

[NO] Proposed Act on Editorial Independence

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In a recent Green Paper, the Norwegian Government proposed to establish, by law, the principle of editorial independence. The proposed Act includes two basic provisions; one obliging media enterprises to have an editor and one confirming the principle of editorial independence. Given the sweeping nature of such provisions, a central question concerns to which media enterprises the Act shall apply. According to the proposal, the Act will firstly apply to the traditional mass media such as newspapers, radio and television. With respect to radio and television, the proposal relies on the traditional definition of a “broadcaster”. With respect to newspapers, the Act’s application will be restricted to the daily press. Secondly, the proposal covers certain electronic media; it will apply to “electronic mass media, which, on a regular basis, publish edited general news or current material”. The Green Paper contains comprehensive supplementary comments on the cited definition, i.e. that it typically includes traditional Internet newspapers and the web-services of broadcasters; but on the other hand it excludes services for which news reporting is not the main objective (e.g. portals, start pages and search engines) and services aimed at facilitating distribution of content created by private users (e.g. Youtube, Myspace and Wikipedia). The Government refrained from proposing a separate surveillance authority. The proposed Act does not include any special sanctions or any remedies.

Høringsnotat - Lovfesting av prinsippet om redaksjonell uavhengighet

<http://www.regjeringen.no/upload/KKD/Høringsuttalelser/Redaktørplakaten/4370-Høringsnotat-lov-medieforetak.pdf>

