[BG] Implementation of the Digitalisation of TV Broadcasting

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The Act on the Amendment and Supplementation of the Radio and TV Act was promulgated on 20 February 2009 in the State Gazette, issue 14 ("New Law"). The New Law sets out the main principles and rules for digital TV broadcasting in Bulgaria.

According to the New Law the Council for Electronic Media (CEM) is empowered to grant licenses for broadcasting regional and national TV and radio programmes. The applications for such licenses should be reviewed and evaluated on the basis of the following criteria:

1. The original content and variety of the programming;

2. The opportunities for the creation of internal productions;

3. The degree of readiness and stages for 24-hour broadcasting of the programme;

4. Proven experience as a radio and TV operator.

The evaluation shall be carried out by an expert commission comprising three members of the CEM and two members of the Communications Regulation Commission (CRC). The expert commission shall propose to the CEM whether a license should be issued or refused. The CEM shall decide upon the issuance or refusal of the license on the basis of the following principles:

1. The right of information is ensured;

2. Favourable conditions for media variety will be created;

3. The national identity is preserved.

The number of licenses under the New Law is unlimited. The CEM is obliged to issue the license within 10 days of its positive decision on granting the license.

Once the license is issued the programmes can be broadcast by an enterprise that has been granted a permit for the use of an individual scarce resource - radio frequency spectrum for carrying out electronic communications through terrestrial

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digital networks for radio transmission by the CRC.

The enterprise that has been granted a permit for the use of individual scarce resource - radio frequency spectrum, shall propose to the CEM the type and profile of the licensed TV programme to be broadcast. The enterprise that has been granted a permit for the transmission of programmes cannot be both a TV and a radio operator at the same time.

The CEM is obliged by operation of law to issue licenses for digital terrestrial broadcasting to the public Bulgarian National Television and the two nationwide commercial operators - Balkan News Corporation EAD and Nova Television - First Private Channel EAD, as they meet the following conditions:

1. They have already been granted licenses for TV activities with national coverage on the basis of previous tenders;

2. They transmit their programmes through electronic communication networks for terrestrial analogue radio transmission;

3. The electronic communication networks ensure access to their programmes of at least 50 % of the country’s population.

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