

[HU] “Media Constitution” Adopted

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*Mark Lengyel
Attorney at law*

On 2 November 2010 the Hungarian Parliament adopted Act CIV of 2010 on Freedom of Expression and on the Basic Rules of Media Content. This new piece of legislation is also dubbed as “Media Constitution” by its introducers, reflecting its fundamental nature.

The promulgation of the Act was preceded earlier in the summer by an amendment of the Constitution relevant to the media and by the creation of the *Nemzeti Média- és Hírközlési Hatóság* (National Media and Communications Authority - NMHH) as a new “converged” regulatory authority (see IRIS 2010-8/34).

The scope of the new Act covers a variety of media content ranging from the print press across traditional radio and television, to non-linear services and to certain types of Internet content. The scope also includes content aimed at Hungarian audiences from abroad, provided that its provider has established itself outside Hungary with the purpose of evading Hungarian jurisdiction.

The “Media Constitution” lays down a number of provisions related to journalistic freedoms:

- it establishes legal protection for journalistic sources;
- defines rules for the protection of the professional conduct of journalists against undue interference from media owners or advertisers, and
- creates immunity for journalists committing minor offences, if unavoidable, in the course of their investigations for the benefit of the public.

The new Act also highlights the right of the public to receive information in general. On these grounds it lays down the basic obligations of the press such as the right of reply (in cases of factual misrepresentation) or the respect of human dignity. Beyond these the Act defines the basic considerations related to the protection of minors and of consumers, too.

The following element of the ongoing reform of the Hungarian media regulation is expected to be the approval of the Bill on Media Services and Mass Media. This piece of proposed legislation, as submitted to the Parliament on 22 November 2010, outlines a detailed legal background for media services. The bill, when

adopted, will change Act I of 1996, the current Broadcasting Act, completely.

2010. évi CIV. Törvény a sajtószabadságról és a médiatartalmak alapvető szabályairól

http://jogszabalykereso.mhk.hu/cgi_bin/njt_doc.cgi?docid=130872.518935

Act CIV of 2010 on Freedom of Expression and on the Basic Rules of Media Content

http://www.kormany.hu/download/c/b0/10000/act_civ_media_content.pdf

