[BG] Radio and Television Act - Two Reports

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First report On 9. April 1998 the Council of Ministers discussed and passed the draft of a Radio and Television Act to the Parliament. On 24. September 1998 the Parliament approved the act. However, it has still not been signed by the President and is not yet in force..

The Radio and Television Act reflects the requirements of European law in the regulation of both public and commercial broadcasters. It regulates radio and television broadcasters, regardless of the means of transmission - cable, satellite or any other technical means. The act does not envisage restrictions relating to the form of propriety, national capital, etc., for the formation of radio and television broadcasters. The regulation in Radio and Television Act is connected with the regulation of telecommunications in the Telecommunications Act. http://services.obs.coe.int/en/index.htm One particular section regulates in detail the legal status of Bulgarian National Radio and Bulgarian National Television and it seeks to affirm them as national public operators. The act discontinues the connection between the national media and the State in two aspects - governing and funding. The law envisages a fund, which is formed by user fees. There is a scheme for gradual transition from total budget funding to funding completely by fees The act contains provisions which give an opportunity for the normal functioning of radio and television operators in Bulgaria, such as Introduction and creation of legal guarantees for the freedom of expression ; the right to know ; the protection of the personal information and privacy of citizens; the right of reply and the right to keep in secret the source of information.

The National Radio and Television Council formed, according to the law still in force, as an independent body (composed of seven members, four elected by the Parliament and three appointed by the President of the Republic) continues its activities.

The possibility for funding of the national media through advertising remains and restrictions regarding advertising time in view of the creation of a liberal media market are envisaged. The total duration of advertisements may not exceed: 1. for BNT - 15 minutes over a period of 24 hours and 4 minutes per hour; 2. for BNR - 6 minute per hour; 3. for the other public broadcasters - 6 minutes per hour. 4. for the commercial broadcasters - 15% of the program time and 12 minutes per hour. The regulation of advertising and sponsorship is harmonised with "Television Without Frontiers" Directive. Second report The draft Law on Radio

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and Television became a matter of a huge parliamentary andpublic dispute in Bulgaria since the moment it was introduced to the parliamentary media committee. The disputes did not cease until the completion of its second voting and they are still ongoing. The opponents of the Law (mainly among journalists as well as the parliamentary opposition) are expecting the President to veto it and are going to take another case with the Constitutional court if - or as soon as - the law is promulgated and published. Only 111 members of Parliament (all of them from the parliamentary majority) voted in favour of the Law. None of the members of the parliamentary opposition voted. Previously, the most controversial provision was the procedure for electing the media governing bodies, which allowed a strong governmental influence on that process. Now, another controversial provision was voted - a strict prohibition of advertising during prime time (7-10 pm) on National Television. That prohibition intended to last until the privatisation procedure of Bulgarian National Channel 2 is complete. (The experts expect that this will happen at the beginning of 1999). After that the limit for advertising on National TV during prime time will be 5 minutes. Supporters of the Law emphasise that the regulation is temporary and would facilitate improvement in quality of National Television programs. They also think that the disputed regulation will give private television channels the opportunity to attract a huge number of advertisers. The Law's opponents however claim that the adopted Law on Radio and Television is, due to the above-mentioned advertising prohibition, contrary to the Bulgarian Law on Competition and that it will result in serious financial difficulties for the National Television. The National Radio and the National Television will be financed entirely from the national budget till 31 December 2002. After that the fees introduced for their use (0,6 % from the minimum salary for individuals and 2,5 % for legal entities) will be added to their financing. In 2007 the state support for the national media should be discontinued and they will be financed entirely by the Radio Television Fund. The fund will be formed by user fees as well as by 80% of the initial license fees for the operators.

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Bulgarian National Radio and Bulgarian National Television Bill.

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