[BG] Regulator publishes activity report for first half of 2014

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On 31 October 2014, the Bulgarian regulator, the Council for Electronic Media, published the report on its activities for the first half of 2014. During the period in question, the Council for Electronic Media reported 69 infringements, ten more than in the second half of 2013. In 68 of these cases, the Bulgarian Broadcasting Act had been infringed. Fines were imposed against 24 audiovisual media service providers, 42 companies that only distribute audiovisual content and three radio stations. The cases essentially involved four types of infringement.

Some of the cases concerned breaches of provisions on the protection of minors. Three of these involved violations of Article 32(5) of the Broadcasting Act, which punishes non-compliance with time restrictions on content that may harm young people.

In seven cases, the Council for Electronic Media complained that audiovisual media service providers had infringed Article 76(2), in conjunction with Article 126(d), by failing to comply with decisions issued against them by the Ethics Commission of the National Council for Self-Regulation (Етична комисия към Националния съвет за саморегулация). According to Article 76, audiovisual media service providers are obliged to adhere to the Bulgarian media code of ethics and national ethical rules on advertising and commercial communication. If related decisions of the self-regulatory bodies are flouted, the Council for Electronic Media is authorised to impose fines of between BGN 2,000 and BGN 5,000 (approximately EUR 1,000 and EUR 2,500).

In seven other cases, audiovisual media service providers failed to meet their obligation to provide information to the Council for Electronic Media (Article 13(3), in conjunction with Article 14(4) of the Broadcasting Act), while various advertising regulations enshrined in the Broadcasting Act were breached in four further cases.

Most of the fines were imposed under Article 125(c)(2), in conjunction with Article 126(a)(5)(2) of the Broadcasting Act. In these 41 cases, penalties were imposed for breaches of copyright rules linked to the distribution of audiovisual content.

In its activity report, the Council for Electronic Media wrote that it often found it difficult to get hold of media service providers because it was too easy to obstruct

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the necessary serving of legal documents. For this reason, it had been unable to complete formal proceedings in 24 cases, even though the facts had been fully established. The Council for Electronic Media therefore recommended that the legislator make corresponding improvements. For example, provisions on the serving of these legal documents could be designed in such a way that the documents could be considered to have been served if the addressee refused to accept their delivery.

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http://www.cem.bg/activitybg/1438

Activity report of the Council for Electronic Media for the period between 1 January and 30 June 2014

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