

[HU] Draft Bill on Detailed Rules of Broadcast Transfer

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According to section 121 paragraph 3 of the Hungarian Act I of 1996 on Radio and Television broadcasting: "A separate Act shall be created in respect of detailed rules of broadcast transfer." In accordance with this law, the Hungarian government decided to submit to parliament the Bill on Detailed Rules of Broadcast Transfer in the second part of this year. According to the legislative schedule of the Hungarian Parliament, the Bill will be adopted this year and the law will enter into force in the year 2000. The objectives of the law are laid down in the Preamble of the text. They are: "fulfillment of expectations related to broadcast transfer; economic development of broadcast transfer services; ensuring cooperation of telecommunications services and efficient protection of consumers". Paragraph 2 subsection 4 of the Bill defines broadcast transfer as «commutative telecommunications service ensuring transmission of signals for subscribers (group or individual) or consumers».

The Bill consists of 17 paragraphs and the following eight titles: The Scope of the Law; Definitions; Governmental Tasks related to Broadcast Transfer; Procedure of the Authorities; Entitlement for Broadcast Transfer; Contracts governing the Operation of Cable Network; Subscribers' Contracts; Entering into Force.

The legal experts, who have been engaged in preparing the Bill, took two different conceptual positions with regard to the need to adopt this law. One faction claimed that the law is unnecessary because a new Hungarian law will be introduced in 2000 on uniform telecommunications activities and services, which will also cover broadcast transfer activities and services. Therefore, the Bill should not be adopted, or should be valid only until the law on uniform telecommunications has been passed. According to the successful argument of the other experts, the Bill is most necessary in order to eliminate existing loopholes in those laws currently governing cable transfer activities in Hungary.

The most important rules currently regulating broadcast transfer activities in Hungary can be found in the following acts: Act LXXII of 1992 on Telecommunications; Act I of 1996 on Radio and Television broadcasting; Act XVI of 1991 on Concessions.

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