[HU] Broadcasting Act Amended

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Following a preparatory process lasting nearly four years, the Parliament of the Republic of Hungary has approved the Bill on the Amendment of Act No. I of 1996 on Radio and Television Services ("Broadcasting Act"). The amendment concerns issues aimed at achieving full harmonisation of the Hungarian Broadcasting Act with the relevant EU legislation and with the European Convention on Transfrontier Television as recently amended by a protocol.

The amendment has been enacted following the fourth submission of the Bill, which according to the provisions of the Constitution of Hungary required a two-thirds majority of votes in the Parliament. The first three times the issue of the Bill was linked in the political debates with questions regarding the participation of political parties in the governing bodies of the public service broadcasters and the approval of the Bill was hindered by the lack of consensus on this. Nevertheless during the debates on the Bill no criticism was expressed by any political party regarding its aims or its merits.

The adopted amendment contains a series of changes to the Hungarian broadcasting regulation in force. It re-defines the scope of the Broadcasting Act by a set of very detailed criteria in accordance with the jurisdiction rules of Directive 89/552/EEC as amended by Directive 97/36/EC and the Protocol amending the European Convention on Transfrontier Television.

New definitions such as "European work" and "teleshopping" are introduced, and already existing notionse.g. "broadcasting" or "advertisement" - are re-defined in accordance with EU legislation.

Based on the rules of the EU Directive, the amendment inter alia stipulates that by the date of the accession of Hungary to the EU, television broadcasters will have to reserve the majority of their transmission time for European works. Quotas have also been defined for programmes produced originally in the Hungarian language.

The new act brings fundamental changes in the rules for the protection of minors, introducing a sophisticated rating system. This consists of five categories of programmes determined on the basis of suggested age limits of their audience and suggested parental supervision. Broadcasters will be obliged to classify their programmes and indicate clearly in a uniform way those containing elements

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harmful to children. The detailed rules for classification and indication will be drawn up in the form of guidelines issued by the Országos Rádió és Televízió Testület (ORTT, National Radio and Television Commission, the independent regulatory authority for the media).

The amendment also introduces restrictions on the acquisition of exclusive rights for television coverage of events considered as having major importance for society. The list of these events will be drawn up and published in a government decree with the prior consent of the ORTT.

The recently adopted Act also replaces some of the provisions of the Broadcasting Act relating to advertising, tele-shopping and sponsorship in order to achieve full accord with the relevant rules of the EU directive.

The overwhelming majority of the provisions introduced by the new Act will enter into force on 15 October 2002.

2002. évi XX. törvény a rádiózásról és televíziózásról szóló 1996. évi I. törvény jogharmonizációs célú módosításáról

Act No. XX of 2002 on the amendment of Act I of 1996 on Radio and Television Broadcasting for the purpose of harmonisation with EU law. Magyar Közlöny (Official Journal) No. 99 of 2002

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