[HR] Electronic Media Diversity and Pluralism Incentive Fund

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Pursuant to the provisions of Article 56 of the Law on Electronic Media it is provided that the Electronic Media Diversity and Pluralism Incentive Fund is established as a budgetary fund.

The finances of the Fund shall be used as incentives for the production and broadcasting of electronic media programme content both at local and regional levels. Content of special public interest shall be enhanced. The fund is particularly important for the implementation of the right of the citizen to public information, national minorities in the Republic of Croatia, incentives for special programmes in the areas of special state welfare, incentives for cultural creativity, and the development of education, science and arts. Furthermore, incentives will be used for the employment of highly educated professional staff in electronic media both at local and regional levels, while the stimulation of production of entertainment programmes and programmes referred to in Article 30 of the Law on Electronic Media is not allowed. The means of the Fund shall be allocated on an equal basis for the encouragement of pluralism and diversity of radio and television broadcasts.

The financial sources of the Fund shall come from the government budget, the funds ensured by the Law on Electronic Media and other laws.

The Law on Electronic Media stipulates that the part of the fund provided for the operation of the Council for Electronic Media shall be financed by an amount of 0,5% of the total annual gross revenues earned by electronic media publishers through their broadcasting activities in the previous year.

According to Article 54 of the Law on Croatian Radio and Television this broadcaster shall pay to the Fund a fee amounting to 3% of the total financial means raised on a monthly basis.

In 2004 the Minister of Culture adopted the Rules for the allocation of the finances of the Electronic Media Diversity and Pluralism Incentive Fund. The rules stipulate the method and procedure of public tender on an annual basis, aimed at the co-financing, by means of the Fund's finances, of programme content of radio and television broadcasters. It is also provided that all of the registered broadcasters are entitled to take part in a public tender as well as radio and television

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concessionaires from local to regional concession levels. The public tender for the allocation of the finances of the Fund according to criteria and conditions referred to in the Rules shall be invited at least once a year based on a decision of the Council for Electronic Media as adopted by 15 May of the current year.

In 2005 the Council for Electronic Media adopted a Decision on the method of evaluation of submitted tenders for the allocation of the finances of the Electronic Media Diversity and Pluralism Incentive Fund. Besides the general criteria for the allocation, the Council shall also take into account the quality and proportion of the content which forms an integral part of the programme basis as approved by the Council, and of the content modifying or supplementing the programme basis with the prior consent of the Council. The ownership structure and the particular broadcaster's concession level is also to be taken into account. The Council shall adopt a decision on the amount of finances for every participant in the public tender. Besides the amount of finance granted the decision on the allocation of finances should also provide for the use and schedule of use of such finances. The Council and the broadcaster shall execute an agreement on the use of finances. In case of non-compliance of the broadcaster with the provisions of the agreement on the use of any allocated funds, the Council shall be entitled to terminate the agreement and the broadcaster has to return the funds.

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Rules on the method and procedure of public tender for the allocation of finances of the Electronic Media Diversity and Pluralism Incentive Fund, Official Gazette number 170/04

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Decision on the method of evaluation of submitted tenders for the allocation of finances of the Electronic Media Diversity and Pluralism Incentive Fund, Official Gazette number 31/05

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