



An Roinn Cultúir,
Cumarsáide agus Spóirt
Department of Culture,
Communications and Sport

State Advertising

Information Note for Public Authorities & Entities

June 2025

Table of Contents

Table of Contents.....	i
Introduction.....	2
Background.....	2
What is state advertising?	2
Obligations for public authorities and entities	3
<i>Data collection and reporting</i>	3
<i>Criteria and procedures for awarding state advertising</i>	3
Role of Coimisiún na Meán	4
Key terms.....	4
Annex I: Indicative Reporting Template.....	6

Introduction

The [European Media Freedom Act](#) (EMFA) introduces new statutory obligations for public authorities and entities in relation to state advertising.

From 8 August 2025, public authorities and entities will be required to:

- Have in place appropriate criteria and procedures for the awarding of state advertising
- Collect and publish information on their expenditure on state advertising.

This information note is intended to assist public authorities and entities by providing them with the key information they will need in order to ensure compliance. It does not constitute legal advice.

Background

EMFA is an EU regulation which seeks to protect media freedom and plurality. [Article 25](#) of EMFA requires public authorities or entities to increase transparency in relation to their expenditure on state advertising. State advertising is an important source of revenue for many media organisations. Increasing transparency over how it is awarded will reduce the risk of such funding being used to influence the media in any way.

The Department of Culture, Communications and Sport is preparing legislation which will give full effect to EMFA in Ireland, including its provisions on state advertising. However, the obligations described in this note are directly applicable in national law and public authorities and entities should take steps to ensure they are compliant from **8 August 2025**.

What is state advertising?

EMFA defines state advertising as *“the placement, promotion, publication or dissemination, in any media service or online platform, of a promotional or self-promotional message or a public announcement or an information campaign, normally in return for payment or for any other consideration, by, for or on behalf of a public authority or entity”*.

The definition covers advertising with media (such as TV, radio, streaming services, newspapers, news websites or podcasts) or online platforms (such as Facebook, Instagram, Youtube, TikTok or X) by a wide range of public authorities and entities.

Advertising that is placed on behalf of a public authority or entity by an intermediary (such as an advertising agency) is also covered by this definition and must be reported on.

Obligations for public authorities and entities

Data collection and reporting

Public authorities and entities need to collect information on their expenditure on state advertising from **8 August 2025**. This information must include:

- the names of the media service providers, or providers of online platforms, from which services were purchased;
- where applicable, the names of any business groups a media service provider or provider of an online platform is part of;
- the total annual amount spent; and
- the annual amounts spent per media service provider or provider of an online platform.

Public authorities and entities will be required to publish this information by electronic and user-friendly means (such as on their website) on an annual basis. An indicative template for reporting is included at Annex I.

Reporting on 2025 expenditure will commence in 2026. Further information on timelines for reporting will be provided in due course.

Criteria and procedures for awarding state advertising

Public authorities and entities need to award state advertising in accordance with transparent, objective, proportionate and non-discriminatory criteria and by means of open, proportionate and non-discriminatory procedures. The criteria used for the awarding of state advertising must be made publicly available in advance by electronic and user-friendly means (such as on their website).

The above requirement for appropriate criteria and procedures also applies to the award of supply or service contracts to a media service or online platform for goods or services other than state advertising, for example, audiovisual productions, market data and consulting or training services.

It is recommended that each public authority and entity develops a plan for compliance with these obligations, documenting their procedures and the criteria used for the allocation of state advertising and supply or service contracts. This plan can then be published on their website.

Relevant criteria for the awarding of state advertising might include, amongst others, value for money, geographical spread, ability to reach the target audience (measured by a relevant metric such as views, listenership or circulation) and the need to fulfil other statutory requirements (such as the Irish language advertising requirements under the Official Languages Act).

When tendering for a contract, public authorities and entities should consult the guidelines for public procurement for goods and services (available [here](#)).

Role of Coimisiún na Meán

Following the passage of implementing legislation, it is proposed that Coimisiún na Meán will be responsible for monitoring and reporting on state advertising in Ireland. Coimisiún na Meán will also be empowered to develop guidance to assist public authorities and entities in meeting their responsibilities in relation to state advertising once the implementing legislation is enacted.

Key terms

- **‘state advertising’** means the placement, promotion, publication or dissemination, in any media service or online platform, of a promotional or self-promotional message or a public announcement or an information campaign, normally in return for payment or for any other consideration, by, for or on behalf of a public authority or entity.
- **‘media service’** means a service as defined by Articles 56 and 57 [TFEU](#), where the principal purpose of the service or a dissociable section thereof consists in providing programmes or press publications, under the editorial responsibility of a media service provider, to the general public, by any means, in order to inform, entertain or educate.
 - Media services include television or radio broadcasts, video on demand services (e.g. streaming services such as Netflix), audio podcasts, and press publications (online or offline).

- **‘media service provider’** means a natural or legal person whose professional activity is to provide a media service and who has editorial responsibility for the choice of the content of the media service and determines the manner in which it is organised.

- **‘online platform’** means a hosting service that, at the request of a recipient of the service, stores and disseminates information to the public.
 - Online platforms include (but are not limited to) Facebook, Instagram, Youtube, TikTok and X.

- **‘public authority of entity’** means a national or subnational government, a regulatory authority or body, or an entity controlled, directly or indirectly, by a national or subnational government.
 - This definition is broad and should be considered to cover all state bodies and agencies, including Government Departments, local authorities, regulatory bodies and entities controlled by Government, such as commercial state bodies.

- **‘control’** means the possibility of exercising a decisive influence on an entity, whether through rights, contracts or any other means, in particular by:
 - ownership or the right to use all or part of the assets of an entity; or
 - rights or contracts which confer decisive influence on the composition, voting or decisions of the organs of an entity.

Annex I: Indicative Reporting Template

Public Authority / Entity:	Authority A	Reporting Period:	August - December 2025
----------------------------	-------------	-------------------	------------------------

<u>Annual Report on State Advertising Expenditure</u>			
Count	Media Service Provider or Online Platform	Business Group (where applicable)	Annual advertising spend (incl. VAT)
1	Online Platform 1	Group 1	€300,000
2	MSP 1	N/A	€250,000

Total annual advertising spend	€550,000
--------------------------------	----------