[HR] Law on Electronic Media Enters into Force

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In its session held on 15 July 2003 the Croatian Parliament passed the Law on Electronic Media, which defines the position of legal entities and physical persons that perform the activities of production and publishing of programs and program services through electronic media, and the terms for performing such activities.

Before this Law was passed several other laws already regulated the field of electronic media the special law defines the work and activities of Croatian Radio-television, while provisions of the Law on Telecommunications and Law on Public Announcements define the activities of other electronic media. These regulations did not provide transparency of ownership of electronic media nor did they effectively prevent or restrict concentrations of entrepreneurs that might lead to achieving a monopoly in electronic media or other media. At present, in addition to the public broadcaster Hrvatska radiotelevizija (Croatian Radio-Television), 14 television and 133 radio concessionaires are active within the territory of the Republic of Croatia, with the new private TV national concessionaire to be determined in September (see article supra). The above-mentioned situation as well as the ratification of the Convention on Transfrontier Television by the Republic of Croatia and the need to comply with the acquis communautaire of the European Union have increased the need to pass a special law that shall define the activities of the electronic media in one act.

While working on this Law, it had to be taken in consideration that it should contain provisions that have to comply with the principle of freedom of media and the promotion of the public interest while performing activities, as well as on the development of modern technology. The Law on Electronic Media stipulates principles and terms for performing the activities of electronic media and the activities of radio and television, program conditions for publishing the activities of radio and television, radio and television programs for special purposes, and terms for legal and physical entities for publishing electronic publications. Furthermore, the protection of pluralism and diversity of electronic media is determined, including matters of publicity and transparency of ownership and limitations on ownership due to protection from concentrations that are not allowed. The regulatory body, the Council for Electronic Media, is founded according to European laws, whose primary goal is to undertake surveillance of program content in application of the law. Regarding program terms for performing radio and television activities, it should be emphasised that the

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provisions of the law determine program content and services, their classification into separate groups, as well as quotas regarding certain content, maximum amount of advertising content, minimum amount of own production and share of Croatian and audio-visual works.

By the passing of this law and its implementation, the activities of radio and television and the publishing of electronic publications are co-ordinated with European standards, and the laying down of minimum terms and conditions for performing these activities shall increase the quality of program contents. Taking into consideration the above mentioned, standards of equality for all that perform these activities shall be introduced, which is a basic guarantee for further development, and complies with the requirements of citizens in the realisation of their rights in regard to public information and announcements.

The new Law on Electronic Media has entered into force on 7 August 2003 and is being applied from 1 September 2003.

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