[HR] Electronic Media Law Amended

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The *Izmjene i dopune Zakona o elektroničkim medijima* (Law Amending the Electronic Media Law) came into force on 7 August 2007. The Law has introduced a series of amendments to the media legislation of the Republic of Croatia for the purpose of its alignment with EU legislation.

New provisions on the protection of minors have been introduced, stipulating that no programme content that might seriously impair the physical, mental or moral development of minors shall be allowed, in particular content containing pornography or gratuitous violence. Programme content likely to impair the physical, mental or moral development of minors shall not be broadcast, except in cases where that it has been ensured, by the selection of time for their broadcast or by other technical measures, that minors in the broadcasting area cannot normally hear or see such programme content. When such programmes are broadcast in unencoded form, the broadcaster is obliged to ensure that they are preceded by an acoustic warning or that they may be identified by the presence of visual symbols throughout their duration. The Council for Electronic Media shall prescribe the procedure in such cases. Furthermore, advertising and teleshopping targeted at, or using minors, shall avoid anything likely to harm their interests. They shall have regard to their special susceptibilities and they shall not cause any moral or physical detriment to minors. Advertising and teleshopping shall not exhort minors to buy a product or a service by exploiting their inexperience and credibility, nor exhort minors to enter into a contract for the sale or rental of goods and services. It shall not directly encourage minors to persuade their parents or others to purchase the goods or services being advertised, exploit the special trust minors place in parents, teachers or other persons, nor unreasonably show minors in dangerous situations.

The Law has introduced also other new elements. Thus, it stipulates that freedom of expression and full programme freedom of the electronic media shall be guaranteed. It does not explicitly provide for the possibility of derogation from these principles by the Electronic Media Law or a special law. It defines the use of the Croatian language, in particular the possibility to promote creativity in the various dialects. Furthermore, the Law stipulates that any person regularly presenting news or current affairs programmes shall not be presented, visually or verbally, in advertising and teleshopping. It establishes the prohibition of advertising and teleshopping of medications, medical products and medical

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treatments, as well as the prohibition of advertising of alcohol and alcoholic beverages unless otherwise stipulated, for alcoholic beverages, by the Food Act. It sets the maximum duration of broadcasts dedicated to teleshopping spots, advertising spots and other forms of advertising to 12 minutes in one hour of programme for all broadcasters. The duration of advertising spots shall not exceed 15% of the entire daily transmission time. The Law also stipulates that broadcasters must endeavour to ensure that a major share of their programming consists of European audiovisual works, and that the share of such works produced by independent producers is at least 10% of the transmission time in their annual programme.

As regards the regulatory body, the Law establishes the Agency for Electronic Media as an autonomous and independent legal entity. The Agency consists of two departments: the Director of the Agency and the Council for Electronic Media, the regulatory authority in the electronic media sphere.

Izmjene i dopune Zakona o elktroničkim medijima - Zakon o elektroničkim medijima

http://www.nn.hr/

Law Amending the Electronic Media Law, Official Gazette, issue No. 79/07, and Electronic Media Law, Official Gazette, issue No. 122/03

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