[CY] Law Proposal to Ban Advertising on Public Broadcasting Service

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The Cypriot Parliament is discussing a law proposal aiming at stopping all forms of advertising on Ραδιοφωνικό Ίδρυμα Κύπρου (RIK - Cyprus Broadcasting Corporation), the sole public service broadcaster transmitting four radio and three television stations. The proposal was submitted in May 2013 by the ruling party Δημοκρατικός Συναγερμός (DISY - Democratic Rally). If the law is adopted, no radio or television advertising would be allowed in RIK's prorgrammes as of 1 January 2014.

The proposed act would amend the περί Ραδιοφωνικού Ιδρύματος Νόμος (Chapter 300A on Cyprus Broadcasting Corporation - laws dating from the British colonial rule are called chapters and not laws). A new Article 45 would be added that reads as follows: "Notwithstanding any provision of the present law and regulations issued thereof, the transmission of radio and television advertising and political advertising by the corporation is prohibited, starting on 1 January 2014". There is no reference in the proposed amendment as to whether the prohibition affects both paid and free of charge advertising, or advertising of the RIK's own programmes. While political advertising is also prohibited, it is not clear whether free airtime offered by the public broadcaster to political parties and candidates would be banned as well.

According to the explanatory memorandum attached to the proposal, the prohibition "was deemed necessary because the Corporation [the RIK] is funded by means of a public subsidy amounting to a value sufficient to cover its operational and any other of its needs". Because of this subsidy, "no other income from the transmission of any form of advertising, on payment or any other consideration is required", states the memorandum.

During the discussion at the parliamentary Committee of Internal Affairs, the matter was received with mixed feelings by other political parties as well as by advertising agencies and broadcasting organisations. The Σύνδεσμος Διαφήμισης Επικοινωνίας Κύπρου (SDEK - Cyprus Communication Agencies Association) recommended that these issues be left to operate within the free market without any state interference. It later issued a statement whereby it reiterated this position and referred to the advantageous position of the subsidised public broadcaster vis-a-vis the commercial broadcasters. The SDEK suggested not only

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the cutting down of the public subsidy, but also suggested measures that the public broadcaster should take in order to alleviate “its extravagant expenses” and its “aggressive competition” with the private broadcasters, which are struggling to survive.

The law proposal was brought before the Plenary of the House of Representatives on 11 July 2013, but its final discussion was postponed.

Ο περί Ραδιοφωνικού Ιδρύματος Κύπρου (Τροποποιητικός) Νόμος του 2013. (Πρόταση νόμου)

http://www.mof.gov.cy/mof/gpo/gpo.nsf/All/90158EAE9CB48CA3C2257B970033256B?OpenDocument

Law proposal for the ban on advertising in public service broadcasting (Official Gazette, 27/06/2013, appendix VI, pp. 830-832)

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