[CY] TV organisations to continue operation with temporary licences for one more year

IRIS 2016-8:1/7

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Five years after the switchover to digital television on 1 July 2011, operators will continue transmitting until June 2017 with temporary licences. This is provided in amending Act 77(I)/2016 of the Act on Radio and Television Organisations 7(I)/1998, published in the Official Gazette on 1 July 2016.

The Act amends Article 56 of the Law 7(I)/2015, extending the validity of TV licences for all operating service providers by an additional year. Temporary licences for digital transmission that replaced the then existing licences for analogue transmission were initially issued, valid until 30 June 2012. Pending amendments to the Law 7(I)/2015 to respond to the conditions of the new environment and enable the issuance of permanent licences, temporary licences have since been renewed each year (see IRIS 2015-9/7). Thus, validity is extended until 30 June 2017.

With the same amending Act, temporary licences for legal entities of public law are also extended for one year, even in the case that they do not fulfil all the requirements set by law. This is applicable to the Cyprus Telecommunications Authority (Αρχή Τηλεπικοινωνιών Κύπρου - CYTA), a semi-governmental organisation that operates IPTV. Its capital share and structure, as a legal entity of public law, deviates from the model set in the law, which requires inter alia capital share dispersion and a threshold of 25 per cent for shareholders. After having operated in an unregulated, analogue environment for online providers, CYTA benefited from a special provision, voted for in 2011, which enabled its operation in the digital environment.

Another provision in the amending Law authorises the Radio Television Authority to issue temporary licences to new applicants, also valid until the aforementioned date.

With the same amending law, Article 4 of the Law 7(I)/2015 was modified. Article 4 of the Law 7(I)/2015 regulates the appointment and the status of the Chairperson, the appointment of the vice-Chairperson, and the members of the Radio Television Authority (see IRIS 2016-8/8).

An amending draft law aiming at extensive changes to the Law 7(I)/2015, also to enable the issuance of permanent licences, was sent to the House of

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Representatives in 2013 (see IRIS 2013-10/13). The government later withdrew the draft law for further study, and major law amendments are still pending.

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http://www.cylaw.org/nomoi/arith/2016_1_77.pdf

Amending Law 77(I)/2016 of the Law on Radio and Television Organisations 7(I)/1998

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