

## [LT] New Rules on Licensing of Broadcasting and Re-broadcasting Activities Adopted

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On 13 December 2006, the Radio and Television Commission of Lithuania (RTCL) adopted the new Rules on Licensing of Broadcasting and Re-broadcasting Activities, which came into force on 20 December 2006. The new version of the rules was adopted with the aim of harmonising their provisions with the requirements of the Law on Provisions of Information to the Public, which came into force on 1 September 2006 (see IRIS 2006-9: 16).

The Rules on Licensing of Broadcasting and Re-broadcasting Activities determine the types of broadcasting and re-broadcasting licences, the procedure for the issuing of licences or for the refusal of a licence, rules for the amendment and specification of the terms and conditions of licences, for the temporary suspension and cancellation of their validity, as well as the duties and obligations of the licence holders, the terms and conditions of licensed activities and the supervision of compliance.

The main amendments are related to the modified licensing regulation of broadcasting and re-broadcasting activity laid down in the Law on Provision of Information to the Public. In accordance with the new version of this law, one is obliged to apply for a broadcasting licence from the RTCL if interested in engaging in television programme broadcasting and/or re-broadcasting activities via electronic communications networks, of which the main purpose is not broadcasting and/or re-broadcasting of radio and television programmes (e.g. by Internet or mobile phones).

Accordingly, the new provisions of the rules define the procedure of the issuing of these licences for television programme broadcasting and/or re-broadcasting. The provisions of the Rules state that, if one intends to obtain a broadcasting or re-broadcasting licence, an application has to be submitted to the RTCL either to take part in the tender, or to obtain a licence where a tender is not foreseen.

The requirements for the content of the application are also determined by the Rules. According to these, the licence applicants must declare not only the names of the radio or television programmes planned to be re-broadcast, but also give information regarding the jurisdiction of the broadcasters whose programmes are planned to be re-broadcast, as well as the languages in which the programmes

will be re-broadcasted and subtitled. As regards the programme broadcasting and/or re-broadcasting via satellite, the rules foresee that the RTCL has to, *inter alia* , be provided with the name of the satellites used and their orbital location, the number of the satellites' receivers/transmitters, the frequencies used for the radio programmes, as well as the addresses and operators of the terrestrial stations of the satellite broadcasting services.

Additionally, there is a new provision in the rules stating that a broadcaster who already is a holder of a broadcasting licence but wishes to obtain an additional licence needs only to submit those documents to the RTCL which are directly related to the type of the desired licence and the chosen broadcasting technology (e.g., digital, Internet, etc). In such cases the broadcaster is not obliged to submit documents revealing general information, e.g. the founding documents (the association agreement) or the structure of its management (shareholders, members etc).

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*RTCL Decision on the approval of the Rules on Licensing of Broadcasting and Re-Broadcasting Activities of 13 December 2006*

