

BROADCASTING (FUNDING) SCHEME

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1. Legislative Framework

The Broadcasting Funding Act 2003 was enacted on 23 December 2003. The Act assigned responsibility to the Broadcasting Commission of Ireland (BCI) to develop and administer funding scheme(s) to support the following areas of activity in radio and television.

- (a) New television or radio programmes on Irish culture, heritage and experience.
- (b) New television or radio programmes to improve adult literacy.
- (c) Programmes under (a) and (b) in the Irish language.
- (d) The development of archiving of programme material produced in the State

This document outlines the provisions of the Broadcasting Funding Scheme, as provide for in the Act of 2003.

2. **Objectives of the Broadcasting Funding Scheme**

The objectives of the Broadcasting Funding Scheme are as follows:

Quality: to support the production of high-quality radio and television programmes based on Irish culture, heritage and experience.

Irish language: to develop such programmes in the Irish language.

Additionality: to increase the availability of programmes on Irish culture, heritage and experience to audiences in the State and support programmes that aim to explore these themes in innovative ways.

Diversity: to support programmes that represent the diversity of Irish culture and heritage.

Heritage: to record oral Irish heritage or aspects of Irish heritage which are disappearing, under threat, or have not previously been recorded.

Local and community broadcasting: to develop local and community broadcasting through support for the production of programmes by this sector.

Adult literacy: to support programmes aimed at improving adult literacy.

The ***core objective*** of the Broadcasting Funding Scheme is to increase public access at national, local and community level to high-quality radio and television programmes in English and Irish which explore the themes of Irish culture, heritage and experience, in contemporary or historic contexts.

3. The role of the BCI

Under the Broadcasting (Funding) Act, 2003, the BCI is assigned responsibility for the development, management and administration of all aspects of the Broadcasting Funding Scheme. The BCI shall adopt a broadly strategic approach regarding the Broadcasting Funding Scheme based on the following priorities:

- (i) Establish structures that **focus on the primary objectives of the scheme** and ensure the effective distribution of funding.
- (ii) **Build strong links and establish mechanisms for dialogue** with the broadcasting sector and with other public sector agencies in order to gauge trends in broadcasting and in relevant programme areas, and inform such decisions as the scheduling of funding rounds.
- (iii) **Maintain flexibility** within the structures of the scheme to ensure the efficient administration and management of the scheme in order to respond effectively to the needs of the broadcasting sector and to ensure that the objectives of the scheme are realised.

4. Structure of the Broadcasting Funding Scheme

4.1 Television and Radio

The Broadcasting Funding Scheme shall comprise two elements – one each relating to radio and television programming. Each element will be the subject of separate application processes and separate funding rounds.

In certain circumstances a single application may be accepted in respect a combination of radio and television programming.

Funding will be awarded at the discretion of the Commission in respect of proposed programming by the public, community and commercial broadcasting sectors provided such programming meets the criteria set down by the Commission in this regard.

The Commission will undertake an ongoing review and evaluation of both the radio and television elements from the commencement of each. Such review will include consideration of the type of applications received, the decision-making process including criteria as applied by the Commission to the particular case and the various categories of recipient. The results of the review process will inform future decisions by the Commission as to the development of further schemes.

4.2 Programme Themes

The primary function of the Broadcasting Funding Scheme is to offer funding to support the production of new programmes on particular themes. Both radio and television funding strands will accept applications on all of the programme themes – Irish culture, heritage and experience, and adult literacy. The BCI shall accept applications for programmes on either an individual theme or encompassing a number of themes, as referred to in the Broadcasting Funding Act:

Irish culture, heritage and experience

The legislation offers the following examples of programme topics related to these themes:

- History (including history relating to particular areas, groups or aspects of experience, activity or influence)
- Historical buildings
- The natural environment

- Folk, rural and vernacular heritage
- Traditional and contemporary arts
- The Irish language
- The Irish experience in European and international contexts

Adult literacy

Programme topics should be focused towards methods of improving adult literacy.

Development of special schemes

The BCI may, at its discretion, allocate funding in respect of programming based on special schemes under any of the thematic areas outlined above. Through the on-going review and evaluation of both radio and television schemes, the BCI may establish special schemes on a one-off, annual or multi-annual basis.

The purpose of these schemes will be to encourage the development of programming on particular themes or to mark major anniversaries or events of particular historic or cultural importance. Such programmes must come within the range of programming laid down in the Act.

4.3 Programme Genre

The BCI will accept applications covering all genres of programming, with the exception of programmes produced primarily for news or current affairs, based on the principles established by the Broadcasting Funding Act.

In this regard, one of the primary objectives of the Commission will be to ensure that schemes ‘increase the availability’ of programmes on certain thematic areas to Irish audiences.

Genres of programming considered acceptable under the scheme will include the following:

- Factual and fictional programming will be eligible for funding, including but not restricted to: documentaries, educational programmes, drama productions, feature films and animation.
- One-off programmes (short or feature-length) and multi-episode projects (series or serials).
- Programmes targeted at the general public or towards a specific audience group, e.g. children.

5. Funding

The Broadcasting Funding scheme will be financed through the allocation of 5% of the annual revenue from television licence fees. This will cover both the administration of the scheme and grants to support the production of programmes. In the event that the total funding allocation is not fully drawn down in any given year, such monies may be carried forward into the following year.

5.1 Allocation of Funds within the Broadcasting Funding Scheme

In the initial funding rounds, in advance of knowing the number and nature of applications that it might expect to receive, the BCI will not pre-assign budgets to particular categories of applicant, broadcasting service, programme theme or programme genre.

Following an assessment of the first funding rounds the BCI will consider the pre-assignment of budgets to certain categories based on analysis of applications received and the overall levels of funding available at that time.

5.2 Budget Guidelines

The BCI will publish budget guidelines for different types of programme (e.g. documentary, drama) for both radio and television schemes, in tandem with calls for applications. These guidelines may vary between funding rounds, but will take into account the fact that the BCI will be looking to support high quality programmes which are not currently being produced or broadcast in Ireland.

Given the objectives of the Broadcasting Funding Scheme – to increase public access to high-quality radio and television programmes which explore the themes of Irish culture, heritage and experience in new ways – the BCI will, in exceptional circumstances, also provide for the submission of applications for programmes with budgets which exceed the maximum guidelines. These programmes must be considered exceptional in terms of quality, additionality and level of national, local or community interest.

Budgets will be assessed against published criteria (see section 6) and the BCI will assess the ‘value-for-money’ quotient of applications by comparing projects from within similar price brackets alongside each other.

The BCI reserves the right to consider variations in application, assessment and contractual procedures having regard to the level of funding sought.

5.3 Percentage of Funding Available

In general, the Commission will allocate grants under the Broadcasting Funding Scheme which represent between 65-95% of the total production budget for the programme. The maximum amount of funding that may be awarded to a particular programme or series of programmes will represent 95% of the total production budget. Applicants will be required to provide full details regarding the level and source of other funding for both the development phase and the contribution to the production budget.

The decision regarding the percentage of funding to be awarded to an individual programme or series will be based on a number of factors, including the potential for securing other sources of funding and the extent to which the proposal meets the objectives of the scheme. It will be a matter for applicants to outline to the Commission how the balance of funding for a particular project would be funded. The following matrices provide an example of the likely percentages to be allocated.

Radio Programmes

MIN	MAX	Grant awarded will not represent more than the following percentage of the total budget.
	€20,000	75% - 95%
€20,000	€40,000	70% - 90%
€40,000	€55,000	65% - 85%
Greater than €55,000		To be negotiated on a case-by-case basis.

Television Programmes

MIN	MAX	Grant awarded will not represent more than the following percentage of the total budget.
	€50,000	75% - 95%
€50,000	€250,000	70% - 90%
€250,001	€750,000	65% - 85%
Greater than €750,000		To be negotiated on a case-by-case basis.

EU Commission guidelines on state aid to cinematographic and audiovisual works

Under EU regulations concerning state aid to *cinematographic and audiovisual works* the maximum grant aid intensity permissible is limited to 50%. It is the Commission's view that the programmes envisaged under the Broadcasting (Funding) Act, 2003 will comply with the three exclusions to the 50% maximum contained in the EU guidelines. These exclusions relate to difficult films, low-budget films and films which counteract the limited geographic extension of certain languages and cultures. The Commission's rationale under these exclusions is set out hereunder as follows:

Difficult

The thematic areas outlined in the Act are culturally important but may not be commercially sustainable. The focus of the scheme will be directed at programmes which are not currently being produced and broadcast to Irish audiences.

Low budget

In terms of budgets in the area of film, the budgetary guidelines (outlined in the proposal for the scheme) for programmes funded through the scheme are relatively low. The only exception to this may be for the final category covering 'television programmes' in excess of €750,000.

Films which counteract the limited geographic extension of certain languages and cultures

The Act outlines the provision of funding to programmes on stated themes relevant to Irish culture, heritage and experience, and particularly to the support of programmes in these thematic areas in the Irish language. It is our view that these 'cultural products' have 'limited circulation ...within EC and world markets' and are therefore eligible for aid intensities in excess of 50%.

5.4 Funding Rounds

The Commission will introduce date-specific funding rounds for both radio and television schemes on an annual basis. The number of funding rounds will depend on the number and nature of applications received. The scheduling of funding rounds will be based on a number of factors including the timing of broadcasters commissioning rounds.

The Commission may also offer multi-annual funding (over a two or three year period) in certain circumstances including:

- Applications to develop a programme or programmes with long production schedules.
- Applications to fund series or serials.
- Applications to develop a number of different programmes on particular thematic areas over a number of years.

5.5 Funding towards the Development of Programmes

Funding allocated in respect of radio and television programming under the Broadcasting Funding Scheme will be provided only in respect of programming which, in the opinion of the Commission is likely to be broadcast.

The Broadcasting Funding Scheme will generally offer grant-aid to support the production phase of programme-making only. However the Commission may, in certain limited circumstances, allocate funding in respect of the development phase of programming where the Commission decides to support programming of a specialised nature which otherwise meets the criteria laid down in this regard by the Commission. See Appendix II and III (eligibility and assessment criteria).

5.6 Recoupment of Funding

The BCI retains the right to introduce a recoupment clause in any contract under the scheme where a sizable grant has been approved to a programme or series of programmes that might reasonably be expected to make a significant profit. All recouped funding will be re-assigned directly into the Broadcasting Funding Scheme's budget.

6. Application and Assessment

The primary concern for the BCI is that the application and assessment processes are open, equitable and verifiable. The Commission has agreed broad principles in respect of both processes as outlined below.

6.1 The Application Process

The application process for the Broadcasting Funding Scheme is set out as follows:

Publish information

Following the formal launch of the scheme, the BCI will publish guidelines for prospective applicants to include eligibility and assessment criteria, a standard application form and other supplementary information. The publication of a standard application form will ensure that applicants have a clear understanding of the information that they should submit and will make it possible for applications to be judged comparatively. In addition, the Commission will publish the dates of the first funding rounds for radio and television.

Request application form

Prospective applicants must apply in writing (by letter or email) to request an application form.

Circulate application form

Each applicant will receive a hardcopy and an electronic version of the application form(see appendix I).

Prepare proposal

Applicants will have a period of not less than 6 weeks in which to prepare their proposal, collect supplementary information and clarify any queries that they may have regarding the application with staff at the BCI.

Submit application

Completed application forms along with all additional supplementary information must be submitted to the BCI within the published deadlines. Applications will not be accepted after the deadline has passed. In order to facilitate the processing of applications, the BCI will request a hardcopy and electronic version of the form.

6.2 The Assessment Process

The application process for the Broadcasting Funding Scheme is composed of the following four-phased approach.

Preliminary Evaluation

The purpose of this phase is to ensure that all elements of the application have been included and that proposals meet the minimum required standard, as set out under ‘eligibility criteria’ (appendix II). Any applications which do not meet all of the eligibility criteria will be disqualified from further assessment. This phase will be undertaken by relevant staff at the BCI.

Qualitative Assessment

Each application will be read and assessed by staff and by qualified readers. A panel of readers with relevant experience and competencies will be selected and engaged on a consultancy basis. Readers will assess each application on its individual merits and will make recommendations based on the standard ‘assessment criteria’(appendix III). In order to ensure consistency of approach, readers will be provided with guidelines for the assessment of applications and templates for the presentation of recommendations.

Strategic Assessment

A number of assessment panels will be convened to include relevant members of staff, representatives from the broadcasting/film industry (from Ireland or overseas) and ‘subject experts’ from relevant thematic areas, e.g. the Irish language or contemporary arts. The purpose of this phase of assessment is to consider the recommendations of readers in the light of the broad strategic objectives of the Broadcasting Funding Scheme and the financial implications of individual applications. The assessment panels will be charged with responsibility for compiling a package of recommendations for final approval by the Board, based on recommendations from staff.

Formal Ratification

The fourth stage will see the Board of the BCI make final decisions on applications, taking into account recommendations from the assessment panels and advice from staff.

7. Distribution of Grants

Following the assessment of applications, the BCI will write formally to each applicant and inform them of the decision.

Where the decision regarding the provision of funding is negative, the Commission will provide reasons for the decision.

Where the Commission has approved an application for funding the following steps will apply:

- The BCI will write to inform the applicant of the decision, including any queries with regard to the programme that may require clarification, in advance of the release of any monies.
- The successful applicant will have a certain period of time in which to respond in writing and accept the offer of funding.
- Following some discussion and agreement of any outstanding issues, the BCI will forward a contract and draw-down schedule of payment to the applicant.
- The applicant would then sign the contract and draw-down schedule, and return both documents to the BCI. In addition, the applicant would include a tax clearance certificate and any other relevant documentation at this time.
- Upon receipt of a signed contract, the BCI will be in a position to issue the first payment. The draw-down schedule will usually comprise of 4 payments, each coinciding with a clearly-defined phase of work e.g. contract sign-off and start of production.
- The final payment will be issued upon completion of the programme.

8. Monitoring and Evaluation

The Broadcasting Funding Scheme will initially run for a period of three years, after which time the BCI will review its ‘operation, effectiveness and impact’¹. The purpose of the review will be to measure the success of the scheme against its objectives. In order to be in a position to undertake a meaningful review, the BCI will monitor all aspects of the scheme from its launch, including: application and assessment procedures; the level of demand from applicants; the level of demand according to programme theme and type; and outcomes from the decision-making process, including the allocation of funding to particular programme themes and to different types of broadcasters. In addition, the BCI will undertake an assessment of programmes funded through the scheme.

9. Acknowledgement of Funding

Applicants in receipt of funding from the Broadcasting Funding Scheme will be required to formally acknowledge this support. The BCI will issue guidelines to successful applicants outlining procedures for acknowledgement on radio and television (as appropriate) including all advertising related to the programme. The BCI will introduce visual and audio ‘logos’ through which the scheme will develop a recognisable imprimatur.

¹ The Broadcasting Funding Act Section 5.1

APPENDIX I

The Broadcasting Funding Scheme Application Form

(Proposals submitted without this application form will not be considered)

Name of applicant(s)	
Programme Title	
Programme Description	<i>Objective</i>
	<i>Type</i>
	<i>Theme</i>
Episodes and duration	
Language	<i>Irish</i> <i>English</i>
Provision of access	<i>Television programmes funded through the scheme must provide subtitling in order to facilitate the enjoyment of people who are deaf or hard of hearing.</i>
Programme or series outline	
Running orders	<i>For non-scripted programmes.</i>
Key personnel	<i>The team behind the programme – producer, director, presenter, script writer and others.</i>
Agreement to broadcast	<i>A written letter (subject to contract) from a broadcaster agreeing to broadcast the programme at an appropriate time. Where the applicant is a broadcaster, proof of internal sanction of broadcast slot will be required.</i>
Time slot	
Timescale	<i>Estimated completion date.</i>
	<i>A schedule including (as appropriate) dates for Development, Pre-production, Production, Post-production, Delivery date.</i>
Level of funding sought	€
Previous funding received from BFS	
Other sources of funding	<i>Name/amount of contribution</i>

In addition, the following items must be included with all applications:

1	Full programme proposal or script (as appropriate)
2	Detailed budget
	<i>A detailed budget/financial plan for the programme, including information on other funder(s). All sources of financing should define whether they are sales, loans, investments.</i>
3	Revenue clearance certificates

The following additional information will be sought for applications to fund **adult literacy programming**:

1	A statement outlining the applicant's understanding of the issues related to adult literacy programming and the approach envisaged.
2	A detailed description of the programme style and format.
3	Details of literacy expertise and experience in carrying out work of a similar nature.

APPENDIX II

Eligibility Criteria

Applications to the scheme may be submitted by radio or television broadcasters (see below for description) and by independent production companies. The eligibility criteria sets the minimum standard which must be achieved in order to be eligible to apply for funding.

Programme Themes

Programmes under Sections 2.1 (a) of the Broadcasting Funding Act must be based on the themes of Irish culture, heritage or experience, including topics such as history, historical buildings, the natural environment, folk, rural and vernacular history, traditional and contemporary arts, the Irish language, and the Irish experience in European and international contexts. Programmes under Section 2.1 (b) must be aimed at improving adult literacy.

Requirement to Broadcast

The Broadcasting Funding Scheme will only allocate grants to fund programmes that will be broadcast – rather than the development or production of programmes. At the application stage, the BCI will insist on the following:

- Independent producers must confirm that they have an agreement to broadcast (subject to funding from the scheme).
- Broadcasters must confirm their commitment to a peak hour slot for the programme.

Broadcasters

Funding will only be available for programmes which will be broadcast by certain broadcasters, as follows:

Television: Must be a free television service which provides near universal coverage in the State, or a cable or MMD system as part of a community content contract under Section 39 of the Broadcasting Act 2001.

Radio: Must be carried on sound broadcasting services (within the meaning of Section 2 of the Radio and Television Act 1988) licensed by the Commission or operated by Radio Telefis Éireann.

Peak Broadcasting

With the exception of educational or children's programming, all programmes must be broadcast at peak times. The BCI define peak viewing and listening times as follows:

Radio:	07.00 - 19.00
Television:	18.00 - 23.30

Access

In order to facilitate the understanding and enjoyment of people who are deaf or with hearing difficulties, all funded programmes must make provision for subtitling.

Exclusions

Funding will not be available to finance:

- Activities not specifically related to programme-making, e.g., training and development.
- The purchase of equipment or premises (capital funding)
- Programmes concerned primarily with news or current affairs.

APPENDIX III

Assessment Criteria

The following criteria will be introduced against which applications will be assessed:

Programme themes

How does the proposed programme intend to deal with the themes of *Irish culture, heritage and experience, or adult literacy*?

Will this programme represent a new interpretation of one or more of the thematic areas?

Quality of programme proposal and/or script

Does the proposed programme represent a high standard in terms of content, production and (where applicable) script?

Additionality

How will this programme add to the range of viewing or listening options for audiences in Ireland?

New or innovative concept

Does the proposed format of the programme represent an innovative concept in terms of programming in Ireland?

National, local or community interest

Who is the intended audience for the programme? Does it have the capacity to attract a wide range of views/listeners or will it appeal to a more defined audience?

Track record of creative and technical personnel

What is the track record of the onscreen, creative and technical personnel involved in this project?

Partnerships

Who are the groups and/or individuals involved in submitting the application? What is the level of expertise regarding the programme theme? Are any key interest groups/experts involved in the application/the making of the programme?

Financial

Does this proposal represent good value for money in terms of quality and quantity of programming?