



**An Bille Craolacháin (Seirbhís Uile-Éireann) (Leasú),
2025
Broadcasting (All Ireland Service) (Amendment) Bill
2025**

*Meabhrán Míniúcháin
Explanatory Memorandum*



**AN BILLE CRAOLACHÁIN (SEIRBHÍS UILE-ÉIREANN)
(LEASÚ), 2025
BROADCASTING (ALL IRELAND SERVICE) (AMENDMENT)
BILL 2025**

EXPLANATORY MEMORANDUM

Background of the Bill

“It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish Nation.” – Article 2, Bunreacht na hÉireann.

This Bill is rooted in the view that Ireland’s national public service broadcasters have a duty to both represent and serve the whole of the Irish Nation, as defined by the Constitution.

There are, unfortunately, numerous examples of RTÉ, throughout its history, actively excluding Irish citizens in the North of Ireland, and ignoring their constitutional entitlement and birthright.

In recent years, this partitionism has manifested itself in the geo-blocking of content from northern audiences, the restriction of access to competitions, and the redrawing of the map of Ireland to erase the very existence of the Six Counties.

Certain news, current affairs, sport, and cultural events have special importance to the Nation, and the right to be part of the Nation extends to being part of these events.

The ability to participate on an All-Ireland basis is inhibited by the partition of Ireland and the absence of an All-Ireland market for the licencing of television rights.

In 2024, RTÉ decided to exclude northern audiences from access to live news bulletins at the beginning of the Summer Olympic Games in Paris, and in the lead up to the All-Ireland Men’s Senior Gaelic Football Championship Final, in spite of the broadcaster’s obligations under section 114 of the Broadcasting Act 2009 to make its service ‘available, in so far as it is reasonably practicable, to the whole community on the island of Ireland’.

The licensing of intellectual property rights across the different legal jurisdictions on the island of Ireland has the potential to pose problems in delivering All-Ireland access to broadcast services, which is why proactive efforts are needed to seek a resolution to competing rights claims with the objective of ensuring viewers North and South have equal access across service providers.

The fact that RTÉ later reversed the decision to exclude northern audiences from live news bulletins, however, demonstrated that it was

in fact reasonably practicable for them to make its service available, and there are many instances where decisions rest at the discretion of the broadcaster.

Paris 2024 saw the most successful Team Ireland performance in the history of the Olympic Games, and this team included athletes from each of the Six Counties, counting Gold and Bronze medallist swimmer Daniel Wiffen, Gold medallist gymnast Rhys McClenaghan, and Bronze medallist rower Philip Doyle among their number. The families and communities of these Irish heroes should be entitled to the same viewing experience in their home counties from RTÉ as families and communities south of the border.

RTÉ held an audience competition to win tickets to watch the All-Ireland Football Final, in which Armagh were playing and would go on to win, and yet supporters in Armagh were prohibited from taking part in the competition along with all viewers north of the border.

RTÉ's flagship Late Late Show was forced to apologise in 2017 for a map shown which erased the Six Counties from the island of Ireland and elicited over 200 complaints. Despite the Executive Producer of the show John McMahon acknowledging that it "appeared disrespectful and distressing" to viewers, the broadcaster has depicted similarly exclusionary map graphics as recently as 2024.

Amendments to address these issues proposed by Sinn Féin TDs during debate on the Online Safety and Media Regulation Act 2022 were rejected by the Fianna Fáil, Fine Gael and Green Government.

Purpose of the Bill

This Bill would place an onus on our national broadcasters to proactively make every reasonable effort to end the exclusion of audiences in the north from their services. These efforts range from the access to programming and access to audience competitions to ending the insulting exclusion of the north's 6 Counties from maps depicting Ireland.

The Bill further acknowledges that the licensing of intellectual property rights is a complex matter, but would at very least require the national broadcasters to proactively seek to resolve any competing claims to licensing rights across the island with the objective of ensuring viewers north and south have equal access across service providers.

It would also require Coimisiún na Meán to produce a report within six months outlining ways in which barriers to all-Ireland access can be removed.

This Bill would oblige the Minister responsible for Media to engage with the British Government and international organisations responsible for licencing rights for international events, such as the International Olympic Committee, with a view to resolving competing jurisdictional claims and working towards an all-Ireland market for television licensing rights, and to report on progress.

Provisions of the Bill

Section 1 is the standard provision clarifying that the Act being amended is the Broadcasting Act 2009.

Section 2 amends the Broadcasting Act 2009 to insert a new section 46MA to require our national broadcasters to make every reasonable effort to end the practice of geo-blocking and exclusion of audiences in the North of Ireland, and to pro-actively seek to resolve any competing claims to licencing rights across the island with the objective of ensuring equal access to programming content. The new section would

also require a report to be published by Coimisiún na Meán within six months of enactment setting out ways to facilitate, assist and require our national broadcasters to serve the whole island, and would require the Media Minister to engage with the British government and international organisations with a view to establishing an All-Ireland market for television licencing rights and resolve competing claims, as well as to report on progress annually. Finally, this section would also require Coimisiún na Meán to pay due regard to the need for All-Ireland service when agreeing licences for television broadcasting services other than our national broadcasters.

Section 3 – short title, collective citation and commencement is the standard provision dealing with the short title, collective citation and commencement.

*Aengus Ó Snodaigh TD, Joanna Byrne TD,
Meitheamh, 2025.*

