[PL] Amendment to Broadcasting Act

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On 6 August 2010 the Parliament adopted the Act Amending the Broadcasting Act and Licence Fees Act. The Act was sent to the President for signing on 9 August 2010. The Act refers to public broadcasters' Supervisory Boards' and Management Boards' composition and the procedure for appointment (stressing the importance of contest procedures), as well as improving the mechanism of control over the realisation of the public service remit.

The Act provides that the Supervisory Boards of the companies Polish Television and Polish Radio shall consist of seven members: five chosen by a contest organised by the National Broadcasting Council (NBC) among candidates having competences in law, finances, culture and media, being proposed by the collegial bodies of higher education institutions; one member appointed by the Minister of State Treasury and one member appointed by the Minister of Culture and National Heritage.

The Supervisory Boards of regional radio companies shall consist of five members, among whom four should be chosen by a contest (organised by the NBC) among candidates having competences in law, finances, culture and media, being proposed by the collegial bodies of higher education institutions functioning in the given region, and one by the Minister of State Treasury, acting in agreement with the Minister of Culture and National Heritage.

A member of the Supervisory Board can be dismissed during his/her term in three special cases precisely described by the Act. The organ entitled to dismiss the member of the Supervisory Board is the same as that which appointed him/her: in relation to members chosen by a contest procedure - the NBC, while in relation to a member appointed by a Minister - the relevant Minister.

Management Boards of public radio and television broadcasting organisations (operating in the form of the sole-proprietor joint stock company of the State Treasury) shall consist of one to three members (fewer than currently). Members of the Management Board, including the President, would be appointed, on the motion of the Supervisory Board, by the NBC. Members of the Management Board have to be appointed from among candidates having the necessary competencies in management and radio and television, selected by a contest organised by the Supervisory Board. A member of the Management Board can be dismissed during

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his/her term only if one of three special cases precisely described by the Act would happen. In such a situation the member of the Management Board can be dismissed, based on a motion of the Supervisory Board or General Meeting of Shareholders, by the NBC.

It is also envisaged that public radio and television should prepare each year, in agreement with the NBC, financial and programming plans in respect to the tasks connected with the fulfilment of the public service remit, requiring public financing. It would be up to the NBC to establish, by regulation, deadlines to present these plans and their scope, having regard to achieving the fulfillment of the public service remit by public radio and television.

Ustawa z dnia 6 sierpnia 2010 r. o zmianie ustawy o radiofonii i telewizji oraz ustawy o opłatach abonamentowych

http://orka.sejm.gov.pl/proc6.nsf/ustawy/3139_u.htm

Act Amending the Broadcasting Act and Licence Fees Act

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