

FROM: C D KYLE
11 JANUARY 1994

CDK/26761/94/AL

miss upf 669/93
115/1

cc PS/Secretary of State (B&L) B
PS/Sir John Wheeler (B&L) B
PS/Michael Ancram (B,L&DENI) B
PS/PUS (B&L) B
PS/Mr Fell B
Mr Thomas B
Mr Legge B
Mr Williams B
Mr Bell B
Mr Steele B
Mr Watkins B
Mr Maccabe B
Mr Brooker B
Mr Bramley B
Mr Daniel B
Mr Quinn B
Mr Rodell B
Mr West B
Mr Archer B

NOTE FOR INFORMATION

321/1
11 JAN 1994
h h c h u b

SECTION 31 OF THE BROADCASTING ACT
EXTRADITION LEGISLATION

The Irish side have handed over the text of the press statement issued today advising of the Government's decision to allow the current Order under Section 31(1) of the Broadcasting Authority Act 1960 to lapse. The Irish side have been at pains to point out that the Order can be invoked at any future time should the Government so decide.

2. At the same time as the Irish side handed over the note on Section 31 they pointed out that Mrs Geoghegan-Quinn was not present at today's Cabinet meeting; she is at Tip O'Neill's funeral in America. Mrs Geoghegan-Quinn is the sponsoring Minister for the Extradition Legislation and in her absence it was not possible to discuss it. I understand, however, that an Irish spokesman in Dublin is making clear that the issue of Extradition is still being pursued and that developments are "imminent".

[Signed]

C D KYLE

IRISH GOVERNMENT STATEMENT

The Government at its meeting today decided to allow the current Order under Section 31(1) of the Broadcasting Authority Act 1960, as amended by Section 16 of the Broadcasting Authority (Amendment) Act 1976, the terms of which apply both to RTE and independent radio operators to lapse on the expiry of the current order on 19 January 1994.

In these circumstances, Radio Telefis Eireann will have to observe Section 18 (1A) of the 1960 Act, inserted by Section 3 of the 1976 Act which prohibits the Authority from including in any of its broadcast anything which may reasonably be regarded as being likely to promote, incite to crime, or as tending to undermine the authority of the State. Independent radio operators would be required to observe a similar provision by virtue of Section 9 of the Radio and Television Act 1988.

The RTE Authority will operate guidelines, which have already been communicated to the Minister for Arts, Culture and the Gaeltacht, Mr Michael D Higgins TD. The IRTC are preparing similar guidelines.

The operation of these guidelines will be kept under close review.

11 January 1993

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669/93

Miss Kelly

FROM: D JOHNSTON
/SIR JOHN WHEELER
11 JANUARY 1994

- cc: PS/Sir John Wheeler (L,B) - B
- PS/Michael Ancram (L,B&DENI) - B/M
- PS/PUS (L&B) - B
- PS/Mr Fell - B
- Mr Thomas - B
- Mr Legge - B
- Mr Williams - B
- Mr Bell - B
- Mr Steele - B
- Mr Watkins - B
- Mr Maccabe - B
- Mr Brooker - B
- Mr Bramley - B
- Mr Daniell - B
- Mr Quinn - B
- Mr Rodell - B
- Mr West - B
- Mr Kyle - M

*In the
way he was just
as predictable as
old boy!*
12.1

334/1
12 JAN 1994
CENT SEC

125/1
12 JAN 1994
CENT MSW SEC

PS/Secretary of State (L&B) - B

SECTION 31 OF THE BROADCASTING ACT

The Minister was grateful for sight of Mr Kyle's note which attached the text of the press statement issued on 11 January advising of the Irish Government's decision to allow the current Order under Section 31(1) of the Broadcasting Authority Act 1960 to lapse.

2. The Minister has commented that he agrees with the decision of the Irish Government. Sir John has stated that he has never thought the present UK restrictions to be effective or helpful. The Minister believes that in the modern media intensive society of today, attempts to prevent live speech on the radio or television are bound to fail and have done so with the result that Government restrictions seem foolish. Sir John would prefer the challenge of live debate which is more likely to assist the Governments cause.

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3. However, the Minister considers that the unfortunate aspect of the Irish Governments decision is its timing. Sir John has commented that to "give" this important concession before PIRA have stopped their violence is unhelpful. Sir John would certainly want to repeal the UK's restrictions if PIRA elect for peace.

SIGNED

Paul A Johnston
PS/Sir John Wheeler
OAB Ext 6498
11 January 1994

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