[BE] Amendments to Decrees on Broadcasting and on the RTBF

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On 17 July 2007 the Parliament of the French-speaking Community adopted two decrees amending, in the first instance, the Decree of 27 February 2003 on broadcasting and, in the second instance, the Decree of 14 July 1997 on the statute of the public-sector broadcasting company (RTBF). In both cases the amendments concern advertising.

The purpose of the first Decree is to adapt the 2003 Decree (which forms the foundation for broadcasting in the French-speaking Community) to the new realities of the advertising market. The draft of the Decree was tabled by the Government; it is based on the European Commission's interpretative communication of 23 April 2004 and on the EBU's memorandum of 25 May 2000 on virtual advertising. In addition to relaxing the rules for sponsorship, the new Decree also liberalises advertisements using a split screen, interactive advertising and virtual advertising, while it lays down a framework for regulating these.

Another Decree amends RTBF's statute by removing the ceiling for advertising revenue. Previously, public-sector broadcasting was not allowed to earn more than 25% of its total income from advertising. It is not the actual ceiling that has disappeared, however, but only its determination by the legislator. A ceiling remains in the management contract concluded on 13 October 2006 between the RTBF and the Government, but there are plans to increase it gradually from 27% in 2007 to 30% from 2010 onwards. RTBF's management contract, signed in 2006, does however, already include provision for the various legislative amendments that were made this summer.

The Decree amending the Decree of 14 July 1997 on RTBF's statute was gazetted (published in the *Moniteur Belge*) on 5 September 2007. The Decree amending the Decree of 27 February 2003 on broadcasting was published on 20 September 2007.

Décret du 19 juillet 2007 modifiant le décret du 14 juillet 1997 portant statut de la Radio-Télévision belge de la Communauté française

http://www.staatsbladclip.be/lois/2007/09/05/loi-2007029223-Print.html

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Decree adopted on 19 July 2007 amending the Decree adopted on 14 July 1997 on the statute of the RTBF

Décret du 19 juillet 2007 modifiant le décret du 27 février 2003 sur la radiodiffusion

http://www.ejustice.just.fgov.be/cgi/article_body.pl?numac=2007029260&caller=list&article_lang=F&row_id=1&numero=1&pub_date=2007-09-20&set3=set+character_variant+%27french.ftl%27&language=fr&fr=f&choix1=ET&choix2=ET&fromtab=+moftxt&trier=promulgation&htit=d%E9cret+du+27+f%E9vrier+2003+&sql=htit+contains++%27d%E9cret%27%26+%27du%27%26+%2727%27%26+%27f%E9vrier%27%26+%272003%27&rech=20&tri=dd+AS+RANK+&set1=set+stopfile+%27MOF.stp%27

Decree adopted on 19 July 2007 amending the Decree of 27 February 2003 on broadcasting

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