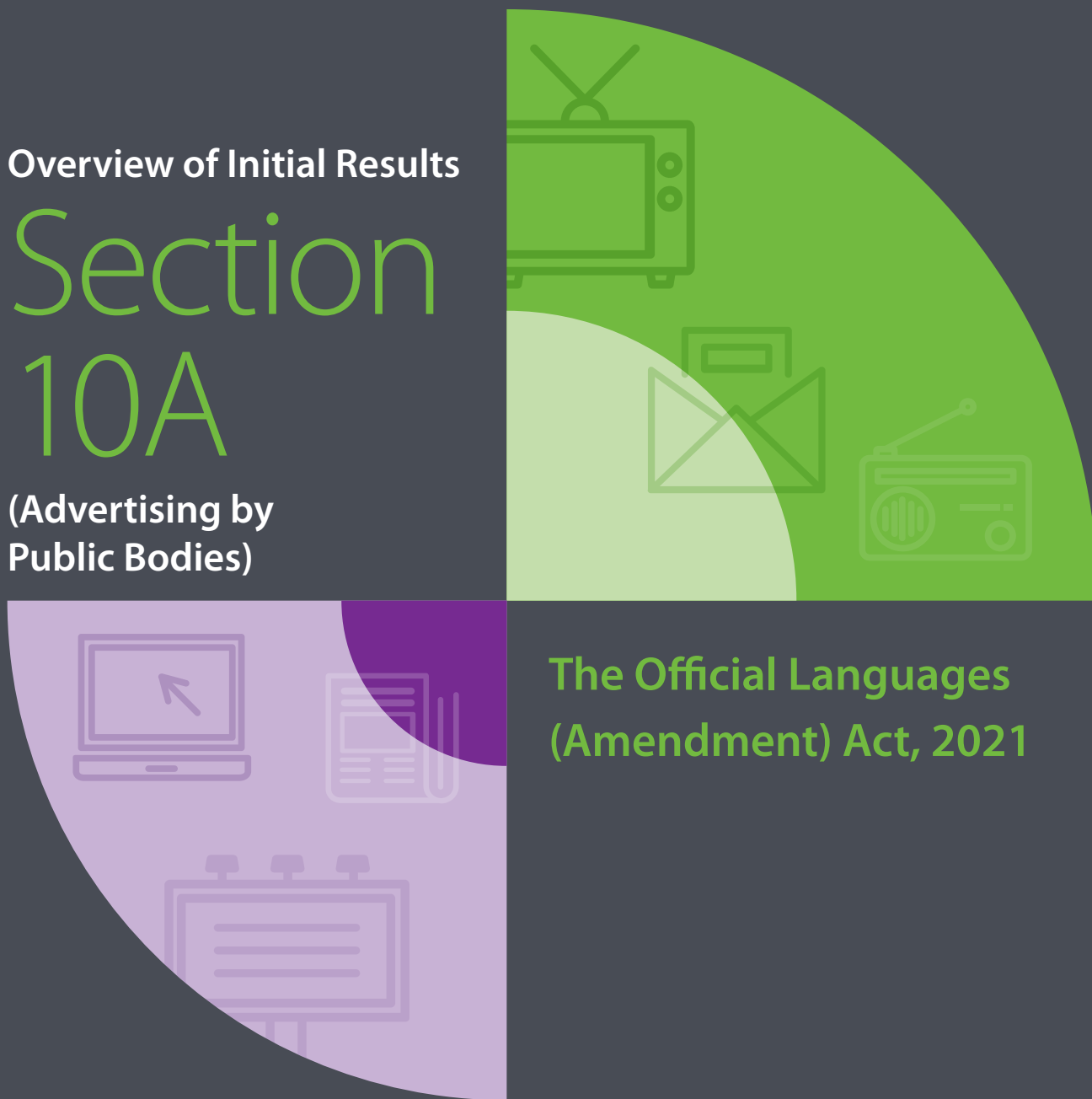


Overview of Initial Results

Section 10A

(Advertising by
Public Bodies)



The Official Languages
(Amendment) Act, 2021

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1. EXECUTIVE SUMMARY

Background

The purpose of the Official Languages Act 2003 is to increase the number and quality of public services available through the medium of Irish to the public. The Official Languages (Amendment) Act, 2021 strengthens the Official Languages Act, 2003. A positive effect of the amended Act can be seen already as the language rights of the Irish-speaking community are strengthened. Section 10A. (Advertising by Public Bodies) was one of the first provisions of the amended Act (2021) to come into effect.

The media is an integral part of our daily lives, and plays a significant role in shaping our ideas, opinions and perceptions. It includes a wide range of communication channels such as television, radio, social media, the internet, newspapers and magazines that provide information to viewers large. The media acts as an important source of information, entertainment, education and socialising, their impact extends to all aspects of our lives. Advertising is widely seen on each media we use on a daily basis.

Section 10A, which came into effect on 10 October 2022, imposes a statutory obligation on public bodies to place a significant portion of their advertising in Irish. Section 10A prescribes that public bodies must ensure that:

- 20% of all their advertising annually is done through the medium of Irish and
- at least 5% of their annual advertising budget is spent on advertising on the Irish language media.

This Overview

An overview of the key findings resulting from the audit carried out by Oifig an Choimisinéara Teanga (OCT) on the implementation of the new advertising provision for 2023 is given here. Although certain challenges regarding compliance levels across the public sector have been

identified, the greatly increased visibility and use of Irish across the advertising and media sector is very positive. As a result of Section 10A, the upward trend of Irish medium advertising on various media reinforces the language rights of the Irish-speaking community.

The following are key results of the audit:

- €3.8m was spent by public bodies on advertising on Irish language media in 2023
- €10.4m, in addition to the €3.8m above, was spent by public bodies on Irish language advertising on English language media (both paid and owned media)
- The visibility of the Irish language on various media has much increased as a result of this provision, which is very important in nurturing the vitality and use of the Irish language. The audit covered 98% of the of the total expenditure made by public bodies on advertising in 2023 – a cross-check was carried out with Nielsen Ad Intel reporting, an advertising data source which is a widely recognised, on advertising by public bodies as a whole.
- The audit data covers self-reported submissions from 334 public bodies.
- Compliance checks are ongoing for all public bodies prescribed by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport, and Media under the Official Languages Acts (2003 & 2021). Each public body must ensure full compliance with all provisions of the Official Language Acts (2003 & 2021). Additional reports on compliance by public bodies to Section 10A will be published.

The Advertising Sector in Ireland

In 2023, the estimated spend on all advertising (private and public sector) in Ireland was €1.47 billion. All public sector advertising for 2023 amounted to €97 million, equivalent to 7% of all advertising spending. We can deduce from the self-reporting by public bodies under Section 10A, that €10.4 million of the overall spend (€97m) of public sector spending on advertising was on Irish language advertising on English language media, and a further €3.8 million was spent on advertising on Irish language media. Although the total value of Irish language advertising undertaken by the public sector is under 1% of the total spend (public and private) on advertising, it still represents a significant amount. For comparison, the Irish Government spent €9 million in total on COVID 19 related advertising in 2021.

The Public Sector

Of the 500 plus prescribed public bodies that make up the sector, 334 or 67% of public bodies had provided final submissions on their advertising activities for 2023 at the time of writing this Report. OCT has also received correspondence from other prescribed public bodies that have not yet made final submissions regarding Section 10A. It is expected that there will be an increase in the number of complete submissions from public bodies by the end of 2024.

The 334 public bodies that made submissions were grouped according to advertising spend thresholds, as depicted in Table 1. This grouping was designed to enable comparisons among public bodies with similar advertising budgets and to explore compliance trends. Table 1 also shows the number of public bodies falling within each categorised advertising spend threshold.

Table 1

Category	Expenditure on Advertising	Number of Public Bodies
Category A	≥ €750,000	27
Category B	€250,000 - €749,000	33
Category C	≤ €250,000	274

KEY RESULTS – PUBLIC SECTOR ADVERTISING SPEND

Chart A illustrates the expenditure carried out by public bodies on advertising through the medium of English and Irish for 2023.

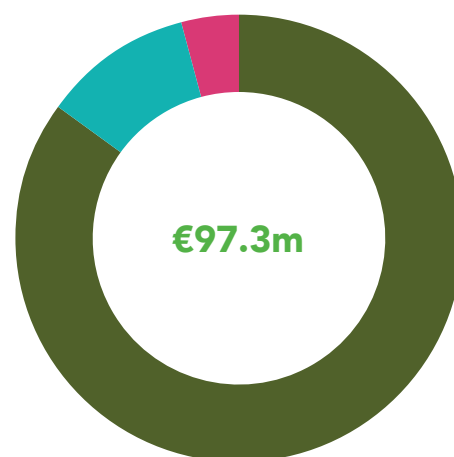
The data provided by public bodies indicates:

- that the public sector spent a total of €97m on advertising in 2023
- that public bodies spent €83 million on English language advertising through on various media in 2023)
- that public bodies spent €14.2m Irish language advertising on all media (English & Irish)
- that €14.2m includes the expenditure of €3.8m on advertising on the Irish media for the purpose of the 5% provision.

Chart A

English and Irish Language Advertising Spend by Public Bodies

	Expenditure	Percentage
English Language Advertising Spend	€83m	85%
Irish Language Advertising (excluding Irish Language Media)	€10.4m	11%
Advertising Spend on Irish Language Media	€3.8m	4%



KEY RESULTS – SECTORAL COMPLIANCE

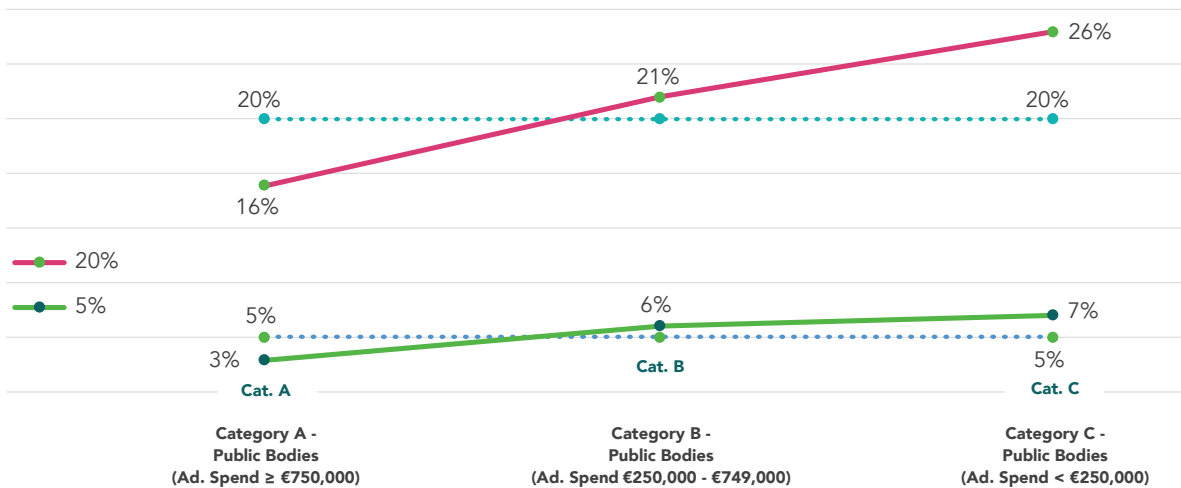
- The data in Chart B indicates that Category A Public Bodies (with Advertising spending ≥ €750,000), on average on a sectoral basis, did not meet the required statutory threshold for either the 5% (advertising on Irish language media) and 20% (Irish language advertising) provisions.
- Category B public bodies (with Advertising Spend ≥ €250,000 - €749,000) performed better overall, achieving an average of:
 - 6% on a sectoral basis for the 5% statutory provision, and
 - 21% for the 20% provision.

- The overall average results for Category C bodies (with Advertising Spend < €250,000) were more positive, with a:
 - 7% attainment on a sectoral basis for the 5% provision, and
 - 26% for the 20% provision.

Chart B

Compliance Levels by Public Body Categories

(5% and 20% Irish Language Advertising provision thresholds)



As already mentioned, compliance checks regarding Section 10A. are ongoing for all public bodies prescribed by under the Act.

2. THE MONITORING PROCESS

In accordance with Section 21(a) of the Official Languages Act 2003, it is a function of An Coimisinéir Teanga to oversee compliance by public bodies to the provisions of the Official Languages Acts (2003 & 2021). The monitoring of public body compliance to Section 10A. (Advertising by Public Bodies) began in March 2024. Public Bodies were asked to self-report on their advertising activities in the round for the 2023 calendar year. OCT developed an online portal so that public bodies can upload their datasets for the purpose of compliance monitoring.

Increasing Public Sector Awareness of Section 10A.

In 2022, in preparation for the implementation of Section 10A, OCT launched an extensive awareness campaign for public bodies. Over 2,000 individuals actively engaged in webinars and information seminars. OCT developed a compliance-monitoring template, including case studies to guide public bodies on the data that needed to be

provided for the various media and in relation to the metrics to measure compliance under Section 10A. The online portal was then developed to facilitate the process of collecting information on the advertising activities of public bodies for 2023. The portal was made available in both Irish and English.

Compliance Measurement Model

The media and measurement criteria as depicted in Table 2 below, which constitute the compliance measurement model implemented by OCT, were established. The model was compiled after considerable consultation with sector stakeholders, including public bodies and advertising representative organisations. Consequently, the compliance measurement model mirrors the existing practices employed by public bodies and the advertising sector for advertising.

Table 2

Measurement of 20%	Measurement	Description
Media	Definition	Detail
Video on Demand (VOD)	1 in 5 copy rotation OR % of impressions created	Impression is created when ads or other forms of digital media render on a user's screen
Out Of Home (OOH)	% of sites used in a year	% of total number of poster sites booked for a campaign
Audio	1 in 5 copy rotation OR % of impressions created	Digital audio by % of total impressions created
Print – press/magazine	1 in 5 copy rotation OR % of circulation (Where ABC not available)	Audit Bureau Circulation tracks circulation of major titles
Social media	1 in 5 copy rotation OR % of impressions created	Impression is created when ads or other forms of digital media render on a user's screen
Cinema	1 in 5 copy rotation OR % of admissions	% of admissions into the cinema or cinema visits
Radio	1 in 5 copy rotation OR % listenership OR % of Total annual Ratings	% of total average listenership (the number of people who listen to a given radio station)
Digital Display advertising	1 in 5 copy rotation OR % of impressions created	Impression is created when ads or other forms of digital media render on a user's screen
Television	1 in 5 copy rotation OR % of Total TVR's	TV Rating Points (Nielsen Ad Intel)

As well as details of expenditure, media and metrics used, Public Bodies were asked to provide an account of the specific advertising campaigns completed during 2023. This account gave OCT the opportunity to cross-check the advertising activities of public bodies against public expenditure data and media used. Creative copies (promotional material from campaigns on various media) were sought from some of the largest public bodies with advertising expenditure. This contributed to the Office's insight into the value and cost of advertising of public bodies.

Irish Language Media

Section 10A. (1)(b) prescribes that at least 5% of each public body's annual advertising budget must be spent on Irish language advertising on Irish language media. Irish Language Media is defined as follows in the provision:

'Irish language media' means any media where 50 per cent or more of the content of that media is through the Irish language.'

No further definition of 'Irish language media' is given under the Act. During the national campaign to raise awareness of Section 10A. carried out by the Office it became clear that there was a gap in the awareness of many public bodies about the inventory of Irish language media that was available for the purpose of the 5% provision. An Coimisinéir Teanga decided in line with his

function under Section 21(e) to provide advice to public bodies on their obligations under the Act to publish a non-exhaustive list of Irish language media in order to tackle that awareness gap. This initiative was important to inform public bodies of the inventory available to take Irish language advertisements, particularly for the purpose of the 5% provision.

In addition to the criteria mentioned above in relation to Section 10A.(2)(b) of the Act that 50% or more of eligible Irish media content must be in Irish, a number of other criteria were considered to be included within the scope of the 'Irish medium' provision.

The following common industry criteria were used in relation to eligibility for the 'Irish medium' inventory:

- Editorial structure of the media/service
- Corporate structure of the media/service
- Content/genres of the media/service, for example: News/Current Affairs, Entertainment, Sport, Travel etc.
- Circulation information, user data, media/service audience research list
- Topical nature of content – e.g. overdependence on static content

The following non-exhaustive list in Table 3, which is subject to change, has been provided by OCT to public bodies. OCT has advised both public bodies and media that it is essential for media undertaking advertising for Section 10A. to ensure a high standard of Irish language delivery.

OCT will review the work of the interested parties in accordance with that advice when reviewing the Irish media inventory in the future. It is also worth noting that the media provider a public body chooses for its advertising activities for Section 10A is entirely at the discretion of the public body.

Table 3: Irish Language Media (November 2024)

Media	Media Provider(s)
TV	TG4
Radio	RTÉ Raidió na Gaeltachta, Raidió na Life, Raidió Rí Rá
Online Platforms	Tuairisc.ie, Nós.ie, Meoneile.ie, Molscéal.ie, Bloc.tg4.ie, ÉireBheo.ie*, ExtraG.ie*, OOHGaeilge.com*, Liathróidí.ie*, Podchraoladh Seachtain*
Print Media	Comhar, Feasta, Seachtain, An Timire, An Páipéar*

* Irish language Media founded since commencement of Section 10A.

Developments in the Irish Language Media Sector

OCT included any Irish Language Media that met the aforementioned evaluation criteria in the initial list of Irish language media, regardless of their involvement in commercial advertising. For instance, RTÉ Raidió na Gaeltachta did not accept commercial advertising until Easter 2024.

The long-standing Irish language media outlets that receive government funding have operated without the benefit of the income streams that would arise from compulsory advertising in Irish by the public service. On the other hand, new Irish language media established since Section 10A came into force have the opportunity to benefit from a significant new advertising revenue stream under this provision, which is a critical support for their growth and sustainability.

New media have emerged since Section 10A. came into force. These media are entirely online. Given the increase in the visibility of the Irish language across various media and the increase in Irish language inventory to carry Irish language advertising, the positive effect of this provision on the promotion of the language and the strengthening of the public service delivery for the Irish-speaking community can be seen.

3. COMPLIANCE MEASUREMENT AND RESULTS

Methodology

As outlined in the introduction Section 10A. of the Official Languages (Amendment) Act 2021 places the following obligations on public bodies:

1. To carry out at least 20% of their annual advertising activities in the Irish language
2. To spend at least 5% of their annual advertising budget on Irish language advertising placed with Irish language media.

Public Body Compliance Submissions

On 5 March 2024, Public Bodies were requested to upload their submissions for compliance measurement to an online portal. Correspondence relating to this was sent to the heads of the Public Bodies, the designated staff members under Section 4B(a) of the amended 2021 Act (staff responsible for reporting on performance of obligations under the Act), Irish Language Officers, and contacts for implementing the Official Language Schemes in Public Bodies. March 29, 2024 was set as the deadline for submission. Public Bodies that had not submitted their data by the deadline were sent reminders via email on a regular basis. Engagement with public bodies continues through ongoing communication. Every effort has been made

by OCT to accommodate public bodies in meeting their obligations, providing assistance through phone or online and in-person meetings as needed. All the compliance functions and powers available under the Official Languages Acts (2003 & 2021) will be implemented to ensure compliance by Public Bodies with Section 10A.

Public Body Self-Reporting

The 334 public bodies that self-reported on their advertising activities for 2023 to date have been categorised according to reported advertising spend thresholds as shown in Table 4. As mentioned in the Introduction above, this categorisation aimed to facilitate comparisons among public bodies with similar advertising budgets and to explore compliance trends.

Table 4 also shows the number of public bodies that made self-reported submissions to-date that fall within each of the categorised advertising spend thresholds.

Table 4

Category	Advertising Spend	No. of Public Bodies
Category A	≥ €750,000	27
Category B	€250,000 - €749,000	33
Category C	> €250,000	274

High Level Results

Public Service Advertising 2023

To date, 334 public bodies have reported on their advertising activities for 2023, representing a total advertising expenditure of €97.3 as for the year. 334 public bodies reflects 65% of the overall universe of approximately 500 public bodies that come under the scope of the language legislation. Significant resources were committed by OCT to ensure as high a submission as possible as

quickly as possible in 2024, particularly regarding public bodies with significant annual advertising budgets. The monitoring process of all public bodies that have not submitted an audit submission for 2023 is ongoing and progress is being made weekly in relation to submissions.

Public Sector Spend on Advertising (2023)

OCT has verified all advertising expenditure reported by public bodies for 2023 with Nielsen Ad Intel, a widely recognised source of advertising data. Accordingly, we are confident that the total level of expenditure reported here represents 98% of the total expenditure made by public bodies collectively on advertising in 2023, as a result of the aforementioned crosscheck with Nielsen Ad Intel’s independent tracking. Interestingly, this €97.3m amount accounts for 7% of the total advertising spend of €1.47B (Nielsen Ad Intel) in Ireland for 2023, encompassing both private and public sector advertising.

Chart C

Total Advertising Spend by Public Bodies (2023)
(English & Irish Language Advertising)

Public Sector Spend on Irish and English Language Advertising (2023)



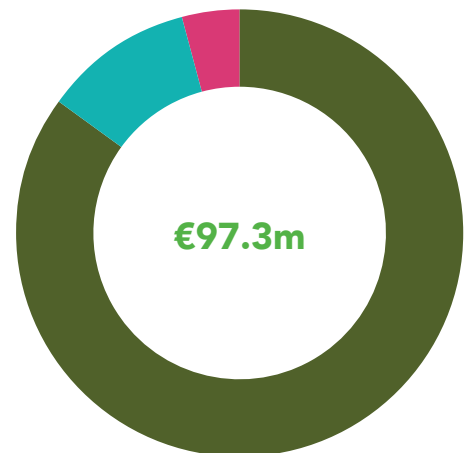
Chart D presents a detailed breakdown of the total expenditure of €97.3m by Public Bodies on advertising in both Irish and English languages in 2023. Based on the data provided, it can be inferred that Public Bodies spent €83m of the total sum on English language advertising, while €14.2m

was spent on Irish language advertising. This €14.2m encompasses both owned and paid advertising, with €3.8m spent on advertising on Irish language media for the purpose of the 5% provision.

Chart D

English and Irish Language Advertising Spend

	Expenditure	Percentage
English Language Advertising Spend	€83m	85%
Irish Language Advertising (excluding Irish Language Media)	€10.4m	11%
Advertising Spend on Irish Language Media	€3.8m	4%



KEY TAKEAWAY

The expenditure of €3.8m on Irish language media is indicative of a 4% budgetary allocation by public bodies as a sector for the purpose of the 5% provision. This provision mandates that each public body spend 5% of its annual advertising budget on Irish language media.

Irish Language Advertising

Chart E reveal the diverse range of media public bodies use to place Irish language advertising for the 20% and 5% provisions. The data illustrates that Press emerged as the

most utilised medium for Irish language advertising across both statutory provisions (20% & 5%), followed by Radio and Social Media. Conversely, the analysis found that Cinema is the medium least utilised for Irish language advertising.

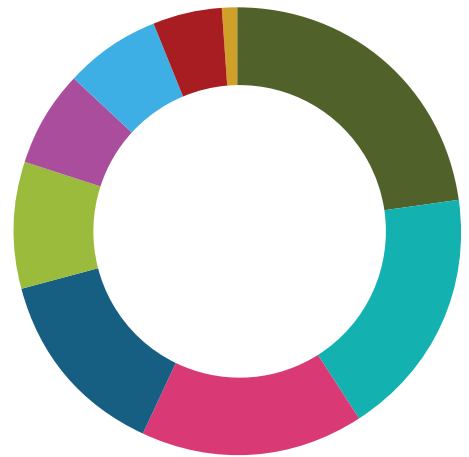
Chart E

Media used by Public Bodies

(Irish Language Advertising for 20% & 5% Provisions)

	Percentage
Press	23%
Radio	18%
Social Media - Paid	16%
Digital Display	14%

	Percentage
Digital Audio	9%
OOH	7%
VOD	7%
TV	5%
Cinema	1%



Public Body Advertising Spend

The following charts (F, G, H & I) show the overall spending carried out by public bodies on advertising by category. As already demonstrated in Table 1 public bodies are

categorised as follows to facilitate comparisons among public bodies with similar advertising budgets and to explore compliance trends.

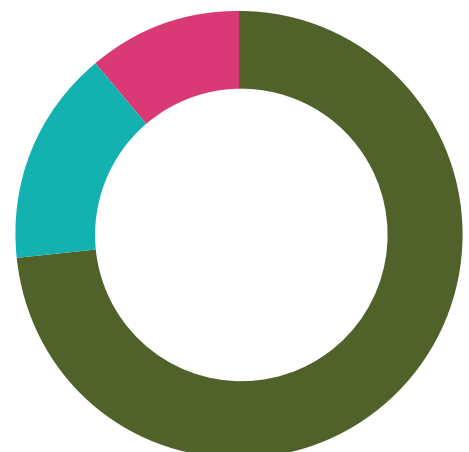
Chart F shows the overall advertising spend by Public Bodies according to the categories A, B & C.

Chart F

Advertising Spend by Public Bodies (2023)

(Categories A, B & C) 5% & 20% Provisions

	Expenditure
Category A - Public Bodies with Ad. Spend ≥ €750,000	€71.6m
Category B - Public Bodies with Ad. Spend €250,000 - €749,000	€15m
Category C - Public Bodies with Ad. Spend < €250,000	€10.7m



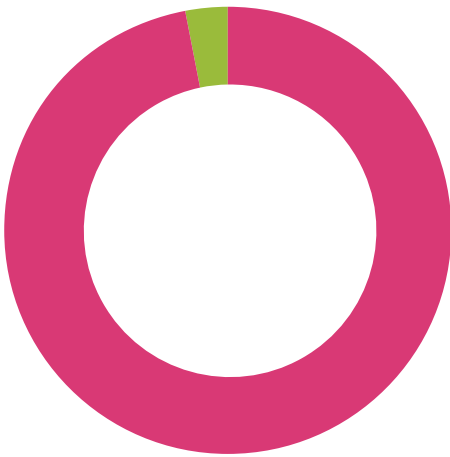
Category A - Public Bodies with an annual expenditure on advertising \geq €750,000

Chart G illustrates that Category A Public Bodies spent an average of 3% of their advertising budget on Irish media in 2023 for the purpose of the 5% provision by spending €2.1m, out of an overall budget of €71.6m, on Irish language media.

Chart G

Advertising Spend by Category A Public Bodies (5% Provision)
(Proportion of Advertising Spend on Irish Language Media)

Total Expenditure	Expenditure: Advertising on English Language Media	Expenditure: Advertising on Irish Language Media	% Expenditure on Irish Language Media
€71.6m	€69.5m	€2.1m	3%



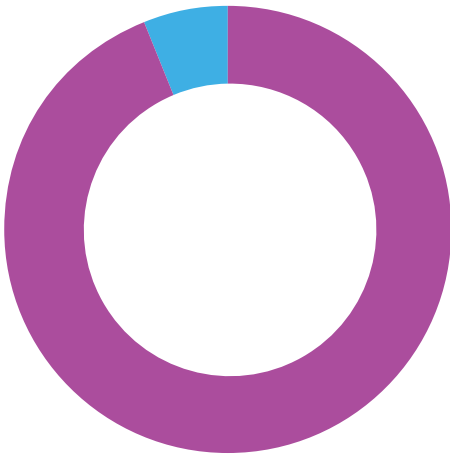
Category B - Public Bodies with an annual expenditure on advertising €250,000 - €749,000

Chart H shows that Category B Public Bodies spent an average of 6% of their advertising budget on the Irish media in 2023 for the purpose of the 5% provision by spending €1m, out of an overall budget of €15m, on Irish language media.

Chart H

Advertising Spend by Category B Public Bodies regarding 5% Provision
(Proportion of Advertising Spend on Irish Language Media)

Total Expenditure	Expenditure: Advertising on English Language Media	Expenditure: Advertising on Irish Language Media	% Expenditure on Irish Language Media
€14.9m	€13.9m	€1m	6%



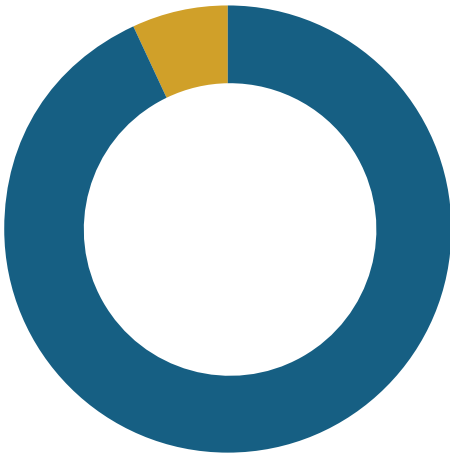
Category C - Public Bodies with an annual expenditure on advertising < €250,000

Chart I shows that Category C Public Bodies spent an average of 7% of their advertising budget on the Irish media in 2023 for the purpose of the 5% provision by spending €0.8m, out of an overall budget of €10.74m, on Irish language media in 2023.

Chart I

Advertising Spend by Category C Public Bodies - 5% Provision (2023)
(Proportion of Advertising Spend on Irish Language Media)

Total Expenditure	Expenditure: Advertising on English Language Media	Expenditure: Advertising on Irish Language Media	% Expenditure on Irish Language Media
€10.7m	€9.9m	€0.8m	7%



4. OTHER IMPORTANT OBSERVATIONS

Notwithstanding how recently Section 10A. was commenced, there has been a significant increase in Irish language advertising across all media in the past year which both OCT and the Irish language community welcome. The presence of any language on contemporary media is critical to its sustainability and development as a vibrant, living language. Nonetheless, some important challenges have come to light that will require careful consideration as these provisions continue to be implemented.

The Standard of Irish in Advertisements

Oifig an Choimisinéara Teanga has received complaints regarding the poor standard of Irish used in certain advertisements. There have been initial challenges in broadcast media advertising, where creative agencies, operating on behalf of public bodies, faced difficulties in engaging proficient Irish language copywriters. This has also been reflected in their struggle to find adequately fluent Irish language-speaking actors or voice-over artists to deliver copy to speech naturally and coherently. OCT is in contact with the advertising sector and Irish language organisations to address these challenges. OCT has emphasised in the advisory notes circulated to public bodies regarding the implementation of Section 10A. that a high standard of Irish language proficiency is a basic requirement in their advertisements.

The growing diversity and prevalence of advertisements across all media, because of Section 10A. will contribute to a demand for individuals with specialised skills in Irish language copywriting/scriptwriting, translation, graphic design, re-voicing, subtitling, acting, and media production. With 500 public bodies prescribed under the Official Languages Act 2003, the need for language advisory services is expected to grow significantly in the coming years. In scoping the increase for Irish language advisory services, it is important to consider new provisions from the 2021 Act that are yet to be commenced, such as the requirement for public bodies to publish official forms in Irish and for ICT systems to be capable of recording and processing names, surnames, and addresses in Irish. Building further capacity in Irish language advisory services for the public sector is a very important cog in the process of assisting public bodies meet their language rights obligations.

It is essential that public bodies' become familiar with the suppliers available nationally to assist public bodies in ensuring the accuracy of language skills in their own deliverables. It is in all our interest that synergy between the work of language development agencies, Government policy and the University sector to ensure that there are sufficient language experts to meet all the demands that will come as a result of the implementation of the new provisions of the amended Act, including Section 10A. Furthermore, along with the additional employment

opportunities arising from the implementation of the new language legislation for language experts, there will certainly be opportunities for income generation and development for the Irish language community in the following areas: artificial intelligence, graphic design, voiceover, subtitling, video production, scriptwriting etc.

Irish language Media Inventory

As we saw in the analysis the statutory requirement of at least 5% annual advertising spend on Irish language media was primarily met by public bodies in Category B (Ad. spend €250K - €749K) and Category C (Ad. Spend < €250K). A common theme in feedback from Public Bodies with larger advertising budgets was their challenge in reaching the 5% target due to limited Irish language media inventory. The term "inventory" refers to "advertising space" on Irish language media. Bodies with advertising budgets tend to spend more resources on television and radio advertising compared to public bodies with smaller advertising budgets. As per feedback from public bodies with larger advertising budgets, capacity within the Irish language media sector is a particular challenge in accommodating a substantial number of simultaneous advertising placements. For instance, the feedback alluded to limited television advertising space on Irish language media and the potential "wear-out" effect if advertising campaigns are repeatedly aired on the same media provider. Furthermore, the capacity for advertising on Irish medium radio for the purpose of the 5% provision was also reported to be limited, although there has been some improvement, particularly with RTÉ Raidió na Gaeltachta announcing in 2024 that it was open to commercial advertising.

Further Reporting

The monitoring process of all public bodies who have not finalised a Section 10A audit submission for 2023 is continuing. All the functions and powers available to An Coimisinéir Teanga under the Official Languages Acts (2003 & 2021) will be brought to bear to ensure compliance by Public Bodies to Section 10A.

In conclusion, a positive effect of the Section 10A provision can be seen already. The Irish language can be heard, seen and read much more often across all media platforms locally and nationally. It is certain that the compliance of public bodies with the provision, and the overall development of the provision will play an important role in strengthening the language rights of the Irish language community and creating new development opportunities for Irish in the contemporary media world.

