

[GR] New National Radio and Television Council

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After a long waiting period, Act 2683/2000 on the Ethniko Symvoulío Radiotileorassís (National Radio and Television Council - NRTC (see IRIS 2001-1: 9)) has come into force, with the appointment by the Minister of the Press and the Mass Media of seven members to form the new board of the NRTC. The new members have been selected unanimously by the Diaskepsi ton Proedron (Conference of Presidents), a special body of the Greek Parliament (chaired by the President) whose members represent all the political parties, and which is responsible for organising Parliament's work and supervising the independent authorities.

The NRTC's Chairman is to be Mr Ioannis Laskaridis, former Vice-President of the Arios Pagos (Supreme Court in civil matters), and its Vice-Chairman Mr Dimitris Charalambis, a professor in the Department of Communications and Mass Media at the University of Athens. The other five posts have been filled by two journalists, two legal experts (one of whom is a university professor) and a professor of the University of Athens (Department of Humanities).

This new method of appointing the members of the NRTC is just one of the innovations in its legal scheme, introduced by both the recent amendment of the Greek Constitution (6 April 2001) and the above-mentioned Act.

The Constitution states that the NRTC constitutes an "independent authority" whose members are appointed for a specific term of office and enjoy personal and functional independence (Art. 101A). This gives the NRTC a close relationship with the Parliament, under whose supervision it operates. The NRTC alone is competent to supervise audiovisual companies and impose fines (Art. 15(2)). Act 2683/2000 also gives it authority to grant broadcasting licences and prescribe any decisions of a non-regulatory nature; these have until now been the responsibility of the Minister of the Press and the Mass Media. However, the same text specifically deprives the NRTC of any regulatory and advisory authority, which could constitute a significant handicap in the deployment of regulatory powers that this type of authority has at the European level (Art. 10(1)).

Attention is drawn to the NRTC's preponderant role in the application of the recent Act 3021/2002 of 19 June 2002 "on restrictions in the conclusion of public contracts by persons with a stake in mass media companies"; it issues the

"certificate of transparency" once it has ensured (using its special registers) that the private party concluding a public contract is not affected by any of the incompatibilities determined by the Act (particularly as regards holding a stake in an audiovisual company).

Lastly, the NRTC will have to overcome a good deal of infrastructural problems (lack of staff, inadequate building and technical resources) before it can fully exercise its authority in an audiovisual sector affected by delay in the application of the regulations.

