[HU] Amendment of the new Hungarian Media Act

IRIS 2012-8:1/41

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Thus far, the Hungarian Parliament has been compelled on four occasions to substantially amend the new media laws, which had been adopted in three stages in 2010. The amendments responded to some aspects of criticisms leveled at the existing regulations, but at the same time they failed to remedy a substantial portion of international and domestic objections regarding the disproportionate curtailment of the freedom of the press.

The most comprehensive package of amendments was adopted during the summer of 2012, after the media laws had been examined by the Constitutional Court in December 2011 (see IRIS 2012-2/25). The Court found several provisions of the media law amendments to be unconstitutional, especially in view of media regulation. In response to the decision, the Parliament narrowed the scope of application of the media laws and of media law sanctions to print and online media products, but it did not cease the supervision of these media products pursued by the Media Council. The amendment significantly clarified provisions concerning the protection of sources of information by making clear that the protection of sources is safeguarded in all of court and authority procedures. The modification narrowed the range of data that media providers are required to submit to the Media Council; the authority cannot request any information apart from a specific procedure regarding behavior of the provider. Furthermore, the amendment constricted the procedural options available to the Commissioner for Media and Communications Rights.

The modifications softened some crucial aspects of the regulation's restrictions on the freedom of the press, but they failed to address - just as the foregoing Constitutional Court decision had failed to do - the independence of the Media Authority and the public service media's institutional framework, or, for that matter, concerns about the regulation of frequency tenders.

2012. évi LXVI. törvény a médiaszolgáltatásokkal és a sajtótermékekkel összefüggő egyes törvények módosításáró

http://www.complex.hu/kzldat/t1200066.htm/t1200066.htm

Act of 2012 LXVI on Amendments of Certain Laws regarding the Media Services and the Press Products, 4 June 2012

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