# [SI] Matching the Independent Production Quota

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Producing audiovisual content for television broadcasters is essential for independent producers and one of the pillars of a sustainable audiovisual industry. The Slovenian Zakon o medijih (Media Act) provides in Article 90 a requirement for a 10% share of European audiovisual works by independent producers and sets out special provisions for the national broadcaster RTV Slovenia in Article 92: Slovenian audiovisual works must make up at least 25% of the annual transmission time of Radiotelevizija Slovenija television programme services 1 and 2, and one quarter of this share must be created by independent producers. The Media Act provides for financial sanctions in the event of an infringement of the quota rules.

The Slovenian independent producers' guild GIZ SNAVP has been trying for the last three years to get proper information on matching the required quota as they suspect the share is far from what is needed. The Media Act actually requires that broadcasters report on the quotas themselves. The GIZ SNAVP discovered that the control over reported quotas is not adequate and requested the Ministrstvo za kulturo (Ministry of Culture) to check the reports. The Ministry responded that it had an inspector for media, but this person was not entitled to control the quotas.

After much correspondence it was established that the Agencija za pošto in elektronske komunikacije (Post and Electronic Communications Agency - APEK) is responsible for the revision of the transmission time and for checking the reported quotas.

The APEK placed the revision in its yearly plan of activities that took another year. One of the problems that arises is that broadcasters are obliged to keep their recordings of their programmes for 30 days and they claim that APEK is exceeding its mandate and hence refuse to provide the relevant data. So APEK is not able to complete the revision, despite the fact that APEK discovered that the national broadcaster did not match the required quotas of independent production in 2008. Following this APEK released a written order in which it admonished RTV Slovenia to observe the quota rules.

On the other hand the report of RTV Slovenia says that there is only a small number of independent producers that can provide the professional, technical and artistic quality sufficient for an independent production. According to RTV Slovenia the national broadcaster systematically performed calls for tenders

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during the last eight years, but there are only few independent producers in the market who can assure quality production. Even the best producer is not chosen if he or she is engaged on other projects.

### *APEK, Letno poročilo 2009*

http://www.cncinema.abt.ro/Files/Documents/fls-996.doc

*APEK´s revision included in the Annual Report*

### *RTV, Letno poročilo 2008*

http://www.rtvslo.si/files/letno_porocilo/letno_porocilo_2008.pdf

*RTV report included in the yearly report*

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