

Information from Appropriation Accounts of licence fee income granted to RTÉ over the last ten years.

Year	Grant to RTÉ
1989	£45,378,294
1990	£46,815,000
1991	£49,663,000
1992	£49,075,000
1993	£50,598,000
1994	£50,473,000
1995	£51,247,000
1996	£55,336,000
1997	£62,124,000
1998	£62,412,186

Grant-in-Aid to RTÉ in respect of Teilifís na Gaeilge.

Year	Current Expenditure	Capital Expenditure
1996	£3,250,000	£12,200,000
1997	£10,204,000	£200,000
1998	£11,630,000	£400,000
1999 (Estimate provision)	£14,000,000	£1,200,000

Top 15 Programmes April / May

RTE 1 April 1999 All Individuals 4+

Rank	Programme Name	Day	Time	Date	TVR	000s	Share
1	Coronation Street	Sun	1925-1950	12-Apr	25	860	63
2	Glenroe	Sun	2029-2055	12-Apr	24	823	56
3	Nine O'Clock News	Sun	2100-2115	12-Apr	21	730	50
4	The Late Late Show	Fri	2157-2339	1-May	21	719	63
5	Weatherline	Fri	2127-2128	10-Apr	21	705	55
6	Fair City	Tue	1901-1928	21-Apr	20	681	55
7	One Foot In The Grave	Sun	1955-2025	12-Apr	20	677	53
8	Winning Streak	Sat	2038-2119	18-Apr	19	646	48
9	Kerry Live	Sat	2142-2334	18-Apr	17	587	50
10	Shawsbank Redemption	Fri	2134-2405	10-Apr	17	577	51
11	Keeping Up Appearances	Fri	2030-2055	10-Apr	17	575	48
12	Ace Ventura Pet Detective	Fri	2001-2129	3-Apr	17	564	44
13	States Of Fear	Tue	2135-2234	28-Apr	16	562	46
14	EP	Sun	2125-2213	26-Apr	15	554	41
15	Only Fools And Horses	Mon	1959-2025	20-Apr	15	540	42
16	Crimeline	Mon	2134-2223	13-Apr	15	511	38
17	Beyond The Hall Door	Fri	2001-2024	10-Apr	15	505	45
18	News	Mon	1801-1851	13-Apr	14	496	40
19	Firm	Mon	2123-2405	6-Apr	14	486	43
20	News For The Deaf	Tue	1855-1856	21-Apr	14	482	44

Network 2 April 1999 All Individuals 4+

Rank	Programme Name	Day	Time	Date	TVR	000s	Share
1	Juventus v Man Utd	Wed	1927-2204	22-Apr	16	536	38
2	Eyewitness	Mon	2105-2130	20-Apr	15	528	35
3	Man Utd v Juventus	Wed	1924-2157	8-Apr	12	413	27
4	Unforgiven	Fri	2133-2352	3-Apr	11	370	30
5	Home And Away	Mon	1833-1857	27-Apr	10	344	32
6	Veronica's Closet	Mon	2136-2157	27-Apr	10	336	26
7	ROI V Sweden	Wed	1915-2140	29-Apr	10	332	30
8	That 70's Show	Mon	2038-2130	20-Apr	10	327	25
9	Sabrina The Teenage Witch	Tue	1834-1854	7-Apr	9	314	28
10	Chelsea v Real Mallorca	Thu	1940-2140	9-Apr	9	304	26
11	Simpsons	Wed	2035-2059	15-Apr	8	287	21
12	Ghostbusters	Sat	2018-2209	25-Apr	8	281	22
13	Don't Feed The Gondolas	Mon	2208-2238	27-Apr	8	275	24
14	Ally Mcbeal	Tue	2100-2148	7-Apr	8	274	20
15	A Scare At Bedtime	Mon	2159-2203	27-Apr	8	269	19

TnaG April 1999 All Individuals 4+

Rank	Programme Name	Day	Time	Date	TVR	000s	Share
1	For A Few Dollars More	Mon	2205-2418	6-Apr	49	5	
2	Candid Camera	Fri	2059-2124	3-Apr	47	3	
3	Legends Of The Isles	Wed	2334-2359	29-Apr	46	8	
4	Ros Na Run	Tue	2034-2100	14-Apr	42	3	
5	Cinneltra Nuacht	Fri	1658-1659	10-Apr	42	9	
6	Riverdance Live At Radio City	Wed	2205-2306	22-Apr	41	3	
7	Ros Na Run	Sun	2151-2216	5-Apr	41	4	
8	Gearoid Na Gaisce	Fri	1705-1725	10-Apr	41	9	
9	Biloxi Blues	Mon	2205-2355	13-Apr	40	4	
10	Sport Inag	Sun	1850-1956	19-Apr	39	4	
11	Carrag An Cheoil	Wed	2305-2331	29-Apr	38	5	
12	Cross Creek	Mon	2205-2406	20-Apr	37	4	
13	Aimsir 2	Thu	2200-2202	9-Apr	37	3	
14	And San Aer	Tue	2234-2302	14-Apr	36	4	
15	Ollchiar Ros Na Run	Sun	2253-2341	5-Apr	35	3	

TV3 April 1999 National 15-44 Years

Rank	Programme Name	Day	Time	Date	TVR	000s	Share
1	The Rock	Sun	2101-2331	4-Apr-99	8	134	25
2	Raw Deal	Sun	2059-2254	18-Apr-99	5	88	14
3	Money Train	Sun	2100-2300	25-Apr-99	5	79	12
4	Lipstick	Mon	2102-2236	19-Apr-99	5	76	12
5	Sweet Temptation	Wed	1959-2139	7-Apr-99	4	70	12
6	Early Edition	Ave	2200-2251	Ave: 4	4	67	12
7	World's Scariest Police Chases	Fri	2202-2255	16-Apr-99	4	59	11
8	South Park	Ave	2230-2256	Ave: 4	4	58	10
9	The Hitcher	Fri	2332-2519	2-Apr-99	3	57	14
10	Charmed	Ave	2002-2052	Ave: 4	3	56	11
11	Fitz	Ave	2210-2305	Ave: 3	3	54	11
12	When Stunts Go Bad	Fri	2159-2248	23-Apr-99	3	53	10
13	Blind Witness	Wed	2000-2138	28-Apr-99	3	52	11
14	Mortal Kombat	Sat	2100-2247	17-Apr-99	3	52	9
15	Buffy The Vampire Slayer	Ave	2014-2104	Ave: 5	3	46	10

Source: AC Nielsen 1999

RTE 1 May 1999 All Individuals 4+

Rank	Programme Name	Day	Time	Date	TVR	000s	Share
1	The Late Late Show	Fri	2134-2525	1-May	22	860	63
2	Weatherline	Fri	2126-2127	10-May	21	705	55
3	Glenroe	Sun	2028-2055	10-May	21	730	50
4	Coronation Street	Mon	1928-1953	11-May	21	719	63
5	Eurovision Song Contest	Sat	2000-2313	30-May	21	705	55
6	Nine O'Clock News	Sun	2100-2116	10-May	20	681	55
7	Fair City	Tue	1901-1928	12-May	20	677	53
8	Winning Streak	Sat	2038-2055	9-May	19	646	48
9	One Foot In The Grave	Sun	1954-2025	10-May	17	587	50
10	Kerry Live	Sat	2123-2317	9-May	17	577	51
11	Crimeline	Mon	2134-2221	18-May	17	575	48
12	Ballykissangel	Sun	2004-2055	17-May	17	564	44
13	Mission Impossible	Mon	2001-2157	4-May	16	562	46
14	Glens	Fri	2136-2241	29-May	15	554	41
15	Party Political Broadcast	Fri	2128-2130	29-May	15	540	42
16	States Of Fear	Tue	2215-2308	5-May	15	511	38
17	EP	Sun	2125-2213	10-May	15	505	45
18	News	Sat	2319-2332	30-May	14	496	40
19	News Headlines	Fri	253-2531	22-May	14	486	43
20	Keeping Up Appearances	Fri	2030-2055	22-May	14	482	44

Network 2 May 1999 All Individuals 4+

Rank	Programme Name	Day	Time	Date	TVR	000s	Share
1	Man Utd v Bayern Munich	Wed	1915-2214	27-May	16	536	38
2	Friends	Mon	2105-2154	1-Jun	15	528	35
3	Home And Away	Wed	1845-1908	27-May	12	413	27
4	Veronica's Closet	Mon	2136-2158	18-May	11	370	30
5	Stripes	Thu	2102-2253	14-May	10	344	32
6	Ally Mcbeal	Tue	2100-2147	19-May	10	336	26
7	A Scare At Bedtime W	Mon	2159-2204	1-Jun	10	332	30
8	Waterford v Limerick	Sun	1500-1715	31-May	10	327	25
9	That 70's Show	Mon	2037-2059	25-May	10	314	28
10	National Gaelic Football Final	Sun	1346-1551	10-May	9	304	26
11	Specialist	Sun	2218-2414	3-May	8	287	21
12	The Premiership	Tue	2250-2333	12-May	8	281	22
13	Simpsons	Sun	2102-2123	24-May	8	275	24
14	Two Of A Kind	Wed	1823-1843	6-May	8	274	20
15	Dawson's Creek	Thu	1934-2021	14-May	8	269	19

TnaG May 1999 All Individuals 4+

Rank	Programme Name	Day	Time	Date	TVR	000s	Share
1	Rancho Deluxe	Mon	2205-2339	25-May	49	5	
2	High Noon	Mon	2204-2332	4-May	47	3	
3	The Best Of Times	Mon	2204-2349	18-May	46	8	
4	Ros Na Run 3	Tue	2033-2058	5-May	42	3	
5	Ollchiar Ros Na Run	Sun	2227-2316	3-May	42	9	
6	Aimsir 2	Thu	2200-2201	14-May	41	3	
7	Candid Camera	Fri	2101-2126	8-May	41	4	
8	Suit	Tue	2132-2156	19-May	41	9	
9	Aimsir 1	Thu	2027-2029	14-May	40	4	
10	Sporting 3	Thu	2204-2229	14-May	39	4	
11	Sibin 3	Thu	2133-2158	14-May	38	5	
12	Smithereens	Mon	2205-2337	11-May	37	4	
13	Nuacht Anocht	Fri	1859-1859	29-May	37	3	
14	Deantús An Eholain	Wed	2228-2326	6-May	36	4	
15	The Taking of Pelham One	Mon	2202-2347	1-Jun	36	4	

TV3 National 15-44 Years

Rank	Programme Name	Day	Time	Date	TVR	000s	Share
1	The Rock	Sun	2101-2331	4-Apr	8	134	25
2	Raw Deal	Sun	2059-2254	18-Apr	5	88	14
3	Money Train	Sun	2100-2300	25-Apr	5	79	12
4	Lipstick	Mon	2102-2236	19-Apr	5	76	12
5	Sweet Temptation	Wed	1959-2139	7-Apr	4	70	12
6	Early Edition	Ave	2200-2251	Ave	4	67	12
7	World's Scariest Police Chases	Fri	2202-2255	16-Apr	4	59	11
8	South Park	Ave	2230-2256	Ave	4	58	10
9	The Hitcher	Fri	2332-2519	2-Apr	3	57	14
10	Charmed	Ave	2002-2052	Ave	3	56	11
11	Fitz	Ave	2210-2305	Ave	3	54	11
12	When Stunts Go Bad	Fri	2159-2248	23-Apr	3	53	10
13	Blind Witness	Wed	2000-2138	28-Apr	3	52	11
14	Mortal Kombat	Sat	2100-2247	17-Apr	3	52	9
15	Buffy The Vampire Slayer	Ave	2014-2104	Ave	3	46	10

Source: AC Nielsen 1999

TVR	000s	Share
39	1326	88
25	846	64
23	772	58
22	745	62
21	730	60
21	702	53
20	690	60
19	66	53
19	650	59
18	604	49
16	558	42
16	558	58
15	553	46
15	547	50
15	531	46
15	524	47
15	512	42
15	506	51
14	494	69
14	491	47

TVR	000s	Share
17	575	44
17	574	46
11	367	38
10	360	27
10	326	28
9	322	27
9	310	28
9	303	41
8	281	26
8	260	35
7	257	30
7	254	26
7	239	20
7	238	28
7	238	22

TVR	000s	Share
40	4	4
36	3	3
35	3	3
33	3	3
31	3	3
29	3	3
27	2	2
26	2	2
25	2	2
25	4	4
25	3	3
25	2	2
25	3	3
25	2	2
25	3	3
25	2	2

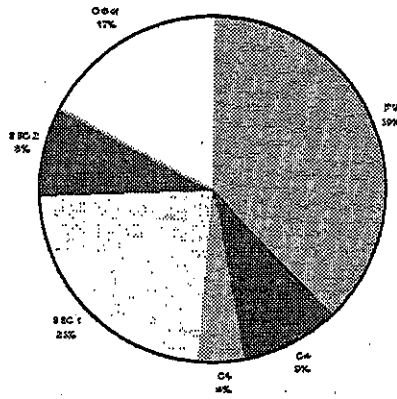
TVR	000s	Share
8	134	25
5	88	14
5	79	12
5	76	12
4	70	12
4	67	12
4	59	11
4	58	10
3	57	14
3	56	11
3	54	11
3	53	10
3	52	11
3	52	9
3	46	10

Northern Ireland Viewing Shares

	Dec. 98	Jan. 99	Feb. 99	March 99	April 99	May 99
ITV	35.3	39	38.3	39.3	33.7	37.4
C4	9.4	9.3	10.3	9.8	9.9	9.3
C5	4	3.3	2.9	3.5	3.7	4.3
BBC 1	24.6	23.5	23.5	22.8	24.6	23.3
BBC 2	8.4	9.3	9	8.5	10.9	8.3
Other	18.4	15.7	16	16.2	17.3	17.4

Source: BARB

May Audience Shares:

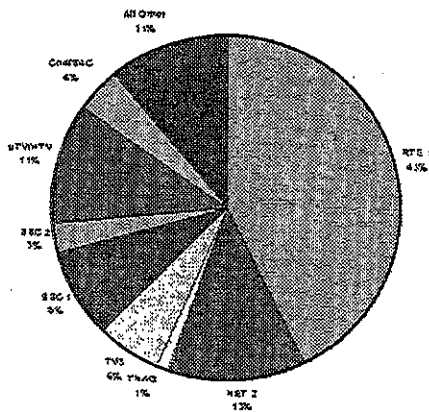


Republic of Ireland Viewing Shares

	December	January	February	March	April	May
RTE1	34.4	34.0	34.2	34.6	37.7	41.6
Net 2	16.0	16.3	16.8	17.4	15.9	13.5
TNAG	1.0	1.0	0.9	0.9	1.1	1
TV3	5.1	4.8	4.5	4.2	5.5	5.6
BBC1	9.8	9.4	8.6	8.5	8.2	8.4
BBC2	3.7	3.7	4.0	3.4	3.9	3.5
UTV/HTV	10.2	10.5	9.9	10.9	10.7	11.1
Ch4/S4C	4.8	4.7	4.9	4.7	4.1	4.1
All Other	15.8	15.6	16.2	15.4	12.8	11.2

Source: AC Nielsen

May Audience Shares:



Vote 36

COMMUNICATIONS

ACCOUNT of the sum expended, in the year ended 31st December, 1989, compared with the sum granted, for the salaries and expenses of the Office of the Minister for Communications, and certain other services administered by that Office, and for payment of certain grants and grants-in-aid.

Service	Grant	Expenditure	Expenditure compared with Grant	
			Less than Granted	More than Granted
A.1.—Salaries, Wages and Allowances ...	£ 961,000	£ 843,274	£ 117,726	£ —
A.2.—Consultancy Services	11,000	—	11,000	—
A.3.—Commissions and Special Inquiries...	10,000	784	9,216	—
B.1.—Travelling and Incidental Expenses...	227,000	180,190	46,810	—
B.2.—Office Machinery and other Office Supplies	96,000	52,865	43,135	—
B.3.—Office Premises Expenses	49,000	36,716	12,284	—
B.4.—Postal and Telecommunications Services	35,000	44,035	—	9,035
C.1.—Equipment, Stores and Maintenance	124,000	172,659	—	48,659
C.2.—Payments arising from approval of Telecommunications Terminal Equipment	10,000	—	10,000	—
D.1.—Grant to Radio Telefis Éireann from Broadcasting Licence Fees (Grant-in-Aid)	45,513,000	45,378,294	134,706	—
D.2.—Grant to Radio Telefis Éireann from Relay Licence Fees (Grant-in-Aid) ...	630,000	630,000	—	—
D.3.—Independent Radio and Television Commission—Administration and General Expenses (Grant-in-Aid) ...	349,000	349,000	—	—
E.—Payment to An Post for collection of Broadcasting Licence Fees	5,500,000	5,500,000	—	—
F.—Subscriptions to International Organisations	250,000	303,588	—	53,588
G.—Liabilities arising from the re-organisation of the Postal and Telecommunications Services	1,000	1,070	—	70
GROSS TOTAL	£ 53,766,000	53,492,475	384,877	111,352
			Surplus of Gross Estimate over Expenditure £273,525	

Vote 36

Service	Grant	Expenditure	Expenditure compared with Grant	
			Less than Granted	More than Granted
	£	£	£	£
	<u>Estimated</u>	<u>Realised</u>	Surplus of Appropriations in Aid realised	
H.—Appropriations in Aid	52,234,000	52,765,677	£531,677	
			Total Surplus to be surrendered	
NET TOTAL	£ 1,532,000	726,798	£805,202	

EXPLANATION OF THE CAUSES OF VARIATION BETWEEN EXPENDITURE AND GRANT

- A.1.—The saving arose because the additional posts for which provision was made in the estimate did not materialise.
- A.2.—The saving was due to expected expenditure on consultancy services not being undertaken due to staff shortages.
- A.3.—The Broadcasting Complaints Commission had fewer meetings than expected during the year which resulted in a saving on the subhead.
- B.1.—The saving was due to expenditure on attendance at international meetings and on internal travel associated with radio frequency management being less than expected.
- B.2.—The saving arose because expenditure on the provision of office equipment was not as great as anticipated.
- B.3.—The saving arose from an overestimation of these expenses which in previous years were provided by the Office of Public Works.
- B.4.—The excess was due to telephone charges being greater than anticipated.
- C.1.—The excess was due to the need to purchase specialist radio monitoring equipment.
- C.2.—Expenditure under this subhead is in respect of the expected agency costs of developing type approval specifications on behalf of the Department. Development work in 1989 did not involve any payment to outside agencies.
- F.—The excess was due to additional subscriptions to international organisations.
- G.—The excess arose because, due to the nature of the subhead, accurate forecasting of the expenditure is not possible.

APPROPRIATIONS IN AID

	Estimated	Realised
	£	£
1. Recoupment from the EC of air fares in respect of official travel. ...	32,000	21,833
2. Wireless Examination Fees and Transmitting Permits	400,000	350,560
3. Receipts from Broadcasting and Relay Licence Fees	51,004,000	50,951,517
4. Telecommunication Licence Fees	181,000	46,275
5. Miscellaneous receipts	557,000	1,220,092
6. Receipts from MMDS operators	60,000	175,400
	<u>£52,234,000</u>	<u>£52,765,677</u>

Appendix

1. Broadcasting Authority Act, 1960.
 2. Broadcasting Authority (Amendment) Act, 1964.
 3. Broadcasting Authority (Amendment) Act, 1966.
 4. Broadcasting Authority (Amendment) Act, 1971.
 5. Broadcasting Authority (Amendment) Act, 1973.
 6. Broadcasting Authority (Amendment) Act, 1974.
 7. Broadcasting Authority (Amendment) Act, 1976.
 8. Broadcasting Authority (Amendment) Act, 1979.
 9. Radio and Television Act, 1988.
 10. Broadcasting Act, 1990.
 11. Broadcasting Authority (Amendment) Act, 1993.
 12. Net television licence fee granted to RTÉ over the last 10 years **plus** grant-in-aid to RTÉ in respect of Teilifís na Gaeilge since 1996.
 13. RTÉ Annual Report and Accounts for 1993.
 14. RTÉ Annual Report and Accounts for 1994.
 15. RTÉ Annual Report and Accounts for 1995.
 16. RTÉ Annual Report and Accounts for 1996.
 17. RTÉ Annual Report and Accounts for 1997.
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8

Our ref: S1/54-X/99
Your Ref: D/51775

Mr. M. Power
Director
Directorate General IV - Competition
European Commission
Rue de la Loi
8-1049
Brussels
Belgium.

Alleged infringements of Articles 92 -94 of the EC Treaty in reference to State funding granted to RTÉ and Teilifis na Gaeilge.

Dear Mr. Power

I refer to your letter of 27 April 1999 and this Departments letter of 7 May in relation to the above matter. The following documentation is enclosed.

- copies of all the Broadcasting Authority Acts between 1960 and 1993 as well as a copy of the Radio and Television Act, 1988,
- the Broadcasting Authority Act 1960 is the main official act entrusting RTÉ with its public service remit. Section 17 of this Act (which was amended by the Broadcasting Authority (Amendment) Act 1976) is the most relevant section,
- copies of RTÉ Annual Report and Accounts for the last five years which includes RTÉ's balance sheets,

There is no Television Programme Service Contract between the State and RTÉ. The RTÉ Authority was established under the Broadcasting Authority Act, 1960 to carry out the statutory functions assigned to it under that legislation. It is a matter for the RTÉ Authority to fulfill the remit set down in legislation.

The attached appendix give details of payments of net television licence fee revenue to RTÉ for the last ten years and payments to RTÉ from the Exchequer in respect of the capital and current expenditure of Teilifis na Gaeilge. This information represents the financial relations between the State and RTÉ over these years. No other grants or loans were made. In 1990, RTÉ repaid £15.96m. to the Exchequer representing the

outstanding balance including interest of advances made to it from the Exchequer up to 1981 in respect of capital works associated with the development of the service. In 1993, under the terms of the Finance Act, 1993, RTE paid £13.4m. to the Exchequer.

The further information which you have asked for is being prepared as are our observations on the complaint. These will be sent as soon as they are available.

Yours sincerely



Brian Millane.
Broadcasting Division.

17 May 1999

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COMMISSION OF THE EUROPEAN COMMUNITIES
DIRECTORATE-GENERAL IV - COMPETITION

State aid II
Public undertakings and services

Recd 1/6/99

19.05.1999*D/52101

Brussels,
D(99)

Subject: State funding of RTE and TnaG - alleged infringements of Articles 92-94 of the EC Treaty

Ref.: Your letter of 7 May, 1999

Mr. Mellane

Dear Mr. Grant,

With reference to your letter of 7 May 1999, by which you requested an extension of the due date for the delivery of the information, I have the honour to inform you that the Commission services agree to postpone such date to next June 15th, 1999.

Yours sincerely,

Martin Power
Director

Mr Michael Grant
Assistant Secretary
Department of Arts, Heritage,
Gaeltacht and the Islands
Mespil Road
Dublin 4
IRELAND

Mr. O'Donoghue
to Lynchey
Please follow up
with RTE as a
matter of urgency -
reply to our recent
letter to them
god
11/6/99

Our Ref : S1/54-X/99

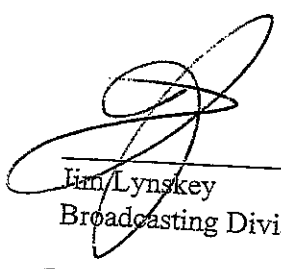
Mr Bob Collins.,
Director General,
Radio Telefís Éireann,
Donnybrook,
Dublin 4.

Dear Director General,

I refer to our Assistant Secretary's letter to you dated the 6th May 1999 (copy attached) regarding the Commission of European Communities intention to investigate a complaint alleging infringements to Articles 92 to 94 of the EC Treaty in reference to State funding granted by Ireland to RTÉ and TnaG.

The Commission have written to this Department again informing us that the last date for receipt of the information is the 15th June 1999. In the circumstances, we would welcome material as previously requested, as soon as possible but **not later than the 11th June 1999.**

Yours sincerely.



Eamonn Lynskey
Broadcasting Division

2 June 1999

ón bPríomh-Stiúrthóir
from the Director-General

W. Mullane
8/2/99

Baile Átha Cliath 4, Éire
Teileafón 01 208 2744
Facsimilir 01 208 3074

Dublin 4, Ireland
Telephone 01 208 2744
Telefax 01 208 3074

11th June 1999

Mr Michael Grant *8/14/99*
Assistant Secretary
Department of Arts, Heritage, Gaeltacht and the Islands
"Dún Aímhígin"
Mespil Road
Dublin 4

Dear Mr Grant

I refer to our meetings and discussions arising from the communication from the European Commission on the matter of public funding to RTÉ and Teilifís na Gaeilge.

You will be aware of, and in possession of, all of the financial accounts for RTÉ in respect of every year up to and including 1998. You will, of course, also be aware of the fact that no loans are outstanding from the State to RTÉ, that any Exchequer Advances from the earlier years of the Authority's existence have been repaid with interest and that no grants for any purpose, other than the payment of the licence fee income, have been made to RTÉ with the single exception of the provision of funds for the establishment of Teilifís na Gaeilge which funds represented the amount of income earned by RTÉ in excess of the statutory limit on advertising revenue imposed by the Broadcasting Act 1990.

The legislation establishing RTÉ provided for the funding of the broadcasting service to be jointly drawn from licence income and commercial revenue. It was envisaged in the legislation and it has always been the practice of the Authority that these income sources together funded the discharge by the Authority of the responsibilities imposed upon it and covered the totality of the programme schedules which comprise the public broadcasting service provided by RTÉ. RTÉ has serious reservations about any approach which, in effect, construes a programme schedule as a set of separate economic transactions some of which are considered to be in discharge of a public remit and others which are not so considered. RTÉ's view is and always has been that it is the totality of its service and the construction of its programme schedules which are the measure of the public character of that service.

Nevertheless it is possible to identify a range of responsibilities which have been identified for RTÉ whether by statute, by Government decision or by established policy and practice. These responsibilities, which include the following, are clearly purposes to which it is proper to apply licence income.

- (i) The Act establishing the Authority requires it to "establish and maintain a national television and sound broadcasting service" (1960: Section 16 (1)). This involves the provision, development and maintenance of all the facilities and services necessary for such purpose.
- (ii) The same Act clearly requires that the Authority maintain and operate a transmission network to provide its services to the citizens of the State (1960: Section 16 (2) (a)).
- (iii) It is clearly the intention of the Broadcasting Acts that RTÉ provides a comprehensive, objective and impartial news service on radio and on television (1960: Section 16 (f), Section 18 (1) as amended by the 1976 Act).
- (iv) The Authority assumed responsibility for the orchestras upon its establishment and has developed and enhanced their roles while establishing a range of other performing groups within the organisation and supporting performing groups and a wide range of other cultural activities outside RTÉ.
- (v) The Authority established and has maintained and developed Raidió na Gaeltachta, a service on which no advertising is carried, as an expression of its own plans for the development of broadcasting and in line with expressed Government policy (1972).
- (vi) The Authority is required to make available specified sums of money for the purpose of the commissioning of independently produced television programmes (1993: Section 4)
- (vii) The Authority provides a range of services for TnaG, including the provision of the equivalent of one hour's programming per day, in response to a specific Government decision of 1993.
- (viii) The Authority has established Lyric FM as a music and arts channel which began transmission on 1st May 1999.


In addition to the foregoing and as noted above, the Authority broadcasts a comprehensive range of programmes on radio and television in discharge of its responsibilities to provide such services for the audience.

In this overall context account should be taken of the following.

- (i) The time available for advertising on RTÉ and on independent broadcasting services are significantly different one from the other
 - * in respect of radio, RTÉ has an average of 4 ½ minutes per hour. Independent commercial stations, national and local, have an average of 9 minutes per hour
 - * in respect of television, RTÉ has an average of 6 minutes per hour. The independent commercial broadcaster has 9 minutes per hour.
- (ii) The other fact to be borne in mind is that in the provision of transmission services for TV3 and Today FM, RTÉ made all of the necessary capital investments to provide such transmission services and negotiated a range of charges which are distinctly different from those which would have obtained in a purely commercial relationship. The negotiation of the charges included a range of discussions with the Independent Radio and Television Commission. Moreover, in respect of the charges to Today FM, RTÉ has agreed to significant deferral of some of the costs involved.

I believe that the foregoing sets out with clarity the extent of the tasks, additional to its general programme services, which RTÉ discharges on foot of statutory requirement or Government decision and clearly indicates that licence funding is entirely justified by the fulfilment of the public service obligations imposed upon the Authority.

Yours sincerely



Bob Collins

ón bPríomh-Stiúrthóir
from the Director-General

Mr. Michael Grant
25/6/99

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24th June 1999

Mr Michael Grant *25/6/99*
Assistant Secretary
Department of Arts, Heritage, Gaeltacht and the Islands
"Dún Aímhígin"
Mespil Road
Dublin 4

Dear Mr Grant

I refer to my letter of 11th June.

On re-reading the letter, it is possible that it could be open to misconstruction. The reference to the absence of grants, with the exception of that for the establishment of Teilifís na Gaeilge, was intended to refer to the ten-year period in respect of which specific information had been sought in the Commission's letter. It is, of course, the case that in respect of the establishment of the Raidió na Gaeltachta FM network in 1972 and the Tullamore medium-wave transmitter in 1975, grants were made available to RTÉ in respect of part of the capital costs involved. In respect of Raidió na Gaeltachta, this was done in furtherance of a Government decision to establish this service and in the case of the Tullamore medium-wave transmitter, it was done with a view to securing access to RTÉ Radio (now Radio 1) for as many people as possible in Britain.

Finally, Exchequer payments made in respect of Teilifís na Gaeilge are, technically, made to RTÉ but are expended by Seirbhísí Theilifís na Gaeilge exclusively for the purposes of TnaG.

Yours sincerely



Bob Collins

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Mr. O'Donoghue
8/20/99

Mr. Bob Collins,
Director General,
Radio Telefis Éireann,
Donnybrook,
Dublin, 4.

Confidential

20 August, 1999.

Dear Bob,

I am writing with further reference to our correspondence and discussions concerning the complaint to the European Commission regarding State funding for RTE and Teilifis na Gaeilge.

In order to prepare a definitive reply to the Commission this Department has been in consultation with the Attorney General's Office, which has certain responsibilities in the matter. I am enclosing herewith copies of the correspondence that has been exchanged to date with that Office. As you will see there are many angles to the way in which the part funding of RTE by way of the grant-in-aid equivalent to net receipts from television licence fees may be viewed. I would welcome any observations you may have that might help to clarify or address the issues raised by the Attorney General's Office.

I look forward to hearing from you.

Yours sincerely,



(Michael Grant)
Assistant Secretary

ón Stiúrthóir Bainistíochta - Eagrúchán agus Forbairt
from the Managing Director - Organisation and Development

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01 October 1999

Brian Millane
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Department of Arts, Heritage, Gaeltacht and the Islands
Dún Aímhígin
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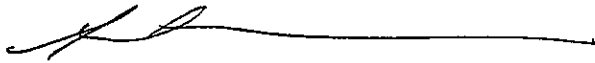
Dear Brian

Further to our brief conversation following Wednesday's Project Management Group meeting, I would like to express RTÉ's disappointment at the reluctance of the Attorney General's office to agree to our proposal for tripartite meeting. We proposed such a meeting to ensure that everyone involved could be clear about all of the issues and allow, thereby, RTÉ to provide all the background information and statistic data to meet the Commission's requirement for all relevant details. This meeting would have had the further benefit of permitting all parties to shape the principal submissions in a uniform manner.

RTÉ now finds itself in the unsatisfactory situation of being directly affected by a complaint whose precise terms are known only to officials of the Commission who have reflected the substantive issues as they construe them to the Government. RTÉ must therefore attempt to assist the Department and prepare its position while having to remain at several removes from the core of the matter. It has to be said that this causes us serious difficulty and reinforces our view that we will have no alternative but to make direct representations on our own behalf to the Commission.

We do recognise the need to continue and accelerate the process of addressing the issues both implied and explicit in the correspondence between the European Commission and the Government and we are available to meet at your earliest convenience.

Yours sincerely



Liam Miller

c.c. Director-General
Elanor Bleahene, Solicitor RTÉ
Adrian Moynes, special Assistant to the Director-General

RTE licence fee is 'unfair advantage'

Conor Sweeney in Brussels

RTE's use of licence fee money to buy US movies and TV series like *Friends* is "unfair competition", the European Commission heard yesterday.

Rival channel TV3 told the Commission that RTE was a monopoly which fails to properly account for how it spends the 275m it collects from tax payers and 6100m in advertising.

Instead, TV3 wants RTE forced to ring-fence its public service broadcasting so that it can't be used to

outside for the rights to more commercial programming.

The licence fee should be spent on non-commercial programming like a quality news service, Irish documentaries and wildlife programmes, said TV3 director of legal affairs, Mark Deering.

But his counterpart at RTE, Eamonn Kennedy, said he was satisfied that the Commission took a benevolent view.

"It accepts that public service broadcasters can make a broad range of programming," he said.