Hi folks,

Under the FOI act, I wish to obtain the following information:

All correspondence between Minister White and the following organisations:

- RTE
- TV3
- UTV Ireland

This includes all correspondence between the minister, his office and the said bodies in the form of emails, letters and memos.

The time frame for my request is: 01/01/15 - 27/05/15.

I wish to obtain this information in electronic form if possible, or hard copy otherwise.

Kind Regards,
28/05/2015

FOI Request Reference: FOI/2015/52

Dear

I refer to your request dated 27/05/2015 which was received by this office on 28/05/2015 which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

All correspondence between Minister White and the following organisations: RTE, TV3, UTV Ireland between 01/01/15 - 27/05/15 – includes all correspondence between the Minister, his office and the said bodies in the form of emails, letters and memos.

The decision maker handling your request is Mr Brendan O’Reilly, Broadcasting Policy Division, Department of Communications, Energy and Natural Resources, 29-31 Adelaide Road, Dublin 2 and they can be contacted at 01 6783093. A final decision on your request would normally be sent to you within 4 weeks, where a week is defined as 5 working days excluding the weekend and public holidays. This means that you can expect a decision letter to issue not later than 26/06/2015.

There are some limited situations under the FOI Act which could mean that the period for a final decision may be longer than this 4 week period. If this occurs in the case of your request, you will be advised promptly in writing setting out the reason and the new decision date.

Should our final decision not reach you on time, please feel free to contact the decision maker named above to discuss any problems that may have arisen. If you have not heard from us once the allotted time has expired, you are automatically entitled to appeal for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired. The review is a full and new examination of the matter carried out by a more senior member of staff.

In the event that you need to request such a review, you can do so by writing to FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Rd, Cavan, Co Cavan or alternatively by sending an e-mail to FOIUNIT@dcenr.gov.ie. You should state that you are seeking this review because an initial decision was not sent to you within the time allowed for a response. In that event, you would normally have 4 weeks (after the initial decision should have been sent to you) in which to make the appeal. Consideration will be given to late applications in appropriate circumstances.

Please note the Department of Communications, Energy and Natural Resources has a policy of posting a summary of all non-personal FOI requests and decisions on the Departments website.

Yours sincerely,

Carmel Conaty
FOI Unit
17th July 2015

Re: FOI request: FOI/2015/52

I refer to the request which you made under the Freedom of Information Act 2014 for the following records held by this body:

'All correspondence between Minister White and the following organisations:

- RTE
- TV3
- UTV Ireland

This includes all correspondence between the minister, his office and the said bodies in the form of emails, letters and memos.

The time frame for my request is: 01/01/15 - 27/05/15.'

I have now made a final decision to part grant your request on 17th July 2015.

The purpose of this letter is to explain that decision. This explanation has the following parts:

1. a schedule of all the records covered by your request;
2. an explanation of the relevant findings concerning the records to which access is denied, and
3. a statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these three parts in turn.
1. Schedule of records

A schedule is enclosed with this letter, it shows the documents that this body considers relevant to your request. It describes each document and refers to the sections of the FOI Act which apply to prevent release, where applicable. The schedule also refers you to sections of the detailed explanation given under heading 2 below, which are relevant to the document in question. It also gives you a summary and overview of the decision as a whole.

2. Findings, particulars and reasons for decisions to deny access

The sections of the Act which can apply to deny access to documents are known as its exemption provisions.

As you will see from the attached schedule, access to records 1, 2, 6 and 8 has been refused under Sections 29 and 36 of the Act. Record 3 has also been refused under Section 29.

Access to records 4, 7, 11 and 15 has been partly granted, with part of each of these records refused under Sections 36 and 37 of the Act. Record 18 is also partly granted, with part refused under Section 36.

Records 5, 9, 10, 12, 13, 14 and 17 have been edited to remove personal details under Section 37.

Section 29 of the Act allows for refusal of records where they relate to the deliberative processes of the Department. In my view, the records in question relate to decision making processes which are ongoing.

Section 36 of the Act provides mandatory protection for trade secrets, financial, commercial, technical or other information which could reasonably be expected to result in a material financial loss or prejudice the commercial position of that person or prejudice the outcome of contractual negotiations.

These Sections require that a public interest test be undertaken to consider whether these records are released in the public interest. Essentially this means that we need to consider whether the public interest would be better served by the release of this information then the withholding of this information.

My view is that the public interest would be on balance be better served by partly granting your request in the case of these particular records than granting it.

3. Rights of appeal

In the event that you are unhappy with this decision you may appeal. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Rd, Cavan, Co. Cavan or by e-mail to FOI.UNIT@dcenr.gov.ie. Your correspondence should include a fee of €30 for processing the appeal. Payment should be made by way of bank draft, money order, postal order or personal cheque made payable to the Department of
Communications, Energy & Natural Resources. If you wish to make payment by electronic means, please contact the FOI Unit directly. You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

Should you have any questions or concerns regarding the above, please contact me by telephone on 01 678 3093.

Yours sincerely,

Brendan O'Reilly
Broadcasting Policy Division
Description of request: All correspondence between Minister White and the following organisations:
- RTE
- TV3
- UTV Ireland

This includes all correspondence between the minister, his office and the said bodies in the form of emails, letters and memos.

The time frame for my request is: 01/01/15 - 27/05/15.

<table>
<thead>
<tr>
<th>Record No.</th>
<th>Brief Description &amp; Date of Record</th>
<th>File Ref.</th>
<th>No. of Pages</th>
<th>Relevant facts</th>
<th>Findings/Conclusions (Public Interest Considerations, If applicable)</th>
<th>Grant/Refuse/Part-Grant</th>
<th>Basis of Refusal: Section of Act</th>
<th>Record edited/Identify deletions</th>
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<tr>
<td>1.</td>
<td>Letter from Director General (RTÉ) to Minister DCENR re Legislation 20/01/2015</td>
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<td>Section 29 Section 36</td>
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<td>Section 36 Section 37</td>
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<td>Section 29 Section 36</td>
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<td>9.</td>
<td>Letter from Minister DCENR to Ms F. Sheehan re Appointment to the Board of RTÉ 10/04/2015</td>
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<td>Letter from Minister DCENR to Ms A. O'Leary re Appointment to the Board of RTÉ 13/04/2015</td>
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Dear Michael,

I attach a copy of the Unaudited Financial Statements incorporating the Consolidated Management Accounts and Commentary for RTÉ for the month of January 2015.

(The file is password protected, the password to open the file is [REDACTED].)

Kind Regards

Yours Sincerely

Breda O’Keeffe
Chief Financial Officer

---

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Tá an t-eolas sa riomhphost seo faoi rún agus d’fhéadfadh sé a bheith faoi phribhléid dhlíthiúil. Is ar an sochaí amhain atá sé dríthe. Nil cead ag aon duine eile rochtain a fháil ar an riomhphost seo. Mura tú an t-aiftear beartaithe, tá cosc ar aon nochtadh, cóipéal, dáileadh, nó aon ghníomh a chéanamh nó a tháisc ar lár i dtaca leis an riomhphost agus d’fhéadfadh sin a bheith midhleachathach. Tabhair ar aird is do thóil, d’fhéadfadh riomhphost chuig, ó agus laistigh de RTÉ a bheith faoi réir an Acht um Shaothar Faisnéise 1997, agus d’fhéadfadh go ndéanfaí é a nochtadh.
From: [name redacted] [email redacted]
Sent: 02 March 2015 11:57
To: Minister White
Cc: Stephanie Redmond; Madeleine Mulrennan
Subject: Invite to visit UTV Ireland’s studios at Macken House

Dear Minister White,

On behalf of John McCann, CEO of UTV, I’m writing to invite you to visit UTV Ireland’s studios at Macken House in Dublin’s Docklands at a time that is convenient for you over the coming weeks.

As you are aware, on the 5th January 2015 UTV launched a new television channel in Ireland which will create more than 100 new jobs and represents a multi-million euro investment in the Irish economy. The premises at Macken House includes latest HD studio and media technology, a television gallery, four edit suites, a graphics department and a voice-over booth, among other facilities necessary for a modern broadcast operation.

John would very much appreciate the opportunity to show you around the facilities at Macken House, update you on UTV’s experiences since the launch of the new station and to share with you his plans for the new service at what is a very exciting time for the UTV Group.

Should you be unable to visit the studio at Macken House, John would be happy to meet with you at your offices to discuss UTV’s experience to date in Ireland and future plans for the station.

I look forward to hearing from you and if you require any further information please do not hesitate to ask.

Yours Sincerely,

[Signature]

Transatlantic Public Affairs
www.transatlanticpe.com
From: MacQuillan, Jean <Jean.MacQuillan@rte.ie> on behalf of O’Keeffe, Breda <Breda.OKeeffe@rte.ie>
Sent: 13 March 2015 15:48
To: Michael Manley; Mark, Griffin; Seana McGarety; Ger Butler; Jenny O’Hora; Brendan O’Reilly
Cc: O’Keeffe, Breda; O’Shea, Fiona
Subject: Unaudited RTÉ Financial Statements & Commentary February 2015
Attachments: RTÉ Management Accounts February 2015 - DCENR.pdf

Dear Michael,

I attach a copy of the Unaudited Financial Statements incorporating the Consolidated Management Accounts and Commentary for RTÉ for the month of February 2015.

The file is password protected, the password to open the file is [REDACTED]

Kind Regards

Breda
Ms Fionnuala Sheehan

10 April 2015

Dear Fionnuala,

Following your acceptance of appointment to the board of Raidió Teilifís Éireann, I would like to take this opportunity to thank you for making yourself available for this important national task.

I am aware of the challenges this role brings and would like to express my personal appreciation and that of the Government for the contribution you will make during your appointment.

I wish you every success in your role.

Yours sincerely,

[Signature]

Alex White T.D.
Minister for Communications, Energy and Natural Resources
Ms Anne O'Leary

/3 April 2015

Dear Anne

Following your acceptance of appointment to the board of Raidió Teilifís Éireann, I would like to take this opportunity to thank you for making yourself available for this important national task.

I am aware of the challenges this role brings and would like to express my personal appreciation and that of the Government for the contribution you will make during your appointment.

I wish you every success in your role.

Yours sincerely

Alex White T.D.
Minister for Communications, Energy and Natural Resources
Dear Michael,

I attach a copy of the Unaudited Financial Statements incorporating the Consolidated Management Accounts and Commentary for RTÉ for the month of March 2015.

The file is password protected, the password to open the file is [REDACTED].

Kind Regards

Breda

Disclaimer: The information in this e-mail is confidential and may be legally privileged. It is intended solely for the addressee. Access to this e-mail by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution, or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. Please note that emails to, from and within RTÉ may be subject to the Freedom of Information Act 1997 and may be liable to disclosure.

Tá an t-eolas sa riomhphost seo faoi rún agus d’fhéadfadh sé a bheith faoi phribhléid chlachtúil. Is ar an isolaí amháin a lát sé dúshla. Níl cead ag aon duine eile rochtain a tháil ar an riomhphost seo. Mura tú an faighteoir beartaithe, tá cosc ar aon rochtadh, cóipéal, daileadh, nó aon ghníomh a dhéanamh nó a thágáil ar lár i dtaca leis an riomhphost agus d’fhéadfadh sin a bheith midhleathach. Tabhair ar aird le do thoil, d’fhéadfadh riomhphost chuig, ó agus laistigh de RTÉ a bheith faoi réir an Acht a um Shaoráil Faisnéise 1997, agus d’fhéadfadh go ndéanfaí é a rochtadh.
Mr Frank Hannigan

16 April 2015

Dear Frank

Following your acceptance of appointment to the board of Raidió Teilifíse Éireann, I would like to take this opportunity to thank you for making yourself available for this important national task.

I am aware of the challenges this role brings and would like to express my personal appreciation and that of the Government for the contribution you will make during your appointment.

I wish you every success in your role.

Yours sincerely

Alex White T.D.
Minister for Communications, Energy and Natural Resources
Dear Shane,

Following your acceptance of appointment to the board of Raidió Teilifís Éireann, I would like to take this opportunity to thank you for making yourself available for this important national task.

I am aware of the challenges this role brings and would like to express my personal appreciation and that of the Government for the contribution you will make during your appointment.

I wish you every success in your role.

Yours sincerely,

Alex White T.D.
Minister for Communications, Energy and Natural Resources
Ms Margaret Ward

5 May
April 2015

Dear Margaret

Following your acceptance of appointment to the board of Raidió Teilifís Éireann, I would like to take this opportunity to thank you for making yourself available for this important national task.

I am aware of the challenges this role brings and would like to express my personal appreciation and that of the Government for the contribution you will make during your appointment.

I wish you every success in your role.

Yours sincerely

Alex White T.D.
Minister for Communications, Energy and Natural Resources
Dear Michael,

I attach a copy of the Unaudited Financial Statements incorporating the Consolidated Management Accounts and Commentary for RTÉ for the month of April 2015.

The file is password protected, the password to open the file is [REDACTED]

Kind Regards

Breda
Mr Aengus Mac Grianna  
C/O RTÉ Newsroom  
RTÉ  
Donnybrook  
Dublin 4  

18th April 2015

Dear Aengus,

Following your acceptance of appointment to the board of Raidió Teilifís Éireann, I would like to take this opportunity to thank you for making yourself available for this important national task.

I am aware of the challenges this role brings and would like to express my personal appreciation and that of the Government for the contribution you will make during your appointment.

I wish you every success in your role.

Yours sincerely,

Alex White T.D.
Minister for Communications, Energy and Natural Resources
Ms Deborah Kelleher

April 2015

Dear Deborah

Following your acceptance of appointment to the board of Raidió Teilifís Éireann, I would like to take this opportunity to thank you for making yourself available for this important national task.

I am aware of the challenges this role brings and would like to express my personal appreciation and that of the Government for the contribution you will make during your appointment.

I wish you every success in your role.

Yours sincerely

[Signature]

Alex White T.D.
Minister for Communications, Energy and Natural Resources
May 2015

Mr Noel Curran
Director General
RTÉ
Dublin 4

Dear Noel,

I refer to the RTÉ Code of Fair Trading Practice for Radio (copy attached) which was submitted to my Department in accordance with the provisions of section 112 of the Broadcasting Act 2009.

I wish to confirm approval of the Code in accordance with section 112(4) of the Act. In confirming my approval, I wish to acknowledge the effort put into the process by your team, by the representatives of AIRPI and also by the BAI.

As you may recall, the Code of Fair Trading Practice for Television was approved in October 2013. As acknowledged at the time, this process helped establish a new relationship between RTÉ and the independent sector, particularly in regard to the ownership of rights. As part of this approval, RTÉ was requested to undertake a review of the operation of the Code after 18 months, in cooperation with Screen Producers Ireland and with the assistance of the BAI, with the review to be completed within a period of six months, i.e. in October 2015. I look forward to receiving a Report of this review once it is completed. I consider that a similar review of the operation of the Radio Code might also be useful after an appropriate period.

In terms of future iterations of both the Television and Radio Codes, I would expect that these should be informed by the findings of the reviews. I would also expect that they would take account to the fullest extent possible of the Fair Trading Policy, which is currently being developed by RTÉ in consultation with the BAI, and of the BAI recommendation that the complex nature of the language in both codes should be addressed to provide clarity and ease of understanding.

My Department is, of course, available to provide any assistance it can as part of these processes.

Yours sincerely,

Alex White, T.D.
Minister for Communications, Energy & Natural Resources

c.c. Michael O’Keeffe, BAI