[LT] New Version of the Act on Provision of Information to the Public into Force

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On 11 July 2006 the Lithuanian Parliament (*Seimas*) adopted a new version of the Act on Provision of Information to the Public, which came into force on 1 September 2006. The Act was first adopted in 1996.

The new version of the Act provides for the following new elements: announcements, information society media means, information society service, information regarding pornographic content, information regarding erotic content, information regarding violent content, news broadcasts.

The confidentiality of information sources was finally regulated by this Act. In Lithuania there were a lot of debates regarding this provision for a long time. At present, according to Art. 8 of the Act, producers, disseminators of public information and journalists have the right to keep the confidentiality of the source of information and not to disclose it, except in cases where the source of information is required to be disclosed by a decision of the court for particularly important public interests, and also in order to ensure that the constitutional rights and freedoms of a person are protected and that justice is administered.

Some other terms, such as opinion, radio, television programme, teleshopping windows, private life, etc. are specified and adapted to those of the Civil Code of Lithuania.

The Act partially changed the licensing rules of broadcasting and re-broadcasting activities. Currently, a person who wishes to engage in television programme broadcasting and/or re-broadcasting by electronic communications networks, the main purpose of which is not meant for broadcasting and/or re-broadcasting of radio and television programmes (e.g., by internet, mobile phones), has to obtain a broadcasting licence from the Lithuanian Radio and Television Commission (RTCL).

In accordance with the new version of the Act the broadcasting of radio programmes by electronic communications networks, the main purpose of which is not meant for broadcasting and/or re-broadcasting of radio and television programmes, as well as the broadcasting activity of natural persons, which is performed for non-commercial purposes by electronic communications networks, the main purpose of which is not broadcasting and/or re-broadcasting of radio and

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television programmes, shall not be licensed.

The Act also modified the method of establishing the licence fee. According to the former Act, the RTCL could determine the licence fee itself. Under the new Act the licence fee will be set together with the Ministry of Culture. This licence fee shall be designated for supporting audiovisual projects, as before.

Additionally, there were some amendments in the Act, which are related to the language of broadcast and re-broadcast programmes. The Act forbids the broadcasting of audiovisual works that were translated from an official EU language into a non-EU language. Re-broadcasters shall give priority to programmes in the official EU languages.

Under this Act the competence of the RTCL, which regulates and controls the activities of radio and television broadcasters and re-broadcasters, was expanded. The Act enabled the RTCL in certain cases to suspend the free re-broadcasting of radio and television programmes of foreign origin in the territory of the Republic of Lithuania. From now on the RTCL will also have the right to evaluate public information and, thus, to decide which information might have detrimental effects on the development of minors and to apply fines for infringements.

In addition, the Law expanded the competence of the RTCL in the field of the control of advertising. Now, the RTCL is authorised to control surreptitious advertising in radio and television programmes. Previously, the National Consumer Rights Protection Board had executed this function.

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http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=280580&p_query=&p_tr2=

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