[SI] Draft Media Law

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Denis Miklavcic
Union Conference of Freelance Workers in Culture and Media (SUKI)

The Slovenian Ministry of Culture has prepared the new Zakon o medijih (Media Law) and released it for public discussion on 28 July 2010. The discussion, which ended on 20 September 2010, was quite challenging and caused a mass movement of Slovenian musicians and journalists.

Slovenian journalists raised their voices in spring this year because they were not satisfied with the current regulation of Slovenian media because, in their view, it does not protect the freedom and autonomy of journalists to a satisfactory extent. They noticed that the interests of profit and the market would no longer be balanced by the rights to information and freedom of expression.

The reactions of journalists to the proposed Zakon o medijih were very diverse. While the Sindikat novinarjev Slovenije (Journalist Trade Union - SNS) and Društvo novinarjev Slovenije (Association of Slovenian Journalists - DNS) stated that the draft provided good grounds for further discussion, the Združenje novinarjev in publicistov (Association of Journalists and Publicists - ZNP) requested the Ministry of Culture to withdraw it. They said that the draft brings back the old totalitarian mentality and restrictions to freedom of expression.

The Draft introduces a new definition of corrigendum that should prevent its abuse. According to the Draft it will be possible to correct only untrue or false statements in published content that infringe the rights of the relevant person and it envisages the possibility of suspending media in the case of hate speech.

The Law envisages besides actual project financing the possibility of financing programmes in the public interest over several years as well as providing financial support to media in economic difficulties. It introduces more strict criteria for the registration of freelance journalists, a right of pre-emption for journalists in the case of the sale of a media company and the prevention of concentration of ownership that will be under the jurisdiction of the Urad za varstvo konkurence (Competition Protection Office - UVK). The transparency of media will be ensured with a Register of media and procedures led by the UVK. According to the Ministry of Culture the Law brings more autonomy to journalists as it envisages an obligation to consider the opinion of the editorial board in the case of changes, supplementation or adoption of editorial policy.

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The Draft keeps quotas for Slovenian music. Instead of the current forty percent of the daily programme time it introduces a quota of fifteen percent from 6 a.m. to 8 p.m., which should reach the relevant audience more effectively. Musicians were very concerned about lowering the quota and a wide debate arose. The Ministry stated that they were following statistics, which show that the actual quotas were misused and the most Slovenian music was broadcast during the night-time. The proposed regulation should also improve the quality of the Slovenian music produced.

The proposed Law also regulates advertising: product placement will be forbidden for the national broadcaster; advertising time will be restricted during prime time to seven minutes per hour (ten minutes for commercial broadcasters), while the intervals between the commercial breaks should be at least thirty minutes. Instead of the Broadcasting Council, the Media Council will be set up as an independent professional body in the media sector.

Predlog osnutka Zakona o medijih

http://www.mk.gov.si/fileadmin/mk.gov.si/pageuploads/Ministrstvo/Zakonodaja/Predlogi_zakonov/ZAKON_O_MEDIJIH-1__osnutek_-objava.pdf

Draft Media Act

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