[NL] Legislative Proposal to Change the Media Act 2008

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Alexander de Leeuw
Institute for Information Law (IViR), University of Amsterdam

On 4 June 2013, the Dutch House of Representatives discussed a legislative proposal to amend the Dutch Media Act 2008. State Secretary Dekker proposed several changes to the Media Act in reaction to the growing digitisation of media and the increased level of competition within the media sector. The proposal contains provisions relating to television as well as radio channels. An example of this digitisation is the vast rise of digital television and radio subscriptions as opposed to analogue subscriptions. An example of increased competition in the media sector is the introduction of services comparable to television or radio that are provided on the Internet.

The core element of the legislative proposal is the introduction of a minimum amount of programme channels that must be offered by digital television providers in their standard packages. This requirement can be found in Article 6.13 of the legislative proposal. Several requirements are set with regard to the minimum of 30 channels that have to be offered. For example, the package must contain three general channels of the regional public broadcaster. Also, the package must contain three channels of the Belgian public broadcaster that are in the Dutch language. The goal of the minimum amount of 30 channels that have to be offered is to maintain a sufficiently varied media offer in the standard television packages. The Dutch Commissariat for Media will supervise adherence to the new provisions.

Another proposed amendment to the current Act is the abolition of local programme councils. The role of programme councils is to advise television providers about which channels to include in their television packages. One concern in this regard is how the consumer will still be able to have an influence on the channels offered in the television packages. In reaction to this concern, State Secretary Dekker stated that this should not pose a serious problem as consumers can switch to another provider if they are unhappy with the channels offered. Consumers can also go to the Authority Consumer & Market, an independent supervisory body, to file a complaint.

This legislative proposal has not yet reached its final stage. The House of Representatives will have a subsequent meeting on the proposal, the date of which is yet to be announced.

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