[BG] New Radio and Television Act

IRIS 1996-10:1/21

Andrea Schneider
Institute of European Media Law (EMR), Saarbrücken/Brussels

On 9 September 1996, the Bulgarian Parliament passed the long-awaited Radio and Television Act. This came into force on 13 September, bringing to an end the prolonged period during which broadcasting in Bulgaria had been governed by transitional regulations, based on a temporary Statute for Bulgarian National Radio and Television. Adopted by the National Assembly on 22 November 1990, this Statute had freed broadcasting from government control and subordinated it to Parliament, as the supreme representative body in the state. It had also established a legal basis for the activity of the state broadcasting authority, laid down programme requirements and provided for monitoring of the broadcasting authority.

Although Bulgaria's legislators had intended to replace the provisional Statute with a Broadcasting Act as soon as possible, it remained in force until September this year, a period of nearly six years. This situation first began to change on 19 September 1995, when the Bulgarian Constitutional Court ruled on the Statute's constitutional validity, and declared parts of it unconstitutional (see IRIS 1995-10: 5).

A month later, on 19 October 1995, three separate broadcasting Bills were submitted to Parliament to remedy the absence of proper legislation. On the members' recommendation, these three bills were then combined in one by the Parliamentary Committee on Broadcasting and submitted to Parliament for a second reading on 5 May 1996 (for content, see IRIS 1996-6: 15).

The Act was duly passed by the National Assembly on 18 July 1996, but the President, considering that it would not guarantee freedom of expression effectively, exercised his constitutional veto and referred the text back to Parliament (see IRIS 1996-8: 9).

Parliament none the less adopted the Act unchanged on 5 September 1996, and a number of members at once attacked certain sections of the text as unconstitutional in the Constitutional Court. The Court can be expected to give its decision by the end of the year.

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