[PT] New TV Law Vetoed by President

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The President of the Portuguese Republic, Jorge Sampaio, has vetoed the new proposed Television Law due to its unconstitutional nature. On 17 June 2002, the President referred Decreto nº 3/IX, Segunda alteração à Lei nº 31-A/98, de 14 de Julho, alterada pela Lei nº 8/2002, de 11 de Fevereiro (Decree nº 3/IX, second amendment to the Act n. 31-A/98 of 14 July, previously amended by Act no. 8/2002 of 11 February) back to the Parliament for re-examination. This move is part of an on-going and highly controversial process related to the centre-right government's intention to reduce public service broadcasting. In May 2002, the Council of Ministers decided to set up a new public service television company with a single general channel and appointed a five-member top management team to implement the decision. However, the RTP's Advisory Council - which had the power to veto the team - has not accepted the government's proposal. The government perceived the Advisory Council's position to be illegal and amended the Television Law in order to reduce the Council's power (see IRIS 2002-6: 11).

Uncertain about the constitutionality of Decree nº 3/IX, the President of the Republic did not promulgate it and sent it to the Constitutional Court instead. The Court found that Decree nº 3/IX violated the Constitution and therefore the President had no alternative but to send it back to the Parliament.

Letter from the President of the Republic, Jorge Sampaio, to the President of the Parliament, João Mota Amaral (Lisbon, 17 June 2002)

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