[IT] Government introduces Television and Telecommunications Bill

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Roberto Mastroianni
RTS Radio Télévision Suisse, Geneva

The Italian Parliament is considering a new Bill introduced by the Government in order to regulate both television and telecommunications activities. According to the Government's view, the convergence of the telecoms and TV sectors requires a common approach; therefore the whole system of communications is concerned by the new rules. The Bill complements the one concerning antitrust issues and the institution of an Independent Authority (see IRIS 1996-9:13).

Title I states the general principles inspiring the new legislation: freedom of expression, pluralism, protection of viewers and consumers. Title II includes the main provisions intended to complete the liberalization of telecommunication activities, in accordance with the EC Directives. Article 3 of the Bill concerns the different regimes of obtaining the licences and authorizations needed in order to enter the market of networks and services. As for networks, it is proposed that licences will be granted by local authorities in cases where their scope concerns only one municipality or a limited geographical area, and by a newly to be established Authority for Communications if the network for which a licence is requested, covers the whole country. It will also become possible to provide telecommunications services through networks already used for broadcasting activities. Until 1998 the public monopolist, Telecom, will be banned from broadcasting activities. Article 4 gives the Authority relevant powers in order to impose individual interconnection and universal service obligations on the different operators. Title III introduces an important new element as far as the distribution of broadcasting services is concerned. In the case of terrestrial television broadcasting services that are made available to consumers free of charge, access to the market will be restricted to those to whom a licence has been granted and in the case of cable and satellite broadcasting services, a special authorisation will be required.

The Bill also includes rules concerning the public broadcaster RAI. One of the three channels used by RAI will be reserved for a new broadcasting service to be offered by companies which are to be created on a federal basis. The following provisions are intended to finally implement some of the provisions of the `Television without Frontiers' Directive. A mandatory 50% quota of European programmes will be introduced, as well as most (but not all) of the advertising provisions which are still ignored in Italian legislation.

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The Government's Bill is facing serious opposition in Parliament. Members of Parliament are expected to introduce several amendments. Approval is not expected in the near future.

Disegno di legge n. 1138 - Disciplina del sistema delle comunicazioni.

Television and Telecommunications Bill n.1138.

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