[NL] Definition of “Public Broadcasting” in Media Act

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For the first time, the Dutch Media Act will define the notion of "public broadcasting". Although the Act primarily regulates the public broadcasting sector, it never contained a definition. A special committee - the Ververs committee - was asked last year to further look into the nature and mission of the sector. But even the recently adopted proposal to reorganise and strengthen the public broadcasting system (that still has to pass the Senate)partly as a result of the committees report - didn't clarify the term, as is the case with most regulatory frameworks for broadcasting in Europe. Strangely enough, the definition is part of a Bill to replace the existing Telecommunications Bill by a new one that implements the European Directives on telecommunications and regulates the full liberalisation of the telecommunications sector. If the new definition is accepted by Parliament, it will be of historical importance. For a very long time the Dutch broadcasting organisations were able to avoid the introduction of the notion. They are/were afraid of loosing their independence and/or of the introduction of a national public broadcasting system. In fact, the recently adopted proposal on the reorganisation of the public broadcasting sector introduces a more centralised structure.The definition still is very rudimentary and has a limited scope (public broadcasting:"broadcasting by organisations that received broadcasting time"). Very little attention has been given to it in the explanatory Memorandum, but Parliament - in particular when the broadcasting organisations again raise their fundamental objections - might want to give it further attention when the debates - scheduled for November/December - on the Bill will start.

Telecommunicatiewet, TK 1997 1998, n° 25.533, nos 1 3

Bill to amend the Telecommunications Act, TK 1997 1998, No 25.533, Nos 1 3

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