

Opening Statement by the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media

Meeting of the Joint Oireachtas Committee on Tourism, Culture, Arts,
Gaeltacht, Sport and Media on Pre Legislative Scrutiny of the General Scheme
of the Online Safety and Media Regulation Bill

Wednesday, 16 June 2021

Introduction

Chair, Members: I would like to thank the Committee for the invitation to participate in this meeting. I would like to thank the Committee for its work so far in conducting pre-legislative scrutiny of The Online Safety and Media Regulation Bill and I hope today's exchange will be of further assistance.

Government Decision

On 18 May, the Government decided to integrate the Broadcasting (Amendment) Bill, 2019, into the OSMR Bill and the addition of three further Heads.

I would first like to apologise for the delay in communicating the intention of Government in this regard and for any interruption it may have caused to the work of the Committee.

Integration of the Broadcasting (Amendment) Bill, 2019

The Heads of the 2019 Bill were subject to pre-legislative scrutiny by the relevant Joint Oireachtas Committee during 2017 and their Report was laid before the Oireachtas on 8 March 2018.

It's important to note that the integration of the Bills will entail no substantial policy changes regarding the provisions of the 2019 Bill. The majority of the

substantive provisions of the 2019 Bill (**that is sections 4-10**) will simply be folded into the OSMR Bill. **Sections 1, 2 and 11** will not be carried over as these are technical provisions that already exist in the OSMR Bill.

The policy intentions behind **section 3** will be carried over through the draft section based on Head 40 of the General Scheme of the OSMR Bill as both concern industry levies.

These policy intentions are first, that the broadcasting regulation functions of the Media Commission may be part-funded from TV licence monies; and second, that all community broadcasters will be completely exempt from the industry levy.

This is the only significant difference from the 2019 Bill, which had instead provided that community broadcasters would only be exempt from paying the industry levy if they fell below an income threshold of €250,000.

Additional Heads

Regarding the additional Heads, two of these Heads were drafted to be Committee Stage amendments to the 2019 Bill in order to:

- Remove the requirement for RTÉ to operate Aertel, which is now outdated; and
- Remove the hourly limits for advertising minutage on commercial radio stations while retaining an overall limit of 15% of daily broadcasting time. This was called for by the independent commercial sector and will offer greater flexibility.

The third Head relates to the prominence of public service content. This Head transposes one of the optional provisions of the revised Audiovisual Media Services Directive (namely Article 7a) and is intended to ensure that public

service content and channels are easily findable and discoverable for Irish audiences as technology changes.

Conclusion

To conclude, I re-iterate my hope that today's meeting will assist in the Committee's scrutiny. I look forward to answering your questions.

Thank you.