

[NO] Public Consultation on the Evaluation of NRK's Existing Public Services

IRIS 2010-10:1/36

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On 25 August the Ministry of Cultural Affairs circulated for public consultation a report assessing whether the current activities on the new media platforms of Norsk rikskringkasting AS (Norwegian public service broadcaster - NRK) qualify as public service. The examination, carried out by the Norwegian Media Authority has been undertaken as a preparatory step towards a new ex ante regime requiring a public value test for any significant new service NRK wants to launch (see IRIS 2010-1: 1/126).

The main conclusion in the report is that most of NRKs existing services are in compliance with the public service remit as stated in the Charter and consequently may be funded by license fees. However, the Media Authority has expressed concern that some specific services may be problematic when it comes to requirements in the Charter guaranteeing NRK's editorial independence and that NRKs public services shall be non-commercial. In particular, this concerns a website, called *ut.no*, offered by NRK in collaboration with Den Norske turistforening (The Norwegian Trekking Association) containing travel advice and tools for planning outdoor activities in Norway. The Media Authority is also critical of NRK for generating revenue through the use of mobile services in programmes, for example the use of SMS voting in programmes like the Eurovision Song Contest.

The report is based on information from NRK about its existing services, and serves only as an advisory opinion to the Ministry. The report caused a heated debate over the summer, leading the Ministry to decide to launch a public consultation on it, stressing that it was vital to hear all stakeholders and other interest groups before coming to its final conclusions about the services.

In May this year the necessary amendments to the Broadcasting Regulations entered into force, setting up assessment criteria and procedural rules on the required public value test that from now on must be undertaken whenever NRK applies for pre-consent to add a new significant service to the public service remit. The Media Authority will be in charge of conducting the evaluation in close cooperation with the Competition Authority. However, it is the King in Council (the Government) who has the final say as to whether a service should be included in the remit.

Høring - Medietilsynets gjennomgang av NRKs tjenester på nye medieplattformer

<http://www.regjeringen.no/nb/dep/kud/dok/hoeringer/hoeringsdok/2010/horing---medietilsynets-gjennomgang-av-n.html?id=612876>

Public consultation - The Media Authority's evaluation of NRK's services on new media platforms

Kringkastingsforskriften kapittel 6, tilføyd ved forskrift 23. april 2010 (i kraft 1. mai 2010)

<http://www.lovdata.no/for/sf/ku/tu-19970228-0153-006.html>

Broadcasting Regulations, Chapter 6

