[NL] Government intention to amend existing Media Decree

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The Dutch Government intends to amend the Media Decree (Mediabesluit) that implements provisions of the Media Act. The new Media Decree will allow municipalities to charge a maximal surplus of 2 guilders on the regular licence fee (omroepbijdrage), for the benefit of public local radio.

In addition, the new Media Decree will establish criteria according to which it will be allowed to use (commercial) products and services in programmes broadcast by public service broadcasters. The Media Act see: IRIS 1995-7: 6). The Media Decree will limit the use to the extent that already generally allows such use (it fits into the context of the programme and the consumption/use of the products/services is not stimulated. This rule will apply to both sponsored and non-sponsored programmes.

Thirdly, the new Media Decree will no longer set separate quotas for European productions for subscription channels. On the basis of the 'Television without Frontiers' Directive, Dutch media law requires that television broadcasters broadcast European works during a minimum of 50 per cent of their transmission time. An exemption was made, however, for subscription channels which are under the obligation to broadcast European products during a minimum of 10 per cent of their transmission time. After having been informed by the European Commission that subscription channels should not be exempted from the quota rules, the Dutch Government decided to change the Media Decree in accordance with this opinion of the Commission. The amendments that the Government wants to intoroduce in the Media Decree are now being evaluated by the State Council (Raad van State). It is expected that the amended Media Decree will enter into force in September or October 1996.

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