[SK] Plans of the New Government in the Area of Media

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On 11 August 2010 the National Assembly of the Slovak Republic approved the new Government Programme Declaration ("Declaration"). The main objectives in the area of culture are the protection and restoration of the cultural heritage, a complete reform of the public media and an efficient administration of public finances. The Deputy Minister of Culture announced that one of the priorities is also the elaboration of a document on the direction of culture for the next years, for the purpose of transforming the culture to a sector suitable for investment.

One major issue susceptible to change is the payment system for public media. According to the Declaration "the Government will repeal the concessionary fees and create a new legislative framework for the financing, organising and functioning of the public media with an aim to increase their efficiency and strengthen their public character". Firstly, the Minister of Culture wants to bring forward the concept of public media to discuss it with specialists. A part of this concept is also the repeal of "concessionary fees" planned to be concluded by 1 January 2012. The Minister of Culture has pointed out that five statutes will have to be amended before this reform can be effectuated and a long legislative process will therefore be necessary.

Although the Minister speaks of "concessionary fees", this term is not precise. The concessionary fees, which were paid only by natural persons who owned a television/radio receiver and legal persons who held a record of a television/radio receiver in their accounting, have been replaced by "payments for public services in the area of television and radio broadcasting" established by Act No. 68/2008 Coll., which are paid by all natural persons who purchase electricity and by employers who employ at least three persons. Nevertheless, besides expanding the number of people who are obliged to pay the respective fees, the system of gathering finances from the public in the form of a compulsory contribution remained unchanged.

Although the new "payments for public services" were expected to increase the amount of payments from the public, the Slovak Television, the Slovak Radio and the Radio and Television Company ("RTC"), the body entrusted with the collection of fees, have informed about a decrease in revenues, which they connect with the newly issued information about a total repeal of the payment system. The Ministry of Culture denies such argumentation due to the fact that the decrease is visible

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since the second half of the year 2009.

Another important intention of the Ministry of Culture concerns Act No. 270/1995 Coll. Language Act ("LA"). The Ministry wants to abolish the sanctions for breaches of the LA, which were introduced by the Amendment No. 318/2009. According to s. 9a if the Ministry of Culture discovers a breach of the specific provisions of the LA and the illegal consequences are not eliminated within the period given by a written warning the Ministry may impose a fine from EUR 100 up to EUR 5,000.

Finally, the granting of subsidies from the Audiovisual Fund ("Fund") should become more transparent. There was a longstanding critique of the authority members to allocate finances for their own projects. According to the new system, members of the board, the control commission and the expert commission cannot file an application for subsidy. The same will apply to persons close to these members.

It will not be possible for applicants to be a part of the decision-making process. In case of a member of the expert commission if there is a possibility of conflict of interest the respective member shall not participate in the whole proceeding and has to be represented by a substitute. The members of the board and the control commission are absolutely barred from deciding on the subsidy. Should the member of the board or the control commission have an employment or copyright-based relation with the applicant, he has to disclose this in advance and cannot take part in the deliberation process of the bodies of the Fund regarding this matter.

OBCIANSKA ZODPOVEDNOST A SPOLUPRÁCA PROGRAMOVÉ VYHLÁSENIE VLÁDY SLOVENSKEJ REPUBLIKY NA OBDOBIE ROKOV 2010 - 2014

http://www.government.gov.sk/data/files/6257.pdf

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