[ES] Audiovisual Draft Law

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The proposal for a Spanish Audiovisual Act was approved on 16 October 2009 by the Spanish government. If signed into law, the bill will revoke fourteen standards and regulations related to the radio, television and telecommunications industries. Among others, these include the acts that have regulated private commercial channels and the local television channels of the Spanish autonomous communities from 1988 and 1983 respectively.

Composed of sixty articles, the most important aspects of this bill are the following:

- The new law tries to provide added protection for minors. It forbids the broadcasting on free-to-air television of programmes that include pornographic scenes or gratuitous violence. Such programmes may only be broadcast in encrypted form between 10 pm and 6 am. The broadcasting of other programmes that may be harmful to children will have to be signaled by means of a characteristic sound and a visual sign. Programmes dedicated to games of chance and bets (in free-to-air broadcasting or in an encoded way) may only be shown between 1am and 5am.

- Televisions and telecom operators shall assign 5% (6% in the case of Televisión Española) of their gross revenue to finance Spanish and European cinema. 40% of that amount can be assigned to TV series.

- Advertising will be limited to a maximum of 12 minutes per hour. An additional 12 minutes per hour may be dedicated to telepromotions and 5 minutes per hour to self-promotion. Movies and news programmes may be interrupted every 30 minutes.

- Holders of licenses to broadcast television will be able to allocate 50% of their channels to pay-TV and the duration of such licenses will be increased to 15 years (10 years under current legislation).

- Telecom operators will be obliged to broadcast on free-to-air television certain events of general interest.

- And finally, the Consejo Estatal de Medios Audiovisuales (National Council of Audiovisual Media) will be created. The National Council of Audiovisual Media will

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be a public organisation with legal personality and full capacity to act and, as an independent authority, its purpose will be to ensure and guarantee compliance with the law. It will be created in conjunction with the Ministry of the Presidency and will consist of nine members, elected by 3/5 of the Congress.

Infringements of the new Audiovisual draft law will result in fines of up to EUR 1 million.

Proyecto de Ley General de la Comunicación Audiovisual

http://www.congreso.es/public_oficiales/L9/CONG/BOCG/A/A_045-01.PDF

General Law of Audiovisual Communication - Draft

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