[LV] The Public Electronic Media and their Management Law adopted

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On 19 November 2020, the Public Electronic Media and their Management Law (PEMML) was adopted; for the first time in Latvian media regulation, the supervision of public and commercial electronic media will be dealt with separately. The PEMML is a product of lengthy discussions among various stakeholders. Among other things, it provides for a new procedure to appoint the public media board and editor-in-chief, as well as establishing an ombudsman.

The PEMML aims to ensure the efficient and transparent management, independence and accountability of public media; it also sets out the strategic purpose and the legal status of the public electronic media, as well as the principles of their operation, financing, governance and supervision.

The PEMML stipulates that public electronic media are capital companies in which all capital shares belong to the state (as is the status quo). Furthermore, the PEMML has engendered a new institution, the Public Electronic Media Council (SEPLP). The SEPLP will be the holder of state capital shares in public media. At present, the National Electronic Media Council (NEPLP) simultaneously performs the functions of a regulator, namely managing and monitoring the overall development of the Latvian electronic media industry and Latvia's public electronic media capital shareholder functions, as well as determining their public procurement. The current model makes it difficult to effectively manage and control public electronic media or to promote the development of private electronic media. The PEMML aims to solve this problem by separating the supervision of public and private media.

The SEPLP will comprise three members; the President of Latvia, the parliament (Saeima) and the Council for the Implementation of the Memorandum of Co-operation between Non-governmental Organisations and the Cabinet will nominate one member each. All members are approved by the Saeima. The law sets the requirements a person must meet in order to hold the relevant position. *Inter alia*, members of a political party or of a decision-making or executive body established by a political party or party association are not allowed to hold the position.

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The SEPLP elects the members of the board of the public electronic media. The board comprises a maximum of three members. Board members will not be entitled to use their powers to directly or indirectly influence editorial decisions taken by the public media. The editor-in-chief of the public media will be responsible for the development and implementation of editorial policy. The candidate for the position of editor will be nominated by the board but elected by the SEPLP for a term of five years.

The PEMML also provides for the establishment of a public electronic media ombudsman. The ombudsman will monitor the compliance of public electronic media services with the purpose and basic principles set out in the PEMML, as well as with the codes of ethics and editorial guidelines of the public media. Furthermore, the ombudsman will be entitled to apply to the Saeima urging for the removal of a SEPLP member or the entire council in cases where the council member's actions or omissions pose a threat to the editorial independence of the public media. The ombudsman will be elected by the SEPLP for a five-year term, subject to prior coordination with the Public Media Ethics Councils.

There is also a ban on all forms of commercial communication in public media programmes and services, including the Internet. An exception to this ban is, *inter alia*, announcements regarding sponsorship, which is a source of finance for the programme or film, and information announcements concerning cultural events.

The PEMML has been adopted by the Saeima, but it has not been announced by the President. It is scheduled to enter into force on 1 January 2021.

Draft law of the Public Electronic Media and Their Management Law. Available here

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