[CZ] New Legislation Concerning Audiovisual Media Services

IRIS 2010-6:1/16

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The Czech Parliament recently adopted a law regulating audiovisual media services. This implementation of the European Directive on Audiovisual Media Services in the Czech Republic took place by means of a new Law on Audiovisual Media Services on Demand and substantial amendments to the Law on Radio and Television Broadcasting.

The general objective of the regulation of audiovisual media services on demand is primarily to establish non-discriminatory access to all providers of audiovisual media services (i.e., broadcasters and providers of audiovisual media services on demand) and the protection of consumers and minors. For this purpose, in addition to the regulation of broadcast content, the new legislation also regulates the content of audiovisual on demand services (audiovisual commercial communication; protection of certain groups of persons; promotion of European works).

The responsible regulatory body for audiovisual on demand services is the Council for Radio and Television Broadcasting. Providers of on demand services are obliged to register at the RRTV within 30 days of the coming into force of the law. Given that audiovisual media services are largely provided in a wide range of countries, the law regulates cross-border co-operation of the RRTV with the EU institutions and the regulatory authorities of the member states of the EU and States that participate in the European Convention on Transfrontier Television.

The Law includes provisions which oblige providers of audiovisual on demand services to take measures to prevent minors from accessing services for adults: there is a general prohibition on distribution of content intended for adults in a way that would make it - in normal circumstances - possible for minors to have access to it.

The law imposes an obligation on RRTV to co-operate with self-regulatory bodies, e.g., to take into account the opinion of the self-regulatory bodies when determining the amount of administrative fines. RRTV has to report the results of its co-operation with self-regulatory bodies in an annual report submitted to the Parliamentary Chamber of Deputies.

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The new legislation removes the prohibition on overlapping ownership of electronic communications networks and broadcasting licenses and of overlapping ownership of several electronic communications networks.

Part of the new regulation is also an amendment of the Law on Radio and Television Fees. These fees are no longer collected for mobile phones.

Zákon č./2010 Sb. o audiovizuálních mediálních službách na vyžádání a o změně některých zákonů

http://www.sbirka.cz/POSL4TYD/10-0470.htm

Law Nr. č./2010 Coll. Of 13 April 2010 on the audiovisual media services on demand and amending other laws published in the Official Gazette No. 132/2010 Sb.

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