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BROADCASTING (MAJOR EVENTS TELEVISION COVERAGE) ACTS

The Football Association of Ireland welcomes this opportunity to make a submission in connection with the review of the list of designated events.

The Football Association of Ireland organises and promotes football in the Republic of Ireland and is responsible for all levels of the game from senior international teams to junior and schoolboy football. Approximately 450,000 people are actively involved in playing, coaching, refereeing and administration. In recent years the Football Association of Ireland has greatly increased the amount of coaching, development and general support for young footballers. The Association currently fields international teams at various levels, including senior, U21, U20, U19, U18, U17, U16 and U15 playing 196 representative games in 2008. Only matches played by the senior team earn income for the Football Association of Ireland.

There are over 200 people employed on a full time and professional basis by the Association in Ireland. The commercial income received from the activities of the senior team is the largest source of income and a significant portion of this comes from the exploitation of TV Rights.

The current position in relation to ownership of TV rights to Republic of Ireland matches is as follows:

The FAI owns the TV rights to International football matches, for both friendly games and qualifying games, played in the Republic of Ireland.

The TV rights to all matches played by the Republic of Ireland against other countries are owned and controlled by the Federations of those countries.

The TV rights to matches played in the World Cup Finals are owned and controlled by FIFA and the TV rights to matches played in the European Championship Finals are owned and controlled by UEFA.

In this submission the FAI will only address the home qualification matches which are currently on the 'A' List and are therefore required to be shown live by a free to air Broadcaster. The away matches and FIFA and UEFA finals games are not under our control and we will not comment on them. In previous correspondence we have made it quite clear that we feel that putting our live qualification matches on the 'A' list is totally disproportionate and we would once again ask that they be removed from that list.

The right of the FAI to sell their matches to the broadcasters of its choice should not be interfered with unless there is total justification. In our view the listing of events interferes with the market place and so considerably reduces the price paid for those rights. Furthermore there is no proper compensation paid to cover this loss.

The FAI does not regard the fact that more homes have access to free to air television than to subscription-based television supports the theory that live coverage on free to air channels in some way promotes greater cohesion than subscription services.

Live coverage on television is by no means the only available method for the public to follow sporting events. Television highlights programmes, radio broadcasts, news access, internet highlights or reports and the print media all serve to keep



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sports fans and the wider public fully informed of major sports events. Also, those that wish to watch events on subscription services often do so with friends, either at a subscriber's home or in local pubs and clubs.

A further development over the last couple of years has been the establishment of large outdoor screens (or fan festivals) to show live sporting events. As a result, the FAI believes the arguments that subscription services dramatically hinder the "cohesive effect" of sporting events are overstated.

During the last ten years there have been substantial developments in technology in this marketplace. The public interest arguments that previously have been advanced in favour of a system of listed events look increasingly out of date in a television age where multi channel television is the norm, scheduling has been increasingly replaced by on-demand content, and the concept of paying for premium content is increasingly accepted. This expansion of choice in both content and means of delivery ensures that the relationship between the viewer and the broadcaster will alter fundamentally – the viewer will no longer be bound to watch whatever is scheduled but will select what he or she wishes to view when and how. The FAI has to be able to respond to these developments with a view to the maximisation of both the access of the public to the sport of Association Football but also the maximisation of the revenues from the exploitation of the use of its rights in all media.

RTE continues to have a totally dominant position in the Irish broadcasting market. In the ten years since the 1999 Act TV3 and TG4 have not developed as effective competition. If a sporting event is listed it is more than likely that it will fall to RTE in the absence of effective competition and while the 2003 Act does set up an arbitration system for "reasonable market rates" for what should be paid it is difficult to see how an arbitrator could decide a reasonable market rate if the only potential bidders are RTE, TV3 and TG4.

As a consequence of the above the FAI believes that as a matter of principle the qualifying matches should not be listed.

However, if the concept of listing is to be maintained the view of the FAI is that there is absolutely no justification for putting the home group qualification matches on List 'A' particularly given the clear adverse impact that such a move has had on the value of its TV Rights.

While it could be argued that "play-off" matches in the qualification process for either the European Championship Finals or World Cup Finals could be considered to be events that are of special resonance for the Irish population as a whole as required by the Television Without Frontiers directive - it is the absolute view of the Association that any other matches from the qualifying stages do not fit within the necessary criteria and should therefore be removed from List 'A' and placed on List 'B'.

We make this submission at a time when sources of revenue for all sporting organisations and businesses are under considerable pressure and in the hope that the FAI will be given the opportunity to reintroduce the Rights for its qualification matches to a full and open market place.

Football Association of Ireland
29th May 2009