

on the GRAPEVINE

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prime numbers ...

SCREEN SAVERS: Almost 90% of shoppers trawl online for PCs, cameras and printers before buying them in a store. Some 53% prefer to buy in a store, with 40% nervous about buying complex products online because they want to be able to return to a physical store, while 35% also say they like the personal touch and the ability to ask questions when buying. Online security is only an issue for 11% of credit card owners, according to a study by Click.ie, which operates both online and in a chain of retail outlets throughout Ireland.

any other business...



Aisling Noonan and Christine Byrne who are studying for an MBS in e-business, and Denis Dennehy who is studying for a PhD at BIS.

Conversion courses a chance to switch to growing ICT sector

COLLEGE applicants with a strength in problem-solving might care to know that there are great job opportunities in the information and communication technology (ICT) sector.

The recent CloudArena Trilogy forum cited 2,500 unfilled jobs within the Irish technology sector, while this year's National Skills Bulletin noted a huge demand for individuals with skill sets relevant to ICT roles.

Figures from ICT Ireland show there are 5,400 ICT enterprises in this country, employing 75,000 individuals. The sector is on the rise, and there are huge shortages in people with the right skills.

Most of Ireland's third-level colleges are offering conversion courses to help people move from sectors with fewer job opportunities into ICT. There are useful post-grad courses throughout the country. For an insight into the sector, look at the suite on offer at the business information systems (BIS) unit at UCC.

The MBS in BIS focuses on IS professional practices, consulting skills and innovative software development. This one-year programme is suitable for those with prior academic learning or experience in information systems.

BIS also offers postgrad programmes for individuals with no prior ICT knowledge, people from all backgrounds and disciplines. The MBS in inno-

vation in European business (IEB) allows students to study in three countries (Ireland, France and the Netherlands) and gives them an international perspective on sustainable corporate innovation.

The MBS in e-business explores internet and mobile business strategies and teaches students how to develop robust electronic and mobile business systems.

The MBS in information systems for business performance (ISBP) is an attractive programme and includes an industrial project. The new MSc in innovation, commercialisation and entrepreneurship (ICE) is jointly offered with the Department of Management and Marketing. This programme enables students from various backgrounds (including science, engineering, medicine, business and the humanities) to gain integrated professional skills in innovation, technology commercialisation and entrepreneurship.

BIS offers a one-year full-time or two-year part-time MSc by research in management information systems. This programme enables students to pursue research on a specialist topic of their choice. A four-year full-time PhD in information systems is also offered. The date for applications has been extended to August 31.

See <http://bis.ucc.ie/> for further information and application forms.

More debate needed before State updates media mergers legislation

WITH consolidation set to be a more prominent feature of Irish media life, the Government is expected to speed up its introduction of new legislation controlling mergers and acquisitions in the industry.

If approved, there will be two key changes. Firstly, the Minister for Jobs, Enterprise and Innovation will have an increased role in approving media mergers. At present, media mergers are reviewed by the Competition Authority with the Minister for Jobs, Enterprise and Innovation being entitled to conduct a separate review based on certain "relevant criteria" but this right is rarely exercised in practice.

Under the proposals, there would be a system for separate notification of media mergers to Minister Richard Bruton for clearance, with the Competition Authority continuing to have a role in assessing the competition effects of media mergers.

Secondly, there will be a change in focus as regards the criteria to be applied in vetting media mergers, moving from competition criteria to focus instead on plurality, diversity of ownership and the public interest.

The proposed changes are based on a 2008 Report by the Government's Advisory Group on Media Mergers, chaired by barrister Paul Sreenan SC, which has made 11 recommendations to the Minister in total.

In light of the power struggle for control of the media in Britain, it makes sense for our Government to update the regulations now rather than wait to see how the picture evolves for Irish media ownership.

The shifts are subtle, but some are potentially quite significant. Under the existing Competition Act 2002, the Competition Authority makes an initial determination on competition grounds. The Authority forwards its assessment to the Minister, who can order the Competition Authority to conduct a further more in-depth investigation and who can overturn the Competition Authority's final determination.



Decisions on media mergers and ownership diversity may soon be made by the Minister for Enterprise.

Picture: Justin Sullivan/Getty Images

The proposed changes to the application by the Minister of the "relevant criteria" are also quite subtle. On the face of it, the changes seem reasonable enough, but would surely benefit from a wider public airing before becoming enshrined in legislation.

Marco Hickey, a partner with Dublin-based LK Shields Solicitors, has just published a paper on the proposed changes. "The thrust of the proposal is that the Minister will review all media mergers and acquisitions," said Marco Hickey. "There will be a shift in focus of media merger reviews with the Minister having a greater role in vetting and approving such transactions. There are also proposed changes in the criteria to measure the plurality and diversity of media ownership."

"I am not sure what the situation will be with the Ministerial review, whether or not it will be as open and transparent as the present system where the review is conducted mainly by the Competition Authority. Currently, the Competition Authority makes a determination in the first instance.

"This then goes to the Minister, who has a certain time period within which to reject that proposal. Thus, there is already a lot of scope for Ministerial intervention under the existing regime."

In fact, media merger and acquisitions already face closer scrutiny under competition legislation than any other industry in Ireland. While other industries only face M&A merger review where certain tests are

met including that one of the "undertakings involved" must have a turnover in the most recent financial year of €40m, all media mergers as defined must be notified to the Competition Authority irrespective of whether or not the above tests are met.

Failure to do so can result in sanctions including that title to the shares or assets concerned does not pass to the purchaser. Some media mergers also require clearance from the Broadcasting Authority of Ireland (BAI) as well as from the Competition Authority/Minister.

The BAI was established in October 2009 following the enactment of the Broadcasting Act 2009 and it is responsible for the licensing of broadcasting services, for example, commercial radio and television stations.

In a situation where a media merger involves the assignment of a broadcasting licence, or the change in ownership or control of a broadcaster licensed by the BAI, the terms of the relevant licence agreement must be adhered to. Generally, this means that the prior written consent of the BAI is required for the proposed

transaction to proceed.

Minister Bruton's move to update the media mergers legislation was questioned in the Dáil last month by FF's deputy Eamon Ó Cuív. He asked if Minister Bruton was aware of an alleged attempt by a former director of Independent News & Media to influence the newspaper's choice of reporter to cover the Moriarty Tribunal.

In reply, Minister Bruton said: "The editorial strategies of media organisations and the manner in which they carry out such strategies are matters for the organisations themselves and I have no direct function in relation to such matters."

Thus, Minister Bruton confirmed that his focus is on media ownership rather than content and strategy issues. He also confirmed that he is seeking to speed up Government approval for the changes proposed by the Advisory Group, which was created in 2008.

The proposed changes include a definition of "media plurality", greater access to company information for the Minister, a statutory recognition of the role of the media in a democracy,

and the definition of "media business" to include newspapers as both print and online entities, and the broadcast of certain audiovisual material over the internet.

Marco Hickey noted: "The Irish media industry is certainly in for some consolidation. The downturn has impacted upon every media organisation in the country. Nobody has escaped, as evidenced for example in the ABC figures."

"It is not clear what the recent impetus is behind the proposed implementation of the Advisory Group's recommendations relating to media mergers, but there is certainly a new drive to implement these changes soon and no doubt recent events in Britain will focus attention on regulation of the media industry in Ireland."

"It remains to be seen what these changes will entail, whether all of the Advisory Group's proposals will be implemented and when exactly the new legislation will be introduced."

Marco Hickey is a partner at LK Shields Solicitors. He is head of the EU Competition and Regulated Markets Unit at LK Shields Solicitors. He has written extensively on Irish and EU competition law.



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Insurance industry 'a pillar of stability'

INSURERS are the kind of reliable foundation stone that we could do with in other quarters of the economy, says Philip Smith, president of The Insurance Institute of Ireland (III) and CEO of RSA Insurance Ireland.

It's hard to argue with that view, expressed to more than 200 members of the III at the Clarion Hotel in Cork City this week for a key seminar and networking event. Mr Smith said: "Despite the economic land-

scape, the industry has proved to be a pillar of stability, providing an expanding range of products, services and essential protection to customers."

He highlighted the fact that many consumers in Cork and the surrounding areas have witnessed, first hand, the real value of the insurance industry.

The insurance industry has paid out more than €750m in compensation and dealt with almost 30,000 claims relating to se-

vere weather damage to homes and businesses since 2009, the highest percentage coming from claims in Cork and the surrounding areas.

Mr Smith added: "The insurance industry is playing a critical role in providing an expanding array of services to the business community and consumers. In maintaining strong businesses, with dedicated and professionally expert staff, our industry is committed to doing the right thing for customers in their time of



President Irish Federation Mike Kemp at the Insurance Institute of Ireland seminar with Philip Smith president of III.

Picture: Billy MacGill

need." The federation's chief executive, Mike Kemp, also delivered a key address to delegates, focussing on developments in 2010 and 2011. Following the event,

the III convened a meeting of their national council where representatives discussed industry issues and developments within the Insurance Institute of Ireland.



ROSS McCONNELL has joined independent energy supplier VAYU as power product manager, designing and launching new power products for customers such as Bulmers and St Vincent's Hospital. He joins from Sports Delta where he was product and operations manager for the last two years. He is also a midfield player with Dublin's senior Gaelic football team.



DAMIEN HEARY has joined spirits group William Grant & Sons as global planning and innovation director, based in Dublin. He joins from Publicis QMP (Dublin) where he was head of planning, a board member and head of its digital research firm AskChili. He has also brand manager roles with Carlsberg in Copenhagen and Diageo in Ireland.



CLAIRE CAMPBELL has joined web-based applicant tracking systems firm Candidate Manager as senior business analyst. She spent five years with BearingPoint Consulting Ireland as a business analyst and HR consultant, and has worked in government, telecoms, software and banking. She holds a degree in Computer Systems and a diploma in Business from UL.



MICHAEL HANLEY has been named a partner in the financial services group of law firm Mason Hayes+Curran. He advises financial institutions and borrowers, notably domestic SME and commercial real estate clients, plus cross-border financing deals. He has ten years legal experience and joined MH+C in 2008 as part of its merger with Arthur O'Hagan.



KATE SMYTH has been appointed accounts executive at Commtech in Dublin, with responsibility for credit control, financial accounts and administration. She previously worked as a product sales specialist at Thomas Cook Holidays for the past seven months. She holds an Accounting Technician Certificate from Colaiste Ide, Finglas West, Dublin 11.

Innovation Ireland

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Ireland's brightest talent are ready to help you grow your business.

Enterprise Ireland's **Graduates 4 International Growth** programme matches ambitious, high growth companies with motivated, high calibre graduates to research new opportunities in international markets.

The programme is 18 months in duration, with graduates spending 12 months in an overseas market. This is a competitive process and is funded by Enterprise Ireland. Closing date for applications is 5.30pm on 12th August 2011.

www.enterprise-ireland.com/g4ig

