[ES] Regulation of Catalan Audiovisual Council on Fulfillment of TV Quotas

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In October 2001, the Catalan audiovisual regulatory authority, the Consell de l'Audiovisual de Catalunya (Catalonian Audiovisual Council, "CAC"), issued a Regulation establishing a procedure with the aim of verifying whether Catalan broadcasters comply with the quotas on European and independent audiovisual works established by articles 5, 6 and 7 of Act 25/1994 on the incorporation of the EC "Television without Frontiers" Directive into Spanish Law.

These articles of Act 25/1994 oblige broadcasters to reserve a majority of their transmission time for European works, as well as at least 10% for European works created by independent producers. Additionally, article 5.1 of Act 25/1994 (as amended by Acts 22/1999 (see IRIS 1999-7: 10) and 15/2001 (see IRIS 2001-8: 13)) establishes that those broadcasters in charge of channels whose programming includes recently-produced feature films (i.e., those produced less than seven years ago) must allocate at least 5% of their annual income towards the financing of European feature films and short films and TV movies. 60% of this financing must be allocated towards productions originally recorded in one of the languages accepted as official in Spain.

This Regulation of the CAC, which is binding on broadcasters under the jurisdiction of the Catalan authorities, defines some key concepts (e.g., what shall be understood, for these purposes, as "annual income" or "feature films or TV movies"), it imposes certain disclosure obligations upon broadcasters and it determines how broadcasters would be penalised in the case of a breach of these provisions.

Up to now, only national and Catalan authorities have adopted the implementation measures needed for the effective enforcement of provisions such as article 5.1 of Act 25/1994.

Acord 5/2001, de 31 d'octubre, pel qual s'aprova la Instrucció general del Consell de l'Audiovisual de Catalunya adreçada als operadors de televisió per tal de definir un procediment que permeti verificar el compliment de les obligacions que estableixen els articles 5, 6 i 7 la Llei 25/1994

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