[PL] The New Media Law Adopted

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A draft of amendments to the Broadcasting Act 1992 adopted on 31 March 2000 by the Parliament provides for harmonization of Polish audiovisual law with European Union standards.

In accordance with the provisions contained in the Directive on "Television Without Frontiers" some new legal definitions were added, such as the definition of sponsorship, teleshopping and surreptitious advertising (the latter is banned). Advertising issues were regulated as a whole in the law; several restrictions on advertising were introduced, some of them even stricter than those stipulated by the "Television Without Frontiers" Directive. Provisions on teleshopping now include all the forms determined by EC legislation - teleshopping spots, teleshopping windows and channels exclusively devoted to teleshopping. The text of the amended law stipulates new, more detailed provisions concerning protection of minors (previously regulated by virtue of a Regulation of the National Broadcasting Council) and public order. It also introduces new provisions, substantially in the public interest, on wide access to events which are regarded as being of major importance for society.

The permitted share of foreign capital remained at the same level - 33 per cent.

The provisions included in Art. 44 par. 6 of the Broadcasting Act of 1992 referring to the legal mandate of the National Broadcasting Council to determine the scope of requirements as to the quota of domestic, independent and European production for TV programme services retransmitted in cable networks and designated by foreign broadcasters for reception in the country, were deleted. The aforementioned provisions were likely to give rise to uncertainty on the ground of jurisdiction in this area.

The Media Law of 31 March 2000, published in Dziennik Ustaw 00.29.358 of 18 April 2000. The Law entered into force 30 days after its promulgation (18 Mai 2000).

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