[LT] Draft law on amendments to the Act on the provision of information to the public

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On 14 May 2015, the Lithuanian Parliament (LR Seimas) discussed a number of amendments to the articles of the Act on the Provision of Information to the Public (hereinafter referred to as the Draft Law). The aim of the Draft Law is to liberalise the regulation of re-broadcasting, as well as to enhance the protection of the informational environment against information which may harm the national security interests of Lithuania.

Primarily, the Draft Law seeks to eliminate the drawbacks of the existing regulation of re-broadcasting, which does not encompass the activity of all entities engaged in the distribution of television programmes. For this reason, the Draft Law proposes to define the notion of a “re-broadcaster” in such a way as to ensure that all entities which are engaged in the activity of selecting television programmes and distributing selected packages, regardless of the technology they use for this purpose, are considered as re-broadcasters and fall under the same regulation and that the same rules apply for content control.

The Draft Law proposes to waive the current licensing regulation for re-broadcasting, with only one exception for limited state resources, if i.e. radio frequencies for such activities are used.

The Draft Law provides that interested parties willing to engage in the re-broadcasting activity shall have a duty to inform the Radio and Television Commission of Lithuania (hereinafter referred to as the Commission). They will be able to start their activity the day after providing certain information to the Commission. They shall provide a verification of the fact that the interested party is not legally deprived of the right to carry out such activity; that the validity of that person’s broadcasting or re-broadcasting licence was not cancelled within the previous 12 months; that the person has not been convicted of a crime against Lithuania’s independence, territorial integrity and constitutional system; that the interested party is not in contact with individuals or organisations outside the European Union or NATO which might menace Lithuania’s national security and that the person is not in contact with organised criminal groups, special agencies of foreign states or groupings related to international terrorist organisations or individuals belonging to such entities.

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If the Commission finds at least one of the above-mentioned circumstances, it has the right to cancel the re-broadcasting activity until the established circumstance ceases to exist. Such a decision by the Commission has to be sanctioned by the Vilnius Administrative Court.

The Draft Law determines the liability of all entities engaged in re-broadcasting and programme package distribution activities for violations of specific requirements of the programme selection, as laid down in the Law on the Provision of Information to the Public.

The Draft Law enables the Commission to apply sanctions on the entity for ignoring the above-mentioned requirements. Thus, the Draft Law embeds a new regulatory tool, an economic sanction, which is proposed to comprise up to 3 per cent of the entity's total revenue or up to EUR 100 000 if it is not possible to estimate the revenue.

As one of the aims of the Draft Law is to enhance the security of the informational environment against such information as may harm the sovereignty and national security interests of Lithuania, the Commission shall be consolidated with more duties and responsibilities, especially with regard to the procedure for tackling complaints, safeguarding the public interest in the audiovisual field, etc.

Lietuvos Respublikos Visuomenės informavimo įstatymo Nr. I-1418 2, 19, 22, 27, 31, 32, 33, 34, 341 ,47, 48 straipsnių pakeitimo ir 402 straipsnio pripažinimo netekusiu galios įstatymas

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=491503&p_tr2=2

Act on Amendment No. I-1418 to Art. No. 2, 19, 22, 27, 31, 32, 33, 34, 341, 47, 48 and Annulment of Art. 402 of the Law on the Provision of Information to the Public

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