



**Broadcasting Authority of Ireland**

**Proposed acquisition  
by Independent News & Media Holdings Limited  
of CMNL Limited**

**Observations by the National Union of Journalists**  
**Proposed acquisition by Independent News and Media Holdings Limited of CMNL Limited**

**Introduction:**

1. The National Union of Journalists (NUJ) is opposed to the acquisition by Independent News and Media Holdings of CMNL Limited (Celtic Media Group).
2. The NUJ believes that the proposed merger, involving a share transfer to Independent News and Media Holdings, is contrary to the public interest in protecting plurality of media within the State and thus welcomes the Phase 2 investigation by the Broadcasting Authority of Ireland.
3. The Guidelines on Media Mergers (May 2015) recognise “a free and pluralistic media is an essential component of our modern representative democracy.” In opposing the acquisition by INM Holdings the NUJ is concerned at the potential, long term threat to employment, to the individual newspaper titles and the future of the title specific offices.  
Our concern is based on experience of the business model operated by the proposed purchaser and informed by our experience of outsourcing, editorial re-organisation and imposed redundancies.

It is further informed by our knowledge and experience of Communicorp and the BAI must take into account the fundamental issue of the relationships which exist between INM Holdings and Communicorp.

In opposing the proposed acquisition the NUJ is mindful of the importance of the regional press in the protection of local democracy, in reflecting the social, cultural, political and economic diversity of the country, and in providing a diversity of platforms for the expression of opinions and also the transmission of news.

The union is also aware of the economic pressure on companies within the media sector and represents workers who have suffered the consequences of recession, of acquisitions, mergers and closures.

NUJ members employed in the individual titles are fearful for their future and are mindful of the predictions made by CNM Limited about the future of the company.

4. We note that under Section 28D (4) and (5) of the Act the Minister for Communications, Climate Action and the Environment may enter into discussions with the undertakings involved in the media merger or with any individual or any undertaking with a view to identifying measures which would ameliorate any potential negative effects of the media merger on the plurality of the media in the State.

In the event of the Minister approving the application it would be vital that he impose conditions which would safeguard employment, guarantee editorial autonomy of each title in the group and ensure the maintenance of all current editorial offices in their current geographical locations.

As the trade union representing journalists employed in the titles the NUJ would wish to be consulted on any proposals under Section 28 D (4) and (5).

This is without prejudice to our position that the approval should not be granted.

Part 3A of the Competition Act 2002 provides for a public value test and in examining the proposed acquisition the BAI and the Minister for Communications, Climate Action and Environment must give due consideration to the full implications of the acquisition of the Celtic Media Group titles by the dominant player in the Irish national and regional newspaper sector.

5. Due regard must also be given to the issue of cross-ownership through the involvement of Mr Denis O'Brien in both Communicorp and Independent News and Media Plc.
6. The National Union of Journalists (NUJ) is the trade union representing journalists engaged by CMNL and by Independent News and Media Holdings Limited. The NUJ represents editorial workers including writers, editors, production journalists, photographers and designers working in the print, broadcasting and online/digital sectors and has a direct interest in the proposed acquisition, having in membership a significant number of employees in the media organizations owned and controlled by both parties to the proposed acquisition.
7. The promotion of media plurality has long been a priority for the NUJ. The threat posed to media plurality by the expansion of Independent Newspapers (Ireland) and by cross-ownership was first raised by the union in 1973 at a meeting between Mr John Devine, FoC, Independent Newspapers chapel, and the Minister for Industry and Commerce Mr Justin Keating TD.
8. The National Union of Journalists believes the current application, if granted, will have negative consequences on the Irish media industry serving to reinforce the dominant positions of Independent News & Media Plc and granting to the majority shareholder an excessive degree of control and influence on the print, broadcasting and online media in Ireland to such an extent that it is deleterious to the public good and against the public interest.
9. The acquisition of the titles held by the Celtic Media Group would lead to a substantial lessening of competition within the media publishing and production sector in Ireland. The BAI and the Minister must consider the fact that all regional newspaper titles within Independent News & Media Plc operate under the control and direction of INM Regionals.

10. Under the proposed agreement between the applicants the current Chief Executive Officer of CMG Frank Mulrennan would become Managing Director, INM Regionals. There is no pretense that the regional newspapers operate other than as a conglomerate within the regional media sector, with a common management structure.
11. INM regional currently comprises thirteen paid-for weekly regional newspapers published in counties Cork, Kerry, Dublin, Louth, Wexford, Wicklow, Carlow and Sligo. (Source: <http://www.inmplc.com/operations/ireland>).
12. If the application is successful six long established titles will be added to the group extending the reach of INM Holdings into Westmeath, Cavan, Meath, Mayo and Offaly. In addition, INM plc would have an indirect influence on the newspapers referred to at paragraph ten.
13. **Market Share:** The BAI and the Minister must take into account the role and function of INM Regional and the aggregated power to sell advertising across titles, placing smaller competition regional groups and smaller newspaper regional newspaper companies at a severe disadvantage and also restricts the ability of potential new comers into the market. This has a direct relevance to the issue of media plurality within the regional newspaper sector.
14. Under the provisions of Part 3 of the Competition Act 2003 the Authority and the Minister must consider if this involvement places INM Regionals at a competitive advantage in seeking to acquire further titles and contracts within the regional sector and if it poses a potential threat to media plurality, bearing in mind the specific provisions in relation to cross-ownership.
15. The context for these concerns is the historic concern at the concentration of ownership within the regional newspaper sector by a small group of owners. It is worth noting that the MERGERS, TAKE-OVERS AND MONOPOLIES (NEWSPAPERS) ORDER, 1979 was introduced by Mr Desmond O'Malley, Minister for Industry, Commerce and Energy in response to the expansion of Independent Newspapers into the regional newspaper market.
16. Speaking in Dáil Eireann on 16th February 1995 Deputy O'Malley expressed concern at the influence of Independent Newspapers on the media landscape in Ireland.
17. He said: "It is patently undesirable that in this country such dominance should be allowed in the major organs of printed public opinion and in news gathering. The concentration or dominance is not just confined to editorial power; it also extends to the commercial power that can be wielded through special advertising deals that put the few remaining competitors of the Independent Group at an enormous disadvantage." He added "The dangers inherent in concentration of ownership in newspapers was recognized by me as far back as 1978 when, after the passing of the Mergers, Take-overs and Monopolies (Control) Act of that year, I made an order under the appropriate section applying the provisions of the Act to all transactions in newspapers and magazines in Ireland, [830] even if they fell below the threshold that was

appropriate for notification. I felt it necessary to do this because of my particular concern about the provincial market where in that year the Independent Group owned 16 titles, apart from its national titles. The order prevented it from acquiring any other provincial titles. If it had not been made, I have no doubt that Independent Newspapers would now own most of the provincial newspapers and would have closed many of them."

18. The Commission on the Newspaper Industry (CNI, 1996) chaired by Mr Justice Thomas Finlay, was established to review the media industry after the collapse of the Irish Press group in May 1995. The Commission reported that it was "satisfied that there is in the industry generally a sufficient plurality of ownership and of title to maintain an adequate diversity of editorial viewpoint and of cultural content." However it warned that "any further reduction of titles or increase in concentration or ownership in the indigenous newspaper industry could severely curtail the diversity requisite to maintain a vigorous democracy." (CNI; 30).
19. There have been both closures and an increase in concentration of ownership in what the Commission referred to as the indigenous newspaper industry. It is worth noting that the closures include the Longford News, Roscommon Champion, Athlone Voice and the Offaly Express, the former two being long established titles acquired by a larger media group, Alpha Newspapers.
20. It is worth noting that the resultant diminution in media plurality in the Midlands and Eastern region would be re-enforced by the acquisition, in particular, of the Celtic Media Group titles in Westmeath/South Roscommon and Offaly.
21. In considering this significant proposed diminution in the diversity of the regional newspaper sector and the consequent strengthening of INM's hold on the Irish media market, the Authority and the Minister should not limit itself to an examination of the regional landscape and must have due regard to the historic concerns, in our respectful view concerns wrongly ignored by the Competition Authority and indeed the Broadcasting Commission/Broadcasting Authority of Ireland in the past 10 years.
22. Due regard must be given to the changed nature of the media industry. Online platforms do not recognise geographical borders and the combined digital reach of INM and CMG must be given consideration. The acquisition by the Celtic Media Group print titles would extend the digital reach of INM but would serve to diminish media plurality across platforms.
23. Newspaper circulation figures and revenue derived from print advertising alone cannot be used as the sole basis for assessing the consequences of the application. The examination should include market share, readership, listenership, viewership, page impression hits and an indication of the likely corresponding information post-merger and, as previously noted, capture media organisations owned by the majority shareholder of INM.

24. **Governance and Editorial Management:** The Authority must give due consideration to the business model operated by Independent News and Media Plc and the emphasis on consolidation and operating synergies.
25. The restructuring of editorial structures within Independent House has led to the creation of an editorial superstructure, the merger of editorial roles across titles, a dilution in editorial diversity and a diminution in plurality, notably through the amalgamation of title specific roles including political, business, sport.
26. The creation of the role of Editor in Chief is reflective of a centralised structure, with a lessening of the authority of individual editors. The NUJ would be concerned at the development of similar structures across the enlarged regional group and the Authority must have regard for the potential of such developments across the regional newspaper sector.
27. The need for media plurality, as understood by the Act and guidelines, is not platform specific. There is a belief that the current acquisition is designed to extend the digital reach of all INM owned titles rather than enhancing the digital presence of Celtic Media.
28. It is worth noting that the business model mirrors similar developments within media organisations owned by Communicorp.
29. Independent News and Media plc has embarked on a vigorous programme of restructuring, re-organisation and outsourcing of editorial production, leading to significant redundancies within all titles including the Sunday Independent, Irish Independent, Herald, Sunday World and across the regional titles.
30. Of particular relevance is the decision of INM to enforce redundancies at the Independent Newspapers (Ireland) and Sunday Newspapers titles and to outsource editorial production to the Press Association in the United Kingdom.
31. Given the decision to outsource key elements of editorial production offshore, with consequent implications for employment, the NUJ is concerned for the future of employment with the company's regional sector.
32. In considering the application the Authority should take into account:
  - (a) The business practices of both INM and Communicorp, including the merging of editorial and operational functions.
  - (b) The creation of an editorial super structure and the creation of an Editor in Chief position at INM with editorial supervisory functions across titles previously autonomous. Employment practices and the decision in August 2016 to outsource editorial production operations for the Sunday World, Irish Independent, Herald and Sunday

Independent to the United Kingdom cannot be viewed in isolation from this application and are directly relevant to the criteria under the Guidelines on Media Mergers.

The NUJ would be gravely concerned at the undermining of the editorial departments at Celtic Media titles, with a loss of editorial independence, local or regional identity and employment.

33. The consequences of the INM editorial business model are also illustrated by INM reproduction rights policy (copyright) under which the company reserves the right to use images and copies to one title across all titles and digital platforms.

Thus a photographer who supplies a picture for the Irish Independent may find the photograph supplied by that newspaper to any other title within the group or elsewhere, without extra payment. In a similar fashion writers can have material supplied for one title, used throughout other group publications without additional payment. This abuse of the dominant position within the market has had grave implications for freelance photographers in particular, and an extension of the “reach” of INM can only worsen the situation and poses a threat to media plurality.

34. It is noted that the proposed Managing Director of Independent Regionals will retain his involvement in the publishing division of CMG. Thus INM Regionals, through the Managing Director of that division may continue to undertake consultancy work for the Mayo News, Tuam Herald, Cork Independent, Southern Star, Nenagh Guardian, Dundalk Leader, the Galway Independent and the Dublin People Group, as well as the Mirror and the Racing Post.
35. **Ownership and Control:** The Authority must consider the holdings of Independent News and Media Holdings Limited and have regard to the specific interest of Mr Denis O’Brien, the stated owner of Communicorp who has a shareholding of 29% in Independent News & Media Plc, and who exercises dominant control of the independent commercial radio sector. Mr O’Brien’s media assets mean that he and Communicorp clearly have “a significant interest” in the media business in the State, as defined by the Media Merger Guidelines under the Competition Act, which define a “significant interest” as a voting strength generally in excess of 20pc.
36. Details of Mr. O’Brien’s R1 Notification of Major Interest in Shares may be found on <http://www.inmplc.com>
37. The Guidelines recognise that those with significant holdings have the ability to influence directly or indirectly the direction or policy of the media business. The practice of Communicorp board members sitting on the board of INM plc underlines the relationship between the two companies.
38. It is sometimes assumed that ownership and control relates to attempts by those with significant interests to directly determine editorial content. Editorial policy and the ability of

journalists to do their job is influenced by business decisions and priorities: investment or lack of investment in editorial resources, staffing budgets, organisational models, industrial relations policies and procedures, pensions policies, corporate governance, the appointment of key executives, including editorial appointments, the corporate attitude to trade unions. It should also be clearly understood that content is influenced by the priorities of board and shareholders. Nominees of Communicorp would have a direct involvement in board decisions which impact on the finances available to Celtic Media Group titles.

39. Reduced investment in editorial resources, the decision to make staff redundant, reduction in staffing levels has been a feature of INM's approach to all titles. The impact on regional titles has been acute.
40. An objective analysis of the media market in Ireland shows that INM is the dominant player across print and online media in the regional and national newspaper sector.
41. Mr. O'Brien exercises dominant control in the independent commercial broadcasting sector and in an examination of the implications of the proposed acquisition the Commission must take into consideration the elements of cross ownership, having regard to Communicorp's share of the broadcasting market.
42. From an editorial perspective the extent of Mr O'Brien's external business interests, i.e. external to the media, may present challenges for editors and journalists
43. In accordance with the Competition Act the Authority cannot view the application through the narrow prism of regional newspaper ownership but must take into account the entire media landscape and the dominant influence of Mr Denis O'Brien and his company.
44. There exists a direct link between Independent News and Media Holdings Limited and Communicorp through the involvement of Mr O'Brien and the role he plays within both companies as principal shareholder. As noted the extent of the influence of Communicorp on the corporate governance of INM plc is reflected in the composition of the INM Plc board.
45. On November 26th INM plc confirmed in a public statement that there were tensions between the company chairman Mr Leslie Buckley, and Mr Robert Pitt, Chief Executive. The board of INM established a subcommittee to consider the differences of opinion, stated in media reports to be the proposed acquisition of Newstalk, owned by Communicorp, by INM, in which Mr O'Brien is the largest individual shareholder. The Authority should examine the corporate governance implications of the proposed acquisition and the proposed manner of its execution.
46. In considering the application the Commission should take into account the ownership of the following by the majority shareholder of INM: 98FM, Newstalk, Today FM, Communicorp,



TXFM, Spin FM and Spin South West. Due regard should be given to the strength of these multi-media platforms.

47. It should also be noted that as a result of acquisitions in the regional newspaper sector INM has acquired influence in independent commercial radio stations eg: the company has nominated a director to KCLR.
48. It is noted that INM has a significant presence on the island of Ireland and is a significant company in Northern Ireland. While the BAI examines only the issues pertaining to the Republic of Ireland titles the diminution of plurality and the sharing of editorial resources across titles has an implication for coverage of matters relating to Northern Ireland in the Republic.
49. In Northern Ireland, the Group owns the Belfast Telegraph group. It has two main titles, The Belfast Telegraph and Sunday Life, and is also the dominant contract printer in Ireland. The group also operates BelfastTelegraph.co.uk and what is described as the 'island of Ireland' recruitment portal niJobfinder.co.uk.
50. **Celtic Media Holdings:** The National Union of Journalists welcomed the acquisition of the CMG titles and the safeguarding of 125 jobs at the Celtic Media Group by the Irish management team in June 2012. We did so because we believed that the best interests of the workforce were served by plurality of media within all sectors. Mr Mulrennan has been gracious in acknowledging the support of the NUJ.
51. Our opposition to the acquisition of the Celtic Media Group by INM Plc is consistent with the position taken in 2012 and acknowledged by Mr Mulrennan.
52. The acquisition of CMG in circumstances where the link with Mr O'Brien and Communicorp has been strengthened and new editorial practices and models introduced would give rise to heightened fears about loss of plurality.
53. The NUJ has co-operated with management in achieving efficiencies within the operation and staff have accepted pay cuts, embraced changes in work practices and are currently in negotiations with management on a collective agreement covering the group.
54. The proposed acquisition is not necessary to ensure the viability of CMG. The adverse consequences of subsuming this indigenous Irish group into a global conglomerate far outweigh any perceived advantage.
55. In considering the financial position of CMG it is necessary to note the decision of the board to restructure the company. The effect of the restructuring was to place the assets of the company into an entity separate from staff. The Authority should be mindful of these developments,

bearing in mind that the last financial records available to the NUJ date to 2014 and precede this corporate restructuring.

56. Under the Media Merger Notification Form the Authority and the Minister are entitled to take into account the position of the applicant, INM, in relation to governance and management of the business. Specific reference is made in Clause 3.5 to evidence of corporate governance standards and to the undertakings record in respect of industrial relations.
57. Attention is therefore drawn to the decision of the board of Independent News and Media plc to unilaterally cease funding the Independent Newspapers (Ireland) Ltd Defined Benefit Scheme without reference to the Trustees of the scheme, without notification to the Pensions Authority, without consultation with the workforce and in breach of a specific agreement known as the deficit repair scheme entered into with the Pensions Board 2013.
58. The Chairman of the Trustees, Mr Michael Doorly, stated in correspondence to the company that there was “no moral or legal justification in the changes to the scheme,” which remains the subject of dispute between the company and the trustees.
59. In considering issues of compliance and corporate governance consideration must be given to the record of the company in respect of commitments given to the Pensions Board (now the Pensions Authority) and the failure to consult with the trustees. Commitments which may be entered into, as provided for under the Guidelines, should be viewed in the context of this failure to adhere to commitments made to a State agency.
60. Developments in relation to the proposed acquisition of Newstalk by INM and the public statements regarding the respective positions of the Chairman and Chief Executive raise fundamental issues in relation to corporate governance.
61. In terms of industrial relations specific to editorial staff, while the National Union of Journalists has a collective agreement with Independent Newspapers (Ireland) Ltd the company has failed to consult the union in respect of significant developments including the introduction of an editorial code and the introduction of compulsory redundancies.
62. There was no meaningful negotiation in relation to the merger of editorial departments and divisions or on the outsourcing of editorial functions to the United Kingdom.
63. In summary the acquisition of CMG by Independent News and Media Holdings, as presently constituted, poses a serious threat to competition within a shrinking market. The ability of small companies to survive would be greatly undermined and the possibility of new entrants to the print, broadcasting or online sub sectors of the Irish media market rendered even more remote.

In setting out the NUJ position we have attempted to reflect the diverse concerns of the union in the context of the Media Merger Guidelines and the criteria set out under the guidelines.

For the information of the BAI we are enclosing the submission of the National Union of Journalists to the Oireachtas Committee on Communications, Climate Action and the Environment made on Tuesday 7<sup>th</sup> February 2017.

**Séamus Dooley**  
**Irish Secretary**  
**National Union of Journalists**  
**Spencer House**  
**Spencer Row**  
**Dublin 1**

**13<sup>TH</sup> February 2017**

**Opening statement by Séamus Dooley, Irish Secretary, National Union of Journalists to hearing by the Joint Committee on Communications, Climate Action and Environment arising from the call for submission on the proposed acquisition of CMNL Limited, formerly Celtic Media Newspapers Limited, by INM plc Independent News & Media Holdings Limited) by the BAI (Broadcasting Authority of Ireland.**

Good morning and thank you Cathaoirleach and members for the opportunity to address the committee. I am the Irish Secretary of the National Union of Journalists. I worked as a production journalist with the Irish Independent before becoming a full-time union official. Of particular relevance to today's hearing is my background as a journalist with the Tullamore Tribune and as Editor of the Roscommon Champion.

The timeframe prescribed under the "Guidelines on Media Mergers" is extremely challenging and we are aware of the heavy workload of this committee.

We requested this hearing because it is the only opportunity for public scrutiny of this proposed acquisition.

With me is Bernie Ni Fhlatharta, Leas Cathaoirleach of the Irish Executive Council of the NUJ. A freelance reporter and broadcaster, Bernie has worked for the Connacht Tribune and is one of the most experienced journalists in the regional newspaper sector. Also here is Ian McGuinness, Irish Organiser of the NUJ and a former journalist with the Irish Medical Times. He has direct responsibility for representing members working in the regional newspaper sector.

The Guidelines on Media Merger<sup>1</sup> provide the framework for the deliberations of this committee and will inform the recommendations of the Broadcasting Authority of Ireland and the Minister for Communications, Climate Change and the Environment.

We have provided the committee members with our submission to the Broadcasting Authority of Ireland and would like to outline the key concerns of the union and to explain our opposition to the acquisition. Section 1 of the Guidelines state: "The concentration of ownership of media organisations into the hands of a relatively small number of individuals or businesses represents a potential detriment to media plurality. It runs counter to the public interest that the organs of free expression should be overly influenced and potentially controlled by any one individual, group or organisation; as such it is undesirable to allow any one media business or individual to hold excessive significant interests within a sector or particularly across different sectors of media businesses in the State.

The objective of this new legislation is the pursuit of the public interest to protect and promote a diverse media, both in terms of ownership and content."

---

<sup>1</sup>Guidelines on Media Mergers, May 2015

We share the belief that concentration of media ownership in the hands of a small group of individuals or companies represents a potential detriment to media plurality.

The NUJ has a long history of opposing media concentration. In 1973 the union expressed concern at the potential damage to media plurality by the growing influence of Tony O'Reilly through his acquisition of Independent Newspapers. Conflict over coverage of Mr O'Reilly's external business led to an industrial dispute following the sale of the newspaper in 1973.

Our opposition was based on a belief in the importance of media diversity and then, as now, was predicated on policy rather than personalities.

If the focus of the debate on media ownership has appeared to concentrate on Independent News & Media, Denis O'Brien and Communicorp, it is because successive governments and the Competition Authority (now the Consumer Protection and Competition Commission) have allowed a concentration of ownership and influence, direct and indirect, to develop.

The issue of ownership and control is all too frequently assumed to be about direct editorial interference by owners and shareholders in editorial content.

That is, in many ways a simplistic notion, and ignores the reality that ownership shapes media content: this is recognised in the media merger guidelines.<sup>2</sup>

Ownership is linked to financial control and determines the priority given to editorial budgets, it determines the business model, and it directly determines wages and terms and conditions of employment within the industry.

It determines the corporate approach to pensions, as illustrated in recent developments at Independent News and Media plc. This issue is dealt with in our BAI submission, (See Section 59) <sup>(3)</sup>

Owners influence the shape of news in a variety of ways, including through editorial appointments and structures. Boards appoint editors and editorial executives, in their image and likeness.

The creation of the post of Editor in Chief at Independent Newspapers (Ireland) in June 2013 marked a new departure and it is worth noting that the Editor in Chief reports directly to the Group Chief Executive of INM plc. <sup>4</sup>

---

<sup>2</sup>(Ibid)

<sup>3</sup>(59) Observations by the NUJ to Broadcasting Authority of Ireland, February 2017.

<sup>4</sup>(24 Ibid: Governance and Editorial Management)

The committee, the BAI and the Minister are entitled to examine the potential implication of centralised editorial structures and we strongly encourage such deliberations.

Any examination must consider the future risks involved in centralised structure in terms of editorial diversity and the implications for democracy.

It is worth noting that the acquisition does not just extend to newspaper ownership. The Celtic Media publishing hub is included in the sale. The publishing hub provides consultant services to local newspaper clients including the Dublin People Group, Cork Independent, Galway Independent, Tuam Herald and the Nenagh Guardian. Thus INM Plc would have an indirect but significant influence on aspects of editorial policy beyond those titles acquired in the proposed transaction.

If the industry is dominated by a small number of owners whose dominant values are those of the market and shareholder profit, who increasingly view journalists as "content providers" and journalism as mere "data" to be shared in the most commercially advantageous manner possible, there is little space for public interest journalism. So citizens are denied information crucial to understanding matters of both local and national importance.

The consequences of reduced editorial resources are less coverage of public bodies, courts, parliamentary committees and local authorities. Slashed editorial budgets and shared editorial content between sister titles means less diversity not just in opinion, but in what is covered and how stories are covered.

Our BAI submission outlines concerns in relation to the business and editorial model adopted by Independent News & Media and the potential implications for media plurality if Celtic Media is incorporated under the INM regional banner.

It may seem inconceivable that the editing and production of the titles involved would be centralised but there was a time when it was inconceivable that editorial production of the Sunday Independent, Irish Independent, Sunday World and Herald would be outsourced to Yorkshire. But that is what happened last year.

That development puts in context concerns for the future of the identity of the individual titles in Mullingar and Athlone for example.

When the Belfast Telegraph was acquired by Independent Newspapers commitments were given about the maintenance of editorial diversity. However the sharing of copy between the Belfast Telegraph and INM titles in the South is not uncommon.

Attention is drawn to the impact on freelance journalists –and on media plurality, by the corporate approach to freelance copyright<sup>5</sup> and we have included a copy of the document which freelancers are required to sign in order to secure work.

In considering the application the BAI and the Minister may seek assurances from the parties. We respectfully draw attention to the recent record of Independent News & Media plc in regard to agreements entered into with the Pensions Authority under the terms of a Section 50 Agreement, in accordance with the provisions of the Pensions Act.

Cathaoirleach, on the issue of ownership and control the “significant” shareholding of Mr O’Brien in Independent News and Media plc is a matter of record. So too is his ownership of Communicorp.

For illustrative purposes we have produced a set of maps which illustrate the respective ownership of Independent News & Media and Celtic Media Group.

The first map illustrates the current position. The INM titles dominate the area covered in blue. Celtic Media titles circulate in the areas covered in dark grey.

The second map shows how approval of this acquisition would alter the ownership map of Independent News & Media Plc.

The third map illustrates the combined influence of Independent News & Media Plc and Communicorp. Given the national and indeed all-island reach of both media conglomerates it is a striking image.

We believe that extending the influence of this closely related group would do further damage to the precarious stage of media plurality in Ireland and ask the committee to recommend rejection of this acquisition.

---

<sup>5</sup>Ibid (33)

# CHANGING THE MEDIA LANDSCAPE

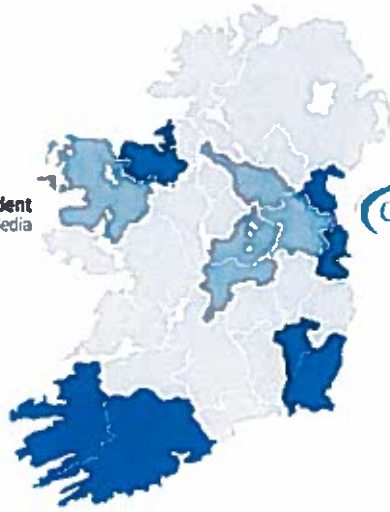


**MAP ONE: THE CURRENT PICTURE**

**MAP TWO: EXTENDING INM PLC**

**MAP THREE: COMBINED STRENGTH OF INM  
PLC AND COMMUNICORP POST ACQUISITION**







**The Anglo-Celt**

**Meath Chronicle**

**The Connaught**  
telegraph

**Westmeath**  
Independent

**OFFALY INDEPENDENT**

**Westmeath Examiner**





*The* **ARGUS**

**BRAY PEOPLE**

**The Corkman**

**Drogheda**  
*Independent*

*Garry*  
**GUARDIAN**

**FINGAL**  
INDEPENDENT

*Cruscorthy*  
**GUARDIAN**

*Blackobon*  
**STANDARD**

**The Sligo Champion**

*Wexford*  
**PEOPLE**

*Wexford*  
**PEOPLE**

**The Kerryman**

**Herald.ie**



**Independent  
News & Media**

**Belfast Telegraph • Sunday Life**  
**www.belfasttelegraph.co.uk**

**Belfast Telegraph House, 33 Clarendon Road, Clarendon Dock, Belfast, BT1 3BG Telephone 028 9026 4000**

### **INM NI reproduction ('repro') rights policy**

**INM NI operates a clear policy in regards to reproduction rights and it is important that all freelance writers, content agencies and submitters of User Generated Content to both our print and digital publications understand and accept this policy.**

**Copyright of material submitted to INM NI belongs to you as the originator of that content, whether commissioned or not. By submitting material to INM NI you give us the right to make further, licensed use of this content. This includes the right to publish material on other third party hosts, including mobile and tablet apps and websites, with which we have a commercial agreement.**

**By submitting content to INM for publication you also give us the right to authorise the Newspaper Licensing Agency to distribute or licence the distribution of your submitted content to its customers. You also give us the right to authorise similar reprographic rights to Reprographic Rights Organisations (RROs) anywhere in the world for use in licensed acts and purposes.**

**The submission of content to INM NI also grants INM NI the right to store your material in any database or archive in any present or future media format.**

**By submitting content to INM NI you agree to be legally bound by all of the above commitments. If you do not wish to be bound by these commitments, then you should not submit content to INM NI.**

# New Account Setup Form



Independent News & Media PLC

## INIL

General Details	
Name:	
Address:	
Telephone Number:	
Mobile No.:	
Fax No.:	
E-Mail Address:	
Web Address:	
Editor's Contact Details:	
Editor's Name:	
Telephone Number:	
E-Mail Address:	
VAT Details:	
Are you VAT Registered?	
VAT No.:	
Bank Details	
Bank A/C Number:	
Bank Sort Code:	
Account Currency	
Financial Details - for Accounts Payable use only	
Bank detail checked by	
Currency	
Payment Terms:	
County Code	
Service Code	
Supplier Type	
Cost / Expense Code:	
VAT Registration checked by	
Default Tax Code	
Staff Contributor?	
Prepared By / Date:	
Approved By / Date:	
Supplier Code:	

### TERMS & CONDITIONS

In addition to publication of the Contributor's material by its titles(s) Independent Newspapers (Ireland) Limited has the right to publish the Contributor's material on its website, in titles owned by Independent News and Media, or to make such material available for publication on an internet site by such third parties and in such manner as the Company deems suitable. Apart from this exception, it is implicit that the Contributor at all times owns the copyright to the Contributor's copy.

I accept the terms and conditions