

State Advertising and the European Media Freedom Act

April 2026 – Not to be taken as legal advice



OVERVIEW

- The Media Regulation Bill 2026 was published by the Government on 26 February 2026 with the stated aim of implementing the European Media Freedom Act (EMFA) into Irish law and updating Ireland's media regulatory framework.
- EMFA is an EU Regulation designed to strengthen media pluralism, independence, and transparency, including through new transparency and reporting requirements for state advertising expenditure.

CHANGES TO REPORTING REQUIREMENTS ON STATE ADVERTISING

- **Public authorities and entities** (e.g., Government departments, state bodies) will be required to publish annual detailed information on their state advertising spend.

State advertising is defined under the Regulation 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 service providers (such as TV, radio, streaming services, newspapers, news websites or podcasts) or providers of 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.

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 of which a media service provider or provider of an online platform is part;
- 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, on an annual basis, on an easily accessible section of their website.

CLARIFICATION ON REPORTING REQUIREMENTS PROVIDED TO IAPI

Iapi met in April with the Digital and Media Plurality and Policy team at the Department of Communications on the implementation of the European Media Freedom Act, in particular State Advertising. The following clarifications were obtained:

- **Spend:** will exclude commissions and include VAT.
 - **Scope:** production will be out of scope; programmatic to be included.
 - **Reporting responsibility:** agency spends only.
 - **Reporting period:** in line with agency billing periods.
 - **Definition of media service provider:** will include individual service providers (e.g. local station level for radio) and also to be reported at group level
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REPORTING CYCLE

For the first round of reporting, the period will **begin on 8 August 2025 and end on 31 December** in the year in which Section 34 of the Bill comes into operation (likely to be this year).

Thereafter, public authorities or entities shall comply in respect of its public expenditure for state advertising in the previous calendar year, **not later than 31 March every year**.

Coimisiún na Meán will be responsible for:

- Receiving **disclosures** from public bodies.
- Publishing an **annual report** on state advertising expenditure across media.
- Issuing **guidance** on compliance with reporting obligations.