



IRISH EQUITY ANNUAL REPORT

2019/2020

*Presented to the AGM on November 15th 2020 by Karan O Loughlin, Equity
Organiser*



Irish Equity AGM
November 15th 2020

Draft Agenda

1. Welcomes and Introductions
2. Adoption of the Agenda
3. Minutes Silence for Deceased Members
4. Messages of Solidarity
 - a. Equity UK
 - b. International Federation of Actors
5. Minutes of the 2019 AGM
6. Matters Arising
7. Address from the Irish Equity President - Padraig Murray
8. Equity Annual Report covering the work of the union since the last AGM
9. Motions
10. Any other Business

Matters Arising from the 2019 AGM

Gerry Lee was co-opted to the Executive Committee at the April meeting held on May 2nd 2019

The Beijing Treaty on Audiovisual Performances has officially entered into force from April 28, 2020 - This Treaty deals with the intellectual property (IP) rights of performers in Audiovisual performances, by bolstering five kinds of exclusive economic rights for performances fixed in an Audiovisual format: these are the rights of reproduction, distribution, rental, making available and broadcasting and communication to the public. In many countries IP rights and remedies do not exist so this Treaty will significantly level the playing field in these countries. <https://www.beijingtreaty.com/>

Useful information on copyright can be found here; <https://www.iprhelppdesk.eu/news/new-directive-copyright-and-related-rights-digital-single-market>

Audio Visual Media Services Directive 2018 is past its implementation date. The Implementation date was to have been September 2020 but EU has agreed to an extension due to COVID19

The revised AVMS Directive requires that member states, including Ireland, must regulate linear broadcasting and non-linear services such as video-on-demand (VOD) services and user-generated content services based in Ireland. This includes Google and Facebook. The Directive allows members states to require media services targeting audiences in their state, but based outside it, to pay a financial contribution based on their revenues earned in that state. This ensures that media services that benefit from those payments from Irish subscribers and viewers contribute back into the creation of further content. For more information on this topic see <https://ec.europa.eu/digital-single-market/en/audiovisual-media-services-directive-avmsd>

Industrial Work

Covid 19

Covid 10 has presented huge challenges for the whole of the arts and Culture Sector. The complete shut down in March was pretty catastrophic for everyone working in the sector. Equity worked extremely hard to stay across this and the support measures being put in place by the Government. Large number of people for example were excluded from the Pandemic Unemployment payment because they were self employed and not actually in work on a particular day of the week in March. Intense engagement with Government from Irish Equity, SIPTU and from the IRISH Congress of Trade Unions (ICTU) through their participation at the Government Labour Economic Employer Forum (LEEF) resulted in an improvement in access for self employed people. Unfortunately, artists and arts workers over 66 were not included in this improvement.

Irish Equity also engaged with stakeholders in the audio Visual industry to agree the return to work protocol's to enable film and television production to return to work safely and these procedures have proven to be robust enough to allow these industries to remain open during this current level 5.

Live performance is significantly more challenging in this regard. The absence of the TMA type body leaves every production company and theatre doing their own thing which is far from ideal. A lot of work migrated on-line during the first shut down and while a study has shown that the public watched it and thoroughly enjoyed it, there is a reluctance to pay for it.

This also brings another set of challenges both for performers and designers as well as for the theatres and theatre companies. The shift to on-line work or any kind of filming for broadcast or streaming

brings a whole new set of Intellectual Property (IP) rights in to play. A strong focus will put on these matters by Irish Equity in the coming weeks and months so as to ensure that contracts will have the appropriate adjustments made in them.

Matters were greatly set back by this second shut down at level 5. Just as some live performance was beginning to find a way back, in some very imaginative ways, it was set back again. It is imperative now that all of the stakeholders in the sector continue to work together to find a better way to ensure that some way of developing and showing work can be accomplished in a safe and sustainable way while Covid 19 remains with us and has the effect of continuing to impose the various levels of restrictions.

Agreements

Docudrama agreement came in to force in July 2019. This agreement covers terms and condition for TV docudrama making and covers minimum fees, usage payments and royalties.

A new agreement for **Feature Film** is now being finalised and will also provide for minimum fees and royalties.

Engagement is continuing with **Netflix** on the creation of a new agreement for Netflix productions. We anticipate that this negotiation will be concluded by the end of the year and will have a clause on the payment of usage fees.

The **IAPI** discussions stalled prior to and during Covid as there was a matter to be addressed through the AGM on the duration of the usage buy out. As the AGM was not held in March due to the Covid restrictions, the matter is before the meeting today as a motion from the Executive.

Soaps

Fair City was shut down the full period of the initial lock down and returned to production towards the end of July once the safe working protocols were agreed. While the production itself has been working well, other issues such as employment status, self-isolation/sick pay supports for actors and payment for weeks that now wont be worked due to the initial shutdown remain unresolved. The Covid support issue will be heard by the Labour Court on November 25th and the outstanding unpaid weeks has been referred to the Workplace Relations Commission for a conciliation conference but that too may well end up before the Court.

Ros N Run had finished for the season when the March lockdown arrived. This gave the production time to develop the safe working protocols in time to commence work again on August 24th and no covid related dispute have thus far arisen on this production.

Equity Organising

Work was completed on the European project on organising freelance workers in the Media, Arts and Entertainment sectors that Irish Equity were involved in. 2 organising training sessions of 2 days each were held throughout 2019 with the dedicated project trainer Tara O Dowd. This was a very construction engagement and the project resulted in the final event conference being held in Dublin in early February 2020 and in the publication of the new handbook Trade Union Organising in the Media, Arts and Entertainment Sector has been published and is available through the following link;

https://fiaactors.com/fileadmin/user_upload/News/Documents/2020/July/FIA_travailleurs_atypiques_print_EN_july.pdf

Irish Equity have also made a short organising video this year for general circulation and the promotions of the benefits of membership. This video can also be seen on our YouTube channel here: <https://www.youtube.com/watch?v=6HxHAY9cCJE>

Policy work

Based on motions to the AGM's in 2018 and 2019 the union has been very specifically pursuing a number of issues;

Motion number 1 to the 2018 AGM by the Equity Executive Committee

That the Executive of Irish Equity will commit to pursuing at all levels, including at Oireachtas level, the social and political supports envisaged by the 1980 UNESCO Recommendation on the status of the Artist so as to achieve a sustainable careers and quality of life for Irish Equity members in the Republic of Ireland.

In pursuing this agenda, following from numerous engagements with Government officials and other stakeholders, Equity were able to announce that the Professional Artists Social Protection Scheme was launched in September 2019. Information on this scheme is here; <https://www.gov.ie/en/service/b5474f-professional-artists-on-jobseekers-allowance/> This however is by no means the end as we seek to build on this towards ***our ambition of a basic income programme for artists and arts workers.***

Motion Number 4 to the 2019 AGM Submitted by Gerry O Brien, Equity Vice President

That this Executive Commission a comparative Study in to how a performers performance rights and the exploitation of those rights are valued fiscally within the Irish Audio-Visual Industry. We further call on the Executive to compare that valuation with the rights of both UK and US performers with regard to the negotiated assignment of those rights for exploitation on the international market.

This motion has to do with the value of Irish Actors Intellectual Property. In following this through, John O Brien, Equity member conducted a study called: ***The Value of Irish Actors Intellectual Property: An estimation and recommendation for action.*** This study seeks to extrapolate the value lost to the Irish economy as a result of unpaid and/or uncollected royalties and usage fees and recommends that Irish Equity forge closer bonds with collecting societies in Ireland to maximise the position for members with IP rights.

Motion number 3 to the AGM 2019 Submitted by Ann Russell

Equity notes the reduction in small theatre venues and the shortage of affordable venues this has created in Dublin city. Venues such as the New Theatre are an invaluable resource to the artistic community and need to be adequately funded and supported. This problem is exacerbated by the diminishing number of funded small theatre companies that has in turn reduced the available pool of work for artists. Equity also notes the number of drama schools that have students graduating every year from courses which are very costly and the impact that the lack of venues has on where they can practice their craft and be seen by possible employers. Consequently, this AGM calls on the Executive of Irish Equity to engage with and lobby the Arts Council to reverse this trend and to support and develop, accessible and affordable small theatre venues.

2 formal meeting were held with Irish Equity and the Arts Council since the last AGM. One was specifically to discuss the issues described in the motion above and the other was to discuss getting maximum funding reach within the artistic community for individual artists and the challenges of moving live performance online.

Tackling low pay and no pay

As part of our further consultation with the Arts Council on the relationship between funded productions and decent pay and conditions, Irish Equity pressed very strongly on the role that the Arts Council can and should play in ensuring these decent pay and conditions when they are funding productions. The outcome of this consultation was a new policy from the Arts Council called **Pay the Artist**. This policy, among other things contains the following statement;

We [the arts Council] recognise that we must work with artists and their representatives and the individuals and organisations engaging them to improve the current situation. We seek to create a culture of fairness and equitable treatment and an end to the situation of artists being underpaid or working for free in return for 'exposure'

This policy is a new departure from the previous arm's length position and should be useful in turning the tide and support the change of culture we need to eliminate low pay and no pay behaviours in the live performance sector. The policy booklet can be found here:

[http://www.artscouncil.ie/uploadedFiles/Main_Site/Content/About_Us/Paying%20the%20Artist%20\(Single%20Page%20-%20EN\).pdf](http://www.artscouncil.ie/uploadedFiles/Main_Site/Content/About_Us/Paying%20the%20Artist%20(Single%20Page%20-%20EN).pdf)

Promoting actor led training with STI

Several consultation meetings also took place with Screen Training Ireland to discuss how training relevant to Equity members could be developed and improved. This will be an ongoing piece of work and to date the following training has been either completed or are in development:

The Actor As Creator Initiative- Series of Masterclasses and mentorship for 31 Actors

SSI Equity Webinar Series

- Gerry Grennell
- Maureen Hughes
- Karan O'Loughlin
- Ian McCracken

Masterclasses for Actors

Mentorship for Actors

Bursaries for Actors

Section 481 Support for Actors

Covid Safety Training.

Actor Writers Attended the Following programmes:

- Writing a Webseries x 4
- Treatment Writing x 3

Actors attended the following programmes which were open to all members of the industry:

- Lunch and Learn Series- Well Being in the Workplace
- Understanding Inclusion and Diversity in the Workplace

Supported by the SSI Stakeholders Scheme and delivered by Bow Street:

- The Art of Casting 18+
- Online Casting Workshop
- The Art of Casting 13-17
- Online Casting Workshop
- Intimacy for Producers Webinar
- Intimacy for Producers Workshop
- Intimacy for Actors & Directors Webinar
- Intimacy for Actors and Directors Workshop
- Intimacy for HOD's Webinar
- Intimacy for HOD's Workshop

- General American Dialect Workshop
- Standard English Dialect Workshop
- Understanding Text for Actors
- Text Analysis for Actors x 2
- Gerry Grennell Masterclass
- Finding an Agent
- Diversity on Screen
- Branding and Promotion for Actors
- Screen Acting - Observations from Experience
- The Ultimate Guide to Self-Taping

Department of Media, Tourism, Arts, Culture, Sport and the Gaeltacht.

Meetings with Minister Catherine Martin, the current Minister for ***Media, Tourism, Arts, Culture, Sport and the Gaeltacht*** and her predecessor Minister Josepha Madigan were also held since the last AGM. The objective of these meeting, as always, are to discuss Equity policy objectives and to ensure that the various Ministers and their advisors understand properly the work and policy of Irish Equity.

The Arts Recovery Task Force

This task force was set up by Minister Catherine Martin in mid-September with the objective of delivering a report to Government by the end of October. Karan O Loughlin, through the nomination from the Irish Congress of Trade Unions represented Irish Equity on this taskforce. The report is completed and was delivered to Government on Tuesday November 2nd.

Other Work

Through our continued work with the International Federation of Actors (FIA) and their European counterpart EuroFIA, meetings were held at European level with Netflix to endeavour to agree a communications structure around health and safety and diversity as it relates to their European productions. Irish Equity also raised the issue on each occasion of the need to ensure that there are casting opportunities for actors based in Ireland for productions arriving to Ireland as on too many occasions parts are cast and imported with little opportunities for Irish based cast. This is a live conversation with Screen Producers Ireland also.

The FIA Executive meeting and the North American English-Speaking Group met in September 2019 in Vancouver. The English speaking group meeting with is a meeting attended by Irish Equity along with SAG/AFTRA, American Equity, ACTRA, Canadian Equity, Equity UK, MEEA (Australia) Equity New Zealand and Equity South Africa whereby matters of common interest are discussed and general information is shared.

Ireland UK Sub Committee Continues to meet a least twice a year (more frequently if required) to discuss matters of common interest. Irish Equity representatives were invited to attend the Equity UK policy conference in Belfast in 2019. A keynote address was given by Irish equity President Pdraig Murray which was very well received and was covered subsequently by Equity UK's magazine publication.

Irish Equity continues to be represented on both the European Social Dialogue Committee for Live Performance and on the European Social Dialogue Committee for Audio Visual Works.

Events

- Ann Russell attended the Theatre Forum Conference **OnTheEdge** on behalf of Equity Executive at the National Opera House in Wexford in June 2019. Ann participated on the Open Forum panel for the discussion on how to value artists, what needs to be done to improve employment conditions and to increase work opportunities in the performing arts. Andrea Irvine, Executive Committee member also attended.
- Trade Union Organising in the Media, Arts and Entertainment Sector 2-day conference in Dublin in February 2020 with 120 delegates representing the sector from all over the world.
- Several Theatre Forum/Equity webinars on Covid the Pandemic Unemployment Payment
- Irish Equity information Webinar for Theatre Professionals
- Equity/Screen Training Ireland Webinar
- Irish Equity casting webinar Maureen Hughes

Communications

Communications are always difficult to get exactly rights. That is why this year, work has been done to make the website better and to be more active on social media so members are asked to like follow us on any or all of our platforms that are twitter, Facebook and Instagram. The social media team of Pdraig Murray, Ann Russell, and Melissa Nolan have been doing really good work on this.

Irish Equity are also taking the opportunity at the AGM to launch our magazine which will made available electronically to all members tomorrow and will be available on the website also. Members are asked to be as interactive with this as possible in terms of sending us ideas about what you would like us to put in the magazine and even submitting articles to the magazine if they wish. We would also welcome photos of members various professional activities if they are willing to share them.

Acknowledgements

In concluding the report, I would like to acknowledge the effort of so many others who greatly contribute to the work of the union.

- The officers and members of the Executive, who give of their time so willingly to work on behalf of you all
- The Staff of the union, including the fulltime officials, Andrea Holmes and Aileen Graham for being the very capable point of interaction with the membership and providing all kinds of supports that enables the wheel to keep turning
- For the staff of the communication department for the ongoing support they provide
- To our now retired SIPTU General Secretary Joe O Flynn for his personal ongoing support during his term of office and to the present General Secretary Joe Cunningham for continuing in this tradition
- And of course, to you yourselves, the general membership, for taking the time to be here and continuing to believe that together, we can definitely make a difference.
- It would be remiss of me to end this report without one more significant acknowledgement. Laurence Foster is a long-time member of Equity. He has soldiered for his community on the Executive and more latterly as a trustee. While Laurence at this time cannot continue as a

trustee, he continues to work on your behalf and is compiling a remembrance page for the website that will acknowledge the members of our community that have passed away over the years. A special thank you Laurence, for the time and dedication it takes to complete this lovely piece of work.

See appendices below.

Dermot Doolan; 1926 to 2019 - A Tribute.

Words cannot adequately express the contribution that Dermot Doolan made, not only to Irish Equity and SIPTU but, to Arts World in general. If it hadn't been for Dermot Doolan, our performance union (embracing Actors, Directors, Designers, Technicians, Stage Management and Interpretive Artists, would never have existed and, the standards we take for granted today, would not have been so high; the fact that it is, being due to his tireless work for the protection of its members.

Dermot was born in Reubens Street, in Dolphins Barn in 1926. Brought up in a family of nine, he was, a born survivor and soon became aware of the dreadful conditions in Irish Theatre. By 1939, he had his heart set on a career in journalism and changing the world was not high on his agenda, however, he seemed to stumble into Trade Unionism as a livelihood. As he said himself, he "was only minding the office" of a fledgling union for theatre practitioners, but finished up running a strong organization with great success by 1947 when Equity was eventually founded due to his organizational talents.

In order to further strengthen the new union, Dermot was instrumental in changing affiliation from the TUC to the new Congress of Irish Trade Unions, to be under the umbrella of the Irish Transport and General Workers Union, despite the opposition of the TUC.

In the 1950s, he still found time to successfully write radio comedy scripts for Radio Eireann, helping to create, "Pottering About" for the great Maureen Potter and, "Living with Lynch" for Joe Lynch. These ventures increased his understanding of a performers' ethos and needs, and Dermot' superb strategies led to historic union battles with two great 'giants'

By 1964 the contract and conditions for actors in the Abbey Theatre had become so desperate that, on behalf of Equity, he served strike notice on the National Theatre and asked Todd Andrews to successfully arbitrate. Dermot was also instrumental in Irish Equity being accepted as a member of the world-wide International Federation of Actors (FIA) again, adding strength, knowledge and respect for Irish Equity. Dermot was much revered by the organization for his talent, wit and camaraderie and, was deservedly honored by them.

In 1978 Dermot supported the RTE Players' plans to strike for better working conditions and for parity with the Abbey Theatre. With the backing of the ITGWU, Irish Equity was now able to bring a huge organization to its knees and conciliation ensued.

For many years Dermot Doolan's dream was to eventually have Irish Actors' Equity as a cultural division of SIPTU and to remain Irish. This was fulfilled in 2013 when SIPTU provided funding to create an Arts and Culture Branch, of which, Irish Actors Equity is now part. Dermot had built the solid platform, and his life's work had been achieved. In 2015 he was suitably honored by SIPTU/Equity with a Lifetime Achievement Award at the Dublin FIA Conference.

By considering putting theatre practitioners' actors above all else, Dermot Doolan contributed so much to our beleaguered profession. More than that, he ensured status and esteem and high union standards for the future. His contribution will never be forgotten. What distinguished Dermot from performers was, that he nearly always delivered lines that he had written himself. We will all miss his wonderful company, his enduring friendship and, the impish humour but, above all, his great compassion for human rights.

"Entirely and whole, the perfect Service!" – Cecil Spring-Rice.

Laurence Foster, September 2019.

DECEASED EQUITY MEMBERS**2020/2019****LARRY GOGAN**

Born in Fairview, Dublin in 1938, he took part-time acting lessons and briefly appeared on the stage of the Gaiety Theatre and started in radio as a DJ in the 1960's. In 1979 he was in the original line-up in of RTÉ Radio 2 and presented a regular show there until 2019. Who will his classic "Just a Minute Quiz"? Larry, deservedly, won the Jacob's award in 1986, the IRMA Award in 2005 and a Meteor Award in 2007 for services to Irish Broadcasting. He also presented a variety of television programmes and was the regular presenter of the Eurovision Song Contest, between 1984 and 2001, and again in 2008. Died 7th January 2020

**DES SMYTH**

Singer and Variety Artist, Des was born in Dublin. In 1955, Des and his brothers got a gig at the Phoenix Hall with the Radio Eireann Light Orchestra, which was broadcast. He later appeared in most venues in Ireland and released his first single in 1965 with the Collegemen. He recorded a further 11 records. Des also appeared in *Dick Whittington* and *Gaels of Laughter*, in the Gaiety Theatre and in *Joseph & and the Amazing Technicolor Dreamcoat*, in the Olympia. Des passed away on the 23rd of February 2020.

**PAUL DOYLE**

Trained with Betty Ann Norton and after work with the Youth Theatre appeared professionally in many stage productions including, *Guys and Dolls*, *The Wiz*, *The White-headed Boy* and *Sive*. Paul also worked for the Parnassus Arts group. His passion for, and talent as a Voice artist led him to becoming a present and producer for the Mater Hospital radio. He died on April 20th 2020.



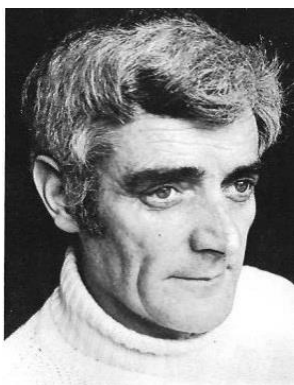
BRENDAN BOWYER

Born in Waterford in 1938, Brendan was a singer who fronted the Royal Showband from 1957, through the golden days of the Irish Ballrooms, and had 5 No.1 Hits. By the mid-sixties, he had achieved star status with the chart topping hit, *Do The Huckleback*. With the demise of the showband scene in the 1970s, he went to America, and became part of the music scene in Las Vegas, where he died on May 8th 2020.



KATHERINE LEWIS

Katherine began her dance training with Myrtle Lambkin in Dublin and, at the age of 16, was the first Irish student to be awarded a place at Britain's Royal ballet. In 1979, she joined the Irish National Ballet for ten year and became Ballet Mistress for the Cork Ballet Company and Ballet Ireland before becoming Artistic Director of the Irish National Ballet for Youth where she raised its profile considerably with her dedication and highly professional standards. Sadly, Katherine died suddenly whilst visiting South Africa in April 2019.



TOM JORDAN

Born in Dublin in 1937, Tom joined the RTE Players in 1968. He left RTÉ in 1972 to become a founding member of the Project Arts Centre in Kings Street and, appeared on RTE Television in Ulick O'Connor's *The Rock*. He then became Actor- Manager for Godfrey Quigley's, World Theatre Productions of "Dinner Theatre" in the Gresham Hotel, and Wexford. Appearing in many Dublin Theatre festivals and became Director of the Lyric Theatre, Belfast for two years. Of the thirty or more TV and films in which he appeared, he achieved fame as Farrell in *Strumpet City*. In 1981 he played Seamus Doherty, *The Manions of America* and, in 1984 in *Remington Steele*. He later became one of the original cast members of *Fair City*, starring as Charlie Kelly in almost 150 Episodes. Tom died on June 29th 2019.



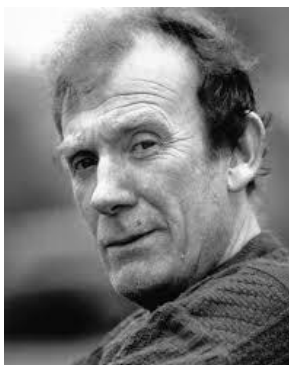
KARL SHIELDS

Karl was born in Dublin in 1971. His stage roles included *Henry IV, Part 1*, *Penelope*, *At Swim-Two-Birds*, *The Spanish Tragedy*, *The Duchess of Malfi*, *The Shadow of a Gunman* and *This Lime Tree Bower*. He appeared in 45 Film and television productions, notably in *Peaky Blinders* and *Batman Begins* and, was a long standing cast member of *Fair City* as Robbie Quinn. In 1999, Karl was Artistic Director of Theatre Upstairs until he co-founded, Semper Fi Theatre Company, providing more valuable work opportunities to actors for ten years. He died on July 15th 2019.



DERMOT DOOLAN

Born in Dublin in 1926, Dermot, became a force in Trade Unionism after, “minding the office” of a fledgling union for theatre practitioners. In 1947, Irish Actors Equity was eventually founded due to his organizational talents. To further strengthen the new union, Dermot was instrumental in affiliating with the new Congress Irish Trade Unions, under the umbrella of the I.T.W.U. In the 1950s, he wrote radio comedy scripts for Radio Eireann. Increasing his understanding of a performers’ ethos and needs. Dermot was also instrumental in Irish Equity becoming a member of the world-wide International Federation of Actors (FIA) and was much revered by the organization for his talent, wit and camaraderie and, was deservedly honoured by them. In 2015 he was suitably honoured by SIPTU/Equity with a Lifetime Achievement Award at the Dublin FIA Conference. He died 24th August 2019.



NOEL DONOVAN

Born in 1949, Noel left his native Cork, aged 17, for London and found work at the Saville Theatre in the West End behind-the-scenes and secured an acting scholarship with the Joan Littlewood and was regularly cast in parts portraying vulnerable characters. He played a leading role in *The Liberty Suit*, for the Dublin Theatre Festival in 1980. Noel had 41 film and TV credits, notably, *Far and Away*, *Anne Devlin*, *Eastenders* and *Ballykissangel*. He died on 13th September 2019.



GAY BYRNE

Born in Dublin in 1934, presenter and host of radio and television, Gay was regarded as the most influential broadcaster in the history of the Irish State". His most notable role was host of *The Late Late Show* from 1962 until 1999, the world's second longest-running chat show. His time working in Britain with Granada Television was a great training ground saw him become the first person to introduce *The Beatles* on screen. From 1973 until 1998, he also presented *The Gay Byrne Hour* on Radio One, each weekday morning. He was a staunch member of Irish Equity, picketing with equal vigour during union disputes and, was deservedly honoured with Life

Membership of Equity. He died on 4th November 2019.



NIALL TÓIBÍN

Born in Cork in 1929, In his teens, he joined a local drama society until 1953 when he joined the illustrious Radio Eireann Players, remaining there for fourteen years. He then joined the Players as guest performer, creating the role of Brendan Behan in "Borstal Boy", a performance still unsurpassed for its uncanny accuracy. From the 1970s he appeared in sixty-four major Film and Television productions including such iconic series as, "Minder", "The Irish RM", "Coronation Street", "Brideshead Revisited" and "Ballykissangel". In 1973, he won a Jacob's Award for his comedy series, "If the Cap Fits" and, Best Actor at the Christian Film Awards. He also received an Honorary Doctor of Arts Degree from U.C.C. and was also honored with the IFTA Lifetime Achievement Award in 2011. Died on November 13th 2019.

The Audio Visual Media Services Directive 2018 Explained

Implementation date: September 2020 (EU has agreed to an extension due to COVID19)

The revised AVMSD presents a significant opportunity for Ireland to ensure that all content distribution services that target Irish audiences, such as Netflix, Amazon Prime and broadcast channels outside the state (such as Channel 4), contribute to the creation of original Irish content through a financial contribution.

It also allows Ireland to ensure that original Irish content is appearing on online services through the new European Works quota provision.

These measures will help to achieve the stated goal of the Irish government to double the number of workers in the Irish independent production sector over the coming years.

Implementing these provisions without delay will create new funding streams for the creation of original Irish content at a time when the global market for content is growing rapidly.

What is the Revised Audiovisual Media Services (AVMS) Directive?

- The EU Revised Audiovisual Media Services (AVMS) Directive governs EU-wide coordination of national legislation on all audiovisual media, both traditional TV broadcasts and on-demand services.

What is it looking to address?

- The revised AVMS Directive requires that member states, including Ireland, must regulate linear broadcasting in Ireland and non-linear services such as video-on-demand (VOD) services and user-generated content services based in Ireland. This includes Google and Facebook.

Elements relevant to the AV sector and the opportunities

Content Levy

- The content levy presents Ireland with the opportunity to ensure that media services which benefit from the payments of Irish subscribers and viewers contribute back into the creation of original Irish content.
- Article 13 of the Directive allows members states to require media services targeting audiences in their state, but based outside it, to pay a financial contribution based on their revenues earned in that state. It can also be placed on the Irish turnover of Pay TV services like Sky and on advertising on television services targeting Irish audiences. The money from this levy can then be put into a fund to support Irish screen content production.

- The draft Online Media and Safety Regulation Bill will contain the legislation to enact this provision but it must be enacted without delay for greatest impact to the sector.

Quotas

- With the proper oversight of the quota system, Irish audiences – practically younger audiences who view content online – will be exposed to a greater number of European works, including Irish content. It also gives incentive to the online media services to buy the rights to more original Irish content which will enable producers to invest in the creation of more content as a result.
- The Directive requires VOD services based in Ireland to ensure that at least 30% of their catalogues comprise "European Works" that is films and television series made in Europe with a majority of European cast and crew, and to give those works particular prominence in how they are promoted on the VOD services. This is an EU wide requirement and will apply to Netflix, Amazon and others across the whole of the EU.
- Broadcasters in the EU are already (since 1989) required to devote 50% of their transmission time to "European Works".
- It is up to the Irish regulator to report back to the EU Commission on how VOD services based in Ireland are complying with this quota rule.

Irish implementation plans:

- Draft legislation to implement the Directive was published within the Online Safety and Media Regulation Bill in January and another draft Bill is expected in the coming weeks.

Organising and Bargaining for Atypical Workers

11th-12th February 2020

Communications Workers' Union

Dublin, Ireland

Day 1

Tuesday, 11th February

9.00- 9.15

Keynote Address: "The challenges of organising in a changing trade union landscape": Patricia King, General Secretary, Irish Trade Union Congress =

9.15 – 9.40

Keynote Address: "Re-thinking the competition law/labour law interaction: Promoting a fairer labour market" : Professor Nicola Countouris, University College London (via video-conference)

9.40 – 11.00

Panel 1: Collective Bargaining for Self-Employed Freelancers

- Anna Vernet, Head of Enforcement Unit, DG Competition
- Andrea Garnero, Labour Market Economist, OECD
- Marie Lagarrigue, Deputy Head of Unit, DG Employment
- Xavier Beaudonnet, International Labour Standards Department, ILO

Moderated by Senator Ivana Bacik of Ireland and Assistant Professor Victoria Daskalova, University of Twente

11.00 – 11.30

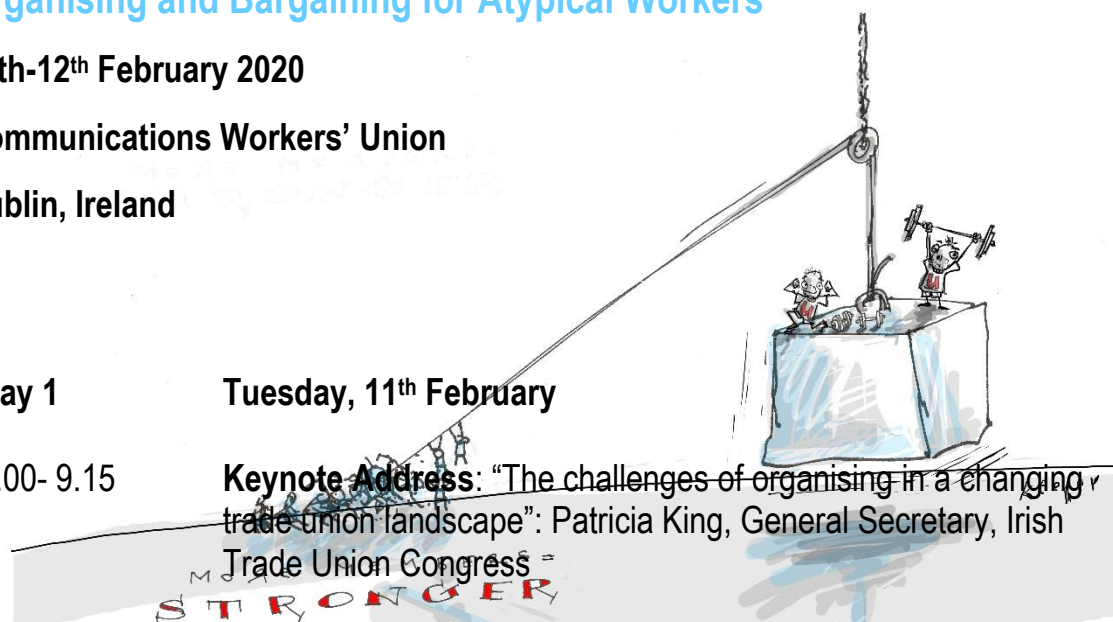
Coffee

11.30 – 12.00

Keynote Address: "The Fundamental Right to Freedom of Association: lessons from the ICTU Vs Ireland" Lord John Hendy, QC

12.00 – 12.30

Keynote Address: "Adjusting the Competition Law Approach to a complicated reality: the Experience in the Netherlands" Professor Evert Verhulp, University of Amsterdam



12.30 – 13.30 *Lunch*

13.30 – 14.45 **Panel 2: Freelancers: the challenge of fairly regulating self-employed workers in the Media Arts and Entertainment sector: the Irish, Dutch and EU perspectives**

- Katie Schreiber, Dutch Ministry of Culture
- Tom Kiely, The Office of the Revenue Commissioners, Ireland
- Mary Nash, Department of Arts & Culture Ireland
- Caspar de Kieffe, Kunstenbond
- Ludovic Voet, Confederal Secretary of the ETUC

Moderated by Professor Martin Risak & Karan O’Loughlin, Irish Equity/ SIPTU

14.45 to 15h00 Keynote Address: “How can Social Dialogue meet the Challenges of the Changing World of Work?” Joerg Tagger, Head of the Social Dialogue Unit, DG Employment

15.15 – 15.45 *Coffee*

Each of the project trainers will lead a brief panel with their trainee unions, highlighting the main outcomes of the project and the lessons learned in each case, as well as the outlook for the future.

15.45 – 16h30 **Panel 4: Feedback from the Organising Experience of**
Moderated by Kate Elliott, together with:

- Teaterforbundet, Sweden
- Musicians’ Union of Serbia
- ZDUS, Slovenia

16.30 – 17h15 **Panel 3: Feedback from the Organising Experience, moderated by Tara O Dowd, together with:**

- ZASP, Poland
- Kunstenbond, The Netherlands
- SIPTU, Ireland

Day 2

Wednesday 12th February

- 9.00 – 10.00 **Panel 4: Feedback from the Organising Experience, moderated by Becky Wright, together with:**
- NVJ, The Netherlands
 - SNJ-CGT, France
 - Finnish Musicians' Union
- 10.00 – 11.30 **Three Workshop Sessions led by the 3 trainers:**
- Making the case for organising in a world of competing priorities.
 - How to take organising seriously in your union.
- 11.30 -12.00 **Coffee**
- 12.00 – 12.30 **Presentation of the Project Publication: The Organising Handbook and Reflections on future joint work in this area,**
Dearbhal Murphy, FIA
Reflection with: Richard Polacek, UNI MEI, Thomas Dayan, FIM,
Renate Schroeder, EFJ

