

[BG] New Section in the Radio and Television Act

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On 29 December 2011, a new section in the chapter on "Licensing and Registration of Operators" in the Radio and Television Act entered into force. It is titled "Registration of Radio and Television Operators that Produce Programmes Addressed to the Audience beyond the Territory of the Republic of Bulgaria". The purpose of this addition was to fill the gap in Bulgarian legislation concerning programmes that are produced in Bulgaria, but are transmitted outside Bulgaria via an electronic communication network for terrestrial or satellite broadcasting located in Bulgaria (see IRIS 2011-7/12).

For these broadcasters the Bulgarian law already requires registration with the Council for Electronic Media (CEM) and imposes an obligation to observe the same general principles for audio-visual media services that are obligatory for registered operators broadcasting their programmes in Bulgaria. These obligations also include the requirement to observe copyrights and neighbouring rights when producing and transmitting programmes. At the same time, the law releases these broadcasters from the obligation to submit to the CEM preliminary contracts proving the settlement of copyrights and neighbouring rights along with the application for registration as is required from broadcasters producing programmes addressed to the Bulgarian audience.

Despite this, the law provides that all enterprises that transmit such programmes are obliged to submit to the CEM twice a year documents proving that they have settlements with rightsholders on their programmes and on the elements of the programmes that are transmitted beyond Bulgaria.

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