[NL] Guidelines on Side-line Activities of Broadcasters

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Mediaforum
Media Forum

The Dutch Media Authority (Commissariaat voor de Media) issued guidelines on side-line activities of broadcasters operating in the public broadcasting system (i.e. on activities other than the provision of their programme). These guidelines introduce criteria for the monitoring of the activities of broadcasters broadcasting in the public broadcasting system and increase the possibility for those broadcasters to develop their side-line activities. The guidelines apply to new activities of broadcasting organisations such as pay-TV, Internet and other new services. For activities concerning the Internet there is a special regime which explicitly grants permission to finance these activities from public means.

Under the recently modified Media Act all side-line activities are, in principle, allowed. Side-line activities do not require the Media Authority's prior permission, unless a television programme addresses the audience with regard to these side-line activities, e.g. when the public is asked to subscribe to a television programme guide. This will not be permitted, with the exception of those appeals that are made in conformity with regular market prices and are broadcast as regular advertising spots.

The Media Authority only evaluates post facto. It can determine afterwards whether the side-line activities meet all legal requirements, which are that side-line activities need to be related to the main task of broadcasters, namely broadcasting and that they should not distort competition.

Staatscourant 1998, 49, p. 10

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