[LV] Electronic Mass Media Act

IRIS 1996-1:1/19

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As already reported in IRIS 1995-9:13, a new Act on the electronic mass media has come into force. The text of the act, adopted on 8 September 1995, is now available.

The Act begins with a general section containing definitions and basic provisions. Within the meaning of the act, electronic mass media include, in particular, radio, television, cable radio, cable television, satellite television and computer television. Within the meaning of the act broadcasting is defined as the development and dissemination of programmes intended for reception by the general public. Objectivity and neutrality must be the guiding principles of the mass media. Operators must promote the idea of a democratic, independent country, and this means paying particular attention to plurality of opinion. There is no censorship. The Act provides for a dual system with public law and commercial operators. The public law organisations must be independent of the State and political parties. They are to provide information, entertainment and education.

The private organisations must also be independent of the political parties. Special concentration regulations apply to them; no broadcasting organisation may offer more than three channels. If the operator is a natural person and controls one channel alone, he may not have more than a 25% holding in any other channel. Broadcasting rights are to be allocated by the national broadcasting council. Priority is to be given to Latvian radio and Latvian television. Commercial operators may obtain a licence on application. Licences should be granted to operators whose programmes meet the requirements of society in the widest sense. The Act provides that on week-days between 7 and 11 pm, the proportion of European productions must be 80%. 40% should be Latvian productions. Satellite and cable television are however excluded from this rule. There are comprehensive rules covering advertising and sponsoring. The ceiling for advertising is basically 12 minutes per hour and 15% of daily broadcasting time. In certain cases, the ceiling is lower. Advertising for alcoholic drinks other than wine and beer is forbidden.

Sponsoring of broadcasts is possible, although the sponsor may not influence the time or content of the broadcast in any way. It must be mentioned, at either the beginning or end of the broadcast, that it is a sponsored broadcast.

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A citizen or a legal entity whose rights are infringed in a programme has the right of reply. The reply must be broadcast at the same broadcasting time and in the same programme as the prejudice. Compensation may be claimed for damages, including immaterial damages, caused by the spreading of false information.

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Electronic Mass Media Act. 8 September 1995

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