[ES] Dispute over the Participation of Private Broadcasters in Regional Public Television

IRIS 1999-3:1/23

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The Government of the Canary Islands and the Ministerio de Fomento (Ministry of Development) have been in dispute since the summer of 1998 over the participation of private broadcasters in regional public television (see IRIS 1998-9:14). In July 1998, the Government of the Canary Islands applied to the Spanish Government for a licence in order to create a regional public television, in accordance with the provision contained in Law 46/1983 (Third Channel TV Act). At the same time, the Government of the Canary Islands invited tenders to decide which private broadcaster would provide this service. The process was completed in December 1998 and the successful company was Productora Canaria de Televisión, S.A.; Sogecable-Canal Plus has a 40 % shareholding in the company. The Ministerio de Fomento stated that it would not grant a licence to the Government of the Canary Islands because the invitation to tender process was contrary to Art. 9 of Law 46/1983, which establishes that only wholly-owned State companies may manage a regional public channel. However, the Government finally decided to grant the licence, after significant political pressure was exerted by the ruling party in the Canary Islands, Coalición Canaria, which is an ally of the Government in the national Parliament. Nevertheless, the Ministerio de Fomento has said that granting the licence does not mean accepting the management of regional public channels by private broadcasters, and it has appealed against the outcome of the tender process.

Real Decreto 2887/1998, de 23 de diciembre, por el que se concede a la Comunidad Autónoma de Canarias la gestión directa del tercer canal de televisión, BOE no.10 de 12 de enero de 1999, pp. 1198-1199.

Statutory instrument 2887/1998, of 23 December, BOE no.10 of 12 January 1999, pp. 1198-1199.

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