[ES] Amendment of the Act regulating public owned television in Spain

IRIS 2017-10:1/13

Enric Enrich
Enrich Advocats, Barcelona

Article 20.3 of the Spanish Constitution stipulates that the law shall regulate the organisation and parliamentary oversight of media dependent on the State or any public entity, and shall - respecting the pluralism of society and the different languages of Spain - guarantee access to such media by significant social and political groups. To that end, Act 17/2006 of 5 June on State-owned Radio and Television reflected the requirements of neutrality, transparency and quality, and created the state-owned commercial company RTVE Corporation (see IRIS 2006-6/19). Its administration and government bodies - with the exception of two councillors whose proposal would correspond to the most representative unions at the state level - were appointed by parliamentary vote, with a two-thirds majority.

To the extent that recent constitutional history has thrown up both governments with an absolute majority in the chambers and governments with a simple majority, and given the political and social importance of the RTVE Corporation, Law 17/2006 was intended to ensure that the parliamentary opposition always participated in such an election. In order to comply with this principle, that Act was amended by Act 5/2017 of 29 September “to restore the independence of the RTVE Corporation and pluralism in the parliamentary election of its members”. The Board of Directors of the RTVE Corporation shall be composed of ten members, all of them persons with sufficient professional qualifications and experience, respecting the principle of a balanced presence of women and men in its composition. The members of the Board of Directors shall be elected by the Cortes Generales (the Spanish Parliament) at a rate of six by the Congress of Deputies and four by the Senate. The proposed candidates must appear before a public hearing in the Congress and the Senate, and their election will require a two-thirds majority of the corresponding Chamber.

Ley 5/2017, de 29 de septiembre, por la que se modifica la Ley 17/2006, de 5 de junio, de la radio y la televisión de titularidad estatal, para recuperar la independencia de la Corporación RTVE y el pluralismo en la elección parlamentaria de sus órganos

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Act 5/2017, of 29 September, to restore the independence of the RTVE Corporation and pluralism in the parliamentary election of its members, 29 September 2017

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