

[CY] Digital Switch-over Regulated with Amending Radio and Television Law

IRIS 2011-7:1/16

Christophoros Christophorou
Council of Europe expert in Media and Elections

The Republic of Cyprus is only days away from the digital switch-over on 1 July 2011 and is completing all necessary measures for a smooth transfer. Amendments of the Act on Radio and Television Stations L. 7(I)/1998 (*Ο περί Ραδιοφωνικών και Τηλεοπτικών Σταθμών Νόμος*), voted on by the House of Representatives in mid-April, providing for the procedures that radio and television organisations should follow in order to continue operation in the new environment.

The amendments adopted were of a much narrower scope than those proposed in the draft Law (see IRIS 2011-5/11); in view of the urgent need for a swift transfer to the digital environment the House might have opted to examine further changes at a later stage.

The amending Law provides for the following:

The Act's title changes from 'Act on Radio and Television Stations' to 'Act on Radio and Television Organisations', while the regulator's name remains 'Radio Television Authority'. The position of the Chairman of the Authority changed and the holder of the post will assume full-time executive functions. A renewal of the chairman's term of office is possible for a second mandate.

Existing licence holders are considered to be licensees under the new act, while new applicants may be granted a temporary licence expiring on 30 June 2011. In the meantime, the Radio Television Authority is examining applications for digital transmission licenses that will be effective as from 1 July 2011. Any transmission after that date requires a new licence for the transmitting organisation.

The license fee is set to EUR 51,400 per year for television operators; operators must also pay an additional fee of 0.5% of their income from advertising.

Other issues regulated by the amending act are the following:

- Definitions in order for both, broadcasters and audiovisual media service providers to be covered by the Law.

- The obligation of operators to transmit free of charge messages of the Radio Television Authority that are 'directly related' to the regulator's functions and mission.
- Time and other conditions for the transmission of specific categories of advertising, such as dating and sensual messages, competition games and gambling.

As mentioned above, the act is already promulgated and a number of new and digital licences have been granted by the Authority. In the digital environment, all local stations are turning into island-wide operators.

In the course of the digital switch-over Velister Ltd., the company that holds the licence of the commercial digital platform, and the Office of the Commissioner for Electronic Communications and Postal Services are considering with broadcasters and audiovisual media services operators a draft document on the terms and conditions that will govern the relationship (rights and obligations) between Velister Ltd. and those seeking access to the digital platform.

L.73(I)2011, Επίσημη Εφημερίδα, 28/04/2011

Act L.73(I)2011 amending the Act on Radio and Television Stations L. 7(I)/1998, Official Gazette of 28 April 2011

