



Consultation Document: Draft Access Rules for Television Broadcasting Services

Publication date: 18th July 2024
Deadline for response: 19th August 2024

This document contains a consultation on:

1. Draft Media Service Rules for Television
Broadcasting Services

Legal Disclaimer

The proposals contained in this consultation document should not be read as reflecting or stating Coimisiún na Meán's final position on any of the matters that are the subject of consultation. Please note that any views on the interpretation of legislation or Coimisiún na Meán's obligations are provisional and non-binding and should not be read as reflecting Coimisiún na Meán's final position. Please refer to the underlying legislative provisions for a statement of the law in this area.



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Chapter 1: Introduction

Coimisiún na Meán (“**the Commission**”) is Ireland’s regulator for broadcasting, video-on-demand, online safety, and media development. The Commission was established in March 2023 under the Online Safety and Media Regulation Act 2022, which amended the Broadcasting Act 2009 (“**the Act**”). The Commission has a wide range of responsibilities, which include the setting of standards and regulations for different types of media based in Ireland.

One of the Commission’s key duties under the Act is to make **media service rules** to govern the standards and practices of broadcasters and providers of audiovisual on-demand media services. This consultation document is concerned with the changes being proposed to the rules that require television broadcasters to enhance the accessibility and enjoyment of programming for people with disabilities (the “**Access Rules**”).

The following sections of the consultation document contain information on the proposed changes, the issues that the Commission is seeking feedback on, and the process for making submissions to the Commission.

This consultation process is being undertaken in accordance with the Commission’s statutory obligations under the Act, which are outlined in further detail below.

1.1 - What are the Access Rules?

The Access Rules were first introduced in 2005 by the Broadcasting Commission of Ireland, a regulatory predecessor to the Commission. The Access Rules set out the standards and obligations required of Irish television broadcasters to increase the understanding and enjoyment of television for people who are deaf, hard of hearing, vision impaired, or hard of hearing and vision impaired.

The Access Rules also provide for targets that broadcasters must meet each year relating to the percentage of their programming that must have (i) subtitling, (ii) Irish Sign Language, and (iii) audio description facilities.

The Access Rules have been revised over the years, with the most recent version published in January 2019 (“**the 2019 Access Rules**”).¹

It is important to note that the 2019 Access Rules, as well as their previous versions, apply only to traditional television broadcasters based in Ireland. They do not apply to audiovisual on-demand service providers (“**on-demand providers**”). The Commission has developed separate rules for on-demand providers setting out their obligations to make their services continuously and progressively more accessible. We are undertaking a public consultation on these new rules for on-demand providers and information may be found on the Commission’s website <https://cnam.ie>.

¹ The 2019 Access Rules are available on the BAI website at <https://www.bai.ie/en/codes-standards/>



1.2 - Why is the Commission proposing changes to the Access Rules?

Legal changes to the regulatory framework

The changes introduced to the current Access Rules are principally informed by the need to transpose into Irish law new requirements included in EU Legislation. Specifically, this legislation is the Audiovisual Media Services Directive (the “**AVMS Directive**”). The AVMS Directive coordinates the national laws of member states in the area of broadcasting and other types of media services. The AVMS Directive sets the minimum standards that broadcasters must comply with in a variety of areas, which include accessibility matters. The latest version of the AVMS Directive has introduced new requirements for television broadcasters.

In addition, recent changes to the Act in the areas of compliance and enforcement have also required the 2019 Access Rules to be updated. Furthermore, rules with respect to Irish Sign Language have also been updated to reflect the findings of the first review of the implementation of the Irish Sign Language Act 2017.

Updated Targets for 2025 – 2027

The draft Rules also set out new targets for broadcasters as they relate to subtitling, Irish Sign language, and audio description for the 2025 to 2027 period. The 2019 Access Rules only provide targets up until the year 2023. As the updated Access Rules are planned to come into effect in January 2025, the Commission is not assigning targets for 2024 period. Targets for 2023 will also apply for the 2024 period.

1.3 - New Draft Rules prepared by the Commission

The Commission has prepared an amended version of the 2019 Access Rules (“**the Draft Rules**”), a copy of which is attached at [Appendix 2](#).

The Draft Rules update the 2019 Access Rules to give effect to the AVMS Directive and update the targets required for subtitling, Irish Sign Language, and audio description for the 2025 – 2027 period.

Information on each of the proposed changes is detailed below in [Chapter 2](#).

The Commission has drafted specific questions for each of these changes which it is seeking responses to. For details on how to make a submission, please see [Chapter 3](#) below.

1.4 - Important change to the complaint procedures

A significant change to the Access Rules relates to the complaint procedures. Under the previous system, complaints relating to the Access Rules fell outside of the Broadcasting Authority of Ireland’s (“**BAI**”- the regulatory predecessor to the Commission) statutory complaints process.

Instead, non-compliance was considered under the BAI’s Compliance and Enforcement Policy, which required a high threshold to be met before any investigation could commence.



Under the new rules, the Commission has broader powers relating to compliance, including the power to receive complaints from members of the public, and where appropriate, investigate potential contraventions of the Access Rules and impose sanctions.

This is an important change to the regulatory framework for television broadcasters in Ireland. For more information on these new procedures, please see the [complaint information page](#) at the Commission's website.

1.5 - Why is the Commission consulting on the Draft Rules?

The Commission is required under the Act to engage in a public consultation on any draft access rules it intends to introduce.

The consultation process is an opportunity for the Commission to consult with relevant users and stakeholders on regulatory changes, and to allow for diverse perspectives and feedback to be considered in the making of effective rules.

While the Commission welcomes all submissions on the Draft Rules, those responding should be aware that the Commission has limited discretion on a number of the changes being proposed as they are required under EU law.

Once the consultation process is completed, the Commission will compile and consider all submissions received. Following this consideration, the final version of the new Access Rules will be published.

1.6 - Future review of the Access Rules

As explained above, the main purpose of the Draft Rules and this consultation is to make the necessary changes that are required by the Act and European law.

Once this process is complete, the Commission intends to carry out at a future date a further review and consultation on the Access Rules.

In particular, the Commission wishes to consider what further changes should be made following the publication in March 2023 of a statutory review on the 2019 Access Rules ("**the Statutory Review**").²

This review involved targeted consultation with stakeholders and an operational review on the 2019 Access Rules. The report raised a number of issues, including:

- The quality of subtitling by broadcasters (particularly for live broadcasts) and whether poor-quality subtitling should count towards the assessment of subtitling targets.

² A copy of the Statutory Review is available on the BAI website at: <https://www.bai.ie/en/news-and-information/publications/>



- The complaints procedures that broadcasters have in place to handle issues relating to accessibility features.
- Challenges faced by broadcasters in respect of the provision of subtitling, ISL, and audio description services.
- Whether a broadcaster should be able to offset targets by providing additional accessibility features on other channels or on their video-on-demand platform.

The Commission intends to engage in further consultation with stakeholders and the public to consider whether the Access Rules should be amended to address other matters including the above in the future. This process will commence in Q1 2025.

1.7 - Structure of the Consultation Document

[Chapter 2](#) of this document details each provision of the Draft Rules, together with a summary of the proposed changes to be made. Specific questions on the proposed changes have been drafted for feedback. The Commission requests that you respond to the questions set out in the document in accordance with the guidance under [Chapter 3](#).

The deadline for responses the consultation process is **Monday 19th August 2024**.

Respondents to the consultation are asked to submit their responses before this time. The deadline will not be extended, save in exceptional circumstances.

1.8 - Engagement with User Consultative Panel and Disabled Persons Representative Organisations

In keeping with its statutory functions and its obligations, the Commission is dedicated to engaging with relevant service users as part of its process for developing its regulatory rules and standards that will directly impact those users and their enjoyment of television programming.

The BAI established a User Consultative Panel (“**UCP**”) to facilitate direct engagement on user experience to inform regulatory policy. The Commission has engaged with the UCP already this year on matters relating to the accessibility of broadcasting services and will continue to meet and engage with the UCP on an ongoing basis in respect of such issues.

In addition, the Commission is mindful of Ireland’s ratification of the United Nations Convention on the Rights of Persons with Disabilities and the prominence that it places on the involvement of Disabled Persons Representative Organisations (“**DPROs**”) in the development of policy.

As such, the Commission will facilitate in-person meetings with relevant DPROs as part of the consultation process



Chapter 2: Draft Rules

The sections below provide an overview of each section of the Draft Rules, the proposed changes they make to the 2019 Access Rules, as well as the questions on which the Commission seeks your feedback. Details on how to respond to these questions is contained in **Chapter 3**.

These summaries are not as precisely worded as the individual draft rules themselves. If you wish to understand the rules in detail or to provide detailed comments on the way that they are drafted, please consult the specific section of the Draft Rules.

Please note that the Draft Rules make minor changes to the 2019 Access Rules that are not individually listed in this consultation document. These are:

- (i) Changing all references to the Commission's predecessor the Broadcasting Authority of Ireland to Coimisiún na Meán.
- (ii) Updating all references to statutory provisions to reflect any legislative amendments.
- (iii) Correcting of typographical errors.
- (iv) Minor rewording of sentences for sake of clarity.

2.1 - Introductory provisions (Sections 1.1 to 1.5 of the Draft Rules)

Sections 1.1 to 1.5 of the Draft Rules set out the context for the making of the Access Rules, including their legal basis and their scope. Information on the new complaints processes for a contravention of the codes and rules is also covered.

Sections 1.1 and 1.2 of the Draft Rules refer to the statutory basis for the making of Access Rules under Section 46O of the Act and the AVMS Directive and explain that they apply to television broadcasters within the State's jurisdiction.

Section 1.3 of the Draft Rules refers to the Commission providing general non-binding guidance regarding the provision of the Rules on request, and the procedure for making such requests.

Section 1.4 of the Draft Rules refers to the establishment by the Commission of a Contact Centre for handling queries and complaints relating to potential contraventions of the Access Rules. Information on how to contact this centre and the potential consequences for a contravention of the Access Rules are also referred to.

Prior to the establishment of Coimisiún na Meán, it was not possible to make a statutory complaint to the regulator about potential non-compliance with the Access Rules. Under the new regulatory framework, the Commission now has the power to investigate potential contraventions of the Access Rules, including where they relate to a consistent failure to meet quality standards, and to impose significant sanctions, where appropriate.



The complaints and enforcement procedures introduced in the Act are an important change to the regulatory framework for television broadcasters in Ireland.

The Statutory Review identified issues from service users on the making of complaints and the need for a more effective enforcement regime. The new enforcement measures for contraventions of the Access Rules include the Commission appointing an authorised officer to investigate suspected contraventions, and the possible imposition of financial penalties where a contravention has occurred.

Proposed changes to 2019 Access Rules:

- Sections 1.1, 1.2, and 1.3 of the Draft Rules remain substantially the same as the Sections 1, 2, and 12 respectively of the 2019 Access Rules, with changes to reflect legislative amendments under the Act, and also to reference the relevant provisions of the AVMS Directive.
- An important change is being proposed under Section 1.4 of the Draft Rules which relates to information and complaints on the Access Rules. Section 1.4 replaces Section 9 of the 2019 Access Rules which related to Complaints and Enforcement. This change has been made to reflect legislative changes creating new enforcement procedures under the Act.
- A further change to Section 1.4 of the Draft Rules has been made to reflect the AVMS Directive which requires the Commission to handle complaints relating to breaches of the Access Rules. Details on how to contact the Contact Centre to make a complaint are included.

Consultation question:

1. **Do you have any comments on the proposed changes to the introductory sections of the Access Rules?**

2.2 - Setting Targets and Timeframes (Section 2 of the Draft Rules)

This section of the Draft Rules explains that in setting targets and timeframes for the provision of access services, the Commission will do so with in accordance with the “Access Principles and Influencing Factors” which it has developed and appended to the Draft Rules.

This section remains substantially the same as the same provision under Section 3 of the 2019 Access Rules. Minor changes have been made to reflect legislative amendments and for clarity.

2.3 - Definitions (Section 3 of the Draft Rules)

Section 3 provides definitions on the following key terms that are used in the Draft Rules:

- Access Services
- Audio Description
- Audiovisual Media Service



- Broadcaster
- Captioning
- Irish Sign Language
- Programme
- Subtitling
- Television Broadcasting/Television Broadcast

Proposed changes to 2019 Access Rules:

- The Draft Rules introduce definitions for the terms “audiovisual media service,” “audiovisual programme,” “broadcaster,” and “broadcasting service” which were not included in the 2019 Access Rules. These definitions are in accordance with those that are provided for following legislative changes under the AVMS Directive and the Act.
- References to term “partial sighted” in the definition of “Audio Description” has been replaced with the term “vision impaired” as this is considered the more appropriate term.

Consultation question:

2. Do you have any comments on the proposed changes to the Definitions section of the Access Rules?

2.4 - General Rules Applying to All Access Provision (Section 4 of the Draft Rules)

Section 4 of the Draft Rules addresses general rules that apply to broadcasters in respect of their accessibility obligations, including the applicable quality standards, the obligations during national emergencies, and the promotion of access provisions.

Broadcasters are required to adhere to specific quality standards developed by the Commission in respect of subtitling, Irish Sign Language, and audio description. These standards are set out in detail in the document titled “Standards Applying to Subtitling, Irish Sign Language & Audio Description” which is appended to the Draft Rules. These standards aim to ensure that access services are beneficial to the audience, and broadcasters must monitor these services at transmission to ensure compliance.

In regards to national emergencies, at such times broadcasters must provide key government information in accessible formats, including visible and understandable Irish Sign Language interpretation.

The rules also require broadcasters to ensure that promotional materials for programmes clearly indicate accessibility options. Broadcasters should engage regularly with user groups to gather feedback and improve service delivery.

Each broadcaster must also appoint an Access Liaison Officer to address any queries regarding access provisions.



Proposed changes to 2019 Access Rules:

- Section 4.1 of the Draft Rules relates to Quality Standards expected of broadcasters regarding the provision of accessibility facilities. This amends the equivalent provision Section 5.1 of the 2019 Access Rules to include reference to “Captioning” as a means for broadcasters to promote the accessibility of their services.
- Section 4.2 relates to National Emergencies and inserts a new requirement that broadcasters must provide emergency information in Irish Sign Language. The 2019 Access Rules only required broadcasters to provide this facility when it was practical to do so.
- Section 4.3 relates to the Promotion of Access Provision by broadcasters. It requires that when promoting a programme, or at the start of it, the broadcaster is to make use of a standard symbol to indicate the accessibility provision available. The caveat under the 2019 Access Rules that the obligation to indicate in listings the programmes for which access provision is available applies “except where it is not possible to do so and where this can be clearly demonstrated” is deleted.
- Section 4.5 introduces a new requirement on broadcasters. Under this new section, broadcasters are required to develop an annual “accessibility action plan” which details how the broadcaster intends to progressively make their services more accessible to persons with disabilities. Broadcasters are to report annually to the Commission on their performance against the plan and their compliance with the Access Rules. This new requirement gives effect to obligations under Article 7 of the AVMS Directive.

Consultation question:

3. **Do you have any comments on the proposed changes to the General Rules Applying to All Access Provision section of the Access Rules?**

2.5 - Subtitling Rules (Section 5 of the Draft Rules)

Section 5 of the Draft Rules relates to the targets that individual broadcasters are required to meet in respect of the percentage of their programmes that include subtitling. The Commission’s approach to setting targets is informed by the “Influencing Factors and Access Principles” detailed in the Rules and developed following lengthy consultation with users of access services and with broadcasters. Regard is also had to performance against any existing targets set.

This section includes overall targets for the 7am-1pm period as well as targets for subtitling during peak-time periods (6pm – 11.30pm) and the manner in which such targets will be assessed. With the exception of the new targets relating to 2025 – 2027 time period, this section remains substantially the same as its equivalent under the 2019 Access Rules.

The 2019 Access Rules refer to captioning, which is a lower quality version of subtitling. Captioning may count towards satisfying subtitling targets for broadcasters, but not for new home-produced programming, which must be subtitled appropriately. This requirement comes into effect from January 2025.



The Statutory Review of the 2019 Access Rules noted issues with the quality of subtitling experienced by users, as well as the difficulties that broadcasters can face in ensuring quality subtitling, particularly during live broadcasting. Efforts by broadcasters to improve the quality of subtitling have been noted, including improvements in the processes for subtitling provision, installation of more modern equipment, and the use by access provision companies of more experienced subtitling staff.

In light of this, the Commission is proposing increases to the subtitling targets for each of the television broadcasters for the 2025 – 2027 period.

Proposed changes to the 2019 Access Rules:

- The Draft Access Rules for Broadcaster provide for subtitling targets over a three-year period, as opposed to a five-year period under the 2019 Access Rules. While this is a shorter period it is considered by the Commission to be long enough to facilitate forward planning by broadcasters, allows the Commission to set clear expectations for broadcasters and recognises that the pace of change in media and in technology means that a 5-year timeframe is too long.
- The new targets that individual broadcasters have been required to meet for 2025 to 2027 have been determined by the Commission in accordance with the “Influencing Factors and Access Principles”, which is appended to the Draft Access Rules for Broadcasters. These targets increase the percentage of programmes that subtitling is available for, in line with the principle of “incremental progression” of the accessibility of broadcasting services. They also reflect the provisions of the AVMS Directive which requires media services to continuously and progressively make their services more accessible.

Consultation questions:

4. **What are your views on the targets proposed for subtitling for the 2025 to 2027 period?**
5. **Do you have any further comments on the proposed changes to the Subtitling Rules section of the Access Rules?**

2.6 - Irish Sign Language (ISL) Rules (Section 6 of the Draft Rules)

Section 6 of the Draft Rules relates to the targets that individual broadcasters are required to meet in respect of the percentage of their programmes that include ISL, including information on how such targets are to be assessed.

These targets will be based on a three-year timeframe between the years 2025 – 2027. The Draft Rules proposes changes for broadcasters in respect of their ISL obligations which are summarised below.

The Statutory Review identified two key issues for users availing of ISL. Firstly, the targets for ISL provision were considered by users to be too low. Secondly, the timing of ISL programmes were generally broadcast late at night during the early hours.



For broadcasters, the Statutory Review recognised that there were barriers faced to ISL provision, including the shortage of ISL interpreters, budget and capacity issues, and the lack of technology to allow for closed ISL.

Proposed changes to the 2019 Access Rules:

- The Draft Access Rules provide for ISL targets over a three-year period, as opposed to a five-year period under the 2019 Access Rules.
- The new targets that individual broadcasters have been required to meet for 2025 to 2027 have been determined by the Commission in accordance with the “Influencing Factors and Access Principles”, which is appended to the Draft Rules. These targets increase the percentage of programmes that ISL is available for, in line with the principle of “incremental progression” of the accessibility of broadcasting services. The Statutory Review noted that the targets for ISL under the 2019 Access Rules were modest and there was scope to increase these levels. They also reflect the provisions of the AVMS Directive which requires media services to continuously and progressively make their services more accessible.
- Following the conclusions of the Statutory Review, the new rules will assess ISL targets based on an 18-hour day, from 7am to 1am, as opposed to a 24-hour period under the 2019 Access Rules. This change will apply from the 1 January 2025 to allow broadcasters time to adjust to these new requirements. The change is being made having had regard to the review of the Irish Sign Language Act 2017 which concluded that the 24-hour period did not meet the requirements of the 2017 Act as it pertains to broadcasters.

Consultation questions:

6. **What are your views on the proposed targets for ISL for the 2025 to 2027 period?**
7. **What is your view on the change to the assessment of ISL targets based on an 18-hour day, from 7am to 1am?**
8. **Do you have any further comments on the proposed changes to the Irish Sign Language (ISL) Rules section of the Access Rules?**

2.7 - Audio Description (AD) Rules (Section 7 of the Draft Rules)

Section 7 of the Draft Rules relates to the targets that individual broadcasters are required to meet between the years 2025 to 2027 in respect of the percentage of their programmes that include audio description, including information on how such targets are to be assessed.

With respect to audio description, the Statutory Review noted that the promotion of audiovisual facilities on programmes was a particular concern for users.



Proposed changes to the 2019 Access Rules:

- The Draft Rules provide for the AD targets over a three-year period, as opposed to a five-year period under the 2019 Access Rules.
- The new targets that individual broadcasters have been required to meet for 2025 to 2027 have been determined by the Commission in accordance with the “Influencing Factors and Access Principles”, which is appended to the Draft Rules. These targets increase the percentage of programmes that audio description is available for, in line with the principle of “incremental progression” of the accessibility of broadcasting services. The Statutory Review noted that the targets for audio description under the 2019 Access Rules were modest and there was scope to increase these levels. They also reflect the provisions of the AVMS Directive which requires media services to continuously and progressively make their services more accessible.

Consultation questions:

9. **What are your views on the proposed targets for AD for the 2025 to 2027 period?**
10. **Do you have any comments on the proposed changes to the Audio Description (AD) Rules section of the Access Rules?**

2.8 - Deletions to Sections 9 – 13 of the 2019 Access Rules

In addition to the changes outlined above, the Draft Rules proposes to delete the following sections of the 2019 Access Rules:

- Section 9 of the 2019 Access Rules titled “Complying with these Rules” has been deleted as it is outdated due to updates in legislation. Information relating to the making of complaints via the Commission’s Contact Centre is included in the Draft Rules at paragraph 1.4.
- Section 10 of the 2019 Access Rules titled “Support for the Implementation of the Rules” has been deleted. The Commission is of the view that it is more appropriate to determine how the implementation of the Rules should be supported via consultation with Disabled Persons Representative Organisations, broadcasters and its User Consultative Panels via ongoing discussion and engagement rather than codify it in the Rules as is the case with the 2019 Access Rules.
- Section 11 of the 2019 Access Rules titled “Effective Date” has been deleted as it is now addressed in the introductory sections of the Draft Rules.
- Section 12 of the 2019 Access Rules titled “Guidance on the Rules for Broadcasters” has been deleted as it is now in the introductory sections of the Draft Rules.



- Section 13 of the 2019 Access Rules titled “Review of the Access Rules” has been deleted. This reflects changes in the Act.

Consultation question:

- 11. Do you have any view on the proposed deletions to Section 9 to 13 of the 2019 Access Rules?**

2.9 - Appendices to Access Rules: Access Principles and Influencing Factors

The “Access Principles and Influencing Factors” is an additional document appended to the Draft Rules which sets out the principles that guide the Commission’s approach in making the rules, and the influencing factors that are used by the Commission in determining the specific targets placed on individual broadcasters in respect of accessibility provisions. Such factors include the nature of the broadcaster, the stage of their development, the level of current provision, and other considerations detailed in the document.

Proposed changes to 2019 Access Rules:

- This Appendix remains substantially the same as the equivalent section under the 2019 Access Rules. In the section titled “Incremental progression”, the reference to the five-year timeframe has been amended to a three-year timeframe, as the Draft Rules apply to a three-year timeframe. In addition, some of the language has been updated so that they are relevant to programming in general and not just programming on broadcasting services but also made available via on-demand services.

Consultation question:

- 12. Do you have any comments on the proposed changes to the “Access Principles and Influencing Factors” section of the Access Rules?**

2.10 - Appendices to Access Rules: Standards Applying to Subtitling, Irish Sign Language & Audio Description

The Standards Applying to Subtitling, Irish Sign Language & Audio Description is the second additional document appended to the Draft Access Rules for Broadcasters. This document sets out in detail the general and technical standards expected from broadcasters when providing subtitles, ISL, and audio description.

Examples of the standards addressed in the document include:

- Subtitling size and colour
- Use of punctuation for subtitles
- Timing and synchronisation of subtitles
- ISL formatting and accuracy
- ISL quality



- Audio description sound levels
- Audio description grammar and language.

Proposed changes to 2019 Access Rules:

- This Appendix remains substantially the same as the equivalent section under the 2019 Access Rules. Some of the language has been updated for clarity.
- Similarly, under the “General Requirements” subsection in the Irish Sign Language Standards section, the references to analogue transmission system have been removed as this is no longer in use.

Consultation question:

- 13. Do you have any comments on the proposed changes to the “Standards Applying to Subtitling, Irish Sign Language & Audio Description” section of the Access Rules?**



Chapter 3: Responding to the Consultation

At the outset, respondents may wish to refer to the Commission's Consultation Guidelines, which can be accessed at: -

https://www.cnam.ie/wp-content/uploads/2023/06/ConsultationGuidelines_June-2023-1.pdf

The Commission seeks views, information, and evidence, in relation to each of the consultation questions detailed in Chapter 2 of this consultation document.

These questions have been consolidated for convenience and are listed in the **Appendix**. You do not have to respond to all questions in your submission to the consultation.

When preparing your response, please:

- refer to the full text of the Draft Rules and other resources provided in the appendixes rather than the summaries provided in the consultation document, which are intended to be indicative only.
- clearly identify the specific section(s) or proposal(s) of the Draft Rules and / or the Act that are being addressed in the response.
- give reasons for your answer; and
- be concise.

Respondents can make their submissions in writing by email or by post / hand to one of the following:

Email: codes@cnam.ie

Contact person: Robert Crowley

Post: Coimisiún na Meán, One Shelbourne Building, Shelbourne Road, Dublin 4, D04 NP20.

Timeframe for responses

All responses to this consultation must be submitted to the Commission **at the latest by Monday 19th August 2024**.

If you require any assistance with making a response, please contact Coimisiún na Meán by email at codes@cnam.ie or by phone at **01 644 1200**.



Personal data

The Commission shall comply with its obligations under the General Data Protection Regulation (“GDPR”), the Data Protection Act 2018 and any other applicable data privacy laws and regulations. The Commission is obliged and committed to protecting all personal data submitted. The Commission has an appointed Data Protection Officer who is registered with the Data Protection Commission. You can find out more on how the Commission processes personal information in the Commission’s Data Protection Policy available at: <https://www.bai.ie/en/about-us/data-protection-policy/>.

For this process, the Commission will collect the name, email address, and any other personal information included in your response. The name of the respondent to this consultation and the response provided will be made publicly available. However, the Commission will not make publicly available your contact details, such as your address, phone number or email address. The information collected will be used only for the purpose of this review and for no other purpose.

Confidential Information

It is the Commission’s intention to publish submissions received in response to this consultation. Please provide your response as a non-confidential document, with confidential information contained in a separate annex, or submit a redacted non-confidential version together with your response. The Commission will treat confidential information in accordance with its Consultation Guidelines.

Freedom of Information

Information held by the Commission is subject to its obligations under law, including under the Freedom of Information Act 2014. The Commission will consult you about information you mark as confidential before deciding on any Freedom of Information request.

Registration

If you are interested in keeping up to date with the work of the Commission, you are invited to register your contact details at <https://www.cnam.ie/sign-up-to-newsletter/> to receive our news, updates, and publications.



Appendix 1:

Consultation Questions

Question 1: Do you have any comments on the proposed changes to the introductory sections of the Access Rules?

Question 2: Do you have any comments on the proposed changes to the Definitions section of the Access Rules?

Question 3: Do you have any comments on the proposed changes to the General Rules Applying to All Access Provision section of the Access Rules?

Question 4: What are your views on the targets proposed for subtitling for the 2025 to 2027 period?

Question 5: Do you have any further comments on the proposed changes to the Subtitling Rules section of the Access Rules?

Question 6: What are your views on the proposed targets for ISL for the 2025 to 2027 period?

Question 7: What is your view on the change to the assessment of ISL targets based on an 18-hour day, from 7am to 1am?

Question 8: Do you have any further comments on the proposed changes to the Irish Sign Language (ISL) Rules section of the Access Rules?

Question 9: What are your views on the proposed targets for AD for the 2025 to 2027 period?

Question 10: Do you have any comments on the proposed changes to the Audio Description (AD) Rules section of the Access Rules?

Question 11: Do you have any view on the proposed deletions to Section 9 to 13 of the 2019 Access Rules?

Question 12: Do you have any comments on the proposed changes to the “Access Principles and Influencing Factors” section of the Access Rules?

Question 13: Do you have any comments on the proposed changes to the “Standards Applying to Subtitling, Irish Sign Language & Audio Description” section of the Access Rules?



Appendix 2
Draft Access Rules for
Television Broadcasting Services





Coimisiún
na Meán

Draft Access Rules for Television Broadcasting Services

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1. Introduction

1.1 Legislative Basis

Coimisiún na Meán¹ (“the Commission”) is required by law to prepare, consult and publish media service rules for audiovisual media service providers (“broadcasters and providers of audiovisual on-demand media services”). These Rules give expression to the statute as it pertains to television broadcasting,² specifically to the requirements of sections 46O (5)(6) (7) & (8) of Broadcasting Act 2009 (the “Act”), which provides that:

“(5) The Commission shall make media service rules requiring a broadcaster, as respects programmes broadcast by the broadcaster [...] to take steps to promote the understanding and enjoyment of those programmes by—

- (a) persons who are deaf or have a hearing impairment,
- (b) persons who are blind or partially sighted, and
- (c) persons who have a hearing impairment and are partially sighted.

(6) Without prejudice to the generality of subsection (5), media service rules under that subsection shall require a media service provider to take steps to provide access to audiovisual programmes by persons within any paragraph of that subsection by means such as the provision of—

- (a) a sign language service,
- (b) subtitling, or
- (c) audio description.

(7) Media service rules under subsection (5) shall require media service providers to have regard to whether facilities such as those referred to in subsection (6) are provided—

- (a) in the case of an audiovisual broadcasting service—
 - (i) daily, or at other regular intervals,
 - (ii) at popular viewing times, as well as at other times, and
 - (iii) for news and news related matters, as well as for other matters [...].

¹ The reference to the Commission here and in this Code is to Coimisiún na Meán.

² Rule with respect to Audiovisual on-demand media services are addressed in ‘Coimisiún na Meán: Media Service Code and Media Service Rules - Audiovisual On-Demand Media Services.’



(8) Media service rules under subsection (5) may require a broadcaster to ensure that a specified percentage of programmes broadcast on a broadcasting service in a specified period employs specified means by which the understanding and enjoyment by persons referred to in that subsection of that percentage of programmes may be promoted.

(9) Media service rules shall provide for the matters required to be provided for by Articles 6(1), 6a(1), 7, 7b, 8, 9, 10, 11, Chapter VI and Articles 23(2), 24 and 25 of the Directive (except in so far as provision is made by media service codes).”

These Rules give full effect to Article 7 of the Audiovisual Media Services Directive³ as it relates to television services.

The Rules have also been developed having had regard to the provisions of the Irish Sign Language Act 2017, specifically section 8 which states: -

Broadcasting Principles

(8) Broadcasters (within the meaning of the Broadcasting Act 2009) in fulfilling their obligations in relation to Irish Sign Language targets and requirements in respect of programmes transmitted on a broadcasting service (within the meaning of the Act) provided by the broadcaster as set out in the broadcasting rules made under section 43 (1)(c) of the Broadcasting Act 2009 by the Broadcasting Authority of Ireland shall adhere to the principles of equality, dignity and respect in terms of the promotion and broadcasting of such programmes.

Section 46O of the Act also provides for other standards and practices for broadcasters in relation to programming and commercial content, which are given expression in media service rules developed by the Commission.

1.2. Scope and Jurisdiction

These Access Rules (the “Rules”) shall apply, as appropriate, to programmes as defined in the Rules made available by television broadcasters that are under the jurisdiction of the State within the meaning of section 2A of the Act.

The Rules do not apply to other television services commonly received in this State that are regulated in other jurisdictions.

³ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) as amended by Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018.



1.3 Guidance on the Rules for Television Broadcasters

The Commission may provide general non-binding guidance regarding the provisions of the Rules on request or as and when it is deemed necessary. The Commission reserves the right to publish and amend guidance from time to time as it sees fit.

Requests for guidance must include the relevant material linked to the request for guidance. The request should clearly state the section(s) of the Rules, which the requestor believes are relevant, and set out the specific question about which the requestor would like a view.

The Commission accepts no liability for any decision (or consequences arising therefrom) made by a broadcaster following receipt of non-binding general guidance from the Commission.

1.4 Information and Complaints on the Access Rules

Having regard to the obligation under Article 7 of the Audiovisual Media Services Directive for each Member of the European Union to designate a single, easily accessible, including by persons with disabilities, and publicly available online point of contact for providing information and receiving complaints regarding any accessibility issues, the Commission has established a Contact Centre for handling queries. The Contact Centre may be contacted by phone on + 353 1 963 7755 and by email at usersupport@cnam.ie.

Audiences may make a complaint if they believe a broadcaster has not complied with the Rules. Coimisiún na Meán advises complainants to make their complaint to the broadcaster in the first instance as this is the quickest way to have a complaint considered and responded to. Broadcasters are required further to section 47 of the Act to have in place a code of practice for the handling of complaints and to consider complaints received by them in line with their code.

Non-compliance with the Rules may result in a contravention of the Act and enforcement under Part 8B of the Act.

Information on the Commission's complaints handling process is available on the [complaint information page](#) on the Commission's website.

1.5 Effective Date

The effective date of this Code is [To be Determined].

2. Setting Targets and Timeframes

In setting targets and timeframes for the provision of access services as defined in the Rules, the Commission will do so with reference to the "Access Principles and Influencing Factors" that are currently in place, and which are set out at Appendix 1.



The Commission reserves the right to extend the Rules, over the current operating period (2025-2027), to include access obligations on broadcasters additional to those set out below in sections 5, 6 and 7. The Commission will make this assessment on a case-by-case basis, in consultation with the relevant services, having regard to the Access Principles and Influencing Factors.

3. Definitions

A number of terms are used throughout the Rules. These terms are set out and defined below.

“access services” means subtitling, captioning, Irish Sign Language and audio description as defined in this Code and Rules.

“audio description” means a commentary that gives audiences who vision-impaired a verbal description of what is happening on the screen at any given moment. It is provided as an aid to the understanding and enjoyment of the programme. The technique uses a second sound track that gives a description of the programme content and the on-screen action.

“audiovisual media service” means:

i) a service as defined by Articles 56 and 57 of the Treaty on the Functioning of the European Union, where the principal purpose of the service or a dissociable section thereof is devoted to providing programmes, under the editorial responsibility of a media service provider, to the general public, in order to inform, entertain or educate, by means of electronic communications networks within the meaning of point (a) of Article 2 of Directive 2002/21/EC; such an audiovisual media service is either a television broadcast or an on-demand audiovisual media service.

(ii) audiovisual commercial communication.

“broadcaster” means a media service provider of television broadcasts.

“captioning” means on-screen text that represents what is being said on the screen. However, while similar to subtitling, it is not as sophisticated and entails a more basic representation of what is being said on screen, sometimes having only one colour, verbatim and can have the text only in upper case.

“Irish sign language” means the indigenous natural language of the Deaf community. It is a visual, spatial language which conveys meaning through the movement of the hands, combined with facial expressions and postures of the body. Sign Language has its own syntax and complex grammatical structure. Sign Language must be presented on a screen through the use of a signer as part of the audiovisual programme content, or by the use of a signer acting as an interpreter and positioned over the images on-screen.



“**programme**” means a set of moving images with or without sound constituting an individual item, irrespective of its length, within a schedule or a catalogue established by a media service provider, including feature-length films, video clips, sports events, situation comedies, documentaries, children's programmes and original drama.

“**subtitling**” means on-screen text that represents what is being said on the screen. Subtitling can be open or closed. Open subtitling is subtitling that remains on the screen at all times. Closed subtitling can be made visible or not visible as audiences wish, using, for example, a remote control. Subtitling is formatted so as to assist interpretation and understanding of the text and link it more accurately to the on-screen action.

“**television broadcasting**” or “**television broadcast**” (i.e. a linear audiovisual media service) means an audiovisual media service provided by a media service provider for simultaneous viewing of programmes on the basis of a programme schedule

4. General Rules Applying to All Access Provision

4.1 Quality Standards: The objective of these Rules is to promote the understanding and enjoyment of television programmes. This is achieved via the provision of subtitling, captioning, Irish Sign Language and audio description. In this context, the Commission has developed standards that will apply to the provision of access services. These standards are provided at Appendix 2 and broadcasters shall comply, insofar as it is practicable to do so, with these standards.

Maintaining quality access provision is essential for ensuring that audiences using these services benefit from them. Broadcasters shall take steps to monitor content at the point of transmission to ensure quality standards are met. The Commission shall have regard to the quality of provision when assessing whether a broadcaster has met the quotas for subtitling (including captioning), Irish Sign Language and audio description set out in these Rules.

These Rules acknowledge that broadcasters cannot always control the quality of access services received by audiences using different television platforms e.g. satellite, cable, free-to-air etc. However, broadcasters shall engage with platform providers with a view to resolving any issues that may arise from time to time.

4.2 National Emergencies: In order to ensure that audience members that require access services are kept informed about national emergencies, broadcasters shall ensure that any emergency information (including public communications and announcements in natural disaster situations) is made accessible to persons with disabilities. That shall be via the provision of subtitling (preferably in an open format) and spoken, leaving sufficient time for the audience to take note of and/or write the details down.



Emergency information should also be provided via Irish Sign Language. Broadcasters shall also ensure that, in coverage of Government announcements related to a national emergency, Irish Sign Language interpreters in attendance shall be clearly visible and understandable to audiences throughout the entirety of the programme or programme item. Having regard to the provisions of the Irish Sign Language Act 2017, it is anticipated that the Government, or those working on their behalf, in the presentation of emergency information will co-operate with broadcasters to support the requirements of this Rule and of the 2017 Act are met.

- 4.3 Promotion of Access Provision:** In all promotions of programmes featuring access services and at the beginning of any such programmes, broadcasters shall make use of a standard symbol indicating that the programme is accessible.

Broadcasters shall ensure that any listings created and featured in print, broadcast or online (including via social media) indicate those programmes for which access provision is available and the type of provision provided.

Broadcasters shall regularly promote on their services the existence and usage of the form(s) of access provision available on their services.

- 4.4 Obligation to Consult with Access Users:** Broadcasters shall consult periodically and not less than once annually, with groups representing a range of different access user groups, in order to seek their opinions as to their viewing preferences, the performance of the broadcaster against the Rules and other related matters.

- 4.5 Annual Action Plans and Reporting:** Broadcasters that have obligations under the Rules shall develop an annual accessibility action plan to be agreed with the Commission, which sets out the manner in which the broadcaster will meet their obligations under the Rules, including as they relate to targets for the provision of access services.

Broadcasters shall report annually to the Commission, in a manner to be further specified by the Commission, on their performance against their accessibility action plan and against the provisions of the Rules as a whole.

- 4.6 Access Liaison Officer:** Broadcasters shall nominate an individual(s) to deal with queries from audiences in respect of the application of the Rules on their service(s).

Contact details for the Access Liaison Officer shall be publicly available, for example, via the website of the broadcaster. Contact information shall be provided in an accessible manner.

5. Subtitling Rules

- 5.1** This section of the Rules sets out specific subtitling targets that have been identified for broadcasters (see section 5.4). In each instance, the broadcaster shall comply with the targets and timeframes that have been applied to their service(s). These are set with reference to the percentage of output that should include subtitling. All targets are based on a three-year timeframe.



Reference is also made to targets to be met during peak-time periods (6pm – 11.30pm) and the percentage of programming during this period which should have subtitling.

5.2 Subtitling targets will be assessed based on an 18-hour day from 7am-1am. An exception will apply to any service where the length of the broadcast day is less than 18 hours. In such circumstances, the subtitling requirement will be measured over the length of the broadcast day of the service.

5.3 Broadcasters are permitted to include some captioning in the attainment of subtitling targets. However, from 1 January 2025, new home-produced programming that contains captioning will no longer be considered by the Commission as applicable when assessing compliance with subtitling targets, set out in these Rules.

5.4 Subtitling timeframes and targets for the 2025-2027 period are as follows:

	2025	2026	2027
RTÉ 1	96% (96% Peak Time)	96% (96% Peak Time)	96% (96% Peak Time)
RTÉ 2	90% (90% Peak Time)	91% (90% Peak Time)	92% (90% Peak Time)
RTÉjr	60%	61%	62%
RTÉ News Now	30%	31%	32%
Virgin Media 1	60% (70% Peak Time)	62% (70% Peak Time)	64% (70% Peak Time)
Other Virgin Media Services⁴	55% of combined output	58%	60%
TG4	61% (70% Peak Time)	62% (72% Peak Time)	63% (75% Peak Time)
+ 1 & HD Channels	Any subtitling carried on the main television service shall be made available through +1 and HD Channels		
Oireachtas TV⁵	17%	18%	20%

⁴ Virgin Media 2 and Virgin Media 3. It will be a matter for Virgin Media as to how the access provision will be divided across the Virgin Media 2 and 3 but no service should have less than 15% subtitling.

⁵ Oireachtas TV is provided as an RTÉ public service channel via Saorview and as a separate public service available on cable and satellite. Access commitments in respect of both services are the same.



CCTV	19%	22%	24%
DCTV	30%	32%	34%

6. Irish Sign Language Rules (ISL)

6.1 This section of the Rules sets out specific ISL targets that have been identified for broadcasters (see section 6.3). In each instance, the service provider shall comply with the targets and timeframes that have been applied to their service(s). These are set with reference to the percentage of output that should include ISL. All targets are based on a three-year timeframe.

6.2 For the 2024 period, assessment of targets by the Commission will be undertaken on the basis of a 24-hour period. From 1st January 2025 onwards, ISL targets will be assessed by the Commission based on an 18-hour day from 7am-1am. In each case, there will be an exception in the case of services whose broadcast day is less than 18 hours. In such circumstances, the ISL requirement will be measured over the length of the broadcast day of the service.

6.3 ISL timeframes and targets for the 2025-2027 period are as follows:

	2025	2026	2027
RTÉ 1 & 2	6%	8%	10%
RTÉ Jnr	6%	7%	8%
Virgin Media 1	2%	3%	4%
+1 and HD Channels	Any ISL carried on the main television service will be made available on +1/HD channels.		
Oireachtas TV	20%	21%	22%

6.4 In the case of Oireachtas TV, ISL provision may be set off against the targets set in these Rules for subtitling on this service.

6.5 Of the total increase in ISL provision provided on an annual basis, a proportion, to be agreed by the Commission with each broadcaster, shall comprise home-produced programming.

7. Audio Description (AD) Rules

7.1 This section of the Rules sets out AD targets that have been identified for broadcasters. In each instance the broadcaster shall comply with the targets and timeframes that have been applied to their service(s). These are set with reference to the percentage of output that should include AD. All targets are based on a three-year timeframe.



7.2 In the case of most broadcasting services, AD targets will be assessed by the Commission based on an 18-hour day from 7am-1am. An exception will apply to any service where the length of the broadcast day is less than 18 hours. In such circumstances, the AD requirement will be measured over the length of the broadcast day of the service.

7.3 AD timeframes and targets for the 2025-2027 are as follows:

	2025	2026	2027
RTÉ 1 & 2	12%	14%	16%
RTÉ Jnr	15%	18%	20%
Virgin Media 1	4%	6%	8%
+ 1 and HD Channels	Any audio description carried on the main television service will be made available on +1/HD channels.		

7.4 Of the total increase in AD provision provided on an annual basis, a proportion, to be agreed by the Commission with each broadcaster, shall comprise home-produced programming.

7.5 In the case of AD provision aired by broadcasters who do not have a mandatory obligation in this respect, any such voluntary provision may be set off against the targets for subtitling.



Appendix One:

Access Principles and Influencing Factors



Access Principles

There are four access principles which set out the aims of the Access Rules and the Commission's approach towards setting the Rules. The four principles are: -

i) Access

A guiding principle for the Commission is that those members of the public for whom the Access Rules are designed should have the fullest possible access to audiovisual programmes and to their capacity to educate, inform and entertain. This principle is evident in the Access Rules in that all broadcasters under the jurisdiction of the State are covered in principle by the Rules.

ii) Excellence

This principle recognises the fact that the Access Rules are not only concerned with the provision of subtitling, audio description and Irish Sign Language but also with the standards and consistency which must be used and attained in their delivery, including best practice guidelines in both audio and visual presentation. To this end, the Commission has developed a set of standards that broadcasters must attain to ensure a quality access service.

iii) Incremental progression

This principle acknowledges that the level of subtitling, audio description and Irish Sign Language will develop incrementally over a period of time. This will facilitate broadcasters to further develop their capacity and expertise to deliver this service.

The use of a three-year timeframe in the Access Rules is based on the principle of increasing access provision in incremental stages, allowing the broadcaster to plan for the development and delivery of quality access provision. It acknowledges that there are a number of issues other than funding which need to be addressed in order to increase access provision.

iv) Responsiveness

This principle aims to ensure that the development of access provision (subtitling, Irish Sign Language and audio description) should be in response to the needs and priorities as expressed by the user groups as well as standards laid down by the Commission, in consultation with the broadcaster.



Influencing Factors

Bearing in mind the Access Principles, the influencing factors are those used by the Commission to determine the specific access targets and the specific timeframes associated with those targets, in a manner which reflect the individuality of each service under consideration.

The influencing factors are as follows:

a. Differentiation between broadcasters

The Access Rules differentiate between broadcasters based on a number of factors. These factors are:

i) The nature of the broadcaster and broadcasting service(s) provided

Is the broadcaster of a public or private service character? Is the broadcaster in receipt of public monies and as a result has greater public service duties? Does the broadcaster or broadcasting service(s) provided have specific aims, cultural, social or linguistic, which might impact on its ability to provide access services?

ii) The stage of development of the broadcaster

How long has the broadcaster been in operation? How much experience does the broadcaster have of providing access services? Is there already a level of expertise within or available to the broadcaster in the provision of access services? What is their share of viewing in the market?

iii) The level of current provision

What level of subtitling, Irish Sign Language and audio description does the broadcasters currently provide? What is their starting point?

iv) Type of programming schedule

Does the broadcaster produce live programming? Does it acquire a lot of programming from other broadcasters? How much home-produced programming does the broadcaster provide? Is programming independently produced?

These questions are relevant, as the type of programming in the schedule(s) has an influence on the cost, technical facilities, personnel and ability of the broadcaster to provide access services. In most cases, subtitles are purchased separately from programming and are not bought as part of the acquired programme.

v) The technical and human resource cost

What facilities and expertise currently exist within the broadcaster to provide access services?

vi) Technical capacity

Does the broadcaster have the technical capacity to provide access services? What level and type of technical facilities and expertise would be required?



b. Funding

The Commission will have regard to the likely financial impact of any requirement to comply with targets and timeframes set for the provision of access services. In particular, the Commission will examine the type of programming across various schedules, including the number of repeat programmes as this has a bearing on the costs. The Commission will also have regard to the nature of the broadcaster, whether it is a private commercial or publicly funded entity.

However, it should be noted that it is difficult to arrive at definitive costs, as in many instances the cost will depend on the scheduling decisions made by broadcasters, the type of programming and the decisions made with regard to the programming that broadcasters are going to prioritise for access provision.



**Appendix Two:
Standards Applying to Subtitling,
Irish Sign Language & Audio Description**



(i) Coimisiún na Meán – Subtitling and Captioning Standards

This section of the Rules outlines the general and technical standards required in relation to subtitling and captioning provision. These standards set out what is required from broadcasters further to Rule 4.1: Quality Standards. The standards may be changed from time to time, as deemed appropriate. It is noted that captioned material cannot fully meet all of the requirements set out in these standards. However, broadcasters are required to ensure that captioned material meets these standards save where this is not practicable, and this can be objectively demonstrated.

1. Key Priorities

The key priorities for effective subtitling are as follows:

- 1.1 The viewer should be allowed adequate reading time.
- 1.2 The viewers enjoyment of the programme is increased when:
 - Subtitles match what is actually said, reflecting the spoken word with the same meaning and complexity; without censoring.
 - Subtitles contain all obvious speech and relevant sound effects.
 - Subtitles are located sensibly in time and space.
- 1.3 Subtitles should contain easily-read and commonly-used sentences in a tidy and sensible format.
- 1.4 Subtitles for children should have regard to the reading age of the intended audience. Subtitles, where practicable, should be word for word for what is spoken on screen.

2. General Requirements for Subtitle Display

2.1 Basic Text Display

Teletext characters should be displayed in double height using upper and lower case. Words within a subtitle should be separated by a single space.

Text should only be provided in block capitals where words need to be emphasised as detailed in section 5.1.

Text should always have a high contrast against the background colour and for normal subtitling purposes should be presented in a black box.

Text will usually be centre justified, but to aid readability it can be justified left, centre or right depending on whether speaker positioning is desired.



Standard punctuation should be used. Punctuation gives valuable clues to syntactic structure and must be carefully displayed in order to be effective.

2.2 Colour

As used on analogue services the ITU (R) Teletext format is limited to the availability of seven different text colours, including white; and eight different background (boxing) colours, including black and white. For normal subtitling purposes black should be used, but if coloured background is used a text colour should be chosen which will also remain legible on a black background.

The most legible text colours on a black background are white, yellow, cyan and green. The use of magenta, red and blue should be avoided.

If a coloured background is used, the most legible combinations are as follows:

Blue on white;
White on blue;
Red on white;
White on red;
Cyan on blue;
Blue on cyan.

Of these, white on red, white on blue and cyan on blue are preferable, because certain older decoders will reduce these combinations to highly legible white on black, or cyan on black. Colour in subtitling is used to aid Speaker Identification and indicate the presence of Sound Effects. These are discussed later in this document.

2.3 Control Characters

The use of double-height boxed coloured text generally requires six control characters in the teletext line, or eight control characters if coloured background is used. Thus, the maximum space available for subtitle text is only 32 or 34 characters per line.

2.4 Formatting

A maximum subtitle length of two lines is recommended. Three lines may be used in exceptional circumstances if the subtitler is confident that no important picture information will be obscured. Ideally, each subtitle should also comprise a single complete sentence.

Depending on the speed of speech, there are exceptions to this general recommendation, as follows:

- a) Real-time subtitling.
- b) Short sentences may be combined into a single subtitle if the available reading time is limited.
- c) Very long sentences which are too long to fit into a single two-line subtitle.



There are two procedures for dealing with such cases:

(i) Break long sentences into two or more separate sentences and to display them as consecutive subtitles.

(ii) Allow a single long sentence to extend over more than one subtitle. In this case, sentences should be segmented at natural linguistic breaks such that each subtitle forms an integrated linguistic unit. Preference should be given to segmentation at clause boundaries.

Many viewers have found that a segmentation marked by a sequence of dots (three at the end of a to-be-continued subtitle, and two at the beginning of a continuation) is helpful.

For example:

When I opened the
door...

...I realised that I had
been in this room
before.

2.5 Punctuation

The effectiveness of punctuation can be enhanced by the use of a single space at the following points:

- i) before exclamation marks and question marks,
- ii) after commas, colons, semi-colons and mid-subtitle full-stops,
- iii) on both sides of dashes (but not mid-word hyphens),
- iv) before opening brackets and inverted commas
- v) after closing brackets and inverted commas.

2.6 Line Breaks

Subtitle lines should end at natural linguistic breaks, ideally at clause or phrase boundaries.

Line breaks within a word are especially disruptive to the reading process and should be avoided.

Justified subtitles should balance linguistic considerations with eye movement. Therefore, when using left, right and centre justification for speaker positioning line breaks must be carefully considered. The distance between subtitles should be minimised, that is to say, causing the eye the least distance to travel from one line to the next.

Care should also be taken to avoid disruption to the picture content – long thin lines are preferable to ‘short and fat’ subtitles, but this is not always the case.



Line breaks on conventional aspect ratio receivers (4:3) and widescreen (16:9) receivers must retain the original emphasis of the subtitle.

2.7 Positioning Subtitles on the Screen

Subtitles are usually positioned towards the bottom of the screen, but it is important that this does not obscure 'on-screen' captions, any part of a speaker's mouth or any other important activity.

An 'on-screen' caption could be the name of a person on screen etc. Certain special programme types carry a lot of information in the lower part of the screen and in such cases top-screen positioning will be a more acceptable standard.

In the event of sports coverage, the subtitles should not block the score of the match. The score is typically shown in the top left corner of the screen and it is recommended that subtitles are located in the upper right corner of the screen.

Subtitles should be displayed horizontally in the direction of sound effects source or, in the case where speaker identification is employed, in the direction of the speaker.

When consecutive subtitles have boxes of similar size and shape and the second directly over-writes the first, it is useful to position them slightly differently on the screen. This makes it easier for the viewer to perceive that the subtitle has changed.

Widescreen receivers with a screen ratio of 16:9 are now in common use. When these are used to display subtitles it is important to safeguard the text box. This consideration must include standard receivers of 4:3 aspect ratio. Safeguarding can be achieved by ensuring that subtitles are placed within the 'Safe Caption Area' of a 14:9 display.

3. Timing and Synchronisation

Viewers must be given sufficient time to read the subtitles. The length of time that subtitles are displayed on screen must reflect this. Presentation rates however can depend upon the programme content.

For example, certain programmes, such as "soaps", where the viewer may have familiarity with the characters, can have faster paced subtitles than an unfamiliar drama or a slower moving documentary.

The subtitle presentation rate for pre-recorded programmes should not normally exceed 160 to 180 words per minute. 160wpm corresponds to 800 characters per minute and uses 2 seconds per line. These speeds are increased to 180wpm when add-ons are used (increasing the reading speed by one eighth again).

All obvious speech should have some form of subtitle accompaniment. Subtitle appearance should coincide with speech onset and subtitle disappearance should coincide with the end of the corresponding speech segment.

Synchronisation should be at naturally occurring pauses in speech-sentence boundaries, or changes of scene. The same rules of synchronisation should apply with off-camera speakers and even with off-screen narrators.



4. Shot Changes

Camera-cuts in the middle of a subtitle presentation cause the viewer to return to the beginning of a partially read subtitle and to start re-reading. In practice, it is recognised that the frequency and speed of shot changes in many programmes present serious problems for the person creating the subtitles.

General guidance for dealing with camera-cuts are as follows:

- i) Subtitles that are allowed to over-run shot changes can cause considerable perceptual confusion and should be avoided.
- ii) Shot changes normally reflect the beginning or end of speech therefore subtitles should commence on a shot change when this is in synchrony with the speaker.
- iii) A subtitle should be 'anchored' over a shot change by at least one second to allow the reader time to adjust to the new picture.
- iv) The insertion of a subtitle less than one second before a camera-cut and its removal less than one second after should be avoided.
- v) Where practical subtitles should be in exact synchrony with a camera-cut.
- vi) A decision to segment a single sentence into more than one subtitle, to be placed around a camera-cut, should depend on whether the sentence can be segmented naturally and on whether the resulting subtitles can be allowed sufficient display time.

5. Special Techniques

5.1 Emphasis and Phrasing

Text in upper case characters can indicate an increase in volume, for example shouting, while emphasis of an individual word can be achieved by a change in colour.

5.2 Tone of Voice

Where tone of voice is particularly critical to meaning, and facial expression and body language are inadequate to convey the tone, the use of '(!)' and '(?)' immediately following speech can indicate sarcasm and irony.

5.3 Speaker Identification

The use of colours to identify individual speakers is particularly helpful although overuse is known to confuse. Where possible, therefore, each speaker should be identified by a single colour consistently throughout the programme.

For regular programmes such as soaps, colour subtitles, where used, should be the same set of colours throughout the series.



An alternative is to use subtitle screen position and justification to support speaker identification. Each subtitle can be displaced horizontally towards the appropriate speaker although careful positioning will be needed when characters move about while speaking. Colours may still be added.

5.4 Off-Screen and Off-Camera Voices

When the source of off-screen/off-camera speech is not obvious from the visible context, special techniques should be used.

Off-camera speakers are effectively indicated by using the 'greater than' (>) or 'less than' (<) symbols as appropriate.

When off-screen speech is employed throughout the programme, e.g. as in narrative documentaries, the common approach is to centre subtitles without symbols.

Other situations where the source of speech is not immediately apparent include telephone voices, radios, tannoy announcements, etc. It is helpful to accompany the first subtitle from these sources with a labelled caption (See 2.9 Other Techniques), for example:

```
LOUDSPEAKER:  
"Fasten your seat-  
belts, please."
```

Character-name labels are sometimes necessary for clarification, e.g. for crowd scenes or scenes enacted in the dark.

```
JOHN: What's happened  
to the lights?
```

6. Dialogue Techniques

All obvious speech should be accompanied by subtitle information, but under conditions of rapid dialogue, several short subtitles displayed in rapid sequence can result in staccato or 'machine-gun' effect.

There are two possible solutions for this:



i) Use of Double text when more than two characters speak simultaneously and contradict one another for example:

Do you want to go
now?

Yes.

No

Both person's speech is contained within one subtitle where the appearance of each subtitle should form the beginning of the corresponding speech segment.

ii) Use of add-ons or cumulative titles

This is most effective when the two subtitles fit naturally together, for example in a question-and-answer sequence or providing the punch line of a joke. Here the second part of the title is added on to the first part at the onset of the second utterance.

A further advantage of add-ons is that they appear more natural when the two corresponding speakers are not shown in the same camera shot. Add-ons should be used with care as they can cause the first part of the cumulative title to be re-read, resulting in a frustrating 'false alarm'.

Add-on techniques

In both double-text and add-ons, the second part should normally appear on the line immediately beneath the first part. If the second speaker is positioned to the screen right of the first speaker, then the second part of the double-text is displaced towards the right:

First speaker

Second speaker

A general guide to the use of double-text and add-ons may be stated as follows:

- i) Double-text can be used when two characters or more speak simultaneously.
- ii) Add-ons should normally be preferred when two or more characters speak consecutively and time does not allow individual subtitles.
- iii) The total length of either double-text or add-on sequence should never exceed four lines.



7. Other Techniques

- i) Single quotes ‘...’ can indicate non-synchronous speech, e.g. a voice-over or thoughts or nothing on screen visibly connected with speech.
- ii) Unmarked text in upper and lower case indicates synchronous speech, i.e. the speaker is visible (most of the time) and titles follow.
- iii) Double quotes “...” can suggest mechanically reproduced speech, e.g. radio, loudspeakers etc. or a quotation from a person or book.
- iv) Text in brackets can indicate whispered speech or asides.

(SLURRED) He wasn't there.

- v) Brackets can also be used to indicate the way in which a person speaks:
- vi) The source of speech can be labelled by using capital letters followed by a colon:

LOUDSPEAKER:
“Fasten your seat-belts, please.”

JOHN: What's happened to the lights?

- vii) Uncommon abbreviations, such as SFX, should be avoided.

8. Sound Effects

Any relevant sound effect not immediately obvious from the visual action should be subtitled. This includes sound effects that become apparent in the subsequent action, e.g. the telephone ringing before it is picked up, an explosion occurring outside before everyone dives under the table.

Descriptive statements are normally preferable to onomatopoeic spellings for sound effects. But context and genre (cartoons versus drama, for example) must be taken into consideration.

GUNSHOT is usually preferable to BANG!!!



Sound effect subtitles can also be used judiciously to create the background atmosphere for a scene:

ROAR FROM AUDIENCE

LIVELY CHATTER

The use of background colour (e.g. white text on a red background) and upper-case text, provide a distinction between sound effect subtitles and speech subtitles.

9. Music

At the very minimum, the title of the music playing should be given. Where possible the words of a song should be included. This is especially important where the programme is to be viewed by younger people. Pop programmes, opera and songs connected to the story line are particularly important areas.

Song lyrics should be subtitled verbatim; but, if the pace of the song is very rapid, whole couplets or verses may be omitted.

The lyrics of a song should be made obvious by means of a sign. The 'hash' or 'sharp' sign is most commonly used. Where speech and song are interspersed, care should be taken to signpost each title correctly.

Provision of an occasional subtitle for mood music, if it is significant to the plot, can be very effective:

IRISH TRADITIONAL MUSIC

Such subtitles should be used only sparingly.

Occasionally, consecutive scenes are enacted in pitch darkness, and scene changes are signalled entirely by changes of incidental music. In such cases, if time permits, the subtitler should use subtitles such as:

LIVELY DANCE BAND MUSIC

Then, when the tempo of music changes dramatically, it is followed by:

MOVES INTO SLOW DANCE MUSIC

Thereby deaf viewers are made aware of the scene change.

10. Silence

Long speechless pauses in programmes can sometimes lead the viewer to wonder whether the teletext system has broken down. It can help in such cases to insert an explanatory caption such as:



INTRODUCTORY MUSIC

LONG PAUSE

ROMANTIC MUSIC

11. Failure of Subtitles

Losing subtitles is as frustrating for the Deaf and Hard of Hearing viewer as losing sound is for the hearing viewer.

If subtitle insertion fails, it is important that there is a prompt transmission of an appropriately worded apology caption and, if restoration of transmission is delayed, an early explanation is to be given.

12. Acquired Programmes

When broadcasters are converting acquired subtitling to meet the minimum standards set out in this section of the Rules, it is accepted that complete synchronisation or the presentation rate standards may not be possible.

However, broadcasters must make their best efforts to ensure that subtitles are completely synchronised with the audio and video.

13. Subtitling for the intended audience including children

The typical pace and complexity of subtitling can exclude a minority of less able readers within the deaf community. For many pre-lingually deaf children, a subtitle presentation rate of 70-80 words per minute is appropriate.

Three main editing devices should be remembered:

- i) Reduce the amount of text by reducing the reading speed and removing unnecessary words and sentences.
- ii) Represent the whole meaning.
- iii) Increase the use of three-line subtitles and reduce the number of add-ons.

Subtitles should accurately reflect the spoken word and as such should not be censored unless absolutely necessary.

13.1 Children's Subtitles

While many deaf children over 11 years benefit from standard subtitling, those under the age of 11 years need simpler subtitles. The following guidelines are recommended for the subtitling of programmes targeted at children below the age of 11 years.

- i) There should be a match between the voice and subtitles as far as possible.



- ii) A strategy should be developed where words are omitted rather than changed to reduce the length of sentences.

14. Real-time subtitling

The production and transmission of subtitles in real time can present considerable problems for both the subtitler and the viewer. Current subtitling techniques, particularly for live broadcasts, do not provide the same high-quality service expected from pre-prepared scripts. Such techniques should be limited to occasions when there is insufficient time to prepare subtitles using other methods.

The construction of subtitles for informative subjects such as news should convey the whole meaning of the material.

14.1 Guidelines for Real-time Subtitling

In all cases efforts must be made to adhere to the following:

- i. Subtitles should contain a high percentage of the words spoken.
- ii. Key facts should appear as a high percentage of the spoken message.
- iii. Avoid key facts which are unnecessary or different from the original.
- iv. Where possible, avoid non-linguistic line breaks (splitting verbs etc.).
- v. Attempt to avoid overrunning shot changes (synchronisation).
- vi. Avoid subtitling over existing video captions (in news, this is often unavoidable, in which case a speaker's name can be included in the subtitle if available).
- vii. Send an apology caption following any serious mistake or a garbled subtitle; and, if possible, repeat the subtitle with the error corrected.

When cueing prepared texts for scripted parts of the programme:

- i) Make every effort to cue the texts so that they closely match the spoken words in terms of start time.
- ii) Do not include the speakers' name (unless they are verbally spoken). Subtitles should move to a different position on the screen, where possible, should in-vision captions obliterate the name.
- iii) Do not cue texts out rapidly to catch up if you get left behind - skip some and continue from the correct place.

15. Digital Television Services

The advent of digital television offers the possibility of visual and technical enhancement of subtitles. One such way is the introduction of a clearer and more legible font and the use of symbols. The purpose



of these changes is to increase the user's enjoyment of television. They should not be introduced in a way which detracts from the prime purpose of the subtitling service, which is to facilitate the understanding of programmes by deaf and hard of hearing people.

This section of the Rules sets standards on converting existing subtitle files authored in analogue for use on Digital Terrestrial Television (DTT) and other digital services such as satellite. It is not intended that these guidelines should inhibit future enhancements, but rather to control progress so that changes that deviate radically from current practice should be made only after careful consideration and consultation.

- i) Any Digital Terrestrial Television (DTT) shall use the Tiresias font for all subtitles.
- ii) Other digital services should be encouraged to use this format or as close it as may be possible.
- iii) The nominal size of subtitles shall be 24 television lines for the capital 'V'.
- iv) For reasons of latency, use of intensive four-line subtitles, to include those within "add-ons", shall be avoided. (Latency means the presentation of subtitles to the screen. Intensive subtitles mean those where the subtitle rows contain a considerable amount of text).
- v) Subtitles converted from existing EBU 3264 files (or similar) or from pre-recorded live 335 tapes shall as closely as possible retain the positioning and line breaks of the original.
- vi) The range of colours shall be limited to 12 that shall closely replicate the range associated with analogue teletext delivery.
- vii) The present practice of using '#' to indicate music should be changed to use of two semi-quavers as part of the Tiresias set to avoid confusion with the hash symbol commonly used on social media platforms.

16. Other Matters

16.1 National Emergencies

Deaf and hard-of-hearing people need to be kept informed about national and local emergencies.

When information about emergencies is being broadcast or made available, the same information, including relevant telephone numbers, should be provided, preferably in open captions leaving sufficient time to write the details down.

16.2 Apology Captions

Where practicable an appropriate apology or explanation is to be made available as soon as possible after any loss of subtitles.



Broadcasters that are required to provide subtitles, must ensure that conventional subtitles (transmitted on a dedicated line within the VBI and are normally accessed via Page 888 on the remote control), are provided on all analogue terrestrial and digital satellite transmission services. Such broadcasters should, as far as possible, ensure that subtitles can be carried through on re-transmission systems including, but not limited to, cable and MMD systems.

Broadcasters are encouraged to develop experience in the provision and transmission of digital subtitles. Where subtitles are provided simultaneously in both conventional and digital modes, the conventional subtitling capacity only will be taken into account in determining the subtitling targets.



(ii) Coimisiún na Meán – Irish Sign Language Standards

This section of the Rules outlines the general and technical standards required in relation to Irish Sign Language provision. These standards set out what is required from broadcasters further to Rule 4.1: Quality Standards. The standards may be changed from time to time, as deemed appropriate.

Irish Sign Language

Irish Sign Language is the indigenous language of the deaf community in Ireland. It is a visual, spatial language with its own syntax and complex grammatical structure. Each sign language is particular to the country of origin. The targets outlined in the Access Rules refer to Irish Sign Language provision.

1. Format

There are two ways of providing sign language access to programmes:

- (i) Interpretation. A person interprets and signs live or recorded programmes or programme segments. The image of such an interpreter is usually superimposed on a programme. This is referred to later in this document as an overlay insert.
- (ii) Presentation. A sign language presenter, narrator or reporter provides the main language in the programme or programme segment. The signs are then interpreted into a 'voice over', with the addition of subtitles or captions as appropriate.

Both presentation and interpretation are valid methods of meeting the requirements of the Access Rules.

2. General Requirements

2.1 Signing competence

Broadcasters should ensure that sign language interpreters have a level of competence and fluency in Irish Sign Language. The level of competence and fluency in Irish Sign Language required by broadcasters should be informed by user and representative groups and other people or organisations that have expertise in this area.

2.2 Off-screen sounds

The sign language interpreter or presenter should indicate the presence of off-screen sounds (e.g. a ringing telephone, the knocking of a door or a gunshot) where these are important to the understanding of the programme.



2.3 Synchronising

Sign language interpretation should start at the same time as speech. This may not always be practical during the interpretation of live programmes.

The use of autocues has been found to be a useful aid to interpreters and can help towards synchronism.

The timing of signed sentences should be as close to speech as possible. Equally with sign language presentation, a “voice over” sentence should also be as close to the sign language as possible.

It should be noted, however, that Irish Sign Language and the English language have a different grammatical structure so that the two cannot match each other directly. Every effort, where practicable, should be made to provide equivalent information to all viewers.

2.4 Monitoring

Broadcasters should monitor the effectiveness of the service through contact with deaf people and their representatives.

2.5 Apology for loss of service

Unless impracticable, a visual caption or subtitle should be displayed when there is a breakdown in the service.

3. Guidelines specific to Irish Sign Language interpretation

3.1 Quality of display

The presentation of the signer on the display screen should be of sufficient size and resolution to show all movements of the full upper trunk together with arms, hands and fingers, shoulder, neck and all relevant facial movements and expressions.

All-important gestures that convey meaning through sign language must be easily and accurately recognised.

3.2 Size and shape of overlaid inserts

The size of the overlay must ensure that the body and facial expressions referred to above are easily discernible from normal viewing distances. Where practicable a signer's image, when at rest, that is notionally framed to occupy at least one sixth of the picture area would normally be sufficient to ensure this condition is met.

For programmes, primarily aimed at deaf people and in the “open” format, a useful technique, can be to reduce the visual image by, for example, 25 per cent and use the subsequent blank area to place the interpreter.



3.3 Choice of dress and background colours

It is important that the person signing can be clearly distinguished, for example by means of contrasting plain colours and suitable lighting. Patterned clothing should not be worn. The visual appearance of the interpreter (e.g. choice of clothing and dress accessories) should not cause undue distraction to the viewer.

3.4 Speaker identification

This can be achieved by the signer using such techniques as referencing to a person by shifts in the eye gaze and body positioning or giving the speaker's name and reflecting his or her manner. (This technique is known as characterisation).



(iii) Coimisiún na Meán – Audio Description Standards

This section of the Rules outlines the general and technical standards required in relation to audio description provision. These standards set out what is required from broadcasters further to Rule 4.1: Quality Standards. The standards may be changed from time to time, as deemed appropriate.

Audio Description is a commentary that gives a viewer with a visual impairment a verbal description of what is happening on the screen at any given moment, as an aid to the understanding and enjoyment of the programme.

1. What to describe

The following is a summary of the elements of a programme which should be described.

- i) Characters
The character's dress, physical attributes, facial expressions, body language, ethnic background (if relevant to the storyline) and age should be audio described.
- ii) Locations
The location including scene changes, whenever possible should be described.
- iii) Time of day
The time of day, where appropriate, should be described.
- iv) On-screen action
The action on the screen should be described.
- v) Sounds or sound effects
Sounds or sound effects which are not readily identifiable should be described.
- vi) Subtitled captions
Any on-screen signs or writing which are relevant should be described.
- vii) Opening Titles and/or End Credits
Opening titles and end credits should be described.

2. When to describe

It is important that the audio description does not encroach on the dialogue.

Audio description should occur when there are breaks in dialogue. It can only encroach upon dialogue which is inconsequential or is being subtitled or captioned and only then to impart relevant information or to read the subtitle or caption. If necessary, it can occur over song lyrics.



Audio description should not occur over mainstream dialogue. It should not occur over sound effects, where they complement the film or the description or over critical background music.

3. What not to describe

The describer's personal opinion in relation to the on-screen action should not be described. For example, something unseen such as the motivation or reasoning for the action on screen should not be described.

If there are mistakes in editing or continuity, these should not be replicated in the audio description.

4. Programme Sound Level

When a descriptive commentary is inserted into a programme, the background level of programme audio needs to be reduced, so that the description can be clearly heard. Care should be taken to ensure the narration sound level does not exceed that of the background.

Generally the narration should be fixed at a constant level. The narrative voice is fixed at a constant level at the start of the recording while the degree of fading of the main sound level at the appropriate junctures can be predetermined by the work-station.

5. Audio Description Recording

Unlike sighted viewers, who have the benefit of both visual and aural information, visually impaired viewers rely on the clarity of every word. The description therefore must not be hurried; every word should be clear, audible and timed carefully so that it does not sit uncomfortably close to incoming dialogue.

Whilst the voice should be neutral, it may be important to add emotion at different points in different films to suit the mood and the plot development.

In comedy, the narration should be steady but delivered with a slight smile. The description should not, however, become a performance in its own right.

The use of 'filmic' expressions such as 'the camera pans left' etc. should be avoided. A description should not censor what is on the screen.

6. Grammar and Language

- i) Present tense should be used with 'present continuous' for on-going activities.
- ii) As much as possible, complete sentences should be used.
- iii) It is important that proper names are used. Visually impaired viewers need to be clear with regard to which character the description refers. The use of 'she'/'he' can be confusing for the audience. Any potential for ambiguity when there are several people on screen at once should be clarified with reference to proper nouns.



- iv) Descriptive adjectives are important but must not reflect the personal view of the describer.
- v) 'We see...' 'In front of us...' should generally be avoided.

7. Prioritising information

Setting the scene is an essential part of audio description and without guidance the visually impaired viewer can lose the thread of a story or narrative.

When several people are speaking at the same time, it is important to clarify who is speaking at any given moment. Frequently repeating proper names is helpful so the viewers are left in no doubt as to who is doing or saying what.

Avoid colourful imagery or elegant turns of phrase except where such language complements the style of programme.

Avoid giving too much detail. Minor description details, unless they are the subject of the programme need not be mentioned.

Avoid providing too much description which can dilute the mood of a scene or be exhausting or even irritating.

Personal opinion should not be given or events interpreted, but it is equally important that visually impaired viewers are given key visual clues which may otherwise be missed.

Description should avoid stating the obvious, for example a telephone or doorbell ringing does not need to be described, unless the actual sounds are unfamiliar.

8. Soap operas

Most soap opera does not allow for lengthy descriptions, as dialogues follows rapidly and there are very few purely visual sequences. Vision impaired viewers, who regularly view soap operas, soon become familiar with the character's voices. When a new character is introduced, it is helpful to speed up the familiarisation by describing the physical aspects but no need to provide extra biographical information as that can be achieved over the subsequent weeks.

9. Current affairs documentaries

Current affairs programmes offer less scope for description because they tend to be wordy, but each programme should be assessed individually. Subtitles or captions within such programmes should be described.

10. Sporting and Live Events

Combining the description of live programmes with an existing commentary is difficult but can be achieved for some programmes.



Broadcasters are advised to consider the requirements of vision impaired people without the need for audio description (by reducing reliance on on-screen text and tabular data).

11. Children’s programming

The BAI has determined that special emphasis should be placed on access services for children. When a description is being written specifically for children’s programmes, the vocabulary and sentence construction should be suited to the age group for which the programme is intended. The tone of the narration should also reflect the tone of the programme.

12. Apology for breakdown of service

Where practicable an appropriate verbal apology or explanation is to be transmitted as soon as possible after the loss or breakdown in the audio description service.

