# [YU] New Media Legislation Adopted in Montenegro

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Following the adoption of the new Broadcasting Act of Serbia (IRIS 2002-8: 11), the National Assembly of the Republic of Montenegro, in its session of 16 September 2002, adopted a set of new media legislation. It consists of the new Laws (1) on Media, (2) on Broadcasting and (3) on Public Broadcasting Services "Radio Montenegro" and "Television Montenegro". However, the implementation of these laws is postponed until 1 May 2003 (presidential elections in Montenegro are scheduled for December 2002). The new media legislation of Montenegro has been prepared by the Working Group of the Secretariat for Information of Montenegro, which gathered a number of local experts and journalists, and is the result of an 18-month long endeavour made with full support of the OSCE mission as well as the Council of Europe.

The new Law on Media contains general provisions such as the rule that all the provisions of that law should be interpreted in accordance with the principles established in the European Convention of Human Rights (ECHR) and the practice of the European Court of Human Rights. It also lays down rules on establishing media outlets, distribution of media, provisions on the data about the identity of the media that must be published (so-called "impressum"), the section on rights and obligations in the activity of dissemination of information, provisions on the right of reply and the right of correction, a part on the foreign news media in Montenegro, penal provisions, and lastly transitory provisions. The text of the law is not only in accordance with the relevant European standards, but is also very similar to the draft regulation debated in Serbia. Therefore it may be concluded that both Republics of the present Yugoslavia shall have very similar general media acts.

The new Law on Broadcasting, apart from general provisions, contains provisions on the Montenegrin Broadcasting Agency, an independent regulatory authority introduced into the Montenegrin legal system. It comprises provisions on the procedure and conditions for issuing broadcasting licenses, cable, satellite and MMDS distribution systems, provisions on broadcasting tax (license fee), further rules on the Company for Carrying and Distribution of Broadcasting Signals (RDC), provisions on the conditions of constructing, use and maintenance of broadcasting, satellite, MMDS and cable distribution systems, public broadcasting services, prevention of illegal media concentration, advertising and sponsorship, supervision, penal provisions and transitory provisions. One may say that the

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Montenegrin Broadcasting Act adopts a model similar to the recently adopted Serbian one, but also contains some other provisions relating to RDC, the state-owned company for distribution of radio and TV signals, and more elaborate provisions on cable distribution.

Finally, the Law on Public Broadcasting Services "Radio Montenegro" and "Television Montenegro" determines the rights and obligations of Public Enterprise "Radio Television Montenegro" (RTCG), its responsibilities, financing and internal organization and lastly the property of RTCG. This Act establishes the legal framework for the transition of Radio Television Montenegro from state radio-television to a public service broadcaster.

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*Law on Media, Official gazette of Montenegro nr. 51/2002-1 of 23 September s2002*

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*Law on Broadcasting Official gazette of Montenegro nr. 51/2002-7 of 23 September 2002*

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*Law on Public Broadcasting Services “Radio Montenegro” and “Television Montenegro”, Official gazette of Montenegro nr. 51/2002-25 of 23 September 2002*

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