[IT] Antitrust deadline postponed by Government Decree

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At the end of August the Italian Government issued a Decree to postpone the deadline for the validity of antitrust rules in the broadcasting sector.

As IRIS readers will remember (see IRIS 1995-1:10), a decision of the Constitutional Court (n. 420 of 1994) struck down Article 15 of the 1990 Law Governing Public and Private Broadcasting in Italy because it permitted a single company (Berlusconi's Fininvest) to control three national channels. The Court considered that provision to be unconstitutional because it infringes the principle of freedom of expression laid down in Art. 21 of the Italian Constitution. In the same decision the Court explicitly prohibited the legislator to postpone the unconstitutional situation after the August 1996 deadline. Nevertheless, the new decree provides for a new deadline (end of January 1997). The Government justified this decision by saying that it was necessary in order to give the new Parliament sufficient time to enact new legislation that is in accordance with the Court's ruling.

Decreto legge n. 444/96.

Statutory instrument n. 444/96 postponing Antitrust deadline.

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