[EE] The Rules on European Works Entered Fully into Force on 1 January 2003

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The addition of Article 4 (4) to the Broadcasting Act (see IRIS 1995-1: 8) on 19 April 2000 provided that a television broadcaster has to ensure that at least 51% of the transmission time in a calendar year, excluding the time appointed for news, sports events and games programmes and for advertising, teleshopping and teletext services, is reserved for the transmission of European works.

This provision was subject to a transition period of two years. From 1 January 2001, at least 40% of the transmission time had to be filled with European works; from 1 January 2002, at least 45%. As of 1 January 2003 the 51% requirement applies.

Another amendment of 16 June 1999, Article 4 (5), provides that a television broadcaster has to ensure that at least 10% of the transmission time in a calendar year, excluding the time appointed for news, sports events and games programmes and for advertising, teleshopping and teletext services, is reserved for the transmission of European works created by producers who are independent of the broadcaster. Such works shall include works broadcast within five years of their production.

This provision was also subject to a transition period: as of 1 January 2000 the requirement was set to at least 5%; from 1 January 2001, at least 6.5%; from 1 January 2002, at least 8%. Now, as of 1 January 2003, the 10% requirement fully applies.

It should be noted that the main exception to the requirements of Articles 4 (4) and (5) is that they will not apply to television programmes that are intended for local audiences and are broadcast by means of a broadcasting transmitter that is not part of the national transmission network.

The intention behind these amendments was to act in conformity with EC Directives 89/552/EEC and 97/36/EC (the "Television without Frontiers" Directive, as amended).

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Amendment of 19 April 2000 to the Broadcasting Act, State Gazette RT I 2000, 3-5, 220

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