[IT] European Community Act 2000 Contains Provisions Relevant to the Television Sector

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Every year, the Italian Parliament adopts an act called Legge comunitaria (European Community Act) in order to comply with the obligations deriving from its membership of the European Communities. The main aim of this act is to ensure the implementation of EC directives in due time to avoid infringement procedures for lack of implementation. According to the procedure laid down by the Norme generali sulla partecipazione dell'Italia al processo normativo comunitario e sulle procedure di esecuzione degli obblighi comunitari (Rules on the implementation of European Community legislation, Act of 9 March 1989, no. 86, in Gazzetta Ufficiale no. 1989, 58), the text of this annual act has to be proposed by the Government to the Parliament before 1 March. Among other provisions, this act generally contains a list of directives of which the deadline for transposition is almost due.

On 20 January 2001 the Legge comunitaria 2000 (European Community Act for year 2000 of 29 December 2000, no. 422) was published in the Official Journal and entered into force. The Act contains two provisions relevant to the television sector. Art. 13 entrusts the Government with the power to implement Commission Directive 1999/64/EC of 23 June 1999 amending Directive 90/388/EEC in order to ensure that telecommunications networks and cable TV networks owned by a single operator are separate legal entities. Art. 15 abrogates part of the Television Advertising Act of 30 April 1998, no. 122 (Differimento di termini previsti dalla legge 31 luglio 1997, n. 249, relativi all'Autorità per le garanzie nelle comunicazioni, nonché norme in materia di programmazione e di interruzioni pubblicitarie televisive, Gazzetta Ufficiale 1998, 99, see IRIS 1998-6: 8), which contained an exception for the application of provisions concerning advertising breaks in television programmes purchased before 28 February 1998. This abrogation was particularly urgent as an action was pending before the Court of Justice for lack of implementation of the revised Directive "Television without Frontiers" (see IRIS 2000-7: 4).

Disposizioni per l'adempimento di obblighi derivanti dall'appartenenza dell'Italia alle Comunità europee - Legge comunitaria 2000 (Gazz. Uff. 20 January 2001, Serie generale no. 14)

http://www.senato.it/parlam/leggi/00422l.htm

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