[GR] New Law on Greek Audiovisual System

IRIS 2003-8:1/22

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Several additions and amendments have been made to the legal framework for media and the written press by virtue of a law dealing primarily with the Press and Communication Departments of the Ministry of the Press and the Mass Media.

Among the provisions concerning the financial transparency of audiovisual companies, the new law establishes control mechanisms governing, on the one hand, contracts of pledge concerning stakes in audiovisual companies that include the right to vote at their annual general meetings (placing them under the control of the independent regulatory authority NRTC, see IRIS 2002-8: 8) and, on the other, any changes to the share capital of press companies (to be supervised by the departments of the Ministry of the Press and the Mass Media).

With regard to provisions directly affecting the audiovisual landscape, the duration of national television broadcasting licences has been increased from four to five years. Meanwhile, the public service broadcaster ERT has been forced to give up the frequencies necessary for the terrestrial broadcast of the parliamentary channel, and the former incompatibility between the status of media producer and owner has been abolished.

A new procedure has also been introduced for the granting of licences for radio or television channels that are freely available via satellite or cable. This procedure is to be managed by the National Radio and Television Council (NRTC) and it will function in the same way as that which operates for radio and television services provided against remuneration.

Before the final parliamentary debate on the text, two significant provisions were omitted for the time being. These concerned the possibility of creating a national or regional radio station and simplifying the procedure for the issue of radio and television broadcasting licences.

The first initiative was opposed by local radio stations (the only type of radio in Greece), which feared that it would strengthen the position of radio stations in the Athens region. Furthermore, the draft law failed to mention the role of the independent regulatory authority (NRTC) in the preparation of frequency plans; this task remains the government's responsibility.

Under the second aborted initiative, control of the technical elements of licence applications would, like the rest of the procedure, have been the responsibility of

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the NRTC rather than the Ministry of Transport and Communications. The current regulations illustrate a certain disregard for the independent regulatory authority (recently recognised by the Constitution as having exclusive supervisory powers in the field of radio and television) and threaten to delay the procedure for granting television and radio licences. The vast majority of television and radio stations still do not hold the licences required by Act 2328/1995 (see IRIS 1995-8: 11), although the procedure for granting them is expected to be in place (permanently this time) by the beginning of autumn.

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Act No 3166/2003 "Organisation and functioning of the Press and Communication Departments of the Ministry of the Press and the Mass Media and provisions for the media sector", Official Gazette A-178, 2 July 2003

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