

[CS] Preliminary Results of the Radio/TV Tender

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The tender for issuing licences for terrestrial transmission of radio and TV programmes, announced by the Serbian Broadcasting Agency in January 2006 (see IRIS 2006-3: 11), closed on 27 March 2006. In accordance with the Broadcasting Act, the Broadcasting Agency has published the list of companies whose applications arrived timely and complete on 4 April 2006 (seven days after the tender was closed), as well as the list of disqualified applicants.

Concerning the five national TV networks, twelve applicants (as international companies there are CME, Fox, and Sigma TV from Cyprus) remain in the race for the five national TV networks.

Three companies applied for one TV network for the province Vojvodina, and nine companies applied for six TV networks for coverage of the metropolitan area of Belgrade.

There are nine applicants for five national radio networks, and forty applicants for fourteen radio networks in the metropolitan area of Belgrade. Nobody applied for the radio coverage of Vojvodina region.

Controversy has been caused by the disqualification of the application made by the local subsidiary of the RTL group, the RTL Belgrade GmbH whose parent company is RTL Central and Eastern Europe from Cologne, Germany. The Broadcasting Agency gave as reason for the disqualification of RTL the alleged breach of the 49% threshold for foreign capital in the applying company. This consideration is based upon an interpretation of Article 41 Paragraph 3 of the Serbian Broadcasting Act prepared by the Minister of Culture. The reasoning of the Broadcasting Agency neglects the fact that there is an international treaty between Germany and Serbia guaranteeing national treatment of mutual investments. Thus the 49% limitation would not be applicable in the case of RTL.

The Broadcasting Agency is still discussing (at the time of writing) to amend its decision and to let RTL take part in the licencing procedure.

As for the disqualified applicants, apart from RTL, three more TV applications were disqualified, either for not paying the deposit or for the fact that the companies were 100% state owned or socially owned. Seven applications for radio coverage were disqualified for incomplete documentation, failure to pay the deposit or the

fact of a 100% ownership of the state.

The next step in the licensing procedure will be interviews with the authorised personnel of the applicants, which is scheduled for 10 April 2006 in Belgrade. The decision of the Broadcasting Agency has to be made until late June 2006.

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The full list of applicants as well as further information is available at:

<http://www.rra.org.yu/>

