[BG] State Digital Multiplex

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On 19 May 2009 the Law on Public Radio Broadcasting (“LPRB”) was published in the State Gazette (issue No. 37). Despite some severe opposition from the media sector to the adoption of such an important legislative act in a non-transparent manner, the President has not vetoed the LPRB.

The LPRB governs State participation in the broadcasting of Bulgarian National Television (“BNT”) and Bulgarian National Radio (“BNR”). The LPRB differentiates between two types of networks for the digital transmission of electronic communication: via radio network for the transmission of the signal and via a backbone network for the transmission of signals. According to the LPRB the State guarantees the broadcasting of the programmes of BNT and BNR through a terrestrial digital electronic communications system. To that end the State will incorporate a State-owned enterprise under Article 62, para. 3 of the Commercial Act, called Public Digital Radio Broadcasting National Company (”PDRBNC”). It is responsible for constructing and operating the electronic communications network for terrestrial digital radio broadcasting. One month after the PDRBNC is registered, the Communications Regulation Commission shall grant the company permission for the use of an individually assigned scarce resource - radio frequency spectrum for electronic communications through the network for terrestrial digital radio broadcasting. The management bodies of the PDRBNC are the Minister of Finance, the management board (four members) and the executive director, all of whom are elected by the President upon the proposal of the Prime Minister. The activities are financed by:

1. The State budget;

2. Income from fees paid by operators whose programmes are broadcast through the electronic communications network for terrestrial digital radio broadcasting;

3. Income from commercial activities.

BNT and BNR shall pay a fee to PDRBNC for the broadcasting of their programmes. The fee comprises the remuneration for covering the maintenance expenses of the electronic communications network for terrestrial digital radio broadcasting and the profit within the meaning of the Corporate Income Tax Act. The fees collected by the PDRBNC shall be used for:

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1. The use of the individual scarce resource - radio frequency spectrum;

2. Construction, maintenance and development of the network;

3. The transmission of radio and TV programmes;

4. Covering the maintenance costs of the PDRBNC.

The Minister of Finance shall supervise how the money is spent. The LPRB sets out that the PDRBNC shall/can not:

1. Be a radio or TV operator;

2. Participate in commercial companies that create programmes to be broadcast through electronic communications networks; and

3. Construct and use electronic networks for broadcasting radio and TV programmes.

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Law on Public Radio Broadcasting, published in the State Gazette (issue No. 37) on 19 May 2009

Ofcom, "London 2012 Olympic Games and Paralympic Games: Draft Spectrum Plan", available at:

http://www.ofcom.org.uk/consult/condocs/london2012/london2012.pdf

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