[NL] Media Act 2008

IRIS 2009-3:1/29

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On 1 January 2009, the *Mediawet 2008* (Media Act 2008) came into effect in the Netherlands, replacing the old *Mediawet* (Media Act). Like its predecessor, the purpose of the new Act is to provide a legal basis for Dutch media policy. The scope of media policy in the Netherlands includes, inter alia, the financing and regulation of national public service broadcasting, the regulation of commercial radio and television and the broadcast of events of major importance for Dutch society. This latter category of events is listed in the accompanying *Mediabesuit 2008* (Media Decree 2008).

Two reasons can be pointed out for the introduction of a whole new Act. Firstly, various amendments to the Act have, over the years, contributed to a less accessible Media Act. The successor of the Media Act restores in its text the structure and the arrangement of Dutch media policy. Secondly, the new Act is formulated in such way as to make it easier to process upcoming legislation. For instance, incorporating the recent Audiovisual Media Services Directive into the Media Act 2008 will now be less cumbersome thanks to the new Act's set of modern definitions. These definitions strive to maintain a technically-neutral approach.

With regard to media policy, four main differences exist compared to the former *Mediawet* . In the first place, the new Act cancels the difference between main and sideline tasks for public service broadcasting. Instead, public service broadcasting should be provided to the public anytime and anywhere, through the use of multimedia such as digital theme channels and websites. Second, the Mediawet 2008 guarantees that local, regional and national public service broadcasting services are included in the package of digital television channels. A third difference is that the new Act expands the regulations dealing with commercials and sponsorship of commercial service broadcasting. The goal is the reduction of loss for Dutch broadcasters due to competition from broadcasters who focus on the Netherlands but operate from Luxembourg. Lastly, some entirely new provisions have been added, such as the banning of broadcasters for promoting hate speech.

The revision of the former Act was necessary because the *Mediawet* was written in the era of analogue radio and television. With the present convergence of radio, television and the Internet, the *Mediawet 2008* has been tailored to fit the modern digital media landscape.

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Wet van 29 december 2008 tot vaststelling van een nieuwe Mediawet (Mediawet 2008)

http://wetten.overheid.nl/BWBR0025028/volledig/geldigheidsdatum_04-01-2010#Opschrift

Media Act 2008 - Act of 29 December 2008 on establishing a new Media Act

Mediabesluit 2008 - Besluit van 29 december 2008 houdende vaststelling van een nieuw Mediabesluit

http://wetten.overheid.nl/BWBR0025036/geldigheidsdatum_04-01-2010

Media Decree 2008 - Decree of 29 December 2008 on establishing a new Media Decree 2008

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