[CZ] New Broadcasting Act

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The Parliament of the Czech Republic has passed a new Broadcasting Act, against which the President of the Republic has exercised his veto. He rejected the Act because it prevented competition by more or less entitling current broadcasters to have their licences automatically extended. However, the second parliamentary chamber overturned the veto on 26 June 2001. The Act is designed to transpose Directive 89/552/EEC on the Co-ordination of certain Provisions laid down by Law, Regulation or Administrative Action in Member States concerning the Pursuit of Television Broadcasting Activities, as amended by Directive 97/36/EC ("Television Without Frontiers") and also deals with several difficult issues that have more recently arisen. The Act's provisions therefore comply with those of the "Television Without Frontiers" Directive and the European Convention on Transfrontier Television.

The Act contains provisions on the issue of broadcasting licences. These are awarded by the Broadcasting Council, which is still elected by the second parliamentary chamber. A new addition is the possibility of extending the validity of licences. Broadcasters who do not commit serious or repeated breaches of the regulations can therefore apply once for their licences to be extended

- by 12 years for TV broadcasters and 8 years for radio stations. The Act sets out a simplified licensing procedure for programmes broadcast in connection with public events for a restricted period of time. Companies wishing to re-broadcast channels need only to register, which they may do provided they fulfil certain conditions. Once a licence has been issued, the regulatory authority must be immediately informed of any changes to the company's ownership structure, some of which may require the authority's approval. The provisions regarding the promotion of European and independent (commissioned) production conform with European law. Broadcasters must keep the regulatory authority informed as to how they are fulfilling these quotas.

The Act also covers the broadcasting of events of particular importance to society. The list of events is determined by the Ministry of Culture in consultation with the Broadcasting Council. At present, it comprises the Olympic Games, the football World Cup, the European Championships and the world athletics and ice hockey championships.

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Reporting and news programmes must always respect recognised journalistic principles. The Act also regulates the duration and other aspects of advertising and teleshopping in the commercial and public broadcasting sectors. Provision is made for teleshopping windows and channels broadcasting only self-advertising or teleshopping. Short reporting in the sense of the Council of Europe Convention is also regulated. The new Act also contains provisions guaranteeing diversity of opinion, stipulating that media concentration should be restricted at national and local levels.

The regulatory authority, as the supervisory body, decides on breaches of the Act and can impose fines, order the revocation of licences or prohibit re-broadcasting.

The new Broadcasting Act replaces the existing Broadcasting Act (Act No. 468/1991 Coll. of 30 October 1991) and the Broadcasting Council Act (Act No. 103/1992 Coll. of 21 February 1992). It therefore also regulates the position and role of the Broadcasting Council.

Zákon c. /2001 Sb. o rozhlasovém a televizním vysílání

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