

[SK] Public Service Slovak Television Gets more Control over its Own Business

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On 23 September 2003, the Slovak Parliament passed Act No. 418/2003 Z.z. amending the Zákon SNR c.254/1991 Zb. o Slovenskej televízii v znení neskorších predpisov (Act No. 254/1991 on Slovak Television). As referred to previously (see IRIS 2003-9:12) an essential legal change regarding the business activities of Slovenská Televízia (Slovak public service television - STV) had been expected either as a part of completely new legislation governing public service radio and television or as an amendment of the current Act on Slovak Television; the latter alternative was the one chosen in the end.

The new legislation entitles the STV to pursue a number of business affairs as of 1 January 2004 without prior approval of the Ministry of Finance. Among others, STV shall be allowed to join a company dealing with the electronic measurement of the audience (and market) share as well as to manage the sale of transmission time without any mediating body. A restriction is that STV must not incorporate State property as its share in establishing the trading company and cannot be involved in business companies as the co-owner with unlimited liability. The amending rule contains an important provision regarding a duty that must be observed in relation to business activities. The Slovak television's entrepreneurial activity is bound to the tasks of Slovak television as set by the general rules and to the principle that Slovak television has to maintain its property more effectively by these activities. Furthermore, the entrepreneurial activity may not endanger the quality of its activities (§ 4a, section 3, 4 of the Act on Slovak Television).

The last Parliamentary reading of a completely new Act on Slovak Radio and Act on Slovak Television introduced by the Government was scheduled for December 2004. Disputes have arisen concerning firstly, the splitting of the competencies among the Director General, the Board of STV (duty to oversee the fulfilment of the public service remit) and the Supervisory Board of STV (financial control), and, secondly, the obligation of STV to allocate 20% of its revenues (generated from concession fees) to independent producers in order to support original Slovak audiovisual production. STV's Managing Director has already announced that the new Act could damage the programme structure of STV for the year 2004.

Act No. 418/2003 Z.z. of 23 September 2003 amending the Act No. 254/1991 on Slovak Television, Official Journal c. 418/2003 Section 180, p.3129

