[ES] Government Approves a New Decree on Cable TV

IRIS 2006-9:1/11

Alberto Pérez Gómez
Entidad publica empresarial RED.ES

On 29 July, the Spanish Government approved a new Decree which regulates cable broadcasting and which also deals with other issues related to broadcasting, such as the introduction of Digital Terrestrial TV (DTTV) or the obligations for broadcasters to provide accurate information about the programme planning of their TV channels.

As regards cable broadcasting services, their provision was fully liberalised by Acts 32/2003 (see IRIS 2004-1: 11) and 10/2005 (see IRIS 2005-7: 11), but the entry into force of these Acts was conditional upon the approval by the Government of an implementation Decree.

This Decree has now been adopted, and cable broadcasting is therefore no longer a public service only to be provided by concessionaires, but an activity which can be freely provided by anyone who gets a simple authorisation.

The Decree establishes, among other things, the procedure to be followed in order to obtain those authorisations, as well as the obligations imposed on their holders (i.e., identification of the persons bearing editorial responsibility for the channels; obligation to offer adult-content channels on stand-alone basis; introduction of parental control systems; reservation of channels for independent broadcasters; must-carry rules for analogue terrestrial TV concessionaires, etc...).

The Decree does not only deal with cable broadcasting:

- It obliges national terrestrial TV concessionaires to present a plan to extend the coverage of DTTV in accordance with some goals set out in the Decree;

- It regulates the possible implementation of a new DTTV multiplex for mobile DTTV;

- It modifies some articles of Decree 1462/1999 which regulates the right of users to receive accurate information on the programme planning of TV broadcasters.

This obligation was set up by Act 22/1999, and was implemented at national level by Decree 1462/1999. This Decree imposed upon TV operators the obligation to provide information about their programme planning 11 days in advance. Once they communicate their programme planning, they are not allowed to change it

© European Audiovisual Observatory (Council of Europe) 2026

unless there are external and objective reasons which justify it.

Some Autonomous Communities (which regulate regional and local broadcasting within their territories) approved measures which set that obligation at only three days in advance, and several Autonomous Communities did not implement this provision of the 22/1999 Act at all, thus rendering this obligation void for TV broadcasters within their jurisdictions.

The national Government is now reducing this obligation for anticipated communication of programme planning from eleven to three days. The Decree will enter into force one month after its publication in the Official Journal, that is, on 2 October 2006.

Real Decreto 920/2006, de 28 de Julio, por el que se aprueba el Reglamento General de prestación del servicio de difusión de radio y televisión por cable, Boletín Oficial del Estado, n. 210, de 2 de septiembre de 2006, pp. 31532 y ss.

http://www.boe.es/boe/dias/2006/09/02/pdfs/A31532-31538.pdf#search=%22decreto%20920%2F2006%22

Decree 920/2006, of 28 July 2006, on the approval of the Regulation on the provision of radio and TV broadcasting services, Official Journal n. 210, 02.09.2006, pp. 31532 and ff.

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026