[BE] Draft-Decree on the Institution of a Flemish Public Broadcasting Commission

IRIS 1997-10:1/21

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On August 1997 the Flemish Parliament of Belgium presented a draft of a Decree providing for the creation of a new institution concerned with media policy in the Dutch-speaking part of Belgium. The draft foresees in the establishment of a Flemish Public Broadcasting Commission (Commissariaat voor de Media) and in a new statute for the already existing Media Council (Vlaamse Mediaraad) which will entitle this organ with enlarged powers, as sole advisory organ for the Parliament and for the Government on media related issues. On the same time the Media Council will be subjected to a limitation in its scope by the placement of the procedural capacities which it enjoyed until now, by the new-to-be-created Broadcasting Commission.

In the Explanatory Memorandum of the draft-Decree, the Flemish Parliament considers that the establishment of an external controlling authority has become inevitable in order to vigilate on the compliance to the Flemish legislation on the media. The still to be established organism would be constituted on the model of the Dutch Public Broadcasting Commission. The competences of the Flemish Broadcasting Commission, as foreseen by the Parliament, will cover two main fields: at one side it will enjoy the competence to decide on the granting of public licences, as well as on authorization-policy matters and on the other side it will act as a watchdog on the compliance of media legislation in Belgium and it will be entitled to sanction possible infringements.

The Flemish Public Broadcasting Commission is also due to take over the procedural tasks which until now were proper of specially appointed councils.

Ontwerp van decreet betreffende het Vlaams Commissariaat voor de Media en de Vlaamse Mediaraad, 4/8/1997, stuk 742-Nr.1

Flemish Parliament, draft-Decree concerning the Flemish Public Broadcasting Commission and the Flemish Media Council, 4 August 1997, stuk 742-Nr.1

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