

The Revised General Scheme of the Broadcasting (Amendment) Bill was published on the 8th April 2025 which included the provision to extend certain regulatory duties and codes currently applied to broadcast content to all content published by RTÉ and TG4 (Public Service Broadcasters). The relevant draft Head 27 is set out below. The full General Scheme can be found at the following link:

<https://assets.gov.ie/static/documents/revised-general-scheme-of-the-broadcasting-amendment-bill.pdf>

PART 10 – OTHER PROVISIONS

Head 27. Application of Certain Duties and Codes to a Corporation

To provide that:

(1) Section 46P of the Principal Act is amended—

- (a) by the insertion of the following subsection after subsection (3),
“(3) A corporation shall ensure that it retains a copy of all content it published where such content is no longer available in the form in which it was published.”
- (b) in subsection (3),
 - (i) by the insertion of “or content” after “programme material”; and,
 - (ii) by the substitution of “, (2) and (3)” after “subsection (1)”, for “and (2)”.
- (c) in subsection (4),
 - (i) by the insertion of “or corporation” after “or provider”;
 - (ii) by the substitution of “, (2) or (3)” after “subsection (1)”, for “or (2)”; and,
 - (iii) by the insertion of “or content” after “programme material”.
- (d) in subsection (5) by the substitution of “, (2) or (3)” after “subsection (1)”, for “or (2)”;
- (e) in subsection (7) by the substitution of “, (2) or (3)” after “subsection (1)”, for “or (2)”.

(2) The Principal Act is amended by the insertion of the following sections after section 46R:

“46S. (1) In sections 46J, 46K(1), 46L(1) and 46L(4) in addition to having the meanings assigned to them any reference to ‘broadcaster’ or ‘broadcasting service’ shall also be construed as a reference to a corporation, any reference to ‘programme’ shall be construed as a reference to content, and any reference to anything being ‘broadcast’ shall be construed as anything published by a corporation.

“46T. (1) The Commission may make codes (“public service media content codes”) governing the standards and practices of a corporation insofar as it relates to the publication of content not covered by sections 46N and 46O.

(2) Public service media content codes may provide for standards and practices to ensure -

(a) that a corporation complies with sections 46J, 46K(1) and 46L(1), and

(b) that in content published by a corporation, audiences are protected from anything harmful or unduly offensive.

(3) A failure to comply with a public service media content code shall be a contravention for the purposes of Part 8B.”

(3) Sections 46Q and 46R of the Principal Act are amended by the substitution of ‘media service code, or public service media content code’ for ‘or media service code’ in each place it appears.

(4) Section 47 of the Principal Act is amended -

(a) by the substitution of ‘provider of an audiovisual on-demand media service, or a corporation’ for ‘or provider of an audiovisual on-demand media service’ in each place it appears,

(b) in subsection (2) by –

(i) in paragraph (c), the deletion of ‘or’,

(ii) in paragraph (d), the substitution of ‘or,’ for ‘.’,

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

‘(e) in the case the complaint relates to the publication of content not covered by section 46N and section 46O, the date the content ceased to be available in the manner it was published.’

(5) Section 48 of the Principal Act is amended –

(a) in subsection (1)–

(i) by the insertion of ‘public service media content code,’ after ‘media service rule,’; and,

(ii) by the substitution of “, (2) or (3)” after “section 46P(1)”, for “or (2)”

(b) in subsection (2) by –

(i) in paragraph (c), the deletion of ‘or’,

(ii) in paragraph (d), the substitution of ‘or,’ for ‘.’,

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

‘(e) in the case the complaint relates to the publication of content not covered by section 46N and section 46O, the date the content ceased to be available in the manner [form] it was published.’, and,

(c) in subsection (3) by the substitution of 'provider of an audiovisual on-demand media service, or a corporation' for 'or provider of an audiovisual on-demand media service'.

(6) Section 139ZG of the Principal Act is amended in the definition of 'contravention'—

(a) by the insertion of 'public service media content code' after 'media service rule';
and,

(b) by the substitution of “, (2) or (3)” after “section 46P(1)”, for “or (2)”