[SI] Measure against a Reality Show

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The international TV enterprise Pro Plus produced a Slovenian reality show featuring some public figures. The “Celebrity Farm” (*Kmetija slavnih*) started broadcasting on 28 September 2009 on the commercial broadcaster POP TV every day except Sunday in the early evening. As it contains explicit sexual scenes, scenes of violence, bad language, pornographic material, unnecessary violence against animals, rough hierarchical patterns among participants, promotion of alcohol and tobacco consumption, there are many complaints against it. On 16 November 2009 the *Agencija za pošto in elektronske komunikacije Republike Slovenije* (Agency for Post and Electronic Communications - APEK) issued a measure against POP TV due to the violation of the Media Act (*Zakon o medijih, ZMed-1*).

Because the broadcasting time is after the main daily news at 8 p.m. five times a week and once a week at 8.55 p.m., many parents and other viewers have been complaining about the programme’s potentially harmful content from the perspective of the protection of minors. In addition, the public radio and TV (RTV Slovenija) requested the Ministry of Culture (which is affiliated to the Culture and Media Inspectorate) and APEK to take measures against POP TV because of the time schedule of the reality show in question. The Culture and Media Inspector did not agree, putting forward the argument that the expert interpretation of the show’s content is a matter for APEK. As the ethical guidelines (codices) for broadcasters which were articulated by APEK are a non-obligatory normative document and the codex of POP TV is exclusively self-regulatory, the ZMed-1 is the only referential and legally relevant document for the expert interpretation and taking of measures regarding “Celebrity Farm”.

APEK’s experts analysed some episodes of the show broadcast from 28 September to 6 November 2009 and stated that there were many scenes that might affect children’s understanding of cultural norms and give them a misleading understanding of certain areas of human behaviour (sexuality, violence etc.) especially as “famous” characters are involved and their manners are supposed to be socially “winning”. According to data provided in the text of the measure issued, in the period between 29 September and 6 November 2009 the show was seen by 14,158 children between the ages of 4 and 9 years, and 16,150 children between the ages of 10 and 14 years.

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The Agency's measure stipulates that the broadcaster shall use acoustic and visual warnings according to Article 84 paragraph 3 ZMed-1 on the protection of minors. Regarding the period of implementing the measure (Article 109 paragraph 3 ZMed-1) the Agency decided to use the shortest possible option, which is one month. After the expert opinion was published and the measure issued by the Agency, the Inspector for Media and Culture announced that it would fine POP TV in accordance with to the law. The defined range of the fine is from 1,000 to 80,000 EUR.

Zakon o medijih, ZMed-1

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Media Act

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