[BG] Supreme Administrative Court Approves License for Private Broadcaster

IRIS 2000-4:1/5

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The Supreme Administrative Court heard an appeal by Media Broadcasting Services against the Decision of the Council of the Ministers to grant Balkan News Corporation the telecommunications license for the first Bulgarian private television station. The Court rejected the appeal of the private broadcaster who had competed for the telecommunications license.

Balkan News Corporation had won the competition for a telecommunications license for the first private national TV channel (see IRIS 2000-1: 7). The National Council on Radio and Television also granted programme licenses to three of the competitors: Balkan News Corporation, TV-2 and Media Broadcasting Services. The granting of the program licenses was connected with the ending of the monopoly of the Bulgarian National Television and of the prohibition contained in the Media Law on transmitting advertisements during prime time.

Media Broadcasting Services' appeal against the Decision of the Council of the Ministers was filed in the Supreme Administrative Court on the final day before the telecommunications license had to be granted and authorised. In accordance with the Bulgarian Law on the Administrative Procedure the Appeal postponed the coming into force of the disputed act until the Court resolved the case.

The telecommunications license has now finally been granted by the State Telecommunications Commission to the representatives of Balkan News Corporation in Bulgaria.

Even though the license is dated 17 February 2000 it is officially authorised only since 6 April 2000. The program license of Balkan News Corporation is valid for 10 years while the telecommunication licenses lasts 15 years. In accordance with the terms of the licenses the transmission of the new television station should start within nine months dating from the granting of the licenses.

Resolution No 1685 of the 3rd Department of the Supreme Administrative Court of the Republic of Bulgaria of 20 March 2000.

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