SEANAD ÉIREANN

AN BILLE UM RIALÁIL NA MEÁN, 2026
MEDIA REGULATION BILL 2026

LEASUITHE COISTE
COMMITTEE AMENDMENTS

[No. 19 of 2026] [21 October, 2026]

SEANAD ÉIREANN

AN BILLE UM RIALÁIL NA MEÁN, 2026
—AN COISTE

MEDIA REGULATION BILL 2026
—COMMITTEE STAGE

Leasuithe
Amendments

**Government amendments are denoted by an asterisk*

SECTION 2

***1.** In page 6, between lines 3 and 4, to insert the following:

" "Act of 2009" means the Broadcasting Act 2009;".

SECTION 5

2. In page 6, between lines 15 and 16, to insert the following:

"Report on media diversity

5. Within twelve months of the commencement of this Act, the Minister shall produce a report on media diversity. The report shall analyse the extent to which broadcasting organisations receiving public funds reflect, individually and collectively, the full range of lifestyles and viewpoints in Irish society in a fair manner across news, current affairs, lifestyle, cultural and other content. The role, functions and activities of Coimisiún na Meán should be analysed as part of this report.".

—Senator Rónán Mullen.

SECTION 11

3. In page 10, to delete lines 22 to 27 and substitute the following:

"(6)(a) An order shall not be made under subsection (2) specifying a monetary amount that is greater than the monetary amount that applies under subsection (1)(a) or (b), as the case may be, immediately before the order is made, unless a draft of the order has been laid before each House of the Oireachtas and a resolution approving the draft has been passed by each such House.

(b) Every order made under subsection (2), other than an order to which paragraph (a) applies, shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21 days on which that House sits after the order is laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.".

—Senators Laura Harmon, Nessa Cosgrove.

[SECTION 12]

SECTION 12

4. In page 11, between lines 20 and 21, to insert the following:

"(7D) Not later than 5 working days after the date on which a merger or acquisition is notified to Coimisiún na Meán under subsection (1) or section 28BA(2)(b), or, if later, the date on which the merger or acquisition is first publicly announced, each undertaking involved in the merger or acquisition that carries on a media business in the State shall—

(a) inform its employees, and any trade union or other body that represents those employees for the purposes of collective bargaining, that the notification has been made, and

(b) notify Coimisiún na Meán of the name and address of each such trade union or other body.",".

—Senators Laura Harmon, Nessa Cosgrove.

SECTION 15

5. In page 17, between lines 37 and 38, to insert the following:

"(c) the probable effect of the merger or acquisition on the editorial capacity of each media business involved, including on the number of journalists and other editorial staff employed by it,".

—Senators Laura Harmon, Nessa Cosgrove.

SECTION 17

6. In page 22, line 27, after "28D(2)(b)" to insert the following:

", and shall, at the same time, send a copy of the notice to each trade union or other body notified to it under section 28B(7D)(b) in respect of the merger or acquisition".

—Senators Laura Harmon, Nessa Cosgrove.

SECTION 24

7. In page 31, between lines 23 and 24, to insert the following:

"(4AA) Coimisiún na Meán shall make the information contained in the media ownership database available to the public, free of charge, on a website maintained by or on its behalf, in a form that is easily accessible and searchable.".

—Senators Laura Harmon, Nessa Cosgrove.

SECTION 32

8. In page 34, line 28, to delete "where practicable and".

—Senators Laura Harmon, Nessa Cosgrove.

9. In page 34, line 30, after "providers" to insert the following:

", including local, regional and community media service providers

and media service providers whose services are provided wholly or mainly in the Irish language".

—Senators Laura Harmon, Nessa Cosgrove.

SECTION 35

10. In page 36, line 14, to delete "may include in the report information on a" and substitute "shall include in the report the name of, and information on, any".

—Senators Laura Harmon, Nessa Cosgrove.

11. In page 36, between lines 21 and 22, to insert the following:

"(6) Coimisiún na Meán shall, not later than the date of publication of a report under *subsection (2)* or *(3)*, furnish a copy of the report to the Minister, who shall, as soon as may be after receiving it, cause a copy of it to be laid before each House of the Oireachtas.".

—Senators Laura Harmon, Nessa Cosgrove.

SECTION 36

12. In page 36, between lines 21 and 22, to insert the following:

"Annual statement on distribution of state advertising expenditure

36. (1) The Minister shall, not later than 3 months after the publication of a report under *section 35(2)* or *(3)*, prepare and cause to be laid before each House of the Oireachtas a statement on the distribution of public expenditure on state advertising in the period to which the report relates.

(2) A statement under *subsection (1)* shall set out—

(a) the total public expenditure on state advertising by public authorities or entities in the period concerned, so far as that information is available to the Minister,

(b) the proportion of that expenditure allocated to—

(i) media service providers whose services are directed principally at a national audience,

(ii) local, regional and community media service providers,

(iii) media service providers whose services are provided wholly or mainly in the Irish language, and

(iv) providers of online platforms,

(c) the Minister's assessment of the extent to which that expenditure was distributed to a wide plurality of media service providers represented on the market, taking into account the national and local specificities of the media markets concerned, and

(d) any measures that the Minister proposes to take, or recommends that public authorities or entities take, to ensure that such expenditure is so distributed.

(3) Coimisiún na Meán shall provide to the Minister such information in its possession as

the Minister may reasonably request for the purposes of preparing a statement under *subsection (1)*.".

—Senators Laura Harmon, Nessa Cosgrove.

SECTION 37

***13.** In page 37, line 4, to delete "Broadcasting Act 2009" and substitute "Act of 2009".

NEW SECTION

***14.** In page 37, after line 25, to insert the following:

"CHAPTER 2

Amendments of Part 8B of Broadcasting Act 2009

Amendment of section 139ZG of Act of 2009

38. Section 139ZG(1) of the Act of 2009 is amended—

(a) in the definition of "contravention" by—

(i) the deletion of "or" where it thirdly appears in paragraph (c),

(ii) the substitution of ", or" for ";" in paragraph (d), and

(iii) the insertion of the following paragraph after paragraph (d):

"(e) a failure by a manufacturer, a developer or an importer to comply with Article 20(2) or 20(3) of EMFA;",

and

(b) by insertion of the following definitions:

" 'developer' has the meaning assigned to it by section 203;

'importer' has the meaning assigned to it by section 203;

'manufacturer' has the meaning assigned to it by section 203;".".

***15.** In page 37, after line 25, to insert the following:

"Amendment of section 139ZK of Act of 2009

39. Section 139ZK(1) of the Act of 2009 is amended—

(a) in subparagraph (i) of paragraph (a), by the substitution of ", designated online service, manufacturer, developer or importer" for "or designated online service",

(b) in paragraph (g), by the substitution of "a hosting service provider, a designated online service, an intermediary service, a manufacturer, a developer or an importer" for "hosting service provider or a designated online service or an intermediary service",

(c) in paragraph (n), by the substitution of ";" for ".", and

(d) by the insertion of the following paragraph after paragraph (n):

[NEW SECTION]

"(o) in the case of an investigation where the suspected contravention falls within paragraph (e) of the definition of 'contravention' in section 139ZG, require any person who has relevant equipment in his or her power or control to supply without payment that relevant equipment or sufficient samples thereof for testing, examination or analysis.".".

***16.** In page 37, after line 25, to insert the following:

"Amendment of section 139ZW of Act of 2009

40. Section 139ZW of the Act of 2009 is amended—

(a) in subsection (1), by the insertion of "or (e)" after "paragraph (a)", and

(b) in subsection (4), by the substitution of the following paragraph for paragraph (b):

"(b) be set with a view to deterring the inquiry subject from committing a contravention and—

(i) where the inquiry subject is a hosting service provider or a provider of broadcasting services, audiovisual on-demand media services, designated online services or intermediary services, with a view to deterring other such providers from committing a contravention, or

(ii) where the inquiry subject is a manufacturer, a developer or an importer, with a view to deterring other manufacturers, developers or importers from committing a contravention.".".

***17.** In page 37, after line 25, to insert the following:

"CHAPTER 3

Insertion of Part 16 into Broadcasting Act 2009

Insertion of Part 16 into Act of 2009

41. The Act of 2009 is amended by the insertion of the following Part after Part 15:

"PART 16

RIGHT TO CUSTOMISE MEDIA OFFERING

Interpretation (Part 16)

203. In this Part—

'developer' means a developer referred to in Article 20(2), 20(3) or 20(4) of EMFA;

'importer' means an importer referred to in Article 20(2), 20(3) or 20(4)

of EMFA;

'manufacturer' means a manufacturer referred to in Article 20(2), 20(3) or 20(4) of EMFA.

Compliance notice (Part 16)

204. (1) Where a person authorised by the Commission under subsection (2) is of the opinion that a manufacturer, developer or importer has infringed Article 20(2) or 20(3) of EMFA, that person may direct an authorised officer to serve a notice (in this section referred to as a 'compliance notice') on the manufacturer, developer or importer concerned.

(2) The Commission may authorise any Commissioner or member of its staff for the purposes of subsection (1).

(3) A compliance notice shall—

(a) state the contravention to which it relates,

(b) state the grounds on which the person authorised under subsection (2) is of the opinion referred to in subsection (1),

(c) for the purpose of ensuring compliance by the manufacturer, developer or importer with the provision which is the subject of the contravention, require the manufacturer, developer or importer to do or refrain from doing anything specified in the notice by a date specified in the notice, and

(d) contain information regarding the bringing of an appeal under subsection (7) against the notice, including information specifying the manner in which an appeal may be brought.

(4) An authorised officer may withdraw a compliance notice at any time.

(5) An authorised officer may amend a compliance notice by notice in writing to the manufacturer, developer or importer concerned to substitute any later date for the date for the time being specified under subsection (3)(c) or this subsection.

(6) A date specified under subsection (3)(c) or (5) must be later than the date by which an appeal under subsection (7) may be brought.

(7) A manufacturer, a developer or an importer may, not later than 14 days after the service on it of a compliance notice, appeal against the notice to the District Court.

(8) An appeal under subsection (7) shall be brought in the manner specified in accordance with subsection (3)(d).

(9) The authorised officer and the manufacturer, developer or importer concerned shall be entitled to be heard and to adduce evidence at the hearing of an appeal under subsection (7).

(10) The District Court shall, on an appeal under subsection (7) against a

compliance notice, do one of the following:

(a) affirm the notice;

(b) cancel the notice;

(c) cancel the notice and require the manufacturer, developer or importer, as the case may be, to comply with such directions as may be given by the court.

(11) A manufacturer, a developer or an importer on whom a compliance notice is served who fails to comply with the notice by the due date shall be guilty of an offence and liable on summary conviction to a class B fine or imprisonment for a term not exceeding 6 months or both.

(12) The due date for the purposes of subsection (11) is as follows:

(a) where no appeal is brought under subsection (7), the date for the time being specified in the compliance notice in accordance with subsection (3)(c) or (5);

(b) where an appeal against the notice is brought under subsection (7) and the court affirms the notice, the day falling immediately after the expiration of the period of 14 days from the date on which the court affirms the notice.

(13) Nothing done under this section prevents or restricts the taking of any other action for the purpose of ensuring compliance with Article 20(2) or 20(3) of EMFA.

Complaints (Part 16)

205. (1) A person (in this section referred to as a 'complainant') may make a complaint to the Commission, in the manner and form specified by the Commission, that there has been a failure by a manufacturer, a developer or an importer to comply with Article 20(2) or 20(3) of EMFA.

(2) The Commission may request a complainant or the manufacturer, developer or importer the subject of the complaint, or both, to provide further particulars to it in writing in respect of the complaint within such reasonable period as is specified by the Commission.

(3) The Commission, having considered the complaint made under subsection (1) and any further particulars received upon request under subsection (2), may take any of the following actions:

(a) serve on the manufacturer, developer or importer concerned a compliance notice under section 204;

(b) investigate the complaint in accordance with section 139ZI(1);

(c) dismiss the complaint where the Commission finds—

[NEW SECTION]

(i) the complaint is frivolous or vexatious or was not made in good faith,

(ii) the subject matter of the complaint is trivial, or

(iii) the subject matter of the complaint is not relevant to Article 20(2) or 20(3) of EMFA;

(d) take such other action in respect of the complaint as the Commission considers appropriate;

(e) take no further action in respect of the complaint.

(4) The Commission shall notify the complainant and the manufacturer, developer or importer the subject of the complaint made under subsection (1) in writing of its decision under subsection (3) and the reasons for that decision.”.”.

TITLE

***18.** In page 5, lines 9 and 10, to delete “to give full effect to Article 24 of that Regulation and, for that purpose, to amend section 34 of the Broadcasting Act 2009;” and substitute the following:

“to give full effect to Articles 20(4) and 24 of that Regulation and, for those purposes, to amend the Broadcasting Act 2009;”.