[NL] Amendment of Media Decree

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By Decree of 14 November 1996, the Dutch Government has made several amendments to the Media Decree (see IRIS 1996-7: 15). These amendments adapt the Media Decree to the recent changes in the Media Law (amendment of 4 April 1996; see IRIS 1996-5: 12). According to the new Decree, local and regional private commercial broadcasters no longer need the permission of the Dutch Media Authority (Commissariaat voor de Media) to broadcast advertisements. This possibility now automatically results from the Authority's assignment of broadcasting time.

Secondly, the new Decree establishes criteria for the use of products and services in (both sponsored and non-sponsored) programmes of the broadcasters in the public broadcasting system. In informative and educational programmes products or services can be shown if (a) this fits within the context of the programme, (b) it is not contrary to the formula of the programme or its integrity, (c) the use is in proportion and (d) the products or services are not in any way recommended.

Furthermore, the Media Decree is amended in accordance with the European Commission's opinion on the applicability of the quota rules of the Directive on 'Television without Frontiers' in regard to subscription channels (see IRIS 1996-7: 15). The Dutch Government accepted that the quota for European productions (the obligation to broadcast European productions during a minimum of 50 per cent of the transmission time) equally applies to subscription channels. However, the Media Authority is given the power to exempt certain subscription channels from this obligation if, for example, the channel is aimed specifically at certain minorities, for which groups unsufficient European productions are made. The new Media Decree came into force on 11 December 1996.

Besluit van 14 november 1996, nr. 96.003342, houdende aanpassing van het Mediabesluit aan de wet van 18 mei 1995 (Stb. 320) tot wijziging van de Mediawet met het oog op de uitvoering van richtlijn nr. 89/552/EEG van de Raad van Europese Gemeenschappen van 3 oktober 1989, alsmede aan de wet van 4 april 1996 (Stb. 219) tot wijziging van de Mediawet in verband met een herziening van de reclameregeling voor de publieke lokale en regionale omroep, het bevorderen van de samenwerking tussen de publieke regionale en landelijke omroep en het

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toestaan van commerciële omroep op niet-landelijke niveau.

Amendment of Media Decree of 14 November 1996.

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