[SE] Proposal for a New Swedish Radio and Television Act

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On 18 March 2010 the Swedish government presented a bill for inter alia a new Radio- och TV-lagen (Radio and Television Act - RTL). The new RTL is intended to implement the Audiovisual Media Services Directive 2007/65/EC, which amended Directive 89/552ECC. The new RTL is proposed to enter into force on 1 August 2010.

The bill includes among others the following:

Under the new RTL it will be easier for broadcasters to place sponsoring messages and advertisements during TV programmes. For instance, the general rule that advertisements should be placed between programmes has been abolished. However, placements must still be made with due consideration for the programmes' character and length, so that the integrity or rights of rightsholders are not violated; advertisements cannot not exceed an hourly limit of 12 minutes.

Furthermore, the new RTL includes regulation of new techniques for advertising. For example, virtual advertising and split screen advertisements will be allowed in certain circumstances.

The bill also introduces the specific regulation of product placement. As a general rule, product placement will be prohibited. But, product placement may be permitted in films, TV series, sports programmes and in light entertainment programmes, provided that the programme in question does not improperly favour commercial interests. If such programmes contain product placement, then viewers must be informed accordingly at the beginning and the end of the programme, as well as in connection with breaks in the programme. Product placement will, however, always be prohibited in programmes which are primarily directed towards children under 12 years of age. In addition, certain products, e.g., alcoholic beverages, tobacco products and pharmaceuticals sold on prescription will be forbidden for use in product placement.

A system for distribution of permits for digital radio is also introduced by the bill. In this way, the government intends to create opportunities for a market-driven development of digital radio broadcasts.

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Besides the proposal for a new RTL, the bill also suggests amendments to the Swedish Act on the Protection of Artistic and Literary Works. This means increased possibilities for broadcasting companies established within the EEA to use otherwise protected broadcasts concerning events of major interest to the general public.

Finally, from the bill it also follows that the two current authorities in the field - Granskningsnämnden för Radio och TV (the Swedish Broadcasting Commission) and Radio- och TV-verket (the Swedish Radio and TV Authority) - will be merged to form a new joint Swedish Authority for Radio and TV.

At the moment of writing, the bill had not yet been passed by Parliament. However, seeing as the current Government holds the majority, it may be safely assumed that the new RTL will be adopted in accordance with the bill within the near future.

Regeringens proposition 2009/10:115 - En ny radio och tv-lag

http://www.regeringen.se/content/1/c6/14/25/01/4bb1aaba.pdf

Government bill 2009/10:115 - A New Radio and TV Act

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