[CY] Extension of Television Temporary Licences for one Year to June 2020

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Eight years after the television digital switch-over in July 2011, Cyprus audiovisual media service providers continue operating with temporary digital licences. The latest extension of licences will be until the end of June 2020. Law 92(I)/2019 amending the basic Law on Radio and Television Organisations L. 7(I)/1998 authorises the Radio Television Authority to extend the validity of TV licences for all operating service providers for one more year. The law was published in the Official Gazette on 28 June 2019. The temporality of licences is justified by the pending amendments to the basic Law 7(I)/1998 that would respond to the conditions of the new environment and make possible the issuance of permanent licences. However, amendments to the law in spring 2019 were of very limited scope and did not address the issues that would enable the issuing of permanent (normal) licences. Thus, temporality has now been extended until 30 June 2020. When permanent AVMS licences are issued, they will be valid for ten years, as provided by the basic law.

By virtue of the same amending law, temporary licences to legal entities of public law have also been extended for one year, even in cases where they do not fulfil all the requirements set by law; this is applicable to Αρχή Τηλεπικοινωνιών Κύπρου (Cyprus Telecommunications Authority, CYTA), a semi-governmental organisation that also operates IPTV. Its capital share and structure as a legal entity of public law deviated from the model set in the basic law, which requires, among other things, capital share dispersion and a ceiling of 25% per share holder. After having operated in an analogue environment unregulated for online providers, CYTA benefited from a special provision voted in 2011 and has continued operating in the digital environment.

The amending law authorises the Radio Television Authority to also issue temporary licences to new applicants, also valid until the aforementioned date.

With the exception of a recent amendment of limited scope (see the article on this topic in this issue), the basic law has remained unchanged since 2010-11, when provisions of the AVMS Directive of 2010 were incorporated into Cyprus national law. The competent parliamentary committee expressed its concern about the problem of temporality to the plenary of the House of Representatives. On behalf of the government, it was said that an overhawl of the law is under study in order

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to address all the issues relevant to the operation of AVMS providers in today's environment. No details were provided in the parliamentary committee's report to the plenary of the House of Representatives about the timing of the expected amendments.

Νόμος 92(I)2019 που τροποποιεί τους περί Ραδιοφωνικών και Τηλεοπτικών Οργανισμών Νόμους του 1998 έως 2019, Ε.Ε. Παρ. I(I), 28.06.2019, σ. 538

http://cylaw.org/nomoi/arith/2019_1_092.pdf

Act 92(I)2019

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