[SI] Ministry of Culture carries out a consultation on a new draft media law

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In June 2019, the Slovenian Ministry of Culture published a draft media law for consultation. The consultation concluded at the end of August and the responses are currently under review by the ministry.

The Slovenian media sector is governed by several pieces of legislation and a range of secondary statutes and decisions. The main legislation includes: the Media Law of 2001 (last amended on 3 June 2016, the last major update being in 2006); the Law on Radio Television Slovenia of 2005 (last amended on 5 February 2014); the Audiovisual Media Services Act of 2011 (last amended on 6 November 2015); and the Electronic Communications Act of 2012 (last amended on 21 July 2017).

In 2011, major proposed updates to the Media Law were rejected by parliament. Due to the obligation to transpose the European Audiovisual Media Services Directive (AVMSD), the Ministry of Culture then prepared a proposal for the Audiovisual Act under an expedited procedure in 2011. The new draft law represents a first step in carrying out a broad and comprehensive update of the relevant laws governing the media sector. In parallel, the ministry is drafting an update to the Audiovisual Media Services Act in order to implement the revised Audiovisual Media Services Directive. While the draft media law does not implement the Directive, there are several proposals in the draft which address broad issues of regulation in the audiovisual landscape.

Proposals of interest include the following, in brief:

Changes in the approach to media concentration, which include the proposal to introduce a “public interest test” in the case of media mergers. This is similar to the approaches taken in Germany, Ireland and the United Kingdom and allows for assessments of the impact on public interest alongside the economic impact of media concentration. Media mergers that fall within a specific economic threshold (based on combined turnovers) should be notified to the regulator: the Agency for Communication Networks and Services of the Republic of Slovenia (AKOS). The Competition Authority will provide an assessment on the economic impact of a merger, while the Ministry of Culture will assess the public interest impact.

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At the same time, rules restricting cross-media ownership have been removed, as the draft law states that the convergence of media platforms or digital convergence require a different approach and a technologically neutral media regulation.

The law proposes that the nature of the provision of funding for media production and content of public interest be widened. It also proposes support for the development of quality journalism, including economic support. In addition, it places a strong emphasis on supporting actions for the development of media literacy, and continues to provide support for the development of content that is accessible to persons with disabilities.

According to the draft law, the prohibition of the dissemination of content that promotes national, racial, religious, sexual, or other hatred and intolerance, should be strengthened by widening the possibility of imposing criminal sanctions and fines.

There is a proposal to remove advertising restrictions on local radio stations, with the aim of allowing them to be more competitive in accessing the advertising market, as it provides independent financial resources that enable them to survive and develop new business models.

Predstavitev prenovljenega Zakona o medijih

https://www.gov.si/novice/2019-06-28-predstavitev-prenovljenega-zakona-o-medijih/

Presentation of the revised Media Act

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