[BA] Model Law on Public Service Broadcasting

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A team of experts assigned by the Office of the High Representative (OHR) and responsible for restructuring the public broadcasting system has published a draft for a new law on public service broadcasting, officially named Model Law on Public Service Broadcasting.

A reform of the existing legislation (see IRIS 2002-6: 7 regarding the Law of 23 May 2002) has been considered necessary as the number of households paying the subscription fee has fallen below 30 percent and the three public broadcasters countrywide BH-TV1 and two entity-based broadcasters RTFBiH for the Federation of Bosnia and Herzegovina and RTRS for the Republika Srpska are facing economic collapse.

To solve the problem, the draft prescribes that broadcasting fees will be included in the phone bills, bearing in mind that the number of phone bills paid is very high, close to 95 percent.

Furthermore, the draft lays down rules concerning the organisational structure of public service broadcasting, which are subject of criticism because of the strengthened state influence. So the Board of Governors of all three public broadcasters should be appointed by the respective parliament instead of by civil sector NGOs as is prescribed by the present broadcasting law. Also, according to the new model law, the competent Communications Regulatory Agency (CRA) would have an expanded supervisory role, as it may name and appoint the management bodies of public broadcasters and also has the power to dismiss them from their positions. The option of internally organising their structures by the public service broadcasting stations themselves would be narrowed as the draft prescribes new organisational schemes, systematisation of workplaces, qualifications, job descriptions, salaries and even the sale of existing buildings and other premises.

The draft entered the parliamentary procedure on 15 December 2003.

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