European Commission: State Aid in Favour of Local Television in the French-speaking Community of Belgium

IRIS 2002-2:1/35

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Local television developed considerably in the French-speaking part of Belgium in the Seventies. A decree on audiovisual matters was adopted in July 1987, laying down a framework of regulations for local broadcasters. The Belgian authorities wanted to alter this decree in order to define the public-service mission of local television stations. The Government of the French-Speaking Community intended granting local television in the French-Speaking Community financial support amounting to a total of 3 270 000 euros for their public-service mission. Before the final vote on the new decree, it was submitted to the European Commission for approval. In its Decision C(2002)446fin adopted on 13 February 2002, the Commission found that this aid could have the benefit of exemption from the rules on competition set out in Article 86(2) of the EC Treaty on the grounds that it provided a "service of general economic interest". The aid was thus declared compatible with the EC Treaty.

Further to this decision, on 27 February 2003, the Belgian authorities adopted a decree on broadcasting amending among others the 1987 decree (see IRIS 2003-7: 7). According to Article 74 of this decree, local television stations were to receive an annual operating subsidy to enable them to carry out their public-service mission. The criteria and methods for granting the subsidies were to be determined by the Government. In addition, local broadcasters were required to submit an annual activity report to the Minister with responsibility for audiovisual matters; failure to do so would result in the subsidies being discontinued.

The last paragraph of this article was amended by a decree adopted on 22 December 2005, which states that henceforth the full amount of the operating subsidies paid to local television stations is to be adjusted annually in line with the consumer price index.

Décision de la Commission européenne en date du 13 février 2002

http://ec.europa.eu/community_law/state_aids/comp-2001/n548-01_fr.pdf

Decision adopted by the European Commission on 13 February 2002

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