# [SK] Amendment of Broadcasting Act

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On 22 October 2013, the Slovak Parliament passed an Amendment (No. 373/2013 Coll. - hereinafter “Amendment”) of Act. No 308/2000 Coll. on broadcasting and retransmission (hereinafter “Act”). The Amendment was signed by the President on 11 November 2013 and entered into force on 1 January 2014.

Among other changes it entitles the broadcasters to broadcast not only in Slovakian, but also in other languages of the European Union. According to the official explanation of the amendment, the necessity of this change arose from the consultations with the European Commission and their concerns regarding the previous legislation. Transmission of programmes in languages other than Slovakian (or Czech language, which is by official authorities considered as understandable for Slovaks) was allowed only with Slovak subtitles in case of television or a preceding or subsequent Slovak version of the programme in case of radio.

Under the new legislation, the Council for Broadcasting and Retransmission may grant licenses for broadcasting in one or more official languages of the European Union other than Slovakian. However, the Council may grant such licence on regional or local level only if a sufficient offer of broadcasting in Slovak language exists in the given geographic area. This instrument shall provide the possibility for broadcasters to transmit information in other languages but at the same time protect the rights of Slovak citizens to receive information of local or regional character in their official language.

The Amendment also reduces the European independent production quota for public service broadcasters from previously 20 % to now 15 %. The new quota must however be reached with at least 10 % of recent European independent production (previously there was no exact quota for recent works). The official grounds of the Amendment declare that in order to fulfil the legal quota of independent productions the public service broadcaster was “forced” to acquire works of low quality. Decrease of the share shall allow public service broadcasters to provide European content of higher quality.

The Amendment also concerns the provisions on accessibility of audiovisual media services for people with disabilities. Although broadcasters formally declare that they meet current quotas, professional organisations of disabled people

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complained that these quotas actually are either not reached at all or reached in an insufficient quality. In order to facilitate the process of supervision the new legislation obliges the broadcasters to provide more detailed reports on broadcasting of such programmes. As a response to the complaints, new provisions exclude programmes primarily containing music and commercial communication from the total time used for the computation of accessibility quotas. Closed and live subtitling now legally have to “correspond to the plot of the programme”, which allows the Council to also monitor the quality and not only the quantity of subtitling.

Furthermore, the Amendment abolishes the current system of measuring loudness of advertisement compared to the rest of the broadcasting and authorises the Ministry of Culture to issue bylaws that will set the details for a new system compatible with the recommendation R 128 “Loudness normalisation and permitted maximum level of audio signals” of the European Broadcasting Union.

***Zákon, ktorým sa mení a dopĺňa zákon č. 308/2000 Z. z. o vysielaní a retransmisii a o zmene zákona č. 195/2000 Z. z. o telekomunikáciách v znení neskorších predpisov a ktorým sa menia a dopĺňajú niektoré zákony***

http://www.justice.gov.sk/Stranky/SuborStiahnut.aspx?Url=%2fLists%2fZbierkaZakonovSR%2fattachments%2f387%2f373_2013.pdf

*Amendment No 373/2013 Coll. of Act. No 308/2000 Coll. on broadcasting and retransmission*

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