measures to protect those who moderate and otherwise work on potentially harmful content from the impact of this content on their mental health and well-being through the adoption of appropriate policies and procedures.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

[SECTION 44]

107. In page 83, between lines 28 and 29, to insert the following:

“(e) that all measures taken under paragraphs (a), (b), (c) and (d) shall provide the same protections for users of Irish language content as are provided to users of English language content, and that no service provider shall deny a platform to Irish language content unless for a reason under which content in the English language would be denied platform, such as in the case of harmful or age-inappropriate online content.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

108. In page 86, line 34, to delete “section 139X” and substitute “section 139ZF”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

109. In page 86, between lines 34 and 35, to insert the following:

“(i) levels of risk to staff from repeated viewing of harmful content in the course of their work.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

110. In page 88, between lines 31 and 32, to insert the following:

“(c) must not be a current or former member of either of the Houses of the Oireachtas, or current or former member of a local authority.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

111. In page 88, line 36, to delete “and”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

112. In page 88, to delete line 37 and substitute the following:

“(d) specify the co-operation that may be requested by the person appointed, and”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

113. In page 88, between lines 37 and 38, to insert the following:

“(e) require the provider to provide that co-operation, subject to reasonable notice being given by the person appointed.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

114. In page 89, between lines 9 and 10, to insert the following:

“and shall give the provider an opportunity to make representations in writing to the Commission on the report within such period as the Commission specifies.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

[SECTION 44]

115. In page 89, line 10, to delete “and” and substitute the following:

“(9) After considering any representations made under subsection (8), the Commission”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

116. In page 89, line 14, to delete “(9) If” and substitute “(10) If”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

117. In page 89, line 19, to delete “(10) A provider” and substitute “(11) A provider”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

118. In page 89, between lines 24 and 25, to insert the following:

“CHAPTER 4

Complaints to Commission about harmful online content

Complaints to Commission about harmful online content

139R. Where a scheme under section 139V provides for the making of a complaint to the Commission on the grounds that harmful online content is available on a designated online service, the Commission may deal with the complaint in accordance with this Chapter and the provisions of the scheme.

Complaints which may be considered by Commission

139S. (1) Subject to subsection (2), the Commission may not consider a complaint under this Chapter unless it is satisfied that the following conditions are met:

- (a) the complainant has made a complaint to the provider of the designated online service concerned about the availability of the content on the service;
- (b) a period of more than 2 days has elapsed since the complainant made the complaint to the provider;
- (c) where the provider operates a process in accordance with an online safety code for handling such a complaint, the complainant has taken reasonable steps in that period to have the complaint resolved through that process.

(2) Where the Commission is not satisfied that the conditions in subsection (1) are met, it may consider a complaint under this Chapter if it considers it appropriate to do so having regard to the principles referred to in section 139U.

(3) Where a complaint relates to content which falls within one of the offence-specific categories of harmful online content defined in section 139A(2), the Commission may consider the complaint under this Chapter only if—

- (a) the Commission has brought the complaint to the attention of the Garda Síochána, or any other body the Commission considers appropriate,
- (b) the Commission has informed the complainant and the provider of the designated online service that it has done so, and
- (c) where the complaint was brought to the attention of the Garda Síochána, the Garda Síochána has informed the Commission that they do not intend to take any action, or any further action, in relation to the availability of the content on the service concerned.

Resolution of complaints

139T. (1) The Commission may take any of the following actions for the purpose of resolving a complaint under this Chapter:

- (a) referring the complaint to the provider concerned with such advice, guidance or support as the Commission considers appropriate;
 - (b) bringing the complaint to the attention of another body, where the Commission considers the complaint relates to the activities of that body;
 - (c) giving the provider a notice under section 139ZZD(1);
 - (d) dismissing the complaint where the Commission concludes that the content is not harmful online content, or is no longer available on the designated online service;
 - (e) dismissing the complaint where the Commission finds that the complaint is frivolous or vexatious;
 - (f) taking any other action provided for in a scheme under section 139V.
- (2) Where the Commission concludes its consideration of a complaint under this Chapter but does not consider any action within subsection (1) to be appropriate, it shall provide such advice, guidance or support to the complainant as it considers appropriate.

Principles for resolution of complaints

139U. In dealing with complaints under this Chapter, the Commission shall have regard to—

- (a) the rights of—
 - (i) the complainant,
 - (ii) the person who uploaded the content to the designated online service,
 - (iii) the provider of the designated online service,
 - (iv) the users of the designated online service, and

- (v) any person to whom the content relates or at whom it is directed,
- (b) the interests of any child concerned as complainant, as the person who uploaded the content to the designated online service, or as a person to whom the content relates or at whom it is directed,
- (c) the levels of risk of harm, and in particular harm to children, from the availability of the content or exposure to it, and
- (d) the desirability of resolving the complaint efficiently.

Complaint scheme: content

139V. (1) Subject to this Chapter the Commission may make a scheme providing for the making and resolution of complaints referred to in section 139R.

- (2) The Commission may make a scheme relating to complaints about the availability of a type of harmful online content on designated online services only if there is an online safety code that—
 - (a) applies to the designated online services concerned, and
 - (b) relates to the handling, by those providers, of communications from users raising complaints about harmful online content of that type.
- (3) A scheme shall provide, in particular, for—
 - (a) the content of a complaint,
 - (b) the procedures by which a complaint may be made,
 - (c) the procedures the Commission shall follow in considering and resolving complaints,
 - (d) the making of representations in relation to the complaint by the person who uploaded the content that the complaint is about to the designated online service,
 - (e) the requirements the Commission may impose on providers of designated online services for the purpose of resolving complaints, and
 - (f) the procedures by which the Commission shall inform the complainant of the Commission's resolution of the complaint.
- (4) A complaint shall contain, in particular—
 - (a) a description of the content that the complaint is about,
 - (b) a description of the category of harmful online content into which the complainant considers the content falls, and the reasons for that consideration,
 - (c) a description of the location of the content on the designated online service, and

- (d) evidence that the conditions in section 139S(1) are met.

Complaint scheme: procedure

139W. (1) Before making a scheme under section 139V, the Commission shall consult—

- (a) any advisory committee it has established for that purpose under section 19, and
 - (b) any other person the Commission thinks appropriate.
- (2) The Commission shall give the Minister a copy of any scheme made under section 139V as soon as practicable after it is made.
 - (3) The Commission may amend or replace a scheme made under section 139V, and subsections (1) and (2) apply to the amendment of a scheme as they apply to the making of a scheme.
 - (4) A scheme made under section 139V, and any amendment of it, shall be laid by the Commission before each House of the Oireachtas as soon as may be after it is made.

Implementation of schemes

139X. (1) The Commission shall prepare a plan describing the period within which, and the manner in which, it proposes to make schemes under section 139V such that, in any case where there is an online safety code that relates to the handling, by providers of designated online services, of communications from users raising complaints about harmful online content of any type, the Commission is able to deal with complaints about the availability of that type of harmful online content on any designated online service to which the code is applied under section 139L.

- (2) The Commission's proposals in the plan prepared under subsection (1) shall prioritise the making of schemes under section 139V relating to complaints about harmful online content relating to or directed at children.
- (3) A plan prepared under subsection (1) shall be given to the Minister and published on a website maintained by or on behalf of the Commission as soon as practicable after it is prepared.

Review of operation of scheme

139Y. (1) The Commission shall review the operation of this Chapter at the end of the period of 5 years after the date of its coming into operation.

- (2) Without prejudice to subsection (1), the Commission shall review the operation of a scheme under section 139V where the Minister requests the Commission in writing to do so.
- (3) The Commission shall give a report of a review to the Minister as soon as practicable after completing the review.

[SECTION 44]

(4) The Commission shall publish the following annually on a website maintained by it:

- (a) the number of complaints it has received in the previous year under a scheme and how those complaints were resolved;
- (b) the categories of harmful online content to which the complaints related;
- (c) such case studies of complaints as it considers appropriate.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

119.In page 89, line 25, to delete “4” and substitute “5”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

120.In page 89, line 28, to delete “**139R.**” and substitute “**139Z.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

121.In page 89, between lines 29 and 30, to insert the following:

“(a) on identifying harmful online content, and in particular on the application of subsection (4) of section 139A,”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

122.In page 89, line 30, to delete “(a) on any matter” and substitute “(b) on any other matter relating to the operation of this Part or”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

123.In page 89, line 32, to delete “(b) otherwise” and substitute “(c) otherwise”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

124.In page 90, line 12, to delete “**139S.**” and substitute “**139ZA.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

125.In page 90, line 12, to delete “section 139R” and substitute “section 139Z”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

126.In page 90, line 29, to delete “section 139X” and substitute “section 139ZF”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

127.In page 90, line 31, to delete “**139T.**” and substitute “**139ZB.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

128.In page 90, line 32, to delete “section 139R” and substitute “section 139Z”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

129.In page 91, line 6, after “notice” to insert the following:

“and in such an instance the Commission shall provide a written

explanation for this decision to be given to the Minister and the Houses of the Oireachtas”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

130.In page 91, line 7, to delete “5” and substitute “6”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

131.In page 91, line 10, to delete “139U.” and substitute “139ZC.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

132.In page 92, line 21, to delete “139V.” and substitute “139ZD.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

133.In page 92, line 27, to delete “section 139R” and substitute “section 139Z”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

134.In page 92, line 29, to delete “139W.” and substitute “139ZE.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

135.In page 92, line 40, to delete “section 139R” and substitute “section 139Z”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

136.In page 93, line 30, to delete “139X.” and substitute “139ZF.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

137.In page 93, line 40, to delete “Directive 2000/31/EC” and substitute “the E-Commerce Directive”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

138.In page 94, between lines 9 and 10, to insert the following:

“Online Safety for Consumers of Purchased Subscriptions

139Y.(1) For the purposes of this section, the following definitions shall apply:

- (a) ‘Automatic renewal’ means a plan or arrangement in which a paid subscription or purchasing agreement is automatically renewed at the end of a definite term for a subsequent term;
- (b) ‘Automatic renewal offer terms’ means the following clear and conspicuous disclosures:
 - (i) that the subscription or purchasing agreement will continue until the consumer cancels;
 - (ii) the description of the cancellation policy that applies to the offer;
 - (iii) the recurring charges that will be charged to the consumer's credit or debit card or payment account with a third party as part of the automatic renewal plan or arrangement, and that the

amount of the charge may change, if that is the case, and the amount to which the charge will change, if known;

- (iv) the length of the automatic renewal term or that the service is continuous, unless the length of the term is chosen by the consumer;
 - (v) the minimum purchase obligation, if any.
- (c) 'clear and conspicuous' or 'clearly and conspicuously' means in larger type than the surrounding text, or in contrasting type, font, or colour to the surrounding text of the same size, or set off from the surrounding text of the same size by symbols or other marks, in a manner that clearly calls attention to the language. In the case of an audio disclosure, 'clear and conspicuous' and 'clearly and conspicuously' means in a volume and cadence sufficient to be readily audible and understandable;
- (d) 'consumer' means any individual who seeks or acquires, by purchase or lease, any goods, services, money, or credit for personal, family, or household purposes;
- (e) 'continuous service' means a plan or arrangement in which a subscription or purchasing agreement continues until the consumer cancels the service.
- (2) It shall be unlawful for any business that makes an automatic renewal offer or continuous service offer to a consumer in this State to do any of the following:
- (a) fail to present the automatic renewal offer terms or continuous service offer terms in a clear and conspicuous manner before the subscription or purchasing agreement is fulfilled and in visual proximity, or in the case of an offer conveyed by voice, in temporal proximity, to the request for consent to the offer. If the offer also includes a free gift or trial, the offer shall include a clear and conspicuous explanation of the price that will be charged after the trial ends or the manner in which the subscription or purchasing agreement pricing will change upon conclusion of the trial;
 - (b) charge the consumer's credit or debit card, or the consumer's account with a third party, for an automatic renewal or continuous service without first obtaining the consumer's affirmative consent to the agreement containing the automatic renewal offer terms or continuous service offer terms, including the terms of an automatic renewal offer or continuous service offer that is made at a promotional or discounted price for a limited period of time;
 - (c) fail to provide an acknowledgement that includes the automatic renewal offer terms or continuous service offer terms, cancellation policy, and information regarding how to cancel in a manner that is

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capable of being retained by the consumer. If the automatic renewal offer or continuous service offer includes a free gift or trial, the business shall also disclose in the acknowledgement how to cancel, and allow the consumer to cancel, the automatic renewal or continuous service before the consumer pays for the goods or services.

- (3) A business that makes an automatic renewal offer or continuous service offer shall provide a toll-free telephone number, electronic mail address, a postal address if the seller directly bills the consumer, or it shall provide another cost-effective, timely, and easy-to-use mechanism for cancellation that shall be described in the acknowledgement specified in paragraph (c) of subsection (1).
- (4) In addition to the requirements of subsection (2), a consumer who accepts an automatic renewal or continuous service offer online shall be allowed to terminate the automatic renewal or continuous service exclusively online, which may include a termination email formatted and provided by the business that a consumer can send to the business without additional information.
- (5) In the case of a material change in the terms of the automatic renewal or continuous service that has been accepted by a consumer in this State, the business shall provide the consumer with a clear and conspicuous notice of the material change and provide information regarding how to cancel in a manner that is capable of being retained by the consumer.
- (6) The requirements of this section shall apply only prior to the completion of the initial order for the automatic renewal or continuous service, except as follows:
 - (a) the requirement in paragraph (c) of subsection (1) may be fulfilled after completion of the initial order;
 - (b) the requirement in subsection (5) shall be fulfilled prior to implementation of the material change.
- (7) This section shall come into operation on 1 January 2023.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 45

139.In page 98, between lines 34 and 35, to insert the following:

- “35. Online content by which a person exposes his or her genitals intending to cause fear, distress or alarm to another person contrary to section 45(1) of the Criminal Law (Sexual Offences) Act 2017.
- 36. Online content by which a person intentionally engages in offensive conduct of a sexual nature contrary to section 45(3) of the Criminal Law (Sexual Offences) Act 2017.”.

[SECTION 45]

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

140. In page 98, line 36, to delete “35. Onlne” and substitute “37. Onlne”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

141. In page 99, line 2, to delete “36. Onlne” and substitute “38. Onlne”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

142. In page 99, line 7, to delete “37. Onlne” and substitute “39. Onlne”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

143. In page 99, line 12, to delete “38. Onlne” and substitute “40. Onlne”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

144. In page 99, line 20, to delete “39. Onlne” and substitute “41. Onlne”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

145. In page 99, line 26, to delete “40. Onlne” and substitute “42. Online”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 46

146. In page 100, line 6, to delete “**139Y.**” and substitute “**139ZG.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

147. In page 100, line 8, to delete “(2) or (3)” and substitute “or 46LB*”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

*[*This is a reference to a section proposed to be inserted by amendment No. 64.]*

148. In page 100, line 15, to delete “section 139ZA(1)” and substitute “section 139ZI(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

149. In page 100, line 35, to delete “**139Z.**” and substitute “**139ZH.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

150. In page 101, line 15, to delete “**139ZA.**” and substitute “**139ZI.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

151. In page 101, line 25, to delete “**139ZB.**” and substitute “**139ZJ.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

152. In page 101, line 26, to delete “section 139ZA(1)” and substitute “section 139ZI(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

153. In page 101, line 32, to delete “139ZA(3)” and substitute “139ZI(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

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154.In page 101, line 34, to delete “section 139ZA(3)” and substitute “section 139ZI(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

155.In page 102, line 5, to delete “**139ZC.**” and substitute “**139ZK.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

156.In page 103, line 25, to delete “139ZF” and substitute “139ZN”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

157.In page 103, line 28, to delete “section 139ZD” and substitute “section 139ZL”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

158.In page 103, line 34, to delete “139ZD” and substitute “139ZL”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

159.In page 103, line 37, to delete “section 139ZD” and substitute “section 139ZL”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

160.In page 104, line 26, to delete “**139ZD.**” and substitute “**139ZL.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

161.In page 104, line 33, to delete “section 139ZC” and substitute “section 139ZK”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

162.In page 104, line 40, to delete “**139ZE.**” and substitute “**139ZM.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

163.In page 105, line 5, to delete “section 139ZB(2)” and substitute “section 139ZJ(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

164.In page 105, line 6, to delete “section 139ZB(3)” and substitute “section 139ZJ(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

165.In page 105, line 8, to delete “section 139ZC” and substitute “section 139ZK”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

166.In page 105, line 11, to delete “section 139ZC” and substitute “section 139ZK”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

167.In page 105, line 13, to delete “section 139ZC” and substitute “section 139ZK”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

168.In page 105, line 32, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

[SECTION 46]

169.In page 106, line 11, to delete “**139ZF.**” and substitute “**139ZN.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

170.In page 106, line 21, to delete “**139ZG.**” and substitute “**139ZO.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

171.In page 106, line 23, to delete “section 139ZF” and substitute “section 139ZN”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

172.In page 106, line 28, to delete “**139ZH.**” and substitute “**139ZP.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

173.In page 106, line 29, to delete “section 139ZF” and substitute “section 139ZN”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

174.In page 106, line 29, to delete “section 139ZG” and substitute “section 139ZO”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

175.In page 106, line 38, to delete “**139ZI.**” and substitute “**139ZQ.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

176.In page 106, line 39, to delete “sections 139ZQ, 139ZR and 139ZS” and substitute “sections 139ZY, 139ZZ and 139ZZA”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

177.In page 107, line 4, to delete “section 139ZA” and substitute “section 139ZI”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

178.In page 107, line 7, to delete “**139ZJ.**” and substitute “**139ZR.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

179.In page 107, lines 7 and 8, to delete “section 139ZE(6) and (7)” and substitute “subsections (6) and (7) of section 139ZM”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

180.In page 107, line 19, to delete “section 139ZE(6) and (7)” and substitute “subsections (6) and (7) of section 139ZM”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

181.In page 107, line 23, to delete “section 139ZE(6) and (7)” and substitute “subsections (6) and (7) of section 139ZM”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

182.In page 107, line 25, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

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183.In page 108, line 24, to delete “**139ZK.**” and substitute “**139ZS.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

184.In page 108, line 25, to delete “section 139ZE” and substitute “section 139ZM”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

185.In page 108, line 33, to delete “section 139ZP” and substitute “section 139ZX”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

186.In page 108, line 33, to delete “section 139ZQ” and substitute “section 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

187.In page 108, line 36, to delete “section 139ZE(7)” and substitute “section 139ZM(7)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

188.In page 108, line 39, to delete “section 139ZJ” and substitute “section 139ZR”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

189.In page 108, line 41, to delete “139ZJ(4)” and substitute “139ZR(4)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

190.In page 109, lines 1 and 2, to delete “section 139ZJ(1) or (6)” and substitute “subsection (1) or (6) of section 139ZR”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

191.In page 109, line 6, to delete “section 139ZO(3)” and substitute “section 139ZW(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

192.In page 109, line 8, to delete “**139ZL.**” and substitute “**139ZT.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

193.In page 109, line 9, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

194.In page 109, line 16, to delete “section 139ZP” and substitute “section 139ZX”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

195.In page 109, line 17, to delete “section 139ZQ” and substitute “section 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

196.In page 109, line 18, to delete “section 139ZP” and substitute “section 139ZX”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

197.In page 109, line 21, to delete “139ZP(1)” and substitute “139ZX(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

[SECTION 46]

198.In page 109, line 22, to delete “section 139ZQ” and substitute “section 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

199.In page 109, line 26, to delete “section 139ZO” and substitute “section 139ZW”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

200.In page 109, line 30, to delete “139ZM(2)(a)” and substitute “139ZU(2)(a)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

201.In page 109, line 32, to delete “139ZM(2)(b)” and substitute “139ZU(2)(b)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

202.In page 109, line 36, to delete “section 139ZM(3)” and substitute “section 139ZU(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

203.In page 109, line 37, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

204.In page 110, line 25, to delete “**139ZM.**” and substitute “**139ZU.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

205.In page 110, line 26, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

206.In page 110, line 29, to delete “section 139ZO” and substitute “section 139ZW”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

207.In page 110, line 33, to delete “section 139ZL” and substitute “section 139ZT”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

208.In page 111, line 4, to delete “**139ZN.**” and substitute “**139ZV.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

209.In page 111, line 4, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

210.In page 111, line 6, to delete “section 139ZO” and substitute “section 139ZW”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

211.In page 111, line 9, to delete “section 139ZM(2)(a)” and substitute “section 139ZU(2)(a)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

212.In page 111, line 11, to delete “section 139ZM(2)(b)” and substitute “section 139ZU(2)(b)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

[SECTION 46]

213.In page 111, line 13, to delete “section 139ZM(3)” and substitute “section 139ZU(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

214.In page 111, line 27, to delete “**139ZO.**” and substitute “**139ZW.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

215.In page 111, line 28, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

216.In page 111, line 33, to delete “139ZK” and substitute “139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

217.In page 111, line 39, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

218.In page 112, line 12, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

219.In page 112, line 14, to delete “section 139ZP) under section 139ZP” and substitute “section 139ZX) under section 139ZX”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

220.In page 112, line 15, to delete “section 139ZQ” and substitute “section 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

221.In page 112, line 35, to delete “section 139ZM(2)” and substitute “section 139ZU(2)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

222.In page 112, line 38, to delete “section 139ZM(3)” and substitute “section 139ZU(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

223.In page 112, line 41, to delete “section 139ZP) under section 139ZP” and substitute “section 139ZX) under section 139ZX”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

224.In page 112, line 42, to delete “section 139ZQ” and substitute “section 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

225.In page 113, line 2, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

226.In page 113, line 8, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

227.In page 113, line 14, to delete “**139ZP.**” and substitute “**139ZX.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

[SECTION 46]

228.In page 113, line 14, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

229.In page 113, line 16, to delete “139ZL” and substitute “139ZT”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

230.In page 113, line 16, to delete “section 139ZN” and substitute “section 139ZV”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

231.In page 113, line 17, to delete “section 139ZN(3)” and substitute “section 139ZV(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

232.In page 113, line 27, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

233.In page 113, line 34, to delete “section 139ZQ” and substitute “section 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

234.In page 114, line 21, to delete “sections 139ZK(4) and 139ZO” and substitute “sections 139ZS(4) and 139ZW”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

235.In page 114, line 32, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

236.In page 114, line 38, to delete “**139ZQ.**” and substitute “**139ZY.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

237.In page 114, line 38, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

238.In page 114, line 40, to delete “139ZP(1)” and substitute “139ZX(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

239.In page 114, line 41, to delete “section 139ZP(1)” and substitute “section 139ZX(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

240.In page 115, line 23, to delete “section 139ZP(3)” and substitute “section 139ZX(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

241.In page 115, line 26, to delete “section 139ZP(3)” and substitute “section 139ZX(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

242.In page 115, line 27, to delete “section 139ZP(3)” and substitute “section 139ZX(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

[SECTION 46]

243. In page 115, line 28, to delete “section 139ZP(1)” and substitute “section 139ZX(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

244. In page 115, line 32, to delete “139ZP(5)” and substitute “139ZX(5)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

245. In page 115, line 38, to delete “**139ZR.**” and substitute “**139ZZ.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

246. In page 115, line 39, to delete “section 139ZP” and substitute “section 139ZX”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

247. In page 115, line 40, to delete “section 139ZQ” and substitute “section 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

248. In page 116, line 2, to delete “**139ZS.**” and substitute “**139ZZA.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

249. In page 116, line 3, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

250. In page 116, line 5, to delete “section 139ZN(1)” and substitute “section 139ZV(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

251. In page 116, line 17, to delete “**139ZT.**” and substitute “**139ZZB.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

252. In page 116, line 18, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

253. In page 116, line 21, to delete “section 139ZP or 139ZQ” and substitute “section 139ZX or 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

254. In page 116, line 22, to delete “section 139ZP” and substitute “section 139ZX”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

255. In page 116, lines 31 and 32, to delete “section 139ZP or 139ZQ” and substitute “section 139ZX or 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

256. In page 116, line 32, to delete “section 139ZP” and substitute “section 139ZX”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

257. In page 116, line 39, after “any” to insert “wilful”.

—Gary Gannon.

[SECTION 46]

258.In page 117, line 15, to delete “**139ZU.**” and substitute “**139ZZC.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

259.In page 117, line 34, to delete “139ZT(4)” and substitute “139ZZB(4)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

260.In page 118, line 12, to delete “139ZT(4)” and substitute “139ZZB(4)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

261.In page 119, line 15, to delete “**139ZV.**” and substitute “**139ZZD.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

262.In page 119, line 30, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

263.In page 119, line 34, to delete “section 139ZP or 139ZQ” and substitute “section 139ZX or 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

264.In page 119, line 35, to delete “section 139ZP” and substitute “section 139ZX”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

265.In page 120, line 23, to delete “Directive 2000/31/EC” and substitute “the E-Commerce Directive”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

266.In page 120, line 25, to delete “**139ZW.**” and substitute “**139ZZE.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

267.In page 120, line 25, to delete “section 139ZV” and substitute “section 139ZZD(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

268.In page 120, line 33, to delete “139ZV(1)” and substitute “139ZZD(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

269.In page 120, line 35, to delete “139ZV(1)” and substitute “139ZZD(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

270.In page 120, line 36, to delete “and” and substitute the following:

“(f) identify the geographical area within which the action required by the Commission under section 139ZZD(1) must be taken, and”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

271.In page 120, line 37, to delete “(f) state” and substitute “(g) state”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

[SECTION 46]

272. In page 121, line 1, to delete “section 139ZV” and substitute “section 139ZZD(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

273. In page 121, line 13, to delete “section 139ZV” and substitute “section 139ZZD(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

274. In page 121, line 24, to delete “section 139ZK” and substitute “section 139ZS”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

275. In page 121, line 25, to delete “section 139ZP or 139ZQ” and substitute “section 139ZX or 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

276. In page 121, line 29, to delete “section 139ZV(3)” and substitute “section 139ZZD(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

277. In page 122, line 2, to delete “section 139ZX” and substitute “section 139ZZF”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

278. In page 122, line 7, to delete “**139ZX.**” and substitute “**139ZZF.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

279. In page 122, line 9, to delete “section 139ZW(7)(a)” and substitute “section 139ZZE(7)(a)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

280. In page 122, line 21, to delete “**139ZY.**” and substitute “**139ZZG.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

281. In page 122, line 23, to delete “section 139ZW(7)(a)” and substitute “section 139ZZE(7)(a)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

282. In page 122, line 24, to delete “section 139ZX(2)” and substitute “section 139ZZF(2)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

283. In page 122, line 26, to delete “section 139ZW(7)(a)” and substitute “section 139ZZE(7)(a)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

284. In page 123, line 4, to delete “**139ZZ.**” and substitute “**139ZZH.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

285. In page 123, line 20, to delete “**139ZZA.**” and substitute “**139ZZI.**”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 47

[SECTION 47]

286.In page 124, to delete line 5 and substitute “Sections 139ZK(3), 139ZR(3) and (4) or 139ZU(2)(a)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

287.In page 124, lines 7 and 8, to delete “section 139ZC(3), 139ZJ(3) or (4) and 139ZM(2)(a)” and substitute “section 139ZK(3), 139ZR(3) or (4) and 139ZU(2)(a)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

288.In page 124, line 11, to delete “section 139ZC(3)” and substitute “section 139ZK(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

289.In page 124, lines 13 and 14, to delete “section 139ZJ(3) or (4) or section 139ZM(2)(a)” and substitute “section 139ZR(3) or (4) or section 139ZU(2)(a)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

290.In page 124, line 16, to delete “section 139ZC(3)” and substitute “section 139ZK(3)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

291.In page 124, lines 19 and 20, to delete “section 139ZJ(3) or (4) or section 139ZM(2)(a)” and substitute “section 139ZR(3) or (4) or section 139ZU(2)(a)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

292.In page 125, line 10, to delete “139ZF” and substitute “139ZN”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 48

293.In page 126, between lines 24 and 25, to insert the following:

“(b) by the insertion of the following definition after the definition of “free television service”;

“ ‘local sound broadcaster’ means a person holding a sound broadcasting contract under section 63—

(a) which is a contract for the provision of a sound broadcasting service in an area consisting of a part, but not the whole, of the State, and

(b) which is not a contract under section 64 or 68(1)(b);”,

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 50

294.In page 127, to delete lines 3 to 9 and substitute the following:

“**155A.** (1) The Commission shall prepare and submit to the Minister for his or her approval a scheme or a number of schemes for the making of grants to any community medium or local independent radio station

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for the purposes of supporting and promoting good professional journalistic practices and standards in community and local media and towards the cost of such ancillary measures as are necessary to support such a scheme or schemes.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

295.In page 127, line 5, after “to” to insert “local sound broadcasters and”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

296.In page 127, line 7, after “in” to insert “local and”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

297.In page 127, between lines 11 and 12, to insert the following:

“(aa) funding for programmes which are produced primarily for community information and agency,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

298.In page 127, line 12, after “by” to insert “local sound broadcasters and”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

299.In page 127, line 13, to delete “sound broadcasters” and substitute “media”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

300.In page 127, line 13, after “broadcasters” to insert “and local independent radio broadcasters”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

301.In page 127, to delete lines 16 to 21 and substitute the following:

“(3) A scheme may in particular require a community medium or local independent radio broadcaster to whom a grant is awarded—

(a) to apply the grant to the costs of providing support, appropriate training and professional development for persons employed by, or providing services to, the communications medium for the purposes referred to in subsection (1), and”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

302.In page 127, line 16, after “require a” to insert “local sound broadcaster or”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

303.In page 127, line 25, after “of” to insert “local sound broadcasters and”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

304.In page 127, between lines 26 and 27, to insert the following:

“(c) shall have regard developing impartial journalism through the medium of Irish.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

305. In page 127, line 29, after “of” to insert “local or”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 53

306. In page 129, between lines 36 and 37, to insert the following:

“Irish Cultural Works

159AA. (1) For the purposes of this section, ‘Irish cultural works’ are defined as works that satisfy the following criteria:

- (a) works of music that satisfy two of the following criteria:
 - (i) the music or lyrics are composed or written by a resident of the island of Ireland or associated small offshore islands;
 - (ii) at least one of the artists involved in the performance of the music is a resident of the island of Ireland or associated small offshore islands;
 - (iii) the performance is recorded entirely on the island of Ireland or associated small offshore islands or performed wholly and broadcast live on the island of Ireland or associated small offshore islands;
 - (iv) the majority of the lyrics are in the Irish language.
- (b) audiovisual or cinematic content that satisfies one of the following criteria:
 - (i) the work is made by one or more producers established on the island of Ireland or associated small offshore islands;
 - (ii) the work is supervised and controlled by one or more producers established on the island of Ireland or associated offshore islands;
 - (iii) there are co-producers established outside of the island of Ireland and associated offshore islands, but the contribution of co-producers established on the island of Ireland or associated offshore islands is preponderant and co-production is not controlled by one or more co-producers established outside of the island of Ireland and associated offshore islands;
 - (iv) the screenplay and/or script is written by a resident of the island of Ireland or associated small offshore islands, or based on a work written by a resident of the island of Ireland or associated small offshore islands;
 - (v) actors, performers, presenters or participants who were resident on the island of Ireland or associated small offshore islands at the time of filming feature for at least half of the total screen

time of the work;

- (vi) the majority of the filming, recording and editing of the work takes place on the island of Ireland or associated small offshore islands;
 - (vii) the performance is recorded entirely on the island of Ireland or associated small offshore islands or performed wholly and broadcasted live on the island of Ireland or associated small offshore islands;
 - (viii) the majority of the verbal content of the work is in the Irish language;
 - (ix) signing in Irish Sign Language features prominently in the work.
- (2) The Arts Council shall, following authentication, provide certification for any work that meets the criteria set out in subsection (1) as an Irish cultural work.
 - (3) RTÉ and Teilifís na Gaeilge as national public service broadcasters have a particular role in supporting the creation, production, promotion and airing or broadcasting of Irish cultural works.
 - (4) The Commission shall ensure, through the granting or renewal of licences, that any television or sound media broadcasting licence involves a commitment to supporting the creation, production, promotion and airing or broadcasting of Irish cultural works.
 - (5) The Commission shall conduct an examination of the prominence and use of Irish cultural works in media every five years and produce a report which shall be published before 31 December every five years following its establishment and laid before the Minister, both Houses of the Oireachtas and the Joint Oireachtas Committee upon publication detailing the statistical breakdown of use of Irish cultural works in media over the previous five years, including recommendations for ensuring the enduring success and sustainability of Irish cultural works and options for imposing content requirements or investment obligations on audiovisual and sound media service providers to support the creation, production, promotion and airing or broadcasting of Irish cultural works, in line with the commitments of the Audiovisual Media Services Directive to cultural diversity.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

307.In page 129, line 40, after “cent” to insert the following:

“, or in which the share of works in the Irish language, from 31 December 2030, is less than 5 per cent, and from 31 December 2035, is less than 10 per cent”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

[SECTION 53]

308.In page 131, between lines 16 and 17, to insert the following:

“(aa) the prominence of Irish language works in view of the national aim of restoring the Irish language as a spoken language and language of media nationwide.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

309.In page 131, line 38, to delete “may” and substitute “shall, as soon as practicable after the establishment day”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

310.In page 133, line 5, to delete “media service providers” and substitute “producers of European Works”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

311.In page 133, to delete lines 13 to 15 and substitute the following:

“(2) The kinds of support for which funds may be granted or loaned under a scheme shall support the development and production of such of the following or such classes or descriptions of any of the following as the scheme may specify:”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

312.In page 133, line 16, after “programmes” to insert the following:

“, including feature films, animation, drama and documentaries supporting the work of Irish creative talent, and”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

313.In page 133, to delete lines 18 and 19 and substitute the following:

“(ii) the storytelling experiences of the people of the island of Ireland including the experiences of people of Irish ancestry living abroad,”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

314.In page 134, between lines 5 and 6, to insert the following:

“(4A) (a) Each scheme shall dedicate not less than 80 per cent of the funding available to audiovisual works that are developed and produced by an independent production company.

(b) An ‘independent production company’ is defined as—

(i) a company established in one or more of the Member States of the European Union,

(ii) majority owned by nationals of one or more of those Member States,

(iii) where no more than 25 per cent of the share capital can be held

by a single media service provider, or more than 50 per cent when more than one media service provider is involved, as may be prescribed in detail by the Commission, and

- (iv) where the company has in place rights ownership arrangements, as may be prescribed in detail by the Commission in accordance with paragraph (c), with the media service providers licensing the audiovisual programmes funded by a scheme.
- (c) In respect of any scheme, the Commission shall, (after consultation with independent production companies or such persons appearing to the Commission to represent them), prescribe a fair and equitable balance in relation to the allocation of rights ownership as between an independent production company and the media service provider(s) developing or licensing the audiovisual programmes funded by the relevant scheme.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

315. In page 135, between lines 26 and 27, to insert the following:

“Obligation for Investment

159HA. (1) The Commission, following consultation with audiovisual media service providers, audiovisual and screen production companies established in Ireland, workers and businesses engaged in audiovisual production, Screen Ireland, RTÉ, Teilifís na Gaeilge, Foras na Gaeilge, and the public, and no later than one year following its establishment, shall prepare and publish a report examining the possibilities and suggesting recommendations for introducing direct obligations on audiovisual media service providers operating in this State, in line with the Audiovisual Media Services Directive and following the example set by policies in other Member States of the European Union, with regard to the potential impacts of such obligations on audiovisual production, consumers, workers, businesses, media service providers, and the promotion of the Irish language and Irish cultural works.

- (2) The report outlined in subsection (1) shall consider in particular the potential for—
 - (a) requiring investment directly in the production or co-production of European works partly or wholly on the island of Ireland, works of Irish cultural expression, and works in the Irish language,
 - (b) requiring direct investment in the acquisition of rights for European works, particularly works of Irish cultural expression and works in the Irish language,
 - (c) regulating the release window for audiovisual works in the State to require a higher direct investment in audiovisual production as a condition for a shorter delay between theatrical release and the

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right to transmit on audiovisual platforms,

(d) any combination of paragraphs (a), (b), and (c).

- (3) The report shall be laid before the Minister, Screen Ireland, both Houses of the Oireachtas and the Joint Oireachtas Committee upon publication for consideration.
- (4) The Minister, following consultation with the Minister of Finance and no later than six months following the publication of the report outlined in subsection (1) shall present draft legislation before the Houses of the Oireachtas outlining proposals for the introduction of investment obligations for audiovisual media service providers.”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

SECTION 67

316. In page 140, between lines 13 and 14, to insert the following:

“Amendment of section 46M(5) of Principal Act

67. Section 46M(5) of the Principal Act as inserted by *section 8* is amended—

- (a) by the substitution of “An Coimisiún Toghcháin” for “the Referendum Commission”, and
- (b) by the substitution of “section 31 of the Electoral Reform Act 2022” for “section 3 of the Act of 1998”.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

SECTION 70

317. In page 142, line 38, to delete “section 139ZQ” and substitute “section 139ZY”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

318. In page 142, line 40, to delete “section 139ZQ(1)” and substitute “section 139ZY(1)”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

NEW SECTION

319. In page 144, after line 16, to insert the following:

“Amendment of Electoral Reform Act 2022

78. Section 32(1) of the Electoral Reform Act 2022 is amended by the substitution of “Section 46M(2)(a)” for “Section 41(3)”.”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.

TITLE

320. In page 7, line 13, after “services;” to insert the following:

“to increase the visibility and use of Irish as a spoken language in media and public life

[TITLE]

and ensure a diversity of content for the Irish-speaking community;”.

—Aengus Ó Snodaigh, Imelda Munster, Johnny Mythen.

321. In page 7, line 26, after “to” where it secondly occurs to insert “local sound broadcasters and”.

—An tAire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán.