



Report on regional public television in Europe:

Albania, Belgium, Bosnia, Czech Republic, Denmark,
Finland, Greece, Hungary, Ireland, Netherlands, Portugal,
Russia, Serbia, Slovenia, Sweden

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Introduction

In the spring 2003 the University of Lugano (Faculty of Communication Sciences) made the first step of a research on regional public televisions concerning eight European countries: the main five countries (France, Germany, Italy, Spain and United Kingdom) and three special cases (Poland, Romania and Switzerland). The research was presented during the Circom Assembly of last year in Grado (Italy). Here we present the second step of the research, made by University of Lugano during the spring 2004, which objective is to identify the main characteristics of public television on the regional level in 15 European countries: Albania, Belgium, Bosnia, Czech Republic, Denmark, Finland, Greece, Ireland, Netherlands, Portugal, Russia, Serbia, Slovenia, Sweden, Hungary. Those new cases provide an enlarged range of elements for comparison.

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The obtained data and information enable us to outline a sufficiently broad and detailed overview of the main analysed situations, even if their heterogeneity (history, structure, size, etc.), together with the variety of the available sources and official data in each country, prevent us from adopting a unique scheme of presentation. We have preferred to present each case so as to emphasise its specific qualities, yet obtaining a series of comparable structural data for each country.

What follows from the analysis of the surveyed cases is a high level of variety of public television activity on the regional level. This clearly depends on the size and population of different countries, on the central and local administrative organization, on the level of linguistic homogeneity and from a series of historical, political and cultural factors. For this reason is difficult to talk of variable models of public regional television.

In reality, however, there is an important factor of comparison, which allows us to subdivide the surveyed cases in two large categories how we did in the first step report: the statute of regional television centres in terms of independence or organic dependence on the national television companies.

In Bosnia, Denmark, Greece, Netherland, Portugal, Russia and Serbia there are public regional television centres independent from national television companies. In Albania, Czech Republic, Finland, Hungary, Ireland and Slovenia there are regional centres, which constitute an organic and integrated part of the national television companies. Where regional public televisions are independent in some cases they broadcast only to the regional population as in Denmark, Portugal, Netherland, Finland, Russia, in other cases they broadcast at national level as in Belgium and Greece. Where regional public televisions are local branch of national companies in some case they produce only for regional transmissions as in Albania and Finland, in other cases they produce also for national public television channels as in Czech Republic and Sweden. In the case of Portugal, regional television centres are independent companies, owned in part by national public television, and they produce programs also for the international public channel to reach the “diaspora” of regional population.

A second factor of comparison concerns the relationship between the regional television centres and the regional political, cultural, and social context. In some cases the relationship is important as in Bosnia, Portugal, Belgium, Russia, Serbia in other are not evident as in Ireland, Netherlands, Sweden, Finland.

A third factor of comparison concern the extension of regional broadcasting activities. In some cases the regional activity is limited to some daily news broadcasted in a window inside the national programs as in Finland and Ireland, in other cases it concern a more or less wide range of programs of various genres as in Netherlands, Denmark, Russia, Portugal. In correspondence to that dimension there are differences of the economic resources at disposal of each regional television.

A fourth factor of comparison concern the development of digital terrestrial television at regional level. In that field we find some countries were the projects or the experiences are

well evident or yet operational as in Finland, Denmark, Ireland, Hungary, Netherlands and many other were nothing exist or is known in that field as in Albania, Czech Republic, Portugal, Greece, Russia, Serbia, Slovenia.

Albania

1. General television structure

Radio Tirana and Albanian Television together constitute RTSH, which is the only public national broadcasting company in Albania, besides several local and regional private run radio and TV stations that have started recently. Beginning its first radio broadcast in 1938, today RTSH is a complex organization providing a full range of radio and TV programs such as news, cultural, scientific, economical, environment, agricultural, music, entertainment, drama and children programs. There are three directive organs of RTSH: The Head Council, The General Director and The Administrative Board.

Since 15 November 1993, RTSH broadcasts two hours on the satellite covering all of Europe including the northern part of the Mediterranean. This program operates from 6.30 pm to 8.30 pm and is aimed at all the Albanian communities living in Kosovo, Macedonia, Montenegro and Cameria (Northern Greece), as well as Albanians living in Europe.

35 % of the funding of RTSH comes from commercial advertising and fees (half a US\$ per year for each household). The Government finances the remaining part through the Parliament. Moreover, there is a small complimentary financing by sponsorship.

The regional centers of public television are part of the organizational structure of RTSH. There are four regional public televisions located in Korca, Gjirokaster, Kukes and Shkodra (this report will provide details on the regional public television located in Korca).

2. Laws and Rules on Regional Public Television

The regional public television activities develop based on the law nr. 8410 issued on 30.09.1998 “For the Public and Private Radio - Television in the Republic of Albania” as well as on the resolution nr. 440 issued on 01.06.2000 “For the Approval of the Statute of Public Radio – Television”. The Statute of Albanian Radio – Television has the objective to regulate in general and in details the activity of this national institution, as well as its local branches.

According to the resolution nr. 440 the activity of RTSH includes the preparation, production and transmitting of the four regional public televisions: Korca, Gjirokaster, Kukes and Shkodra. Furthermore, the directors of the regional centers organize and manage the activities of the regional television.

According to the law nr. 8410 the activity of public television includes the production, transmission and retransmission of the programs and information through the voice, figure, coded signals, destined for the public by means of the electromagnetic waves, cables, satellites and any other tool. The activity of regional public television is free: it respects impartially the right for information, political and religion beliefs; it respects the personality, dignity, personal life as well as people's fundamental freedoms. The rights, interests and moral as well as legal demands for the infants' protection are totally respected by this activity. Moreover, the National Council of public Radio – Television (KKRT) is created in order to regulate and monitor the activity of public radio and television. This council is an independent organization that operates so as to ensure the implementation of law nr. 8410. KKRT appoints the directors of the regional public televisions. Also, it approves the annual financial plan and budget of RTSH and of the four local branches.

3. The Regional Public Television Model

The regional public television of Korca is part of the organizational structure of RTSH and is a local branch of the national company. The first Korca's public radio broadcast was in 1943 (second radio in republic) and the first public television broadcast was in 1993. This regional public television is permitted by law to transmit in a territorial coverage of four regions (Korca, Pogradec, Kolonje, Devoll) but because of technical problems and very old apparatuses, the transmission is possible only in the region of Korca (a town found in the southeastern part of Albania with 60.000 habitants).

The programs for the public regional television of Korca are prepared by the staff of this center and are approved by RTSH, which is located in Tirana. Because of the new law issued in 2003, according to which all the public and private televisions have to respect the right of the author, the archives of this center are impoverished. As a result, the center has been forced to reduce the transmitting hours and make direct link with the main public television of Tirana and transmit their programs. The rest of the time goes to programs produced by the local public television of Korca. The local branch of Korca has not the right to buy anything and is totally dependent from the main national public television company in this aspect.

Concerning the issue of financing, every year the regional public television of Korca prepares an annual plan including all the necessities, which is sent for approval in the main public television of Tirana. So, the main national public television company decides about the amount and time of financing as well as budgeting of the local branches. Recently, there are

serious economic problems in the regional branch of Korca television, something that is reflected even in the programs produced by this branch.

According to law nr. 8410, the main public television of Tirana secures the financial funds for the creation, preparation, transmitting and distribution of its programs from the following sources:

- Taxes for the programs of RTSH for various transmissions, approved according to the legislation for taxes
- Contracts with third parties for various transmissions, by exploiting the free technical capacities
- Editions for musical programs, video, audio, books, newspapers, and magazines that are linked with the programs
- Concerts and public performances
- Other activities determined from the statute of RTSH
- Advertisements and the publication of other messages paid by the clients
- Sponsorships and donations
- Selling of the programs of RTSH
- State budget (the amount for financing is determined by the annual law on the state budget)

The income surplus, after covering the expenses, is used: to finance the production of programs as well as their transmission; to maintain the transmitting network; to renovate technologically; and to reward the employees.

As mentioned earlier, the leading council of RTSH (KKRT) appoints the directors of the regional public televisions. While, the directors of the local branches are responsible for the hiring and dismissal of their employees. Moreover, according to the resolution nr. 440, the directors of local branches organize and direct the activity of local radio and television.

4. Typology of Local/Regional Activities

Because of financial problems, the regional public television of Korca has been forced to transmit only 10 hours per day, instead of 12 hours before. The transmission starts at 10 a.m. and finishes at 10 p.m. including 2 hours break (4 p.m. – 6 p.m.) where the local television is linked directly with the main television of Tirana and transmits its programs. The branches of Gjirokaster, Kukes and Shkodra have limited broadcasting hours, only 4 hours per day.

4.1. The Productions of Regional Television of Korca

The regional public televisions produce and broadcast programs for the regions they cover. The programs for regional transmission are produced by local editors under the control of regional center director, but programs must be approved by the Head Council of RTSH.

More specifically, in house production and ordered programs to independent producers represent at least 50 % of the broadcasting time Korca television .

This local branch has priority in transmitting the following programs:

- News Editions. The informative program provides people every day news and information about the region, whole country and world. Emphasis is put on the regional news and various problems that may be faced in the area. The news and information transmitted in the news editions by the local television are independent from any political party or religious community.

- Variety of Political, Social, and Cultural programs. These programs are prepared by the local television of Korca and/or in cooperation with regional cultural organizations.

- Programs about youth and various sport national and international activities.

- Talk shows with important persons and specialists of art, culture and politics.

- Talk shows on social and economical discussions about various problems concerning the region and country.

- Programs about Children.

- Programs about Health.

- Full presentation of election campaign (by preserving the political impartiality).

- Films (presented generally after 8 p.m.).

- Advertising.

The programs of the local television of Korca respect the articles of law nr. 8410 according to which:

- they have informative, educative, cultural and artistic-entertaining character

- they respect the dignity and the people's fundamental rights, the impartiality and objectivity of information, the children's rights, the Albanian culture and language, the constitutional rights of the citizens and of the national minorities, the national securities, as well as the discrimination concerning the religion of Albanians.

- they inform the public with objectivity and professionalism about the news in the region, in Albania and in the world.

- they protect the secrecy of the source of the information.

-they know the right of disproof

5. Economic Resources of the Local-Regional Television

The economic resources of the public regional television of Korca are the ones approved by the law nr.8410 mentioned before and the ones below:

- Advertising and sponsoring
- Renting studios and tools owned by the public television of Korca
- Selling programs rights owned by the public television of Korca

The Board of Administration and Head Council of main public television in Tirana votes in order to approve and decide about the tariffs, quantity and criteria of the economic resources mentioned earlier.

6. Relationships Between Local/Regional Public Television Activities and Local Institutions or Social/Political Organization.

There is a correct typical relationship between the regional television and the local governmental institutions. Television of Korca provides to the citizens daily information about the various decisions taken by institutions at municipal and regional level..

The local television of Korca transmits various sessions from the Albanian Parliament and during the elections the various political parties have the right to present their programs without any fees and according to the time determined by the law nr.8410.

The religious institutions are allowed to transmit, without fees, the ceremonies held during religious celebrations in the dates determined by law as official feasts.

7. Digital Terrestrial Television

For the moment there are no experiences or projects for digital terrestrial television.

Belgium

1. Structure of the country and its television

Belgium is one of the smallest nations of the European Union and has a rather unique structure. There are about 10 million inhabitants divided in 3 linguistic groups. 58% are Flemings who speak Dutch, 41% are French speakers and 1% speaks German.

Belgium is a federal state, which exists of communities and regions. There are three communities, which are based on the “language”: the Flemish community (Vlaamse Gemeenschap), the French community (Franse Gemeenschap) and the German-speaking community (Duitstalige Gemeenschap). Next to this, there are three regions: the Flemish region (Vlaamse gewest), the Walloon region (Waalse gewest) and the Brussels Capital Region (Brussels Hoofdstedelijk gewest). Above them is the Federal government.

Next to the Federal government, the communities and regions, there are ten provinces. In the Flemish region, the provinces are: Antwerp, Limburg, East-Flanders, Flemish Brabant and West-Flanders. The Walloon region comprises Henegouwen, Liege, Luxemburg, Namur and Walloon Brabant.

The federal state, the regions and the communities each have their own legislative and executive organs and their own powers.

The Flemish Community exercises its powers in the Flemish provinces and in Brussels, the French Community in the Walloon provinces, with the exception of German-speaking communes, and in Brussels, the German-speaking Community in the communes of the province of Liège that form the German language area.

The responsibility over culture is located at a community-level. This means that audiovisual media, television included, are language – related and a community-matter.

As Belgium has three different languages spoken, television stations can also be divided following these language areas.

For the **Flemish speaking community** broadcast VRT, a national public radiotelevision company which has two tv channels (TV1 and Canvas). Next to that, in the region there are two commercial broadcasting companies, one is the VMMA with three channels (VTM, Kanaal 2 and JIM), and the other one is VT4 with one channel. There are also some thematic channels and 11 local or regional television stations in Flanders. All these regional or local

stations are private and non-subsidised television – companies. However, one station, TV Brussels, does receive some government's support. This because of their importance as a Flemish medium in Brussels and as a counterweight for the Walloon Télé Bruxelles. All these regional channels offer local news and some social and cultural programs.

For the **French speaking community** broadcast RTBF, a national public radiotelevision company which has two tv channels (RTBF1 and RTBF 2). The commercial broadcaster in the French Community is the RTL-TVI group with two channels (TVI and Club RTL). Next to this, there are two thematic channels and about 12 local channels. These local or regional channels have a mixed funding, partly public and partly advertising revenues.

For the **German speaking community**, which has a population of 69.000 inhabitants, broadcast BRF, a national public radiotelevision company that since 1997 has a limited television service, MAG BRF, distributed through cable and later renamed as Ka3/Tv-kabel.

There aren't any Belgian German-speaking commercial television initiatives.

2. Regulation of the public broadcasting field

Until 1960, there was only one public Belgian broadcasting Company. In 1960, by law two autonomous broadcasts were created, BRT (Belgische Radio en Televisie - Belgian Radio and Television) for Flanders and RTB (Radiodiffusion – Télévision Belge – Belgian Radio and Television) for Walloon. In 1977, a third autonomous institute, BRF, was created for the German – speaking region.

Starting in 1970, Belgium moved from a unitary to a fully federalized model, as described above. With this reform, each community could write their own decrees on public broadcasting.

The three communities (Flemish community, French community and German-speaking community) are completely autonomous in their decisions on cultural policy. As a result of this, the broadcasting systems in the three communities have developed in very different ways. Each community has its own public broadcasting company which they can regulate autonomously.

We definitely have to stress out that the three Belgian public broadcasters; VRT, RTBF and BRF are (political) regarded as national broadcasters instead of regional broadcasters. They each broadcast for a specific language-community: VRT for the Flemish community which is

Dutch - speaking, RTBF for the French community and BRF for the German community, but all broadcasters can be watched all over the country and are national broadcasters.

As pointed out higher, there are some real local broadcasters in the Flemish and French community as well, but these are private instead of public and therefore won't be taken into account in this situational overview.

2.1. VRT

The VRT is regulated by Decrees of the Flemish government. (Decree of 25 January 1995, Decree of 29 April 1997 and Decree of 13 April 1999). With the Decree of 29 April 1997, BRT got reformed in VRT: Vlaamse Radio en Televisiemaatschappij/ Flemish Radio and Television Company. With this reform, the Flemish public broadcaster transformed from a state company into a public limited company (naamloze vennootschap van publiek recht), with which the Flemish government now concludes 5-year management agreements. The broadcasting service, renamed VRT (Flemish Radio and Television Service) is bound by requirements to produce results, which a state-appointed manager is responsible for.

In the management – agreement, all performance standards are recorded. These performance standards concern the quality of the content that is offered and the viewing rates that have to be achieved. Also the financing of VRT, and other core tasks are regulated by this agreement.

2.2. RTBF

As for VRT, regulation of RTBF is recorded in decrees (Decree of 14 July 1997, modified by the Decree of 28 December 2002). Based on these Decrees, every five years a new management agreement between RTBF and the French government is been drawn up. In this agreement, the tasks of the RTBF are regulated.

The RTBF is being reformed since 2002 with the Magellan Plan (Le Plan Magellan). For television, this means a reorganisation of the two channels: La une and La deux. La Une stays first of all the channel for the large public, providing information. But in addition, there will be much more distractive magazines and talk shows. The second channel, La Deux aims at two target-groups: children on the one hand, active people on the other hand, by providing them sports – and cultural events.

The Magellan Plan also changes the structure of the RTBF as a company itself, more specifically the geographic organisation of the company. The regional production centres, which produce programs for RTBF, will become specialised production centres. Until 2002,

these five regional production centres produced programs that were preferable local and regional information programs, and programs that reflected the specific characteristics of each region. These programs were however broadcasted on the two RTBF channels. There weren't any programs broadcasted for specific Walloon regions only. With the Magellan Plan, each regional production centre will have its own speciality: Brussels for information and the radio stations, Namur for Walloon information, Liège for entertainment, gameshows and fiction; Charleroi for magazines, documentaries and children's programs and Mons will only be responsible for two radio stations and not for television broadcasts. The programs they produce are general programs and don't have a preferred regional or local character anymore. (Decree of 28 December 2002).

2.3. BRF

The activities of BRF are recorded in Decrees (Decree of 16 Oktober 1995, Decree of 26 April 1999, Decree of 21 September 1999, Decree of 3 February 2003 (= modification of the Decree of 27 June 1986) and in the management agreement of BRF and the German – speaking Community. In this agreement, the radio and television mission of BRF is regulated. Other aspects, like financial agreements and control are also regulated in this agreement.

3. The (regional) public service model

As the three companies are regarded as national public companies, their programs are televised in the whole country. People in every language community can also see the other public service channels. This in contrary to the real local and regional private television – companies, whose programs are only to be seen in the specific province or region they are located in.

The three public companies each broadcast in their own community-language and therefore are principally watched by the people in their specific language – community. Therefore, VRT can be linked to a mainly Dutch speaking audience, RTBF to a mainly French speaking audience and BRF to a mainly German speaking audience. The three public service companies each are independent television companies. They are (partly) financed by the governments of their community and have specific agreements with these governments. Therefore, the regulation and performance goals of the three different public service broadcasters can be different.

VRT and BRF only have one location from where all their activities find place. RTBF has its main seat in Brussels and several production locations in the Walloon region (see 2.2.). These production centres are autonomously managed and they receive a working budget from RTBF. Their specific tasks are regulated in an agreement with RTBF.

4. Typology of local/regional activities

VRT does not have different local or regional production centres. Its main office is in Brussels, where all of its production- and broadcast activities take place. They broadcast every day for 24 hours long. Between 12 am and 12 pm, a range of information programs, entertainment, cultural programs, education programs and fiction programs are televised. At night, the last news broadcast of the day is being transmitted in a loop.

Most of the provided programs are Flemish programs. News- and information programs are produced by VRT, other programs, fiction for example, are bought from independent Flemish production centres. Next to that, some movies and fiction programs that aren't Flemish, are bought abroad. For the first channel, TV1, 70% are Flemish productions¹ and 30% are foreign productions. For the second channel, Canvas, 50% are Flemish productions and 50% are foreign productions.

VRT also has the task to develop the identity and diversity of the Flemish culture.

There is also room for concrete regional information. Each Saturday noon, before the one o'clock news, TV Brussels, the Flemish regional television – station for Brussels, can broadcast its weekly overview of half an hour on TV1. That way, everyone can see the overview of the regional information on Brussels (capital of Belgium) of the past week.

There are also some agreements for a fluent exchange of images with the commercial local and regional broadcasters.

RTBF broadcasts for 24 hours long. In the daytime, a mix of information, culture, entertainment, education and fiction is offered. At night, the latest news-broadcast is repeated in a loop. The most essential goal in this is to provide the public with objective information. Next to that, the RTBF should also value its community's patrimonies. In their broadcasts, they should show their viewers the different aspects of Walloon and Brussels, but also that of Belgium, Europe and the worldwide French communities.

¹ Flemish productions are: all VRT's own productions, all productions by order of VRT delivered by Flemish production companies, co-productions and Flemish movies.

In the management-agreement with the Walloon government, there is also an explicit information task regarding regional news included. Next to three general news broadcasts each day, of which the most recent is repeated every night, there should also be a regional information news-program each weekday, also repeated at night.

Until 2002, these programs were produced in the regional production centres, but with the Magellan Plan the focus of these production centres is changed. (see 2.2).

There are also some synergies with local television stations in Walloon and Brussels. These synergies include: an exchange of images and programs, co-production of some magazines, technical services, participation in regional events and diffuse of programs.

BRF has limited broadcasting hours. All programs are German – spoken productions. From Monday to Friday, there is a News magazine with regional news and sports. This magazine is broadcasted every day between 17.50u and 06.00u, repeated in a loop.

On Saturday, the head items of this news-program from the past week are repeated every Saturday, between 12.50u and 06.00u. On Sunday, the same news program is being broadcasted, together with a fitness and health – program. Broadcasting hours on Sunday are from 09.00u until 14.00u.

Twice a month, discussion – programs are broadcasted on several topics. Politics is also an important topic.

5. Economic resources

VRT receives a guaranteed Government grant of €248.039.000 in 2004. This amount can be increased by 4% every year, providing that the required results are achieved. This grant is regulated in the management agreement between the Flemish government and VRT. In this agreement, the performance measures for VRT are recorded.²

Next to this fixed grant, VRT has a mixed financing. The income form radio advertising and television – sponsoring are however limited. For radio advertising, the maximum income is 40,9 million euro and for television sponsoring the limit is 8,7 million euro. VRT cannot obtain any income from television – advertising.

The yearly budget of **RTBF** is around 250 million euro 75% of this is a donation of the French community, 25% comes from advertising and sponsoring.

² The agreement between the Flemish community and VRT runs from 2002 until 2006. The starting grant was €229.326.000 in 2002. This has been increased by 4% in 2003 and 2004 and can be increased with 4% in 2005 and 2006. In 2007, a new agreement will be concluded.

BRF is financed by the German – speaking community. Television is only a small part of BRF’s activities, so most of the finances go to radio- broadcasting. BRF receives a grant of 4,4 million euro.

6. Associations with other institutes and social-political organisations

Before 2002, political parties received airtime to broadcast some programs. Since then, these programs were replaced by political information-programs.

VRT has some partnerships with other broadcasters, concerning the exchange of images. VRT is also cooperation in a digital television project with Telenet, one of Belgian’s major telecom-companies. (see 7.1.)

RTBF has different international partners: the French television company TV5, ARTE and EURONEWS. Next to this, RTBF participates in different international organisations: the French television community, CIRTEF and L’UER.

The company was also involved in the implementation of the pay-television channel Canal + Belgium in Walloon.

The **BRF** has associations with the other public broadcasters.

7. Digital terrestrial television projects

VRT was the first broadcaster in Belgium that experimented with digital terrestrial television. In August 2001, VRT started with e-VRT, a research project for digital interactive television. The partners of the project were VRT, the Flemish government and the national telecom-operator Belgacom. The project received a yearly extra funding of about 8 million euros from its start in 2001.

Next to some research on ASP and MPEG standards, 100 families in Schoten, near Antwerp, received a set-topbox and could test some digital and interactive television features. These features included an on-demand offer, a PVR (personal videorecorder), communication – services (chat, e-mail) and information services (surfing the web, local information, e-government). The project opted for a terrestrial transportation of its signal, which isn’t a very logical choice for Flanders, as 98% of the Flemish households are connected to cable transmission. The test-project ended in June 2003. As the goal was an exploration of the field, it didn’t turn out in a commercial rollout.

The VRT is now involved in another digital and interactive television project, “Flanders Interactive”. This project is also supported by the Flemish government and unites all major broadcasting and cable-companies in a consortium. The research project started in August

2003 and its goal is a commercial rollout of digital interactive television in Flanders by January 2005. The transmission mode that is used for this project is cable instead of a terrestrial signal- transportation.

With the view on digitalisation of television signals in the future, **RTBF** is also working on a digital transmission of its television signal. Next to that, they are developing techniques for digital transmission of its signal for portable receivers. On a longer term, RTBF wants to create extra, digital channels. There were however no real test-projects, like the e-VRT project, yet.

In the case of **BFR** there aren't any concrete plans for digital and interactive television in the near future.

Bosnia

1. The Public Broadcasting Service of Bosnia and Herzegovina

The somewhat complex structure of the public broadcasting system in Bosnia and Herzegovina reflects the intricate sensitivities of inter-ethnic relations within the post-Dayton Bosnia-Herzegovina.

It consists of the three public broadcasters:

- Public Broadcasting Service of Bosnia and Herzegovina which is the public broadcaster of Bosnia and Herzegovina (on the state level);
- Radio-Television of the Federation of Bosnia and Herzegovina which is the public broadcaster of the Federation of Bosnia and Herzegovina; and
- Radio-Television of Republika Srpska which is the public broadcaster of Republika Srpska.

The formation of PBS BiH is a result of continuous efforts of the international community, led by Office of the High Representative³, to transform the broadcasting sector in Bosnia and Herzegovina and form a nation-wide public service media to prevent “separatist tendencies” in media and continuous efforts of political parties to (re)gain influence over the two primary electronic media outlets of both entities.

After the signing of the Dayton Agreement in 1995,⁴ the international community was faced with three ethnically structured, separate media systems with inflammatory reporting on other ethnic groups in each system. Nationalist parties had extensive control over the content of each of these media systems; there was little, if any, separation between politics and media. Recognizing the key role broadcast media played in the conflict in the former Yugoslavia as well as their importance in the democratization process, the international community set up media restructuring as a key component of the implementation of peace process – to take

3 The Office of the High Representative (OHR) is the chief civilian peace implementation agency in Bosnia and Herzegovina. The 1995 Dayton Peace Agreement designated the High Representative to oversee the implementation of the civilian aspects of the Peace Agreement on behalf of the international community. He is also tasked with co-ordinating the activities of the civilian organisations and agencies operating in the Bosnia and Herzegovina.

4 The transformation of the media sphere was slowed down by the provisions of the Dayton Peace Agreement that placed media issues under the jurisdiction of the two entities – Federation of Bosnia and Herzegovina and Republika Srpska – rather than under the jurisdiction of the state of Bosnia and Herzegovina. This provision also obstructed the implementation of equal standards regulations for the whole country.

control of the media from nationalist local power structures and install a broadcast media system able to overcome the boundaries of ethnicity in creating a state-wide public.

The conditions for establishing the Public Broadcasting Service of Bosnia and Herzegovina (PBS BiH) were formed by the December 1999 decision of the High Representative on the *Restructuring of the Public Broadcasting System in Bosnia and Herzegovina* which established a new legislative framework for the operation of a PBS BiH and RTV FBiH (both resulting from the liquidation of entity-owned RTV BiH), and required the establishment of a public service broadcaster for the Republika Srpska (RT RS as a reformed version of entity-owned SRT).

The High Representative continued the restructuring process by issuing a *Second Decision on Restructuring the Public Broadcasting System in Bosnia and Herzegovina* in October 2000 because of The High Representative issued a *Second Decision on Restructuring the Public Broadcasting System in Bosnia and Herzegovina* in 2000 as a result of the failure of both entities to meet their obligations to create and adopt appropriate public service broadcasting legislation, despite their agreement to do so.

The final stage of developing a state level public broadcasting service for all the citizens of Bosnia and Herzegovina was the May 2002 *Law on the Basis of the Public Broadcasting System and on the Public Broadcasting Service of Bosnia and Herzegovina*, imposed by the High Representative after the Council of Ministers of Bosnia and Herzegovina failed to adopt the draft of the law (due to strong protests from the Government of Republika Srpska).

The *Law on the Basis of the Public Broadcasting System and on the Public Broadcasting Service of Bosnia and Herzegovina* defines:

- **activities of PBS BiH:** production and broadcasting of programmes on at least one radio and one television network, on its own frequencies for the territory of Bosnia and Herzegovina (Articles 40-43);

- **financing of PBS BiH:** from RTV subscription fee (primary source), advertising and sponsorship. Financing from the budget may be requested for: construction of transmission and broadcasting network and key infrastructure sites of PBS BiH, programming projects significant for Bosnia and Herzegovina not included in the annual programme plan of PBS BiH, and cost of archive protection, as a cultural good. (Articles 52-54);

- **governance and management of PBS BiH:** by Board of Governors and Director General. Of the nine members of the Board of Governors, four members shall be appointed by the Parliamentary Assembly of Bosnia and Herzegovina, from each of the constituent peoples and from Others; three members shall be appointed by the outgoing Board of Governors; and the Chairmen of the governing bodies of RTV FBiH and RT RS are members of the Board of Governors by virtue of their office.⁵ (Articles 57-69).

Apart from this, the Law defines organisation and relationships between the Public broadcasters (Articles 3-6), basic production standards their financing (Articles 11-19) by RTV subscription fee, programming principles (Articles 20-22) and programme quantities (Article 23).

2. Programme of PBS BiH

The PBS BiH broadcasts one radio (BH Radio 1) and one TV programme (BH TV1) daily, however the TV programme is still much in the transition (setting-up) period.

Awaiting the establishment of a separate transmission network, the television of PBS BiH broadcasts programmes of limited quantity and structure, sharing the transmission network and frequencies of RTV FBiH and RT RS.

Current programme of BH TV1 is primarily limited to:

- central news programme (30 minutes) broadcasted daily at 19:00 in the programme scheme of RTV FBiH and RT RS;
- transmission of most important international sports, cultural and other events;
- foreign programmes of high-quality production, and other programmes in the quantity determined in agreements with RTV FBiH and RT RS within the joint programming schedule. The Law stipulates that the programmes of PBS BiH should, as a rule, be broadcasted during prime time and have a priority in network utilisation, but this is not always the case.

⁵ All mandates are appointed for a period of three years and may be renewed only once.

3. Laws and rules that define the activities of regional public television

According to the records of the Communications Regulatory Agency, there are 15 public TV stations on the territory of the Federation of BiH⁶ and 1 on the territory of the Republika Srpska.

The two public broadcasters already referred to above – RTV FBiH and RT RS are considered to be the regional public televisions and will be described in detail below. The remaining 14 stations are small TV stations founded by the governments of cantons of the Federation of BiH; two of them were sampled and will be dealt separately in the section 8.

Basic provisions for the work of the two regional televisions FTV (RTV FBiH) and RT RS are defined in:

- The Law on the Basis of the Public Broadcasting System and on the Public Broadcasting Service of Bosnia and Herzegovina (adopted May 2002);
- The Law on Communications of Bosnia and Herzegovina (adopted October 2002);
- The Law on the Radio-Television of Republika Srpska (adopted May 2002)
- The Law on the Radio-Television of the Federation of Bosnia and Herzegovina (adopted May 2002)

The *Law on the Basis of the Public Broadcasting System and on the Public Broadcasting Service of Bosnia and Herzegovina* defines basic provisions for public service broadcasting:

- Article 2 defines the basic organisation and relationships between the Public broadcasters;
- Article 3 defines Basic Obligations in Respect of Programme content;-
- Article 4 defines editorial independence of Public broadcasters;
- Article 23 defines that the public broadcasters must reserve at least 40% of their annual broadcast time for domestically produced programmes across all genres, exclusive of news and sport. Additionally, it defines that the public broadcasters must acquire or commission programmes from independent producers and/or commercial broadcasters to fill at least 10% of annual broadcast time.

Both public broadcasters fully comply with the rules of Communications Regulatory Agency. The above listed legislation will remain in effect until local representative bodies pass appropriate laws, presumably by the end of 2004. Until then, the above listed laws cannot be

⁶ These are: HRTV Mostar-Hrvatska TV Mostar, Nezavisna RTV Travnik, RTV Zivinice, RTV Bugojno, RTV Cazin, RTV Gorazde, RTV Maglaj, RTV TK, RTV USK, RTV Visoko, RTV Vogošća, RTV Zenica, TV Kanton Sarajevo-TV SA, TV Tuzlanska, RTV Rudo.

fully implemented. The often prolonged passing of media legislation by entity bodies (and its unauthorised changes) as well as overlapping and inconsistency of media legislation between provisions in local laws and provisions passed by the international factors in Bosnia-Herzegovina,⁷ leave the media in an agonising state of temporary measures and rules.⁸ Federal

4. Regulation of Federal Television FTV

The status, activities, and rights and obligations of the Radio-Television of the Federation of Bosnia and Herzegovina regulated by the *Law on the Radio-Television of the Federation of Bosnia and Herzegovina*. By definition, TR RS is a programme producer and a broadcaster.

- **Article 3** defines its status of an independent public broadcaster for the Federation of BiH;

- **Article 5** defines independence of RTV FBiH – editorial independence and institutional autonomy especially in areas such as: the conception and production of programmes; the definition of programme schedules; the editing and presentation of news and current affairs programmes; the usage and disposal of assets; employment practices and rights and obligations of employees; the organisation of the activities and internal structure;

- **Articles 13-15** define fundamental programming principles (serving the public interest) and programme restrictions;

- **Article 16** defines programme quantity – minimum 40% of domestic public service programme, minimum 10 % from independent producers and/or commercial broadcasters;

- **Articles 30-40** define Governance and management bodies of RTV FBiH – the Board of Governors and the Director General. The Board of Governors has 9 members. Four members of the Board of Governors are appointed by the Parliament of the Federation from each of the constituent peoples and from Others; three members shall be appointed by the current Board of Governors; and two members shall be appointed in accordance with a method devised by the Board of Governors for their selection.⁹

7 Although the regulations passed by international peace implementing agencies in Bosnia and Herzegovina have precedence over all local regulations.

8 Media analyst warn that current interventions of international community in the sphere of media legislation establish the international community as almost the only legislator in that field. Local representative bodies and authorities in the entities have been completely deactivated by this decisions, and local professional services remain passive and unequipped for this task. As a result, the local community has almost no responsibility in passing legislation and strategically attending to development of this field, in particular regarding broadcasting. Such a passive attitude on the part of the local authorities is not good in the long run because the new system needs considerable support from local structures and power centres in order to survive.

9 Their mandate is three years and can be renewed once. Director General, appointed by the Board of Governors, has a mandate of four years and can be renewed once.

- **Article 41** stipulates funding of the regular operations of RTV FBiH to Radio and television subscription fee, advertising and sponsorship. Financing from the budget is stipulated in the same manner as that of the PBS BiH.

- **Articles 45-54** define the Radio and television subscription fee; article 50 defines the distribution of RTV Subscription Fee: 58% of the RTV subscription fee collected in the Federation is RTV FBiH's share of the RTV subscription fee, while the 42% belongs to PSB BiH. The subscription fee from the Brcko district belongs to PSB BiH.

Internal organisation, powers and the manner in which individual bodies shall take decisions etc are to be defined in the Statute of RTV FBiH.

5. Radio-Television of Republika Srpska

The status, activities, and rights and obligations of the Radio-Television of the Federation of Bosnia and Herzegovina regulated by the *Law on the Radio-Television of the Republika Srpska*.

Due to equal status of the two broadcasters, the provisions of this law are identical to that of the *Law on the Radio-Television of the Federation of Bosnia and Herzegovina* in all but succession of the articles. By definition, TR RS is a programme producer and a broadcaster. Internal organisation, powers and the manner in which individual bodies shall take decisions etc. are to be defined by the Statute of RT RS.

6. Regional Public Television. Local structure characteristics and regional public television

FTV broadcasts its programme on one channel.¹⁰ which cover the 92,% of the Federation of BiH (Federation). Programmes of FTV are also available in all cable systems on the territory of the Federation that have a penetration of 30%. .

6.1. Television of Republika Srpska

TV RS broadcasts on one channel. that cover 78% of the population of the Republika Srpska but can also be seen in bordering regions of the Federation. Programmes of TV RS are also available in some local cable systems. Self-produced programme of RT RS is also available on Internet.

¹⁰ In the second half of 2003, FTV ceased to broadcast on the second channel (FTV 2).

6.2. Level of dependency/autonomy from main national public television

Organisationally, both **RTV FBiH** (and hence **FTV**) and **RT RS** (and hence **TV RS**) are fully independent companies (formally a Limited Liability Company) in relation to the national PBS BiH. There are no common services or employees shared by the two companies or with the PBS BiH.

In regard to the **financing**, RTV FBiH (and hence FTV) and **RT RS** are not dependent on the financing from the national broadcaster PBS BiH. The financing of both entity broadcasters is based on subscription fee, advertising and donations. RTV FBiH and RT RS share the subscription fee revenue with PBS BiH (52% : 48%). The subscription fee is collected for RTV FBiH on the territory of Federation and for RT RS on the territory of Republika Srpska. As entity broadcasters pay the 48% of subscription revenue to PBS BiH, one could claim that the situation of dependency is reversed – that the national broadcaster is strongly dependent on the financing from the two regional stations.

RTV FBiH (and hence FTV) is fully independent regarding **programming**, as defined by Article 5 of the of the *Law on the Radio-Television of the Federation of Bosnia and Herzegovina*. The same holds true for RT RS (and hence TV RS), whose independency regarding programming is defined by Article 4 of the of the *Law on the Radio-Television of Republika Srpska*. The programme of both broadcasters is determined according to the *Annual production plan*, prepared by the Managing editors of programmes and is confirmed by the governing bodies of RTV FBiH and RT RS (Director General and the Board of Governors).

6.3. Typology of local/regional activities

Typology of activities of both regional public televisions are focused not only on events in their respective Entities but still function somewhat as two separate national broadcasters for the two entities. However once the PBS BiH daily programme is formed on BH TV 1, the two broadcasters will become more regionally oriented.

Currently, the activities of both broadcasters are:

- production of news and current affairs programmes that cover international, national and regional (entity) topics;¹¹
- production of cultural, educational, religious etc. programmes focused on the region;

¹¹ The result of this is that after airing the central daily news programme of PBS BiH at 19:00, the two broadcasters air their own news programme at 19:30 that do not cover only regional (entity) events but also international and national events and topics, often using same agency news and footage.

-production of regional programmes and shows for PBS BiH is provisioned by the law but has not yet been implemented.

7. Federal Television FTV

In 2003 were broadcasted 11.593 hours of programme on FTV: 24 hours per day. Self-production amounted to 39,86 % of the total figure.¹²

The self-produced programme that receives the highest ratings are:

- daily news and current affairs magazine *60 minutes* (on Mondays)
- music programme – *Karaoke Show* and *Folk Show*
- *Loto* and *Bingo*

The origin of exchanged and commissioned programme is as follows: 2,33% independent production from BiH, exchanged programme of other TV stations 11,82% while 42,73% of the programme is of non-BiH origin. Advertising represents 3,26% of total broadcasting time.

FTV production by genre	%
News and current affairs	24
Music	11
Drama	2
Enterteinment	7,4
Documentary	6
Educational	0,3
Religion	1,3
Advertising	3,6
Sport	4,4
Imported film, series, etc.	40

8. TV RS

RT RS aired a total of 6.569 hours of TV programme in 2003; on an average day, it broadcasts 18 hours of programme (Monday to Friday 7:00-24:00, Saturday and Sunday programme starts at 8:00; night programme is aired on Fridays and Saturdays). Self-production of TV RS in 2003 amounted to 51,15%.

The self-produced programme that receives the highest ratings are:

- daily news programme
- youth programme – *Omladinski forum*

¹² The Law on the Basis of the Public Broadcasting System and on the Public Broadcasting Service of Bosnia and Herzegovina as well as the Law on Radio-Television of the Federation of Bosnia and Herzegovina define that the programme quotas (self-production 40%, independent production 10%) are to be reached by 2004.

- programme *Snop* and *Stop bijeloj kugi*

The origin of exchanged and commissioned programme is as follows:

- 51,15% self-production

- 14,42% programme of BH TV1

- 34,42% commissioned, exchanged, donated programme.

TV RS Production by genre	%
News and current affairs	34,9
Music	6,4
Drama	27,7
Enterteinment	5,6
Education	4,3
Science and Cultural programmes	5,6
Youth and Childreens	10,2
Advertising	4,1
Other	1,2

9. Economic resources of regional company/branch

Both companies are facing large financial difficulties, due to fairly large number of employees (RTV FBiH 1.200, RT RS 600), poor marketing potential and large financial debts from the past.

The legislation permits mixed income scheme for public broadcasters – subscription fee, revenue resulting from advertising and other commercial activities and in special cases (programmes, networks) appropriations from the general public budget – designed to establish a self-sustainable media, which will be financed transparently and prevent potential political party interference aimed at creating political dependence.

The principle source of income for public service broadcasters should be the monthly subscription fee, which is also one of the mayor sources of financial vulnerability of the two entity media (due to poor collection).

RTV FBiH currently collects around 40% of the subscription fee (the exact data is kept as business secret despite the public status of the companies). on the territory of Federation¹³ out of approx. 300.000 subscribers, while the situation in Republika Srpska is even more critical – RT RS does not collect more than 22% of the subscription fee from the 1,5 million of

13 While citizens in the so-called Bosniak part of the Federation generally do pay subscription fee to RTV FBiH, in the so-called Croat part they often avoid this obligation with the explanation that this television “does not broadcast programming in the interest of the Croat people.”

permanent residents, refugees and displaced persons living on the territory of Republika Srpska, households.

The subscription amounts to 6 KM (Convertible Marks) or 3 Euros.¹⁴ After disagreements with electrical companies and lengthy parliamentary discussions, both RTV FBiH and RT RS are currently collecting their subscription through telephone bill as a temporary solution.

Total **revenue of RTV FBiH** in 2003 amounted to 29.881.440 KM or approximately 14.94 million Euros. For breakdown of revenue see tables below.

RTV FBiH revenue by source	%
Subscription fee	44,29
Advertising	47,62
Donation	2,59
Other	5.5

10. Formalised relationships between regional public TV and local institutions

Currently, there are no formalised relationships between regional (or national) television and regional/local social or political organisations and institutions and RT RS.

The Parliament of the Federation of Bosnia and Herzegovina passed an amendment to the *Law on RTV FBih* in October 2003 that obliges FTV to directly broadcast all sessions of both houses of the Federal Parliament. The adoption of the law was seen as yet another attempt of the politicians to regain the influence over the media and has caused the resignation of the Director General of RTV FBiH. The provision for live broadcasts of sessions of Parliament is has not been implemented as it endangers the programme scheme and due to the lack of financial resources for such venture. In addition to this, the international community proposed a new law on the PBS whose passing will derogate this rule.

Other than this, the legislation prohibits interference of political and state structures in the work of the two public service broadcasters.

11. Projects for digital terrestrial television

There are no specific plans for digital terrestrial television neither on local nor on national level due to scarce financial resources. There are no pilot projects of digital broadcasting but the gradual digitalisation of studio equipment is under way. PBS BiH ceased to broadcast over satellite as a result of political pressures – refusal of funding of this broadcasting

¹⁴ All financial data in Euros is calculated on official exchange rate: 1 KM = 0.5 Euro.

(although state funding of satellite broadcasting is provisioned by law). The revival of satellite broadcasting awaits the receipt of EU donation.

Appendix : Regional Public Television on cantonal level

Federation of Bosnia and Herzegovina is divided into 10 cantons which all formed their local televisions that are formally public media. The largest of them – in terms of territorial coverage and ratings¹⁵ – is TV Tuzla Canton (RTV Tuzlansko-podrinjskog kantona).

A.1. TV Tuzla Canton (TV TC)

A.1.1. Laws and rules

The RTV Tuzla Canton was founded in 1995 by the Tuzla Canton. Its legal framework is the *Law on the Radio-Television of Tuzla Canton* (adopted April 1995).

Apart from the *Law on the Radio-Television of Tuzla Canton*, the work of TV TC is defined by the rules of Communications Regulatory Agency (technical, as well as content – e.g. the 40% of self-produced informative and educational programme, as defined by the so called IMC Regulation 01/99) and by general provisions regarding programme of Public Service Media serving in the best interest of public.

The managing body of the TV Tuzla Canton are Director General and nine-member Council, elected by the Assembly of Tuzla Canton (6 are prominent scientists, experts and businessmen, 3 are employees of RTV TC) (Article 17-19).

A.1.2. Local characteristics, level of dependency

TV Tuzla Canton (TV TC) is formally a public company. It operates independently from its founder and from PBS BiH or any other media. TV TC primarily covers North-East part of Bosnia and Herzegovina; its programme is visible on approximately 25% of the territory of Bosnia and Herzegovina, but it also reaches some areas in Croatia and Serbia. Apart from cable systems in Bosnia and Herzegovina, the programme of TV TC is also present in several local cable systems in Serbia (e.g. Sabac) and Croatia (e.g. Osijek).

¹⁵ According to recent (2003) study, the ratings for Federation are as follows: FTV 47%, followed by TV Tuzla Canton, TV Pink BiH; TV OBN and Mreza Plus with ratings from 5 to 6,1 percent. In republika Srpska, the most popular is TV RS with 13,4%, followed by TV Pink BiH and Mreza Plus (between 5 and 6%). It should be noted that “national” media such as Serbian RTS and Croatian HTV also receive very high ratings in certain parts of Bosnia and Herzegovina.

A.1.3. Typology of activities

The Article 4 of the *Law* defines TV Tuzla Canton (TV TC) as programme producer and broadcaster; it's activities are production and broadcasting of it's own programmes, exchange of programme with other TV stations in Canton and in Bosnia and Herzegovina and participation in joint programmes on Canton, Federal and State level.

TV Tuzla Canton broadcasts approximately 18 hours of programme daily. Out of the 396.000 minutes (6.600 hours) produced in 2003, between 60 and 65% was self-produced. Apart from the commissioned programme (films, series, shows etc.), only symbolic amount of programme featured programme of other Canton or private TV stations. The broadcasting of exchanged programme is not formally organised or agreed upon but depends on particular situation.

TV Tuzla Canton transmission by genre	%
Information and educational	42
Music	8
Drama	32
Documentary	5
Religion	1
Youth and Children	10
Sport	1
Other	1

Their most important show/programme are daily News, which feature exclusively regional and local news and events.

A.1.4. Economic resources

The *Law on the Radio-Television of Tuzla Canton* defines mixed financing of TV Tuzla Canton. In 2003, it operated with a budget of 3 million KM, i.e. 1,5 million Euro. About 75% of this was secured through advertising and marketing while the founder, the Assembly of the Tuzla Canton provided 25% of the finances (although formally obliged to provide larger share).

A.1.5. Formalised relationships

There are no formalised relationships between TV TC and local/regional community. The programme is defined independently by Managing Editors and redactions with no direct interference of regional communities or government.

There are no plans for digital broadcasting at TV TC.

A.2. Television of Una and Sana Canton (TV USK)

A.2.1. Laws and rules

The RTV USK (Radio Televizija Unsko-Sanskog kantona) is based in Bihac and was founded in 1995 by the Assembly of the Una and Sana Canton. It employs 80 permanent and 30 contract workers. TV USK's legal framework is the *Law on the Radio-Television of Una and Sana Canton*.

Apart from the above mentioned law, the work of TV USK is defined by the rules of Communications Regulatory Agency (technical, as well as content – e.g. the 40% of self-produced informative and educational programme, as defined by the so called IMC Regulation 01/99) and by general provisions regarding programme of Public Service Media serving in the best interest of public.

The managing body of the TV USK are Director General and Council of RTV USK. The seven-member council is elected by the Government of Canton (3 members of the Council are employees of USK, 4 are outside members; the number of the Council members is soon to be reduced to 5 – 3 employees' and 4 outside members).

A.2.2. Local characteristics, level of dependency

TV USK is a unit of public company RTV USK. The programme is conceptualised by Managing Editors with suggestions from Council of RTV USK. As mentioned above, the programme incorporates general provisions for public service media. It operates fairly independently from its founder (can be influenced directly only through the suggestions of the Council) and completely independently from PBS BiH or any other media.

A.2.3. Regional model

TV USK fully covers the territory of the Canton – the North-West part of Bosnia and Herzegovina. It also covers border regions of Croatia (it reaches as far as Zagreb) and border regions in Republika Srpska. TV USK is present in cable systems in Bihac, Velika Kladusa, Novi Grad, Sanski Most and Bosanski Novi.

A.2.4. Typology of activities

TV USK is programme producer and broadcaster; it broadcasts approximately 16 hours of programme daily between 8:00 and 24:00. In 2003, it broadcasted 360.000 minutes (6.000 hours) of programme; 39% of this was self-produced (in all segments of programme), while

55% of the broadcasted programme was commissioned from distributors and independent information agencies. About 6% of annual programme is exchanged programme with other Canton television (mainly TV Sarajevo Canton, TV Gorazde Kanton and TV Tuzla Canton). Their most important show/programme are Daily news TV USK broadcasted at 19:00 daily. Other popular programmes are political show *Zoom*, informational programme *TV Parlament*, agricultural programme *Zlatno klasje*, and educational programme *Skolski sat*.

A.2.4. Economic resources

The operation of TV USK is financed through a mixed revenue scheme (advertising and Canton budget). In 2003, it operated with a budget of 1.381.629 KM, i.e. 691.000 Euro. About half (51%) of the funding (703.477 KM) was generated through advertising and marketing while the remaining 676.000 KM were provided from the Canton budget.

Czech Republic

1. Television general structure

There are three tv national channel: Czech Television (Česka Televize) broadcast with two channels (CT 1 and CT 2) and Nova Tv, a private company; broadcast with one channel since. The 24 hour share of the two public television channels in 2003 was 29,55% (CT1 22% and CT2 7,55%) and in the prime time 30,6% (CT1 24,7% and CT2 5,9%). There is also a cable tv company, Prima Tv, that cover 2/3 of the country with contents mostly from abroad. Czech Television started, as a public television service for the citizens of the Czech Republic, on 1st January 1992 after the division of Czechoslovakia and Czechoslovak Television (1953 - 1991) into two independent parts. The Broadcasting Act of 1991 regulates radio and TV transmission. The Control body of public television is the Council of Czech Television (iRada České Televize) with 9 members elected for 6 years by Parliament .

Upon the first day of 1992 and of its existence, Czech Television started to broadcast its own news on the CT1 channel. In January, it formed the organizational structure and program concepts. An agreement was made with Czechoslovak Television for cooperation and transfer of rights.

Czech Television has taken up the role of broadcasting on the CT1 and OK 3 channels and managing its assets, which were based on the assets transferred from Czechoslovak Television in accordance with the law.

Today Czech Television (CT) have 2.800 employees and is financed by licence fee (28 euro per year) paid by a large part of the 3,7 million tv households and by business operations regulated by the law (advertising, sponsorship et al). Its annual budget (2003) was of 4,35 billion Czk (132,4 million euro)

	CZK	%
Total Income of CT in 2003	4.353.000.000 = 132.409 euro	100
Television licence fee	2.903.385.000	66,7
Advertising	864.640.000	19,9
Sponsoring	171.030.000	3,9
Sale of services	161.180.000	3,7
Sale of right	58.000.000	1,3
Other	195.885.000	4,5

Is organized with three main structures: Czech Television Praha (Bohemia); Czech Television Ostrava (Northern Moravia and Slesia), Czech Television Brno (Southern Moravia). The total volume of broadcasting time is 17.832 hour due to the 24 hour daily broadcasting on both CT1 and CT2 channels more the 312 hour of regional broadcasting (half hour a day from the two stations of Brno and Ostrava).

Programmes broadcasted are mainly produced in house by the three production centers of Prague, Brno and Ostrava

CT transmission by genre (2003)	%
News	19,6
Current Affairs	12,4
Documentaries	12,1
Education	3,9
Religion	0,6
Sport	6,9
Drama	23,6
Music	6,8
Entertainment	7,1
Teleshopping	2,9
Advertising	1
Others	3,1

Programmes broadcasted are mainly produced in house by the three production centers of Prague, Brno and Ostrava

CT own programming	%
In-house production	58,9
Commissions	8
Co-productions	4,3
Total	71,2

The centres of Brno and Ostrava produce 10% of national programming included news, current affairs, films, entertainment, education and half hour a day of regional news.

2. Regional public television

As we told CT out of Prague have two regional centres one in Brno (256 employee) and the other in Ostrava (227 employee). They both produce for national and regional broadcasting.

In whole they contributes yearly to national programming with about 1.500 hours of all types of contents from drama and films to magazines and entertainment, music, health, religion,

etc.. For regional broadcasting each of them produce a total of one hour a week of local news broadcasted daily at 17,55 with 9-10% of share and without advertising.

The directors of the two regional centres are both Responsible member of the Board of Directors.

Denmark

1. General television structure

There are two national public service TV broadcasters in Denmark. **DR** (Denmarks Radio) and **TV2**. DR is financed almost exclusively by licence fees, while TV2 is financed by advertising revenue, licence fee revenue and other income.

DR only has two TV stations, DR1 and DR2, where DR2 is digital. In addition DR has 9 regional radio stations. Some of these also produce television programs for the national DR1 station. As these radiochannels main target is to broadcast radio, and while they do not cast or broadcast regional television, they will not be described in this report.

TV2 has two national TV stations. TV2 and TV2 Zulu, where TV2 Zulu is digital. TV2 also has regional TV stations.

Moreover there is one commercial TV channel with regional TV stations, TV Denmark. It has 9 local stations. 4 of them is situated in Jutland, one in Fyn and three on Sjælland, where the one of them is sending TV in the metropolitan area, Copenhagen. The stations are mainly sending news, local stuff and are financed mostly by advertising. As these channels are commercial ones, they will not be described in this report. Only the 8 regional TV2 stations will be described in this part of the report.

1.1. The regional TV2 stations

Prior to 1 January 2003 the 8 regional TV2 stations were branches of the national TV2. Each of them got their part of the licence fees from the national TV2 channel, and fulfilled for a large part the national channels public service commitments. With the media agreement¹⁶ it was decided to convert the nationwide TV2/Danmark into a government-owned limited company for the purpose of subsequent privatisation of the TV2/Danmark. The regional TV2 stations were split into separate organisations financially independent of the nationwide TV2/Danmark. But the regional TV2 stations maintained the right to transmit regional programmes in “windows” in the TV2 transmission schedule.

The regional stations are now independent with their own board of directors and management. They also have a council of 50-100 people representing a wide range of different

¹⁶ The Danish Radio and Television Broadcasting Act – ACT No. 1052 of 17 December 2002.

organisations in each region. Every four years the Council elects the Board of Directors. Apart from, that the role of the Council is to comment on programmes and to give inspiration and good ideas. It meets twice an year.

2. Danish laws regulating regional public television activities

The regional TV2 stations are regulated by The Danish Radio and Television Broadcasting Act, and from 11 December 2003 specified in an executive order for the regional TV2 stations¹⁷. The regional TV2-stations can broadcast news, sports, contests, teletexts and information for the public. They are not allowed to provide other programme services, but they may provide other services, including telecom services in connection with their programme services, in order to utilise the stations' technical equipment, special expertise etc. They may establish new companies or contribute capital to existing companies in order to carry out other activities, or in order to co-operate on media related activities with other enterprises. The stations may not use their license fees for that purpose. The provision of other services has to take place on competitive terms, and the Minister of Culture may lay down detailed rules for the separate treatment in the accounts of the public service activities and other activities

2.1. Public service obligations

The fulfilment of the regional TV2 stations public service obligations are specified in public service contracts between the Minister of Culture and the individual stations¹⁸. Each of them shall prepare annual statements for it as well.

The stations shall produce news and current affairs programmes, and the programming shall emphasise regional affiliation. The stations shall aim for, that more than half of the broadcast-time, which is not news, sports and contests, are European programmes. 10 percent of the total broadcast-time has to be broadcasts from European producers independent from television-concerns. In their programming they must aim at quality, versatility and diversity and aim for objectivity and impartiality in their dissemination of information to the public, and they are not allowed to send programmes containing pornographic or unmotivated violence for children. That kind of programmes can however be sent late at night or coded.

¹⁷ Bekendtgørelse om vedtægt for de regionale TV2-virksomheder. Bekendtgørelse no. 1032 af 11. december 2003 (only in Danish)

¹⁸ Public Service-contract between TV/... and the Minister of Culture for the period 1 January 2003 to 31 December 2006.

However none of the regional stations are broadcasting programmes of that kind. Moreover the stations are not allowed to encourage to hatred due to race, religion, nationality or sex.

The individual regional TV2 stations shall prepare annual statements of their fulfilment of the public service contracts.

2.2. Advertising and sponsoring

Executive Order of 20 March 2003¹⁹ regulates advertising and sponsorship on TV. According to the order, TV stations (except DR) are allowed to advertise, but the advertisements must be clearly identifiable as such, so they can be distinguished from regular programmes. Advertisements are only allowed in blocks between programmes, and beginning and end shall be clearly indicated by an acoustic signal or speaker announcement or both, as well as an image identification. Advertisements may however interrupt sports programmes where breaks occur or programmes which are live or deferred transmissions of performances or events where there are intervals which are live or, where there are intervals for the audience. Advertising may occupy maximum 15 percent of the individual licence's daily broadcasting time, and maximum 12 minutes an hour.

Advertisements for alcohol, non prescription pharmaceutical products and dietary supplements may not be placed in connection with programmes directed for minors.

2.3. Broadcast-time

The time and placement of broadcasts are specified in a supplement to the contract. A summary of the supplement is listed below:

Each of the regional TV2 Stations have their:

- local news at 18:10 from Monday to Sunday. The duration is 4 minutes, whereof maximum 2.10 minutes can be local advertisements.
- main broadcast Monday to Friday from 19:30 to 20:00 inclusive advertisements.
- main broadcast Saturday from 19:30 to 19:45, whereof maximum 3.10 minutes can be advertisements.
- main broadcast Sunday from 19:30 to 20:00 inclusive advertisement. Some days the national TV 2 use the last five minutes for the programme "This Day". The advertisement can be maximum 4.10/3.10 minutes.

¹⁹ Executive order concerning radio and television advertising and programme sponsorship – Executive Order No 194 of March 2003.

- main broadcast Monday to Thursday from 22:20. Duration 7.40 minutes, whereof 1.10 minutes can be advertisement

Moreover the regional TV2 stations are disposing over broadcasttime between 11:00 and 12:30 until the 1. January 2007. They have to use the broadcasttime to broadcast moving pictures, and they may advertise (according to the rules). If the national TV2 station wants to place a block of news with nationwide advertisement during the noon-schedule, they are allowed to do that.

2.4. Christmas etc.

The stations do not broadcast Christmas Eve. They broadcast 5 minutes without advertisements on Christmas Day, the day after Christmas Day and on New Year's Eve. The other holydays they have normal broadcasts at 18:10, 19:30 and 22:20. But not at 22:20 on days, where TV2/Denmark has no broadcasts at 22:00.

2.5. Local elections

At local elections, the stations have extended broadcast times. The two weeks before the election, the broadcast 19:30 is extended with half an hour from Monday to Thursday, the 22:20 broadcast is extended by 10 minutes. The day before the election, the 19:30 broadcast is extended with one hour. On the evening of the election, the TV2 regional stations may broadcast continuous from 19:30 until each of the stations chooses to stop. The national TV2/Denmark has a 15 minutes broadcast during the night for the national news. The placement is found in agreement with the regional TV2 regional stations. There can be no advertisements on the night of the election.

The day after the election, the regional TV2 stations are to be offered "windows" on the national TV2 in the morning. The placements and duration shall be found in agreement with the regional TV2-stations, but they have to have a duration of at least 5 minutes an hour. In addition the stations shall be granted at least 25 minutes broadcast between 17:00 and 18:00, between 18:00 and 19:00, and the broadcast at 19:30 shall be extended with half an hour, and the broadcast 22.20 shall be extended with 15 minutes.

2.6. Election to the Danish Parliament

On elections to the Folketing (the Danish Parliament) the stations have extended broadcasts. The last two weeks before the election, they get 52 minutes more a week to be placed between 20:00 and 22:00 from Monday to Thursday. The regional main broadcasts at 22:20 is

extended with 10 minutes Monday to Thursday, the regional TV2-stations' broadcast "The last word" is placed Sunday before the election from 18:10 to 18:55.

The regional TV2 stations shall coordinate the main terms with the national TV2 and the other national public service channel, DR.

On the evening of the election the stations get around 5-10 minutes broadcast, which is for the national TV" to be decided. The day after, they have at least 3x5 minutes broadcast in the morning, 50 minutes extra broadcast time between 17:00 and 18:00 and the main broadcast at 19:30 shall be extended by 30 minutes, the main broadcast at 22:20 by 15 minutes.

3. Level of dependency or autonomy from the main company.

The organisation of the regional TV2 stations are defined in the Danish Radio and Television Broadcasting Act from 2002 and specified in the Regulation for the regional TV2-companies²⁰. It states

- that the eight regional stations each shall have a Board of Representative, the composition of which reflect a wide variety of aspects of the regional culture and community. The Minister for Culture may in special cases approve the establishment of new regional TV2 stations.
- that a board of 5-7 members shall be in charge of the overall management of the individual regional TV2 station.

The permanent staff of the regional TV2 station shall elect one member and one substitute hereof, while the other members shall be elected by the Board of Representatives. The term of the office is four years, and the board shall have the supreme executive authority over the regional station. The board has the overall programme responsibility and shall lay down the general guidelines for the regional station. The board also appoints the general manager of the regional station, who holds day-to-day responsibility for the programme services and is in charge of the everyday administrative and financial management. The general manager appoints the station's staff.

4. Broadcasting structure

In 2002 3 percent of the total sending period on the national TV2 was regional television. But the regional TV2 broadcasts have many loyal viewers, so at the same time, 9 percent²¹ of the

²⁰ Vedtægt for de regionale TV2-virksomheder – Bek. Nr. 1032 af 11. december 2003.

total amount of their viewing on the National TV2 station were regional TV2 broadcasts²². If we only look at the broadcasts between 17:00 and 24:00, the total amount of viewers watching regional TV2 broadcasts 13 % of the programme categories broadcasted on the national channel.

In share, the regional TV2 stations have the second highest share among of all the categories on the national TV2 with 50 percent. Only the national news on TV2 has a higher share with 54 percent²³

The total broadcast time in TV2 was 5.894 hours and 51 minutes. 177 hours and 16 minutes of them were regional television.

5. Economic resources

The regional TV2 stations are financed through their shares of licence fees and via income from the sale of programmes and other services, subsidies, dividend, share of profits, etc. They sell and buy programmes to and from TV2 on marked terms.

Each of the TV2 regions get their share of the licence-fees. The government decides the amount. DR is offered 86 percent. One percent is for local television, the national TV2-station get 2 percent, and the regional TV2-stations are offered 11 percent. For the contract-period, 1 January to 31 December 2006, the licence fees for each of the regional TV2-stations are: 2003: € 6 207 870, 2004: € 6 457 825, 2006: € 6 541 692 (current prices).

The TV2-stations sell features and other programmes to the national TV2. Often the regional TV2-stations weatherforecasts are sponsored, and some of the regional stations have agreements with the public jobcentres on offering jobs in the broadcasts around noon. The income of the TV2-regional stations were as follows in 2002, in million €: TV2/Bornholm: 5.45, TV2/Lorry: 6.98, TV2/Fyn: 6.59, TV2/Middle-West: 8.51, TV2/North: 6.83, TV2/East: 7.11, TV2/South: 7.38, TV2/East-Jutland: 7.40.

6. The regional TV2 stations

TV2/Syd (TV2 South) began in 1983 as an experiment under the auspices of the Danish broadcasting company Danmarks Radio (TV1) and in 1987 it was approved as the first regional TV station in the TV2 system.

²¹ Where “Regional television” is a category among categories like “Music”, “Sport”, “Entertainment” etc. on the National TV2.

²² http://omtv2.tv2.dk/information/2002_TV2_Public_Serv.pdf (Danish only)

²³ Share expresses how big a part of the viewers having their television turned on, who actually watches the programme.

The TV2/Syd region consists of three country council areas: South Jutland, Ribe and Vejle, and it covers 10 068 km² in that area (excl. South Schlesvig). The total amount of potential viewers over 4 years old is 790 000. In addition to the region, TV/2 Syd has programming commitments in South Schleswig, just south of the German-Danish border, where a Danish-speaking minority lives. The population of the whole region is about one million. As an example of the programme genres, the transmission times and programmes are shown for TV2/Syd:

On weekdays:

11:00-11:30: Job-channel, where TV2/Syd in co-operation with the job centre in South Jutland is broadcasting vacant jobs in the region.

11:30-12:00: Set og Sket (Seen and Happened). A collection of the best features and news-stories from all the regional TV2-stations.

12:00-12:50: Regional news and a wide range of different programmes during the week from repeat of good local features, programmes from Circom, We talk about Europe, Trotting-television and programmes on how to get slim.

18:05-18:10: Short regional news

19:30-20:00: Regional news, features and weatherforecast.

22:20-22:28 Monday to Thursday: Regional news (Thursday 22:50-22:58)

On Saturday and Sunday:

18:10-18:14: Short regional news

19:30-19:45 Saturday: Regional news and weatherforecast

19:30-19:55 Sunday: Regional news, sport, extract of one of the sportsgames of the week.

Programme profile:

TV2/Syd is not primarily concerned with broadcasting the daily news. This is given a low priority in awareness of, that the region is well-supplied with news media such as the daily press, regional radio and local radio. TV2/Syd sees itself primarily as a culture-dissemination and culture-creating institution. Nine years of experimenting with regional TV in South

Jutland form the basis of a programming philosophy, where the main emphasis is on describing the daily lives of individuals. The reality that is typical of daily life in the Danish Parliament, in the local council chambers and the boardrooms of companies is different from everyday reality of individuals. Issues of business and political life are usually presented from the angle of individual experience of them. TV2/Syd primarily broadcasts to the viewers of the region, but also supplies programmes to TV2's nationwide range of broadcasts.

Drama: In co-operation with amateur actors and professional directors etc., TV2/Syd also produces TV plays written directly for the local community. Examples are the historical thriller *The Funderup Barn Murder*, *Wild Horse Island*, *Winner and Losers*.

TV2/Syd employs a staff of 70 people. The station is financed by advertising and licence fee. The production equipment consist of one TV studio, five digital editing rooms plus one media composer, one OB unit and six outside recording units.

An example of the income of TV2/Syd (2002) is as follows (in 1000 €)

Licence fees:	5 933,71
Resale of own-productions:	273,06
Sponsoring:	255,63
Other sponsoring:	58,45
Grant from TV Souths' support association:	114,09
Prepayments	412,27
Other income than public service related	133,90
Other income	211,23
Total	7.392,35

TV2/Lorry broadcast to the population of Greater Copenhagen i.e. 1.9 million inhabitants or a third of Denmark's population. It covers 2861 km², and the total amount of potential viewers is 1 703 000. Apart from the regional news (see TV2/Syd above), the station provide the viewers with their programme *Brunch* on weekdays from 10:50-11:30, a programme covering a range from reviews of restaurants, films and books to features and culture.

As a neighbour to Sweden, on weekdays from 12:00-12:30, the station broadcasts the programme *TV2 Øresund*. It is a newsprogramme covering what is happening in the region on both sides of the see, in both Greater Copenhagen and Malmø. The programme is produced as an co-operation project between TV2/Lorry and the Swedish regional TV channel *Sydneytt* in Malmö Right now it is only broadcast to the viewers in and around Copenhagen, but later on it will to be broadcast to all of the 3 million inhabitants in the Øresund-region.

Until April, the station broadcasts a programme called *The card of Denmark* on weekdays from 12:30-12:50. The programme is a debate-programme, concerning the effects of the new municipal reform in Denmark.

The region covered by **TV2/Fyn** includes one major city, Odense. It covers housing of 40 percent of the region's inhabitants and an area of 3 486 km². Otherwise, small towns and a rural area. The region is characterised by many islands, out of which 21 are inhabited. 8 percent of the viewers live on smaller islands. As an average of 24 percent of the viewers watch the programme daily, the viewing share amounts to 68 percent.

The station has a staff of 52 and the total amount of potential viewers over 4 years is 447 000.

TV2/Nord has operated since 1 April 1989 and covers the northern part of Jutland in Denmark. There are approximately 500 000 inhabitants in the area, and it covers 6 173 km². The amount of potential viewers over 4 years old is 472 000.

TV2/Nord employs 60 people including 4 Beta crews. It is situated in Aabybro and has 4 regional editorial teams situated in Frederikshavn, Hjørring, Hobro and Aars. Technical equipment: 3 ENG, 1 OB, 1 SNG.

The region covers one major city, Aalborg. The rest of the region is rather big with smaller cities covering all from agriculture-areas to cities with fishing-industry.

Apart from news, the station produce live inputs, coverage of current affairs, sport, music, religion, features etc. Until recently the station co-operated with the job centre in North Jutland. In the morning on weekdays, TV2/Nord broadcasted vacant jobs in the area. The jobcentre have stopped the co-operation, which have reduced the income of the TV2/Nord quite a bit. Since 1993 the station have broadcasted regional commercials in the nightly programme. They meet competition from several television services – mainly DR and TV3, minimal from the local TV Aalborg and satellite television.

TV2/Bornholm covers the Bornholm region, an agricultural/maritime area..

There is close co-operation with the Baltic TV stations. The station is the smallest of all the TV2-stations. It has a staff of 43, and the total amount of potential viewers over 4 years old are 43 000.

TV2/Bornholm is the only TV2-station, having income from producing the TV2-regions Net Television. The other stations pay TV2/Bornholm for that service.

An example on the trade/income, the budget for 2004 for TV2/Bornholm is shown here (000 euro):

Licence fee:	6 457,83
Sale of television-productions:	
Sale of news:	26,84
Rental:	6,71
Sponsor:	16,10
Other outputs and productions:	13,28
Other income:	8,05
Sale of internet-productions etc.	
The TV2-regions Net Television	32,21
Other income	93,96
Total	6.654,98

TV2/Østjylland started broadcasting 1 April 1990. It covers the Eastern Jutland, i.e. the second largest town, Aarhus with 288 837 inhabitants, and the surrounding area. It covers 4 561 km² and has 611 000 potential viewers over 4 years old. Apart from regional news, TV2/Østjylland produces half-hour magazine.

TV2/ Øst covers the region Vestsjaellands & Stoerstroms's Counties. with a staff of 42 and broadcast to 531 000 potential viewers over 4 years old. The area is 6 382 km², and it is both rural and urban with an audience of typical Danes. The biggest city in the area is Slagelse with approximately 36 593 inhabitants. The station also broadcast to areas with big unemployment and people commuting far to and from job. The station has an editorial team situated in Holbæk in the western part of the region.

TV2/Midt-Vest is based in the Midwest of Jutland. The total amount of potential viewers over 4 years old is 477 000, and the area is 8 976 km². Great parts of the area is rural/agriculture.

TV2/Midt-Vest produce news, features, documentaries, a cultural show and other programmes for TV2, DR1 and foreign TV stations.

7. Formalised relationship between regional public TV activities and local institutions etc.

Nearly all of the stations have support from communities.. The support communities are gathered in a national association with one yearly meeting. The purpose of the support communities are to secure, that the stations will be able to keep on existing as regional television stations. They support the stations financially, they are a part of the organizational

support base, but they also elect members to the Board of Representatives for the regional TV2 stations. In that way they have influence on the stations and the programmes.

8. Experiences of digital terrestrial television

The Media Policy Accord 2002-06 of 3 June 2002²⁴ states, that it is planned to phase the transmission of analogue television out by 2007. Terrestrial digital television transmission rights (multiplex) are to be put out to tender. Once the auction is complete, a licence will be issued to a “gatekeeper” (multiplex operator), which will then operate a terrestrial digital television platform on a commercial basis. The Danish public service television stations – DR and TV2 – are to be assured of a suitable place on the terrestrial digital platform, including to transmit two digital television channels each.

The parties to the Accord agreed to urge the regional TV2 companies to investigate the possibility of establishing a regionally based television channel in connection with the introduction of terrestrial digital television in Denmark.

There has been at least one experience with digital terrestrial television on regional basis; TV2/North-Digital. TV2/North-Digital started in December 2001 and the first programme was broadcasted via DVB-T on 1 November 2002. The pilot project was a part of “The Digital North Denmark”, which was initiated by the Danish Government in 2000. North Jutland was selected to establish an “IT lighthouse” to promote IT development and IT use. This means that during the project period the region of North Jutland served as an exploratory region to the rest of Denmark by means of different projects trying new ways to prepare citizens, enterprises and public authorities for the network society. The vision is to create “the first network society” in the region of North Jutland in Denmark. Within the framework program “The Digital North Denmark” 89 projects have been set up, representing a total value of more than 80 million €.

The TV-station, headquartered in 9 hotel rooms at a hotel in Frederikshavn in Denmark, was unmanned when broadcasting. The people who were on watch could by use of portable computers perform surveillance and changes from their homes. TV2/North-Digital developed more than 15 programme serials in the MHP format, which gave the viewers access to interactive services.

²⁴http://www.kum.dk/graphics/kum/downloads/Kulturomraader/Radio_og_TV/Hoeringsmat_english_digit_tv/Digital_tv_hoeringsmateriale_Bilag1_eng.doc

The pilot project was divided into two periods. From 1 November 2002 to 1 May 2003 and 1 May 2003 to 31 December 2003. 437 households were selected in the first period, but at the end of the period 1 May 2003 there were only 277 households left. The main reason for this defection was, that the households did not have time to watch TV2/North-Digital in prime time. TV2/North Digital was only broadcasted in prime time from 20 to 22 pm every day. There have also been several households unable to receive the signal caused by the terrestrial transmission.

The pilot project showed that it was especially the men in the households, who showed the highest enthusiasm about the interactive services. The elderly seemed to have problems when multitasking between the digital surplus values and the audiovisual expression. It appeared, that there were examples of programs in TV2/North-Digital, that had a confusing user interface and very little coherence between the audiovisual expression and the enhanced television. But the viewers seemed to be very satisfied with the vertical/horizontal application, which had an obvious similarity to the typical navigation from Microsoft Windows²⁵.

²⁵http://www.kommunikation.aau.dk/ddn/Filertildownload/Paper_ITVConference_Brighton_TB.pdf

Finland

1. General television structure

YLE is the Finnish public service broadcaster and offers both television and radio service. A government-owned limited company, YLE's operations are regulated in law (the Act on Yleisradio Oy of 1993). YLE maintains two nationally distributed channels, YLE1 and YLE2. FST1 and FST2 are Swedish-language "channels" that YLE distributes in windows on YLE1 and YLE2. YLE also broadcasts TV4/SVT Europa, a channel of in-house productions from the Swedish public service broadcaster, SVT, to coastal regions of Finland.

Even though it is on YLE's radiostations regional television is produced. YLE has only produced regional television for a short time. The first regional YLE television channel started in 2000.

2. The regional YLE stations

There are eight regional stations under YLE, and they have started their activities within the last 4 years. At the moment they only produce 10 daily minutes of regional news. The news are produced in a new way in Finland. By creating the television production inside the organization of the 20 regional YLE radiostations.

3. Laws regulating public regional television

The public service conditions are also stated in the act. Both radio and television, as far as for YLE, is regulated by the same law, Act on Yleisradio Oy of 1993²⁶. It states, that Yleisradio Oy shall be a limited company operating in the administrative sector of the Ministry of Transport and Communications and engaged in public service. In addition YLE are obliged to submit an annual report of the company's operations to Parliament (396/2003).

4 Public service obligations

Both radio and television shall be responsible for the provision of comprehensive television and programming with the related additional and extra services for all citizens under equal conditions. They shall provide a variety of information, opinions and debates – also for minorities and special groups. They shall support, produce and develop Finnish culture and make products thereof, promote the educational nature of programmes, support the citizens'

²⁶ With additional amendments up to 396/2003.

study activities and treat Finnish-speaking and Swedish-speaking citizens on equal terms. In addition they shall broadcast official announcements. They are not allowed to advertise or produce sponsored programmes.

Moreover the activities of YLE is regulated by Act on the State Television and Radio Fund (45/1998)²⁷. The purpose of this law is financing the activities of YLE. The law define and state how and how much is to be collected from the viewers. In addition YLE is affected by the Copyright Act and laws on foundation of limited company.

5. Level of dependency or autonomy from the main company

On the organisational level, national YLE2 is responsible for regional programming. It has its main offices in Tampere, at one of the Finnish speaking radio channels.

The regional YLE television stations are a part of the YLE news-organization, not separated entities. On the level of the different regional YLE television stations, the radio station has a budget on its own. Responsible for this budget is one of YLE's four Finnish speaking radio channels, Radio Suomi.

6. Broadcasting structure

YLE's regional television is brought 10 minutes every week day from 17:50 to 18:00. The teams produce the news themselves, and the news are broadcasted in the region. The radio-channels broadcasts 11 hours each day from Monday to Friday (6:30 to 17:30) and 9 hours on Saturdays (7:00 to 17:50). The regional news from all the regional YLE television channels are also broadcasted digitally on YLE24 to the entire Finland. It is a round-the-clock news,- and current affairs channel. Separate regional news flashes are also used on national level on morning TV and on TV news.

7. Economic resources

It has not been possible to get any information of the economic resources of the regional YLE television stations. They are financed by the national YLE. The company is 99.9% state-owned and supervised by an Administrative Council appointed by Parliament, and operates

²⁷ <http://www.mintc.fi/www/sivut/suomi/viestintatieto/ylelak/viestin/eng/e745-98.htm>.

under the Act on Yleisradio Oy. YLE's operations are financed mainly by television fee (186.60 million € per year).

8. The regional YLE television stations

Finland is divided into 20 regional radio areas or regions. The small amount of regional TV areas is due, mainly, to financial reasons and to the small populations in certain regions of Finland. In practice this means that one regional television station covers 1-4 regional radio's area. The biggest regional radio station is in charge of the regional television broadcasts; the one in Tampere. The national news broadcast, TV-uutiset uses the regional television channels stories nearly everyday, and the regional television channels can also get their material as well. The most of the regional YLE television stations only produce news. But some of them in addition produce programmes for the national YLE2.

Roughly a third of all television viewers watch regional television. It ranges from 300 000 – 600 000. The ratings are rising. People are slowly starting to find the news service of YLE regional television.

They are using the existing radio news-personnel and are hiring people with television background to help the transition. One of the journalists I talked with in Tampere were hired from a commercial TV channel. He had no previous experience with radio – but everybody on the stations are able to do everything. Independent audiovisual companies are used only occasionally for shooting purposes (filming).

YLE Tampere Radio – Hämeen uutiset (Region Tampere) is a collaboration of three provincial radio stations. It started one year ago. The staff is 25 journalists and media journalists, one editor-in-chief and four newsdesk managers. The region has 800 000 inhabitants. Roughly third of all television viewers are watching regional television.

The station has a staff of 30, whereof 12 produce news. 6 people from 2 other areas make news for the station in them. The station has one editor-in-chief, one radio producer and two news editors (news desk managers) They can decide for themselves which stories and interviews to make, which music to play and which topics to choose. The programming (schedule, format, style and target audience) is decided nationally. The station has its own budget, and they can decide for themselves how to spend the money.

YLE Kaakkois-Suomen uutiset and Etelä-Karjalan Radio (Lappeenranta – Region South East) is the regional television station in Lappeenranta and started TV production the 3

November 2003. It covers approximately 13 000 km², with about 324 000 inhabitants. There are two different areas in the region. From the northern part close to the Russian border to the southern part close to the sea. The latest statistics on share was 38 percent, and the coverage about 10 percent.

Espoo YLEn Aikainen (Helsinki – Region Capital) have thirty people at work: among them eighteen journalists and producers, three people for administration and techniques and two managers.

YLE Turku – Turun Radio (Region South East) started in 2000. The staff is 14, whereof 10 are journalists. The area has around 700 000 inhabitants.

YLE Jyväskylä (Region Central) started in 2000 and has a staff of 14, whereof 12 are journalists.. The station produce the citizen programme *Suomi puhuu* and the current affairs programme *Kotimaan kasvot*, *Kamera kiertää* and *Kotimaan viikko* for the national YLE station.

YLE Oulo (North West Region) station started in 2000 and has a staff of 30, whereof a large part are journalists. It covers the north-western part of Finland within the areas Oulu, Ruka, Taivalkoski, Haapavesi and Raahe. The station also produce the cooking programme *Makupalat*²⁸ for the national YLE. The programme is now on leave, but will be back this summer.

YLE Rovaniemi regional tv station started in 2000, and covers the Lappish region. It has a staff of 28, whereof one is manager.

9. Experiences of digital terrestrial television

The development of DTV started with governmental decisions in 1996. The government saw the digitalization of television as an important element in its 'information society' strategy and as a way to protect Finnish culture and domestic programme production from the invasion of foreign owned satellite broadcasters. Of the altogether 13 digital licences awarded in 1999 only two went to applicants other than the incumbent broadcasters, the rest were shared by

²⁸ <http://www.yle.fi/makupalat/>

Finnish Broadcasting Corporation YLE, Alma Media and Sanoma group (Brown 2003). Four channels were supposed to operate on pay-TV basis.

YLE started its digital terrestrial transmissions 1 September 2000 in the areas of Helsinki, Tampere and Turku. In the first phase the channels YLE TV1, YLE TV2 and MTV3 and Channel Four Finland were transmitted simultaneously both as digital and as analogue compatible broadcasts. The first phase of the construction of digital TV was finished in September. By the end of the year 2000 more than half of the Finns lived within the digital tv broadcasting area. Today all the regional YLE television have their news broadcasted simultaneously both analogue and digital. Helsinki, Tampere and Turku houses three of the regional stations. At the same time a license for regional digital television operations was granted to City-TV Oy, which is a chain of four companies: City-TV Oy Helsinki, City-TV Oy Pirkanmaa, City-TV Oy Suomi and City-TV Oy Turku. It was the view of the Ministry of Transport and Communications that commencement of digital regional television operations would be an advantage since they serve both regional and wider interests.

The minister of Transportation and Communication were eager to get more channels, but it proved to be more difficult than anticipated. In 2002 it became clear that all the pay-TV channels refused to start broadcasting, due to lacking pay-TV infrastructure and user interest. Two channels (youth channel SubTV and the Sports channel) transferred their operations also to the analogue cable delivery. In their first year YLE channels were mostly recycling their analogue content in the digital platform, but at least YLE was the only company who succeeded to keep its promises for the viewer.

However, the interest in digital television has been on rise since the late 2002, when the MHP boxes finally entered the market. On October 2002, there were almost 130 000 cable and terrestrial boxes, which means that appr. 6 % of the 2.2 million Finnish households could access national digital television. The amount of digital satellite boxes are estimated to 57 000. In 2002 it was said, that new terrestrial channels were bound to enter the field (Canal+ pay-TV channel and a group of local city channels). YLE is just about to launch its new interactive digital teletext services and in MTV3 teletext pages new interactive commercial electronic services like banking, online shopping and interactive advertising are ready for launch.

The regional channels have until now been a little slow in the fields. But in January the Finnish Government granted programme licences for digital terrestrial television and radio broadcasting allowing seven new local television channels to start transmissions in the digital network. The licences are valid until 31 August 2010.

Ministry of Transport and Communications is of the opinion that due to the technological and financial development the scope for regional television, broadcasting has improved and the operations have attracted more interest. Therefore, a part of the new distribution opportunities created by the digital network should be directed to regional activities. Local television broadcasting diversifies the dissemination of information and reinforces regional culture.

At present, the digital television network covers around 72 per cent of the population. Central actors in the field have agreed to extend the distribution network so that by the beginning of August 2004 the population coverage will be around 94 per cent. Unfortunately I have not been able to find out which channels it is since I have not been able to find it anywhere described in English

Greece

1. General television structure and its evolution

The first television programme in Greece was transmitted in 1960 during the International Trade Fair of Thessaloniki. For the next few years, television remained at a purely experimental stage. A striking yet unfortunate peculiarity of the Greek case is that the Armed Forces of the country started transmitting television programmes in 1965, at the beginning experimentally and, from 1968 on, on a regular basis. Two public television channels were established in 1970, the National Foundation for Radio and Television (EIRT) and the Information Service of the Armed Forces (YENED), both of which were controlled by the military government of the time. After the transition to democracy, Law 230/1975 provided for the restructuring of Greek public television by establishing Greek Radio and Television (ERT) as a public enterprise. The former EIRT channel was renamed as ERT-1, and a common structure was created with YENED which eventually, in 1982, was renamed as ERT-2. Finally, in 1987, by means of Law 1730/1987, the two public channels, ERT-1 and ERT-2 (later renamed as ET-1 and NET, respectively), turned into branches of the same company (ERT S.A.).

Law 1730/1987 provides that branches (General Directorates) of ERT S.A. may be established to cover larger areas of the country. Thus, mainly as a response to the abolition of state monopoly and the emergence of private television, ERT-3 was created in 1988 as a third, regional channel of ERT S.A., based in Thessaloniki (Panagiotopoulou 2000: 260). The regional channel of Northern Greece, which was later renamed as **Greek Television 3 (ET-3)**, remains until now the only regional public television channel in Greece. Fully dependant on the national company at the beginning, ET-3 gained significant managerial and programming autonomy in 1994, when, by means of Law 2173/1993 and of Presidential Decree [P.D.] 134/1994, it was restructured as an independent branch of ERT S.A.

2. Laws and institutions

In Greece, radio and television are constitutionally regulated activities. According to Article 15 paragraph 2 of the Greek Constitution, radio and television are transmitted under the direct control of the State. The Council of State, the highest administrative court, initially interpreted

this constitutional provision in the sense that the legislator may choose either to establish a public monopoly, or to allow private broadcasting under the supervision of the state (Council of State, Decision 5040/1987). From 1987 onwards, the public monopoly was gradually abolished, and a mixed system of public and private broadcasting established. After the amendment of Art. 15, in the latest constitutional revision of 2001, re-establishing a public monopoly is not considered a constitutionally legitimate option any more. Yet, the obligation for radio and television to remain under state control remains intact. This time, though, as explicitly stated in Art. 15, state control is exercised by an independent authority among whose competences is licensing the channels.

Thus, the main regulatory institution of the Greek broadcasting system is the independent authority of National Council for Radio and Television (ESR). ESR was established by Law 1866/1989, in an *ex post* attempt of the Greek legislator to deal with the anarchy created by the deregulation of radio and television in the late 80s. After numerous changes in its founding legislation, as well as systematic governmental intervention, ESR finally found explicit constitutional recognition in the constitutional amendment of 2001 mentioned above.

The main laws regulating radio and television activity are Law 1730/1987 on ERT S.A., which organises public broadcasting, and Law 2328/1995 on private television and local radio. Furthermore, there is Law 2644/1998 on subscription radio and television services. All laws are in force as amended by subsequent legislation. Presidential Decrees, Ministerial Decisions, as well as Regulations and other Normative Acts of the ESR complement what is an extended, dense and, in some cases, extravagantly detailed normative framework. It comes, thus, as no surprise that these legal norms are often and severely violated, or plainly ignored, by most actors in the broadcasting system – the government included.

The problem of its actual implementation put aside, legal regulation of television activity can be divided into two categories: regulation for establishing and operating a television *channel*, on the one hand, and regulation of the television programme *content*, on the other. The establishment and operation of a television channel is mainly regulated by the ‘institutional’ provisions of Laws 1730/1987, 2328/1995, and 2644/1998. Content regulation rules are included mainly in Laws 1730/1987 and 2328/1995, in Presidential Decrees 236/1992, 231/1995 and 100/2000, which incorporate the provisions of the EC Directive ‘Television Without Frontiers’, as well as in some basic ESR Regulations.

2.1. Legal framework of regional public television

The *establishment and operation* of regional television channels, in particular, is regulated: a) in the case of public television, by those provisions of L. 1730/1987, as amended by L. 2173/1993, that establish ERT-3, as well as by Presidential Decree 134/1994 on the organisation, administration, and operation of ERT-3; b) in the case of private television, by those provisions of L. 2328/1995 that provide for the licensing of regional channels. On the other hand, there is no special *content* regulation for regional television: the same rules apply here as for any other type of television activity. Furthermore, no special legislation exists that requires a minimum of regional programmes or regional productions to be transmitted by regional channels.

The regulation of the *internal organisation* and operation of public radio and television is basically entrusted to the public broadcasting company itself. Thus, the Articles of Association of ERT S.A. are adopted by the General Meeting of the shareholders (namely, the State: see *supra*), while the Organisation of the Service, the Staff Regulation, as well as the Procurement Regulation are issued by the Board and approved by the Government.

3. The regional public television channel of Northern Greece ET-3

Greek Radio and Television 3 (ERT-3) is ERT S.A.'s General Directorate for Northern Greece, with the status of an independent branch (L. 2173/1993, Art. 3 par. 4, P.D. 134/1994, Art. 1). The seat of the General Directorate is in Thessaloniki. ERT-3 operates three regional radio channels, as well as the regional television channel Greek Television 3 (ET-3).

According to the original planning, ERT-3 was supposed to establish and operate – apart from the main television channel – three further regional channels with regional territorial coverage, in the Regions of Macedonia, Thrace, and the Islands of the Northern Aegean, as well as a regional cable television network for Macedonia and Thrace (P.D. 134/1994, Art. 5 lit. a, c). These plans, however, were soon abandoned. Since 1995, ERT-3 has been a member of the European Association of Regional Television – CIRCOM Regional.

3.1. The regional character of ET-3

Law 2328/1995 distinguishes between three categories of *private* television licenses (national, regional, and local), by criterion of the territorial coverage of the channel's transmissions. This distinction, however, does not apply to public television, all three channels of which transmit nationally. Hence, the regional character of ET-3 lies not in the territorial coverage of its transmission, but in the regional character of its programming. It is thought of as

autonomous *regional programming*, focused on themes concerning or related to the larger area of Northern Greece. This means Central Macedonia, West Macedonia, East Macedonia, Thrace, and the Islands of the Northern Aegean. The seat of the channel is in the city of Thessaloniki (Central Macedonia), where its two main studios are located. It also has smaller regional studios in the cities of Florina (West Macedonia), Komotini (Thrace), and Mytilini (Northern Aegean).

With more than 150 transmitters and transponders all around Greece, ET-3 actually covers approximately 95% of the country.

3.2. ET-3's status within the public television system

ERT-3 has no legal personality. It is not a separate company, but an independent branch of ERT S.A. (the Company), founded by L. 1730/1987, as a public enterprise, based in Athens. It is a stock company, its capital consisting of only one share, owned by the Greek State. The General Meeting of shareholders consists of three higher civil servants who represent the Government. The Government also appoints the majority of the Board's members. ERT S.A. operates four television channels: Greek Television 1 (ET-1), New Greek Television (NET), Greek Television 3 (ET-3), as well as the satellite channel ERT-SAT. It also operates Greek Radio (ERA), which consists of 7 national, 2 international, and 19 regional radio channels (for ERT S.A. see L. 1730/1987, Karakostas 1998: 69-79, <http://www.ert.gr>). ERT-3 is a General Directorate of the Company, organised as an independent branch. Its administrative organs are the Commission (consisting of five members with special expertise or experience, appointed by the Government) and the Director General, who is appointed by the Commission. The Director General has a right to attend the meetings of ERT S.A.'s Board, yet without voting right. When issues concerning ERT-3 are discussed, the President of its Commission may also attend the Board's meetings (L. 2173/1993, Art. 3 par. 3-5).

3.3. Relations to the national public company (ERT S.A.)

As an independent branch of ERT S.A., ERT-3 enjoys managerial, financial, programming, and production autonomy. It should be stressed, especially, that the national Company is not involved in any way in the initiation, production, commission, or purchase of programmes, which rest basically in the responsibility of the Director General and the President of the Commission .

4. Broadcasting scheduling

ET-3 transmits 24-hours a day. About 20% of programming is rented, 55% produced internally, and a portion of 25% comes from sub-contracted external productions. European productions account for 67% of the programming. The programming is divided in seven categories: News and current affairs, Entertainment, Sports, TV-magazines, Documentaries, Films, Children, Music; and in four zones: morning, afternoon, evening (which corresponds to the prime time zone), and late night zone. In terms of broadcasting time, programming is divided as follows:

News and journalistic programmes	30%
Documentaries	27%
Cinema and TV series	15%
Arts – Culture – Music	15%
Entertainment	13%

ET-3 is widely acclaimed for the quality of its *news programmes* and its documentaries. With the exception of the morning zone, there is one news programme daily in every programme zone: from 13.00 to 13.55 in the afternoon, from 20.30 to 21.30 in the evening, and from 24.00 to 24.30 in the late night zone. In the working days (Monday to Friday), the evening zone is for the most part a news zone. Apart from the main news programme, there are also two special news programmes: ‘Perimetros’ (19.00-19.30) which deals exclusively with news from the Greek regions (not only those of Northern Greece) and is the only programme of this kind on Greek public television. ‘Hydrogeios’ (the Globe) (19.30-19.55), also a novelty of the channel, deals with international news, with emphasis in the South-Eastern Europe and the Balkans. The evening zone has further a daily sports news programme (19.55-20.30). There is also a sports news programme in the afternoon zone (13.55-14.30). Another novelty of the channel’s news section was the brief news programmes in Albanian and in Russian, which was transmitted for some time, but has now been discontinued. Finally, there is a daily journalistic magazine (working days 14.30 to 16.30), and various weekly journalistic programmes. Worth mentioning is, as far as the news programmes are concerned, the close and longstanding cooperation with the Macedonian News Agency, based in Thessaloniki.

ET-3’s programming offers more than ten *documentary series* weekly, which are transmitted in various times, usually 12.30 to 13.00 in the afternoon, 18.00 to 19.00 in the evening, and very often also in the late night zone (01.00 to 01.30 and 01.30 to 02.30). Documentary films

are also transmitted regularly. The documentaries may be divided in three thematic categories: contemporary social and political problems; world and local cultures and travel; arts, science, and education. Over the last years, ET-3 has produced itself more than 50 documentary series with over 350 episodes.

ET-3 usually includes in its programming six *films* and three dramatic TV series weekly, which are transmitted mainly in the late night or in the evening zone (usually 22.00 to 24.00 or 00.30 to 02.30). There are also programmes devoted to specific film genres, ‘schools’, or directors. The channel has transmitted more than 650 films so far. The channel provides also a significant *sports programming block*. Apart from the daily and weekly sports news and journalistic programmes, it often covers and comments local and regional, national, and international sports events. Along with the popular sports events (e.g. football matches of the Greek, English, or German leagues), some broadcasting time is also dedicated to less popular sports.

The *cultural* section includes various music programmes, weekly programmes on arts, cinema, books, food, and design, as well as a daily series on culture (working days 21.30 to 22.00). *Children programme* is transmitted daily from 8.00 to 10.00 (cartoons, mainly). There are also two entertaining *TV magazines* daily in the morning (10.00 to 12.00) and the afternoon (16.30-18.00) zone (working days).

5. Programme content

As of its mandate, ET-3 is mainly interested in the regions of Northern Greece. As a matter of fact, ET-3’s programming output is oriented towards programmes produced in or related to Northern Greece. There is no statutory or other normative obligation, though, to produce or to transmit a certain percentage of regional programme content.

ET-3 also demonstrates a special interest in covering public affairs and developments of the broader region of South-Eastern Europe, notably the Balkans. The co-production and exchange programme Balkan TV magazine, which has been running since 1994, is a case of point, in that respect. In order to fulfil this programming profile and orientation, ET-3 has concluded cooperation protocols with the public television organisations of FYROM, Bulgaria, Romania, Albania, Serbia, Moldavia, Turkey, and Russia.

6. Economic resources

Funding for ERT S.A. comes from: a) the radio and television licence fees, b) proceeds from advertising, c) special state subsidies, d) other proceeds, e.g. from sale of programmes, or

from other services (L. 1730/1987, Art. 14). With some minor exceptions, every consumer of electricity has the obligation to pay the radio and television fee. This is thought as a return for the public service obligations (e.g. full national coverage, pluralistic programming) entrusted to ERT S.A. by law. The charges are paid along with the electricity bill, and then the Public Electricity Enterprise gives the collected sum to ERT S.A. The level of the fee is defined by law and is occasionally readjusted. Since 1.1.2004, it has been a monthly sum of 3,24 euro per electricity consumer (L. 3185/2003, Art. 26). It is estimated that ERT S.A. receives approx. 120 million euro annually from the fee. 10% of this goes to ERT-3. Apart from this, ERT-3 has its own proceeds, mainly from advertising or sponsoring, and also from EC sources (e.g. European programmes).

7. Budget

As a stock company, ERT S.A. has its own budget, which is issued by the Company Board and published according to the provisions of Company Law. The balance and the annual report of the Company are issued by the Board and approved by the General Meeting of shareholders. For its financial conduct, the Board is accountable to the General Meeting and answerable to the supervising Minister (L. 1730/1987, Arts 7 par. 2, 8 par. 3, and 13 par. 4). ERT-3 issues no separate budget in the sense of the Company Law, since it is just a General Directorate of the Company, and not a company itself. However, ERT-3 is financially autonomous, which means that its managing organs (Commission and Director General) use freely the sums given by the Company, as well as its own proceeds. ERT-3's managing organs are accountable to the Company Board and answerable to the supervising Minister.

8. Relations to local institutions and social/political organisations

ERT-3 has no formalised relationships to local institutions or social and political organisations. However, the channel cooperates closely with various social and political organisations, mostly with local government. Presidential Decree 134/1994 especially encourages cooperation with cultural organisations of Northern Greece, such as the Thessaloniki Film Festival, the Short Films festival of Drama, the State Theatre of Northern Greece, the Municipal and Regional Theatres, and the State Orchestra of Thessaloniki. A further general obligation – in the sense that it applies to all television channels, public or private – is that, during the period before a parliamentary election, every television channel must provide free broadcasting time to the political parties that take part in the election. No

political party may be excluded, although the time is distributed proportionately according to the size of each party.

9. Experiences with digital terrestrial television

There exist no plans for digital terrestrial television at regional level. Presidential Decree 134/1994 encouraged the creation of a regional cable television network for Macedonia and Thrace (Art. 5 lit. c). This provision, however, was never activated; so currently there exist no plans about regional cable television. In addition to its free transmission, ET-3 is also transmitted digitally as part of the commercial subscription channel bouquet NOVA. Furthermore, one ET-3 production, the 'Nostos' TV magazine, a weekly programme about the Greeks abroad, is also transmitted via satellite, as part of the ERT-SAT programme.

Hungary

1. Legal background of broadcasting

The legal background of broadcasting - and in particular public service broadcasting – is provided by Act No. I of 1996 on radio and television broadcasting (Broadcasting Act). This is a single²⁹ code-like act containing all the provisions concerning broadcasting activities in Hungary. An important legislative characteristic of this Act that – according to the Constitution³⁰ it's approval or amendment requires the two-thirds majority of votes in Parliament.

The act has been generally amended only once since its approval, by Act No. XX. of 2002. The purpose of this amendment was to align the regulation to the corresponding EU directive³¹. Professionals in Hungary agree, that - as a consequence of technical developments in the media - the Act needs further amendments. However, in the political sphere no sign of the required consensus can be seen at the moment.

Concerning the operation of public service broadcasters the Broadcasting Act defines the notions of :

i) “public service broadcaster”, ii) “public service broadcast”, and iii) “public service programme”.

“Public service broadcaster” is “a broadcaster, the operation of which is defined in the rules of public service broadcasting, the broadcasting of public service programmes constitutes the majority of its responsibilities, its maintenance is financed primarily from public funds, it is under social supervision, and its basic rights and obligations are established by this Act.³²”

“Public service broadcast” is “a broadcast in which public service programmes play a decisive role, and which regularly informs the listeners and viewers living in the area of reception of broadcaster of issues deserving the attention of the public³³.”

²⁹ The term “single” is used in contrary of legal solutions applied in the UK or Germany or in Slovakia, where more than one legal instruments regulate broadcasting activity.

³⁰ Act XX of 1949 on the Constitution of Hungary 61. §

³¹ Council Directive 89/552/EEC (“Television without Frontiers” directive)

³² Broadcasting Act 2. § 17)

³³ Broadcasting Act 2. § 18)

“Public service programme” is: “a programme serving the informational, cultural, civic and lifestyle needs of the (national, regional, local) listeners and viewers living in the area of reception of the broadcaster, in particular:

- artistic work or communication presenting universal and Hungarian culture and the culture of the national and ethnic minorities living in Hungary, and the viewpoints of minorities;
- dissemination of information serving educational and training purposes;
- providing information on scientific activities and results;
- broadcasts serving the realization of the freedom of religion, and presenting church and religious activities;
- children and youth programs, and educational and general information programs on child protection;
- dissemination of information making every-day life easier, serving to provide legal and public life information for the citizens, and promoting healthy lifestyles, the protection of the environment, the protection of nature, public security and the safety of traffic;
- programmes created for groups at a serious disadvantage due to their age, physical, mental or psychological state or social circumstances;
- dissemination of news³⁴.”

Concerning these definitions it should be noted, that commercial broadcasters in Hungary are also required to transmit public service programmes according to their contracts³⁵ concluded with the national independent regulatory authority, the Országos Rádió és Televízió Testület (ORTT). They report on fulfilling these obligations to the ORTT twice a year. In the practice the interpretation of the notion of “public service programmes” are linked almost exclusively to these reports. This results the regrettable situation that the concept of “public service programme” – therefore the content of public service obligations - is forming almost solely in connection with the commercial broadcasters.

2. Institutional background

Based on the Broadcasting Act there are two public service television broadcasters in Hungary:

³⁴ Broadcasting Act 2. § 19)

³⁵ In Hungary the ORTT concludes contracts with broadcasters, this legal act has the same function as issuing broadcasting licenses in other European legal systems.

- concerning the subject the relevant one of them is the **Hungarian National Public Televison (Magyar Televízió Rt., MTV)**. MTV operates two channels. The first channel, MTV1 is available to substantially the whole population of Hungary via terrestrial distribution. The other channel - called MTV2 - is available via cable and satellite systems for approx. 55% of the population;
- the **“Duna” Tv (Duna Televízió Rt.)**, that operates one satellite channel just has to be mentioned. The programme of this public service broadcaster is dedicated mainly to viewers of Hungarian nationality outside Hungary. It is available in the country for approx.45.3 % of the population.

These broadcasters are engaged only in television broadcasting. Public service radio channels are operated by a third entity, the Hungarian Radio (Magyar Rádió Rt., MR).

Regional public service activity is not present in the programme provided by “Duna” Tv, therefore chapter II of this paper analyses only the activity of MTV.

3. Financing of public service broadcasters

Regional television activities of the MTV are financed from the broadcasters budget. This makes necessary to give a short overview of financing Hungarian public service broadcasters. The system for financing public service broadcasters in Hungary can be described basically as a mixed system. Public service broadcasters are financed **partly by public resources and - on the other hand – by the revenue of their commercial activities**. In case of the MTV the proportion of the two component is approx. $\frac{1}{2}$ to $\frac{1}{2}$ ³⁶. The overall budget of the broadcaster is about 24.000.000.000 HUF³⁷ (94.760.158 EUR; 147.691.398 CHF).

In this budget, **the largest source of public subsidies is the licence fee income**. The amount of this source was 8.316.000.000 HUF³⁸ (32.484.000EUR) in 2003.

According to the Broadcasting Act³⁹ licence fee is to be collected from households operating TV-sets. The collection of the fee is the responsibility of the regulatory authority, the ORTT. The licence fee is the income of the Broadcasting Fund – a public fund under the supervision

³⁶ In 1998 this proportion was 54.4% of public sources and 45.6% of sources of commercial nature – see Iris Plus Collection – Key Legal Questions for the Audiovisual Sector (European Audiovisual Observatory 2003.)p. 111.

³⁷ Based on interviews with MTV representatives

³⁸ See Act No. LVII of 2002 on the annual budget of the ORTT for 2003. The number appears in appendix III. of the act, which contains the budget of the Broadcasting Fund, the fund that collects the total licence fee income.

³⁹Broadcasting Act 79. § (1)

of the ORTT - that distributes this source to the public service broadcasters. The proportions of this distribution are precisely defined in the Broadcasting Act⁴⁰.

It should be noted, that in the summer of 2002 this system has been fundamentally changed, since the institution of licence fee was de facto abolished by the Parliament in an act on the amendment of the annual budget⁴¹.

According to this amendment the licence fee due for the second half of 2002 shall not be collected from the public, instead of this the government became entitled to pay the overall sum of this income to the broadcasters via the Broadcasting Fund. By this amendment a direct state subsidy specified in the annual central state budget has replaced the licence fee income⁴². In general it should also be noted, that MTV is not profitable and carries large debts. This situation is primarily the result of the debts inherited from the MTV's predecessor - the former state television - at its 1996 re-foundation.

4. The regional activities of the MTV

Concerning regionality it is important to say, that regional activities have only a limited degree of independence in the structure of the national public television.

The issue of regional public television falls into the responsibility of the Public Life Directorate of the MTV (MTV Közéleti Igazgatóság). The premises of this activity are provided by **six Regional Studios (Körzeti Stúdió)**. The regional studios are incorporated into the organization of the MTV, they are not separate legal entities.

In the organization of the MTV the regional studios are responsible for a defined territory. The list of regional studios and their territory of responsibility can be seen on the table below:

Central/name of the region	Provided area (according to regional districts)
“ Budapest ” regional studio	The area of the capitol, Budapest and the surrounding regional district.
“ Debrecen ” regional studio	Two regional districts on the north-eastern part of the country
“ Miskolc ” regional studio	Three regional districts on the northern part of the country.
“ Pécs ” regional studio	Three south-western regional districts
“ Győr-Sopron ” regional studio (located at the town of Győr)	Six regional districts on the north-western part of the country
“ Szeged ” regional studio	Four regional districts on the southern part of Hungary

⁴⁰ Broadcasting Act 84. § (2). The MTV is entitled to receive the 40% of the total licence fee income.

⁴¹ Act No. XXIII. on the amendment of Act No. CXXXIII of 2000 on the annual state budget for 2002.

⁴² for details see: see Iris Plus Collection – Key Legal Questions for the Audiovisual Sector (European Audiovisual Observatory 2003.)

5. The activity and programming of the regional studios

Concerning the activity of the regional studios, first of all it has to be noted that **regional programming** – i.e. providing a television programme service to the population of the given region - **is not separated in this from other activities**. In this sense activities related to ethnic minorities and Hungarian nationalities beyond the national borders are also provided by the regional studios, given that these tasks belong to the same editorial office in the structure of MTV. This means, that the staff of the regional studios also make reports concerning this issues for the general programmes of the MTV.

The other important activity of general nature in which regional studios are involved is to **contribute to the production of daily news programmes of the MTV**. This is an activity in which the staff of the regional studios takes place on a daily base.

Concerning the programme provided by the regional studios first it has to be emphasized, that **they don't have separate regional channels**. The programmes provided by the regional studios appear in the form of a **separate programme window on Channel MTV 1**.

Concerning the timing of the programmes: Each region has at about 10.000 minutes programmes per a year. There are three regional news daily. 16 minutes regional news in the morning, 12 minutes in the afternoon, and at 6pm 8 minutes. In the weekend there is no regional news broadcasted. Each Friday at 2 pm there is a regional magazine, 50 minutes long. The programme time in yearly average can be slightly different from year to year, because there are some special editions of the regional news or magazines on national feast days.

6. Financing of regional activities

Since in the structure of MTV regional programming is carried out together with other kind of activities – as it has been described above - the exact amount of economic resources dedicated to regional activities cannot be purely defined.

It has been mentioned, that the overall budget of the MTV was 24.000.000.000 HUF (94.760.158 EUR; 147.691.398 CHF) in year 2003. Of this amount nearly 800 million HUF (3.158.671 EUR; 4.923.046 CHF) has been dedicated to the operational costs of regional studios⁴³. For the described reasons this amount contains also the expenses of activities related to ethnic minorities and Hungarian nationals beyond the borders.

⁴³ Based on interviews with MTV representatives

The amount spent on regional studios is defined in the annual budget of the MTV. The annual budget of the broadcaster is prepared by the management of the broadcaster, but the approval of the principles and main amounts fixed in the budget is the task of the supervising body of the MTV⁴⁴.

It should be noted, that the MTV operates in the legal form of a company limited by shares. The one and only stakeholder of this company is a public foundation, in case of the MTV this is the “Magyar Televízió Közalapítvány”. The governing body of this public foundation decides in budgetary questions of the company in this quality.

The governing body of the public foundation consist of⁴⁵

- a presidency that is composed of the delegates of the political parties, elected for a four years’ term of office by the Parliament according to the rules of the Broadcasting Act, and
- the membership, that is delegated by civil organizations on a yearly basis.

The governing body of the public foundation is - in legal terms – free to decide on the priorities followed in bringing budgetary decisions.

7. Private televisions providing public service programming

Beside the regional activities of the MTV there are a number of local private television broadcasters that provide public service programming. These television broadcasters - transmitted via terrestrial frequencies or cable networks – enjoy a special legal status as being “public broadcasters”. Their total number is approx. 40 in the country.

According to the Broadcasting Act “public broadcaster” is “*a broadcaster which, based upon its own broadcasting rules, approved by the National Radio and Television Commission (ORTT), broadcasts public service programmes in the majority of its broadcasting*”⁴⁶.

These broadcasters should pay special attention to “*the values of the universal and national heritage*”, to “*values of religious and church, national, ethnic...cultures*”, and to programs, which are presenting information to “*groups, which are disadvantaged, due to age, mental state or social circumstances.*”

According to the Broadcasting Act “*On application, the ORTT may declare a broadcaster to be a public broadcaster if it undertakes the obligations applicable to public broadcasters*”⁴⁷.

Based on the rules of the Broadcasting Act public broadcasters enjoy certain privileges.

⁴⁴ Broadcasting Act 66. § (1) j)

⁴⁵ Broadcasting Act 55-57. §

⁴⁶ Broadcasting Act 2. § 17.

⁴⁷ Broadcasting Act 22. §

They do not have to pay broadcasting fee⁴⁸, and they are also entitled to take part on tenders of the Broadcasting Fund dedicated especially to support these type of broadcasters.

On the contrary, they are also subject of stricter regulation concerning advertising and sponsorship. The duration of advertising in case of public broadcasters is limited to six minutes – instead of twelve - within an hour, and may not exceed five minutes per hour calculated in the average of the daily broadcasting time⁴⁹. The limitations imposed on sponsorship are also significant⁵⁰.

Beside the rules of the Broadcasting Act the ORTT has set up guidelines concerning the criteria to be fulfilled by a broadcaster to be able to successfully apply for the legal status of a public broadcaster⁵¹. In this - as an additional criterion – the ORTT stated, that the applicants are also expected to have at least one year of broadcasting experience.

8. Financing public broadcasters

As public broadcasters are privately owned entities the basic source of their incomes is the revenue of commercial activities. This is complemented by the opportunity to take part on tenders to gain financial support from the Broadcasting Fund.

According to the Broadcasting Act on a yearly basis at least ½ % and at the maximum 1 % of the total licence fee income shall be granted to cover the operational costs of applying public broadcasters⁵².

In 2003 the amount that could be awarded by applicants was totally 110.000.000 HUF (434.317 EUR; 676.918 CHF)⁵³. By this contribution those broadcasters who applied successfully, could finance their expanses related to IT technology, studio technology and telecommunications technology investments. In 2003 approx. 20 public broadcasters gained financial support this way, they received subventions from the Broadcasting Fund between 1-13 million HUF (3948 EUR-51328 EUR; 6153 CHF-80.000 CHF)⁵⁴.

9. The prospects for regional public service activities in Hungary in the digital era

The introduction of digital terrestrial television in Hungary is an issue under discussion.

⁴⁸ Broadcasting Act 22. § (4)

⁴⁹ Broadcasting Act 23. §

⁵⁰ Broadcasting Act Art. 25 §

⁵¹ 662/2003. (V.15) ORTT Decision

⁵² Broadcasting Act 84. § (2)

⁵³ See Act LVII. of 2002 on the annual budget of the ORTT

⁵⁴ Information based on interviews with Broadcasting Fund representatives

The Antenna Hungária Rt. - a state owned⁵⁵ company that carries out the tasks of terrestrial transmission of television broadcasts – is currently going on with experimental digital terrestrial broadcasting in the area of the capitol, Budapest. In this area it is expected to launch DTT services with two multiplexes available for the public by the end of this year.

The government is also working on the **strategy of digital switchover**. The work is in the phase of drafting a decision. In order to meet the requirement laid down in the action plan “eEurope 2005” the strategy is expected to be approved by the Government at the latest by the date of Hungary’s accession to the EU.

There are no significant professional debates currently going on in the country concerning the role of public service broadcasters in the digital environment. Their financial problems result that these questions are treated as of a secondary importance beside maintaining the daily operation of the institutions.

Regrettably, it is foreseeable that without fundamental changes to the legal and economic environment the public service broadcasters will not be able to act like a spearhead of digitization.

In these circumstances, digitization at the regional and local level does not seem to be occurring as a question at the moment.

10. Summary and consequences

It can be concluded that the idea of regionality is not strongly present in the Hungarian system of public service television broadcasting. Regional public service broadcasting does not even appear in the Broadcasting Act. It would be possible to explain this with two causes:

a) the first cause lies in the geographic and cultural characteristics of Hungary. The country is a relatively small one with a more or less solid national culture.

b) the second cause is given by the poor economic conditions of the Hungarian public service broadcasters, especially the MTV. Since regional programmes are dedicated to a smaller proportion of citizens than programmes intended for national reception, they are relatively more expensive than the latter. That seems to be the main reason why the regional studios of MTV appear so often as sources of content for the general programme service rather than editorials of programmes for their own audience.

The privately owned “**public broadcasters**” also constitute an important element of the Hungarian media system. However, their importance is rather local than regional. At the

⁵⁵ It should be noted that the privatisation process of Antenna Hungária Rt. is currently going on.

moment none of the terrestrial or cable public television broadcasters in Hungary has an area of reception larger than 500.000 viewers. The financial support available at the Broadcasting Fund is an important element of their resources.

Ireland

1. General television structure

There are four national free-to-air TV services in the Republic of Ireland, three public broadcasting services and one independent commercial service. **RTE – Radio Telefis Eireann** – is the Irish public broadcasting company. It is funded through a combination of a TV licence fee, currently E152 annually, and commercial advertising revenue⁵⁶. RTE runs two of the national TV services, **RTE 1** and **Network 2**, from its Dublin headquarters, while the third service **TG4**, an Irish language TV station, is semi-autonomous and is based in the west of Ireland, in the Irish-speaking *Gaeltacht*⁵⁷ region of Connemara.

While all three public services are national in reach TG4 has a regional character in that it is serving Irish language speaking communities spread across Ireland. TG4 was launched as a broadcasting initiative to support the Irish language in 1996 and is directly funded from the exchequer with programming support from RTE. **TV3**, the independent commercial national service, is based in Dublin and has operated since 1998. RTE reports to the Department of Communications through the RTE Authority, a Government appointed regulatory board, while TV3 is licensed and regulated by an independent state body, the **Broadcasting Commission of Ireland** (BCI). In late 2004 a new broadcasting law is due which will create a new broadcasting regulator, the **Broadcasting Authority of Ireland** combining the regulatory functions of the RTE Authority and the BCI. The BAI may also be charged with the implementation of a new digital strategy.

The Irish TV market is unusual in that it is significantly influenced by the easy availability of UK TV services and the vast majority of Irish viewers have access to all Irish and analogue UK TV services while over 60% of all viewers have access to a wider range of TV services through paid cable or satellite. Nearly 25% of all homes receive digital satellite services – through **BSkyS** – and this figure is growing month by month⁵⁸. Ireland does not have digital

⁵⁶ **Summary** report of RTE end 2003 states RTE's commercial revenue for 2003 was approximately 155 million euro with the TV licence fee delivering 159 million euro. See licence fee review document, www.rte.ie.

⁵⁷ *Gaeltacht* – Irish speaking regions on north-west, west, south-west, east and small region in Co Meath. There are two Irish language public broadcasting services, Radio na Gaeltachta, an RTE national service for the Irish-speaking regions and TG4- the Irish language TV channel. There is several community Irish language radio services in different regions and all broadcasting media are required to support the Irish language in some form.

⁵⁸ 'Sky Digital in 24% of homes' 12/2/04 The Irish Times

terrestrial television although attempts were made to introduce DTT in 2001 and it remains the Government's policy to seek a way forward for DTT in Ireland.⁵⁹

There is currently no public broadcasting or commercial regional television network in Ireland although there are numerous pilots and projects exploring regional community and access television, under the BCI, and RTE has previously outlined the potential for regional television services within a digital television framework. Some TV projects, with a region character, are now developing including a local television channel in Cork broadcasting on cable and a local television initiative has also been developing in Derry, in Northern Ireland, broadcasting into Co Donegal from Northern Ireland. All television services and providers, like the new community cable pilots, must be licensed by **Comreg**, the communications regulator responsible for telecommunications spectrum management.⁶⁰

The *Broadcasting Act 2001* allows for broadcasters, both RTE and independent, to provide local, regional and national services. Until 2001 RTE was primarily defined as a national broadcaster and had been excluded from the opening of local radio services in order to create competition. The key barrier to the development of both DTT and regional television services is financial and the Irish Government is now exploring ways in which the DTT policy can be realised.

2. Legal framework

Television in Ireland began in January 1962 with RTE's launch of its first national TV channel. *The Broadcasting Act 1960* established RTE as a public body with responsibilities to provide both television and radio services.

While RTE's monopoly as a national television provider in Ireland lasted until the launch of TV3 in 1998 it had significant competition throughout its history due to the relatively easy access in Ireland to UK TV services from the **BBC** and **ITV** network. Today the vast majority of Irish homes receive a basic service of the four Irish national stations along with the two BBC core services, **ITV** and **Channel 4**.

In addition the majority of the audience, over 60%, have access to more stations from the UK, Europe and the US through cable and satellite services.

⁵⁹ See website of Department of Communications, Marine and Natural Resources (DCMNR) and policy document t on digital television. www.marine.gov.ie

⁶⁰ **Comreg** has now invited companies to apply for licences to operate digital television services in order to provide competition to BSkyB and cable firms like Chorus and NTL. *The Irish Times*, 11/3/04.

The development of independent television came through the Radio and Television Act 1988 which led to the development of independent commercial, largely local, radio. A consortium was eventually granted the licence to run the independent national service which became TV3 and that service is now majority shareholder controlled by **Granada**, the UK based company. While Irish TV viewers do not have regionally structured television they are used to see the UK regional services in that the BBC1 channel Irish people receive in **BBC Northern Ireland** while the ITV service they watch is UTV, **Ulster Television**.

The Broadcasting Act 2001 established the BCI which had previously been the Independent Radio and Television Commission (IRTC) and broadened its functions and powers⁶¹. The 2001 Act laid out a legal framework for the introduction of digital television in Ireland, the sale of the RTE transmission network and the creation of digital multi-plexes. While no legal requirements are placed in terms of the provision of regional services it is recognised that services may be national, regional or local.

Section 30 of the 2001 Act permits RTE to produce local/regional and national services and it allows for special interest digital services. Part V of the Act allows for community, local or regional services in a cable, satellite environment provided by the independent commercial TV company or by local cable/MMDS operators.⁶²

The 2001 Act goes on to permit the BCI to issue ‘local content contracts’ which would create local content in a cable or MMDS system. The Act further allows for community television, e.g. not for profit local access models, through ‘community content contracts’. Within the legislation ‘community’ is defined as a town, urban area or rural area, a defined geographical community rather one spread across difference areas.

3. BCI – independent regional television services.

Following the 2001 Act the BCI went on to invite *expressions of interest* in the provision of new television services. By mid 2003 the BCI announced its review of the forty-eight expressions which had been lodged from TV, media and community groups by the end of 2002. While there was a marked lack of interest from the major national and international television players the BCI stated its intention to push ahead with new television services on

⁶¹ **BCI** took on responsible for broadcasting codes and practices. One of its most recent initiatives has been the development of a new children’s advertisement code for television which will affect all Irish regulated TV services. One difficulty for Irish media policy is that BSkyB as a growing satellite provider is not regulated by the Irish state and this has been raised as a media/public issue by the Irish Government to the European Commission.

⁶² **An MMDS system** is a multipoint microwave distribution system used for the transmission of broadcasting services on a point to multi-point basis. It developed as a delivery system in Ireland in order to public demand for the UK services outside the over-spill area of the Irish east coast.

cable, MMDS and satellite in line with legislation. A commission policy document on new television services, particularly local and regional services, is expected shortly and the BCI then expects to begin a regional/community television licensing process by the end of May 2004.

The BCI received submissions from TV3, the independent commercial national channel, and **Setanta** an international Irish media company, but TV3 in its own submissions expressed concern for the viability of new TV services on a business basis. The majority interest came from community and special interest groups including the Irish parliament, Dail Eireann, which proposed a parliamentary channel.

It is expected that UTV, which has acquired several local radio stations in the Republic, may apply for a television licence when the process begins.

4. RTE – public broadcasting and regional broadcasting policy.

RTE, in its submission to a Government appointed **Forum on Broadcasting** in 2002⁶³, stated that regional broadcasting involved three categories of programming.

The first was the development of regional content for regional audiences, e.g. fully formed regional services. The second was content with a regional focus broadcast nationally and the third was content with a national focus which is originated regionally.

RTE defined its own policy as being primarily in the second and third categories of regional broadcasting given the already well-developed local radio network and given that the development of regional television services was linked to a future and still uncertain, delivery of digital television.

In its submission to the Broadcasting Forum⁶⁴ RTE stated that its policy was to see its regional production bases outside Dublin creating content and to commission regional content for national audiences from the independent production sector. RTE's core regional production centres are centred on the regional news correspondents in Waterford, Sligo, Athlone, Limerick, Galway, Cork, Belfast and more recently Dundalk. These news correspondents are supported by crews and studios and have formed the nucleus for the expansion in regional content. RTE has also pointed out that TG4 was based in the west of

⁶³ **The Forum on Broadcasting** was an ad hoc commission of leading professionals and academics appointed by the then Minister to explore issues of broadcasting. The Forum was constructed following a decision by the Government not to grant RTE a licence fee increase and while the Forum was not asked to investigate the striking of the fee it was asked to explore the nature of broadcasting, public, commercial and community and to look at how the public and national interest was being served.

⁶⁴ **Forum** submission, RTE website, www.rte.ie

Ireland and that it had a regional commissioning editor for TV to ensure the growth and development of quality content from across the regions.

RTE has a long established production base in Cork, in the south of Ireland, which is successfully used as a regional production base for television, across all genres⁶⁵, while TG4's location in Connemara has ensured the growth and development of independent production companies there. Two of RTE's four national radio services are based outside Dublin – including Lyric fm the network's classical music and arts channel which is based in Limerick. Following the report of the Forum on Broadcasting in mid 2002, which supported public broadcasting's role and the need for a properly resourced public broadcasting system, RTE was granted a licence fee increase in late 2002.

As part of its licence fee application RTE promised a range of enhancements for its audiences through increased funding and one of these goals was an increase in regional content across its services. RTE also made overall commitments to increase home production and enhance the quality of core output like home drama and children's programme.

This was followed up by specific production commitments in RTE's '*statement of commitments 2003*' which promised the audience a range of content enhancements including increased regional correspondents in news and current affairs and increased regional production. RTE appointed two new correspondents, one for Dublin itself, now the largest region in terms of population in the country, and one for Dundalk on the north-east. In addition a regional radio manager was appointed based in the midlands to increase radio regional output while in TV the regional commissioning manager was given more defined targets and a separate budget to increase both production *from* the regions and nationally *for* the regions.

These commitments can now be measured and will, in the future, work in conjunction with the Public Broadcasting Charter which the Government is due to issue setting out the role, function and responsibilities of RTE.

The RTE TV licence fee is now index linked but its growth is conditional on RTE meeting its commitments in a manner audited by independent consultants. The first audit, at the end of the last year, concluded positively that RTE had met its broadcasting commitments but still

⁶⁵ **RTE Cork** has made TV programmes for children's television, young people's, factual documentaries, lifestyles and public access programmes. Often the programmes have been national in character and appeal like a maritime programme, *Out of The Blue* or pop music series *No Disco* but have been made within the Cork production centre using resources and talent from the region. RTE Cork is now requesting a 10% slice of TV direct programmes budgets in order to build and grow its base as a regional production centre although RTE Television is more inclined to work on a project to project basis. There is no legal requirement for RTE to source a percentage of production from the regions or to describe a percentage of its TV output as regional.

had work to do on its change management processes and job reduction targets which are to increase cost-effectiveness in the financial management of the company.

RTE's regional production output is seen in programmes like '*Nationwide*' – which follows the evening news and is a half hour magazine of short features from the regional correspondents around Ireland. Equally programme production and commissioning is aimed at generating more content with a regional spread, identity and context.

One recent programming development, since the increase in the licence fee, is *Seachtain*, (the Irish for week) a weekend news magazine which provides features from across regional Ireland using TG4 resources and broadcasting in English with Irish sub-titles. This has increased the variety and diversity of stories coming from a regional basis both in English and Irish.

In its draft programme of plans for 2004, issued as part of the licence fee review in November 2003, RTE defined a number of new programming initiatives under regional commissions. These include

- Wild Trials*, a series in which Irish celebrities set off on a wildlife photography challenge in a remote region of the country
- Vets on Call*, a return to the fly on the wall docu-soap following rural vets
- Desperately Seeking Surgery*, stories from clinics around Ireland
- Townlands* return of news series of single regional documentaries.

5. Community local/regional television.

The Community Media Network, CMN, is seeking to develop a community television network in Ireland using the powers of the Broadcasting Act of 2001 and seeking licences through the BCI for cable/MMD 'community contract' services as defined by the 2001 Act.

In December 2003 a new Broadcasting Funding Act⁶⁶ created a production fund of 5% of the TV licence fee which will be distributed by the BCI for programming output in set categories including regional and community content.

⁶⁶ **The** Ministerial decision to hive off 5% of the TV public licence fee was made in parallel with the Government's decision to grant a significant increase in the licence. The new fund will be administrated by the BCI – later the BAI – and a template for the fund's administration is expected to be announced by the BCI later this year with the first appeal for applications under the fund due by September/October 2004. RTE is expected to apply for grant-funding under RTE TV, TG4 and RTE Radio – both in its own right and in conjunction with other bodies like The Arts Council etc.

The Forum Report had stresses the significant of community broadcasting as a ‘third pillar’ between the national public broadcaster and the predominately local and national commercial broadcasting companies and groups like CMN have argued that their role as an form of participatory public broadcasting needs to be funded and supported.

There is a growing network of community radio services, currently 18, in the country and the development of television services, similar to the public access channels in the US, is seen as the next step.

The new broadcasting fund, worth in excess of E8 million a year, is open to all licensed broadcasters in Ireland, both public, community and commercial, provided they use the fund to make programming in the stated public interest categories which include Irish language, history, folklore and culture. Adult literacy programmes and broadcasting archives projects are also listed as potential targets for funding. The legislation states that one of the aims of the fund is to promote local and community broadcasting and not-for-profit organisations like CMN believe their ambitions to see new forms of public access communications will benefit from this new funding.

The community projects currently being developed include community television in urban city areas with an emphasis on citizen participation, empowerment, access and diversity⁶⁷. Two of the most active groups in Dublin, in Tallaght and Ballymun for example, are based in large working class areas which see community video and television as a means by which the community can reclaim their own stories rather than feeling they are often the target for negative news reporting through an emphasis on crime or social problems. A training and development programme for community television was held in Dublin last October and many of these projects hope to see services develop in the coming year.

6. Digital television in Ireland.

The launch of digital television in Ireland, particularly digital terrestrial television DTT, has been slow and the failure of the State and RTE to sell the transmission network post 2001 has removed the financial case underpinning the roll-out of DTT.⁶⁸

⁶⁷ ‘*Community TV in Ireland – a Third Pillar under Construction*’ by Sean O Siochru, September 2002, Community Media Network.

⁶⁸ A process began in 1999 which would have seen RTE and a strategic investor in RTE owned transmission network leading the rollout and operation for DTT. Following delays when RTE’s network was put up for sale there was only a single bidder and that bidder withdrew in October 2002 when it was unable to secure the funds required. The market changed significantly from 1999 to 2001 and in many ways the Government and RTE missed the window of opportunity to sell and bring in an investor. NTL for example had bought the RTE owned cable company, Cablelink in 1998 for significant sums but again a changing market had undermined its ability to

The Government policy is to ensure a free-to-air offering of national broadcast programming on digital platforms in the medium future but the basis issue remains a lack of a business case behind DTT in Ireland compounded by the growth BSKyB, satellite digital, in Ireland.

The government initial plan, which is outlined in the 2001 Act, was to create two new companies, a digital terrestrial transmission company, independent of RTE, and a private commercial multiplex company. This remains the legal framework of the 2001 Act and any future developments will involve legal amendments. The sale of the transmission network was required to establish the new transmission company but also to finance digital broadcasting. In the end delays in the process meant there was little interest in the network and the sale collapsed in 2002.

In the intervening years events have overtaken DTT plans. BSKyB moved in to fill the gap and Ireland now has the second highest penetration of satellite television in Europe. In addition DTT collapsed in the UK and the BBC has developed Freeview which means Irish viewers with a dish and black box can access all their offerings – bar the Irish channels. For the Irish Government and RTE the situation poses difficulties in that without a DTT framework there is no ability to ensure the basis mandate of Irish public broadcasting – universal access, free-to-air. Equally the Government is concerned that the main platform for digital, e.g. BSKyB, is unregulated in Ireland as a satellite provider and therefore national ability to manage media policy in broadcasting will, in the future, become limited.

A consultancy report commissioned by the Irish Government last year⁶⁹, recommended that RTE should be asked to develop DTT and given a mandate to roll-out a transmission network and policy. It pointed out that the financial implications may need to be reflected in the public broadcasting TV licence fee and in the development of a DTT business case model through linking telephony/ internet to DTT and using it as a broadband roll-out mechanism. Pilot projects are now developing with both the Government and RTE once again looking at methods to introduce DTT.

The perceived need for locally produced, e.g. national or regional, programming is behind the media policy pushing DTT in that the view is small nations like Ireland which lack a DTT framework will become hostages to global television programming with no secure platform to ensure delivery of Irish content to Irish audiences.

invest in the Irish cable system so that by 2001 BSKyB took the advantage over offering digital through satellite rather than through an NTL re-vamped cable system or through an RTE/Government imitated DTT system.

⁶⁹ ‘Options for Implementing DTT’, - a briefing paper for the Department of Communications, Marine and Natural Resources by NERA – National Economic Research Associates, London. June 2003.

At present Irish people subscribed to BSkyB Digital receive the RTE services since RTE has a contract with BSkyB. This however is a commercial contract and as time moves forward a scenario could develop which may mean RTE is not carried through in its inability to pay carriage fees or because BSkyB wants to use other services. For both the Irish Government and RTE the lack of a secure delivery platform in the digital environment is a core issue which continues to drive the often difficult DTT debate.

The Government, BCI and RTE have all at various stages indicated the potential for regional television within a DTT framework. RTE has at an earlier stage proposed news opt-outs across the regions of Ireland so that a digital platform could begin to customise and regionalise national offering.

It must be remembered though that the Republic of Ireland is both a small country and a small population - just 4 million people. The potential to customise regional offerings is attractive but the overall business case supporting content production for small regional audiences is challenging. Public broadcasting in Ireland is increased under pressure from competition for both audiences and commercial revenue.

Given the recent licence fee debate and significant increase in the fee two years ago public audiences may not be prepared to pay more for DTT or to see revenues diverted to regional over quality national services. RTE's current policy of increasing both regional production and regional programming will probably remain the way forward rather than the development of specific regional public broadcasting television services.

Irish Government plans on digital are in the recent *Digital Switchover Plan*,⁷⁰ which states that 38% of Irish television homes use analogue broadcasting only.

This report states that public policy is to continue free-to-air analogue television broadcasting for the medium term given the lack of alternatives. Further digital strategy is promised later in 2004 possibly in line with the BAI legislation and a final switchover date and schedule is withheld until then.

RTE is now in discussion with Comreg to establish digital pilots later in the year and independent companies have begun applying to Comreg for licences to set up local digital television services in the Republic. Local digital providers, including one in Munster, will, if licensed, be able to provide digital terrestrial services.

⁷⁰ This short civil department paper confirms Irish Government's commitment to eEurope2005 Action Plan and is in response to that Plan's request for policy statements on digital implementation by the end of 2003. Report issued by DCMNR December 2003.

The Munster company, **Southcoast Television**, which already provides an analogue service using MMDS, is seeking to offer its customers 60 TV channels and will raise E6-8 million to finance the package. While in the Munster case this digital proposal will also mean the provision of the company's local/regional channel for many operators the move into local digital will simply mean re-broadcasting services in a digital environment rather than creating new national or regional content.

Comreg's legal ability to license such digital services is now being explored in the light of the 2001 Act's stipulation that new digital services should be tendered. Indeed RTE's own pilot plans for a digital multiplex in the Dublin region may equally require a legal amendment to allow Comreg to license it. The Government may use the opportunity of the forthcoming BAI legislation to address the need to legally frame a new structure for the roll-out of digital television and address the gap between the 2001 legal framework, which is now obsolete, and the needs of 2004, which is to get a national digital plan moving as quickly as possible. Both RTE and the Irish Government say it is still too early to define a strategy and that the development of such a strategy, and its legal framework, may take the rest of this year to achieve.

Netherlands

1. General television structure

The Netherlands has a unique public broadcasting system.

There are three national television networks (Nederland 1, Nederland 2 and Nederland 3). On these networks, eight broadcasting corporations with members (AVRO, KRO, NCRV, TROS, EO, BNN, VARA, VPRO), one broadcasting corporation without members (NOS) and a couple of little broadcasting licence permit-holders are operative.

Next to this national broadcasting system, the Netherlands has known an explosive growth in regional and local public broadcasting channels in the past years. Today, the Netherlands has 13 public regional broadcasting channels that cover each the area of a province. The province of Zuid - Holland is the only one with two regional public stations: RTV Rijnmond broadcasts for the southern part of the province (region of Rotterdam) and RTV West for the northern area (region of Den Haag and Leiden). Next to these regional public broadcasters, there are about 300 local broadcasting stations.

ROOS (*Stichting regionale omroep overleg en samenwerking*) is the co-ordinating instance of the 13 public regional broadcasting channels. Its tasks are to promote the interest of the sector dealing with the political field, the several governments and other parties; to develop the policy; to conclude contracts for the collective and to take care of other communal interests.

2. Regulation of the public regional broadcasters

The media policy of the Netherlands is based upon a broad oriented vision on the information society and on societal, cultural political and democratic values and responsibilities. Therefore the public regional broadcasters have a “*zorgplicht*”, this means the duty to take care of pluralism, access and availability of information for everyone. The policy of the government focuses primarily on public broadcasters, but it tends also to commercial broadcasting stations.

The Media law enacts the responsibilities and tasks of the government regarding the public broadcasters, the commercial broadcasters and the press.

The major task of the public broadcasters is to provide a varied and qualitative radio and television offer for all age – and population groups via free-to-air broadcasts. The public task

of a broadcaster is globally formulated and is monitored by the *Commissariaat voor de media*. (Commission for Media). The programs of the public broadcasters must be non – commercial and give a full account of what is happening in society. A broad scope of subjects – ranging from sports to modern arts – has to be dealt with and all social groups must have access to the channel.

The Media law enacts the following rules for the regional public broadcasting channels:

- the task of the public broadcasting station is to produce a pluriform and qualitative supply of programs which give in a well – balanced way an impression of societal, cultural and ideological topics which lives among the population.

- the programs must be accessible, contribute to cultural diversity and free of commercial and governmental influences and pressures.

- the *Commissariaat voor de Media* allocates transmission time to regional channels. This allocation is given for a period of five years and is preceded by an advice of the province. This advice deals with the following demands:

- The regional broadcasting channel is a legal person with a complete capacity for rights.

- The programs are representative for the province in question.

- The broadcasting channel has an official body which defines the Program policy, the so – called “*Programma-bepalend Orgaan (PBO)*”

Transmission time is only allocated if the government of the province declares to take care of the financing of the public regional broadcasting station. Among content obligations there are:

- 50 percent of the transmission time must concern information, culture and education.

- 50 percent of the transmission time can be assigned to the province for public information.

- the broadcasting channel is allowed to transmit commercials for third parties.

- regional broadcasting channels are not allowed to transmit their programs outside the borders of the province for which their programs are made.

- each broadcasting channel determinates the form and the content of their programs and is responsible for what is being broadcasted.

The public regional broadcasting channels are also monitored by the *Commissariaat voor de Media*, which supervises the application of the Media law and the there-upon based rules.

Besides their main task (broadcasting television and radio programs and providing teletext), public broadcasters have the right to provide two kinds of other activities: *nevenactiviteiten*

(extra-activities) and *neventaken* (extra-tasks). Both activities should be reported to the *Commissariaat voor de Media*.

Neventaken are activities such as maintaining a website and providing a thematic channel

Nevenactiviteiten are activities as:

- Making a paper or magazine.
- Selling video's, DVD's or cassettes on which programs are recorded.
- Producing programs for other broadcasters.
- Hiring facilities such as cameras or studio space.
- Making company movies (as long as they are not broadcasted by the public stations).
- Having a direct or indirect participation in a *nevenactiviteit* (extra activity).

Both activities must be in accordance with the Media law. This implies that they must be linked with the principal task of the public broadcaster, have not a negative influence on that principal task and that they may not encourage unfair competition. The *Commissariaat voor de Media* checks afterwards if both activities did fulfil these conditions.

3. Regional public television model

The 13 public regional broadcasting channels are all independent companies and are autonomous from the main national public broadcasters regarding financing, producing, programming and administrative management.

4. Typology of regional activities

In accordance with the Media law; each regional public broadcasting station has one radio and one television station. In addition, to reach an even greater audience, they also dispose of a website with news and up-to-date newsbulletins, audio and video material. Finally, each regional public broadcaster has a *teletextservice*.

Each regional public channel broadcasts 24 hours a day. Daily, they make between one and two hours new programs that are broadcasted in a carousel. This means that these programs are repeated during the evening and the next day or morning, until the next carousel starts. The channels that don't repeat the carousel during the next day, broadcast teletextpages or the programs of their radio stations instead. By means of this carousel, the programs are transmitted a couple of times in the evening and are able to reach a greater audience share. In 2002, the programs of the 13 public regional broadcasters reached about 3.4 million people.

The channels broadcast mainly programs that they produce directly. They concentrate on making a daily newsbulletin that covers the most important items that happened in the province that day. Furthermore, they specialise in special reports and weekly magazines that are dealing about a wide range of societal affairs (sports, business, arts, culture,...). Meanwhile it is very difficult for some regional broadcasters to make an entire hour of television with their own financial resources. A part of the programs is therefore made by other producers and are most of the time offered ‘tape on desk’ by sponsors. It is however important to note that the regional broadcasters are holding the final editorial responsibility for these programs. In addition, these productions have to meet the quality demands and objectives of the editorial policy.

In March 2004, the thirteen regional public broadcasters started the television program “RegioNed”. The aim of RegioNed is to provide a weekly review of the main regional news items from all the regions. This regional focus has to be a clear complement to the national news and should stimulate the making of comparisons between the different regions. All the regional public broadcasters provide the content for this program. With the start of RegioNed, the regional public broadcasters are making a greater move towards their mutual co-operation. RegioNed is broadcasted by Omrôp Fryslân, TV Noord, TV Drenthe, TV Oost, Omroep Flevoland, TV Utrecht, TV Noord – Holland, TV West, Omroep Brabant en L1TV. The co-ordination of this program is done by the *RegioNieuwsCentrale*, which assembles by means of the digital network Datiq all the reports they think are interesting for RegioNed. The purpose of the *RegioNieuwsCentrale*, founded in 2003, is to perform a similar task as the *RadioNieuwsCentrale*, a co-operation between the regional public radio stations, the Radio 1 News and Radio Nederland Wereldomroep since 1993. The *RadioNieuwsCentrale* enables the exchange of news between these three kinds of public radio broadcasters and is owned by the ROOS.

Some regional public channels (Omroep Brabant, RTV – Holland, Omroep Zeeland, RTV – West, RTV – Noord, RTV Drenthe) broadcast daily the evening news of the NOS.

5. Co-operation with third parties

ROOS, the co-ordinating instance of the public broadcasting channels, makes together with the national public broadcasters KRO, AVRO, NCRV and the *Wereldomroep* (World Service) from Monday to Friday the daily program NL-net on the national channel Nederland 1. This program consists of a selection of actual or remarkable news items from the different regions. Some regional channels broadcast this program too (Radio en TV Gelderland, RTV Noord).

Finally, the regional broadcasters co-operate with the *Wereldomroep*. In the program Studio – NL, the *Wereldomroep* integrates a couple of regional items.

The public regional broadcasting stations have an important mission, being the calamity channels (*calamiteitenzender*) of the province. When a disaster happens in the region, the stations will be the channels via which the government can quickly and adequately provide accurate information to the population. Until now, the radio stations of these channels performed this function. In the future, it might be possible that the television stations of the public regional broadcasters will also be responsible for this task, since it is probably agreed upon that the provinces will be the only legal body that finance the regional stations.

6. Economic resources

Until 2000, a statutory enacted licence fee and the fluctuating revenues of the STER financed the Dutch public broadcasting system. This licence fee was abolished in 2000 and substituted by an indexed state fee, financed from the national budget. At present, the public regional broadcasters are funded by means of the media budget of the Department of Education (40%), Culture and Science and the *Provinciefonds* (60%), a fund that is annually financed by means of a part of the tax revenues of the State. The population, the surface of water and land and the regional circumstances of that particular province determinate the amount each province derives from this *Provinciefonds*.

Public revenues of the regional public broadcasters (radio and television) 2002 (x1000euro)				
	Revenue from the province out of the <i>Provinciefonds</i>	Other provincial means (these are not formally defined in every province)	Revenue from the Ministry of Education, Culture and Science	Total
Groningen	2.380	0	3.645	6.025
Fryslân	3.017	1.135	3.730	7.882
Drenthe	2.366	65	4.105	6.536
Overijssel	4.122	227	3.864	8.213
Gelderland	7.373	707	4.017	12.097
Flevoland	1.556	454	4.523	6.533
Utrecht	4.788	0	2.484	7.272
Noord – Holland	8.946	0	2.378	11.324
West	5.851	746	1.685	8.282
Rijnmond	5.851	851	1.685	8.387
Zeeland	1.910	0	3.847	5.757
Brabant	8.934	462	2.935	12.331
Limburg	5.152	0	2.667	7.819
TOTAL	62.246	4.647	41.565	108.458

The provinces made clear that this hybrid structure should be abolished and that they wanted to take the full responsibility in financing the regional public broadcasting stations. In 2001 the former secretary of state of Education, Culture and Science Van Leeuwen met this demand with a law proposal, which stated that the resources for the regional public broadcasting stations on the budget of that department would be transferred to the *Provinciefonds*. In exchange for this transfer, each province has the obligation to finance a regional public broadcasting station (radio and television). The *Provinciefonds* will be the only instance that gives financial means to the public regional stations. This proposal aims at a simple and transparent financing-model for the regional public broadcasters, in the mean time securing the public broadcasting task on a regional level.

This transfer of money makes the provinces fully responsible for the public regional stations. Meanwhile, it is interesting to point out that this transfer should not be a 1/1 transfer. Each province can decide autonomously the extent of the grant for their regional public broadcaster is. Therefore the financing can differ between provinces. As a result, a kind of subsidising culture emerges which enlarges the capacity of a province to deal in accordance with the policy of the public regional station. It will force the provinces to have a more active approach and to formulate a clearer policy towards these stations.

The Dutch cabinet and Council of State have approved this law proposal in 2002. The Dutch parliament however didn't vote the proposition yet. It doubts about the abilities of the provinces to take up their full responsibility towards the public regional broadcasting stations.

Each public regional broadcaster has the right to use 6,5 percent of their transmitting time for publicity. The public regional broadcasters have their own advertising company or advertising department, selling the advertisement space on their channel. These thirteen advertisement organisations co-operate in de Omroep Reclame Nederland (ORN). This organisation, owned for 100% by ROOS, enables the public regional broadcasters to operate on a national – scale and offer a unique opportunity for segmentation. The advertisements can be modified along each broadcast area and the media pressure can be differentiated. Furthermore, the ORN makes it possible for advertisers to develop a strategy on a provincial basis.

7. Financial situation and implications

The fact that the financing scheme for the regional broadcasters is not yet definitely settled has serious consequences for the financial health of the channels. The budgets are very tight

and already broadcasters like RTV Drenthe have serious deficits (probably 160.000 Euro at the end of 2004). This situation has not improved the past three years. The Ministry of Finance each year indexes the part of the tax revenues that is paid by the State to the *Provinciefonds*. In 2001 the index was still 8 percent. Three years later, it has decreased to 2.35 percent. Simultaneously, the index of the media budget of the Ministry of Education, Culture and Science decreased from 3.6 percent in 2001 to 1.5 percent in 2004. As a result, the revenues are decreasing and the unhealthy financial situation makes it difficult for the regional broadcasters to increase the quality of their programs, to have a broader supply of programs or to meet up the expectations of the consumers (live-coverage, news flashes, use of new media, ...). Finally, to settle the discussion about the financing model is one of the most urgent matters that needs to be arranged for the regional public broadcasters.

8. Digital terrestrial television projects

In 2002, RTV West, RTV Noord – Holland, RTV – Oost and ORN participated together with KRO in a pilot project for the digital distribution of video-images, offered by the company **Datiq**. The video-data could be transported to a central server in Hilversum and be downloaded there by anyone who had a Datiq-connection. The success of this pilot project led to the creation of the RegioNieuwsCentrale that, as we stated above, exchanges television news items between regional public broadcasters.

The digital terrestrial television project in the Netherlands is called **Digitenne**. The start of Digitenne was originally planned in October 2002 in the so-called HAHA –area (Haarlem, Amsterdam, Hilversum en Almere) but finally took off in April 2003. The permission for the commercial broadcasters was given to the consortium Digitenne, the NOS got a concession for the national public broadcasters, but with a transmitting duty (doorgifteplicht) for the regional channels. The latter had some objections about the definition of the transmitting duty since it was only specified for the television programs and not for the radios. Furthermore, ROOS protested against the fact that the NOS could decide unilateral about the channel - width and the transmission quality of the regional signal.

In the first phase of the development of Digitenne, the regional broadcasters can only be received with a Digitenne -decoder. It is nonetheless forecasted that digital broadcasting shall once replace analogue transmission. On that day, the ROOS argues that the public broadcasters must be free-to-air.

Portugal

1. Television's evolution and structure

The year 1993 when private channels began operating, marked the end of a long period of State monopoly of television. The State began broadcasting in 1957 after creating Rádio e Televisão de Portugal (RTP), the public service television licence-holder, whose director was appointed by the Government. Despite that, the Portuguese State only owned one third of the corporation's capital: the other two thirds belonged to private broadcasters and even private shareholders.

By the mid 1960s, the first channel was still not broadcast nationally. RTP 2, the second channel, was created on 25th December, 1968. Some important dates for regional broadcasting concern the start of regular broadcasts from the regional centres of RTP-Madeira on 6th August, 1972, and RTP-Açores on 10 August 1975. After "The Revolution of the Camations", RTP was nationalised and turned into a public corporation. In the two decades of the II Republic, it is worth pointing out the commencement of colour broadcasts (7 March 1980) and RTP Internacional's launch (10 July 1992), which was globalised as from March 1995 with non-stop broadcasting. In October 1992, as already mentioned, the first private television operator in Portugal - SIC, Sociedade Independente de Comunicação- began broadcasting. This project was headed by the former Prime Minister Francisco Pinto Balsemao. On 20 February 1993, it was followed by TVI (Televisao Independente), run by the former Minister of Education Roberto Cameiro and owned mainly by organisations of the Portuguese Catholic church. In January 1998, RTP Africa began broadcasting to former Portuguese colonies on that continent.

Even more important was the signature of a public service television concession agreement in March 1993 between RTP and the Government. This document forced RTP to fulfil the specific attributes of public service television, already foreseen by the Television Act of September 1990, particularly with regard to the payment of subsidies obtained from the Portuguese State's budgets and granted to RTP for its specific activity as a public service television licence-holder. Among these attributes, the Government referred to the costs of satellite broadcasting of RTP1's and RTP2's programming far the autonomous regions of Madeira and the Azores; to the running costs of the respective regional centres; to the costs of

RTP Internacional; to co-operation with the POLAC (Portuguese Official Language African Countries); to the maintenance and conservation of audio-visual archives; and, finally, to the expenses incurred by allocating air time to political parties.

In 1997 the Portuguese Government altered its previous strategy regarding RTP by publishing an order which established the conversion of RTP into a business group with a holding company structure whose care objective was to "comply with contents of the concession agreement, trying to give the business structure a model which, on the one hand, would significantly reduce the tax-payers resources which are annually allocated to the company through the State budget and, on the other, would allow the right organisational conditions to be created in various specific areas so that RTP could compete in the market in such a way as to increase its revenue".

The 2003 television law (m.32/2003) redefines and strengthens the activities of the regional public broadcasters establishing especially:

- a) the creation of autonomous regional audiovisual companies, controlled by regional governments with the participation of the national public broadcaster (Rádio e Televisão de Portugal, RTP), which separately manage the television channels in the regions of Madeira and the Azores;
- b) regional programs must not interfere with programs transmitted by the national public broadcasters in these regions;
- c) the programs offered by the autonomous regional channels should deal with subject matter of specific interest to the region and feature the values and the characteristics of the regional culture;
- d) the national public broadcaster allow the free transmission of its channels by the autonomous regional channels;
- e) the Government allocates the 50% of the resources to the autonomous regional television companies with public service activities;
- f) the channel NTV, which is distributed via cable to nearly half of portuguese households is transformed into the channel RTP Regiões. The aim is to strengthen regional news contents.

2. The public regional broadcasters

The main objects of the two RTP regional channels are the following:

- a) to contribute to regional unity and identity and to help the inhabitants of Madeira and the Azores to move closer;
- b) to make known the regional reality nationwide so as to improve the social cohesion;
- c) to strengthen the bond with the communities native of the region of Madeira and the Azores which are living abroad;
- d) to offer generalist programs, which deal with regional news, with regional major events and with themes relevant to Madeira and the Azores so that the exchanges with the other RTP's channels are improved.

RTP Açores, a regional television centre owned by RTP, is autonomous with reference to production, programming and information and has offices in the main islands of the archipelago. Its 120 employees, divided in four departments, respectively deal with production, programming, information and technologies with a chairman and an autonomous board of directors' conducting. The regional channel daily transmits around 18 hours of in house produced programs (35,9%), programs of RTP Canal1 (34,4%) and Canal2 (28,2%).

The regional production is composed of live broadcast light entertainment during the morning time and the re-transmission of the previously night programs accompanied by news during the afternoon and night times. The programming, mainly based on the auto production, is composed of regional news, fiction and documentaries locally produced, and talk shows. The main production consists of regional news and fiction, while the remaining programming is composed of the production or of the acquisition of the RTP national channels.

In year 2004 RTP Açores aims to realize for the archipelago 6.400 hours of transmission composed by 35% of regional contents.

Its main object is to strengthen the regional production on one side, to root in the soil and, on the other side, to give a more significant contribution to the RTP International programming that can help the Azores diaspora in the world.

Besides a growth of the regional production allows a bigger emancipation from the programs provided by RTP national channels, which cover a great part of the archipelago, yet.

Origin of RTP Açores programs

	Hours	%
RTP 1 (national)	2.200	34,4
RTP 2 (national)	1.800	28,2
RTP Açores	2.300	35,9
RTP Madeira	30	0,4
Euronews	20	0,3
External Production	20	0,3
RTC	30	0,4
Total	6.400	100

Source: RTP Açores, 2004

RTP Açores: in house production by genre (2003)

Genre	%
Daily News	25
Periodical News	3,8
Sport	7,9
Youth & children	7,9
Music	3,1
Variety show/Music/Talk show	18,8
Fiction, documentaries, film	27,5
Other	7,8
Total hours	2.300

The management structure and the programming of RTP Madeira reflects RTP Açores ones. RTP Madeira has a regional television centre located in the Madeira Isle. Its activity is autonomous from national RTP with reference to production, programming and information. Its 85 employees are divided in four departments which respectively deal with production, programming, information and technologies. They are directed by an autonomous board of directors and its chairman. The regional channel daily transmits around 17 hours with 30% of in house production, and the rest coming from transmission of national RTP channels. A large of in house production deals with regional information and regional fiction.

Origin of RTP Madeira programs

In house production	30%
Exchange with national RTP channels	70%
Total hours	6.074

RTP Madeira: in house production by genre (2003)

Tv genre	%
Daily information	21,7
Current affairs	1,5
Sport	13
Youth and children	2,1
Entertainment	32,8
Documentary	9,4
Religion	0,5
Advertising	1,4
Other	17,6
Total hours	1.828

The aim for 2004 is to improve daily information transmissions and prime time regional production to create a stronger identity for the Regional RTP Center.

4. Resources/Funds

In year 2003 an agreement between the State and RTP established the allocation of funds to the two regional television companies for the following:

- 7,3 millions of Euro to RTP Madeira: half from the State and half from the autonomous region of Madeira;
- 9,5 millions of Euro to RTP Açores: half from the State and half from the autonomous region of the Azores.

A minority quote of advertising funds to the public funds must be added.

5. RTP's regional broadcasts on the continent

In April 1997, RTP1 began a process of news regionalisation with the daily prime-time broadcast of 15 minutes of regional information through a system of regional windows, reinforcing the current delegations of Bragança, Coimbra, Évora and Faro, as well as developing regional windows in Lisbon and Oporto (six windows in total). The aim of

creating these regional windows was to provide more specific and local news coverage in several regions of the country, thus increasing its broadcasts on the continent.

The regional news programmes are broadcast before the national news at 8.00 p.m. in the regions defined according to RTP' s map of stations and boosters, as political-administrative regions do not exist yet in Portugal. To produce them (25 minutes of daily broadcasting from Monday to Friday), RTP created teams formed by journalists, reporters' units and technical managers (100 people on average in each centre) in its regional delegations on continental territory.

The pressure to start a regional channel in Oporto have been quite high in the 1990's and brought to the creation of a thematic channel via a cable television that use in large part the local RTP studios. The Oporto production centre already has some degree of autonomy even though it is relatively minor and is currently a very heavy financial burden for RTP in need of restructuring.

6. Digital terrestrial

Until now in Portugal plans for terrestrial digital television have not yet been proposed, but it seems that RTP will not play a central role.

Russia

1. Legal background of broadcasting

The Russian Constitution adopted by national polling on December 12, 1993 establishes the universal right to freedom of thought and opinion, freedom of expression of beliefs and convictions, and freedom to seek, receive, transmit, produce and disseminate information (Article 29). This right can be limited only by law and only “in the interests of protecting the Constitution, morality, health, rights and lawful interests of other persons, or for the defence of the country and national security”. According to the Constitution, private, state, municipal and other forms of property are recognised, have equal rights and protection (Article 8). Thus it makes no specific reference to public property as such.

All 89 “subjects of the Federation” – that is provinces, national republics and the cities of Moscow and St. Petersburg – have a constitutional right to issue laws regulating different spheres under their jurisdiction. Articles 71, 72, and 73 of the Constitution set lists of issues that come under jurisdiction of the federal authorities, regional authorities, and those under common competence of the two. None of the three articles of the Russian Constitution mentions broadcasting or the mass media. This provides a certain leeway for different opinions on regulation possibilities for the regional and federal legislatures.

Still some of the provisions of these articles that distribute the authority of different levels of state power come close to the media issues. For example, Article 71 puts under exclusive federal regulation defence of the basic human rights and freedoms (including the right to seek, obtain, produce, and distribute information) as well as the so-called “federal information” (and it is not at all clear what could then be “non-federal information”) and “federal communication.” In its turn, Article 72 states that issues of “education” (*vospitanie*) and “culture” are under the joint regulation of the national and regional authorities.

In practice though, based both on the decisions of the Constitutional Court of Russia on the constitutionality of the federal Statute *On Advertising*, and the policy of President Vladimir Putin to establish the so-called “vertical of power” and “dictatorship of law” in 2001-2002 the federal authorities effectively stopped, suspended or made void all regional legislation on broadcasting, with the exception of the decrees and law that provide local benefits and local subsidies to local broadcasters.

The fundamental piece of federal legislation is the Statute on Mass Media, which was adopted on December 27, 1991. For ten years, this law has not undergone significant changes, while economic conditions and the civil legislation establishing the legal framework for media activity have changed drastically. The statute reinforces the freedom of information and unacceptability of censorship. It also contains provisions regulating the founding, ownership and use of mass media, and dissemination of information.

Due to several historical factors, when the Statute on Mass Media was drafted, it included several provisions regulating the ownership issues and its key players defined as “media founders”, “editorial bodies”, “publishers” and “distributors”. The Statute on Mass Media allows private broadcasting, though has no mention of public broadcasting.

Article 18 of the Statute on Mass Media states that a media founder has no right to intervene in editorial policy. According to the law, relations between media founders and editorial bodies must be regulated by a contract, and owners can intervene only in cases stipulated by the contract. However, twelve years after the law’s adoption media founders are, as a rule, also the main sponsors of publications and electronic media companies, thus this article of the law is often violated. In some cases, the editor-in-chief, (co)founder and major stockholder are one and the same person. In other cases, media companies are so dependent on sponsors that editorial independence seems an unattainable dream. Finally, the state actively interferes in the activities of mass media founded or co-founded by state agencies, especially as far as regional press, television and radio are concerned. In other words, the Statute on Mass Media, despite all its worthy qualities, does not cover all the issues related to regulation of this area. In the last several years, financial hardships became key factors determining mass media operations. However, the issues of mass media ownership fall outside the scope of the Statute on Mass Media. The danger in terms of freedom of information is that the relations with the owners are not duly regulated by Russian legislation.

The developmental level of the Russian media by early 1990s, at the time of adoption of the Statute on Mass Media, was characterised by their release from the influence of state and communist party bodies of the Soviet period and the creation of independent editorial collectives. At the same time, media was seen not as a business, but as an instrument for achieving non-financial objectives (for propagandising ideas, as a tool of influence, etc.). Thus typical features of the regulation of ownership relations as established in the Law on Mass Media include:

- a shift of emphasis from organisations handling the technical aspects of media (publishers and broadcasters) to editorial bodies, which are granted (though mostly on paper) protection

not only for their professional independence, but also in their economic and managerial relations with founders, publishers and broadcasters.

- the “temporary” (in the opinion of the statute’s drafters) appearance of the structure of the “media founder”, which was granted (in circumvention of the publisher and broadcaster) rights relating to the determination of the status, rights and obligations of the editorial body, the management processes of the editorial body, the rights of the journalism team, the possibility of suspending or curtailing the media’s activity or changing its subject matter and focus. All these powers fail to consider the opinions of the broadcaster and the publisher, who the Statute views mostly as hired service providers. Furthermore, the founder has no financial obligations to the editorial body, publisher or broadcaster. As such, the structure of relations between participants is designed in such a way that, on many issues, one entity has rights, another has obligations, and a third has responsibilities. And while the law stipulates the possibility of harmonising this bizarre structure through contracts, in practice this almost never happens.

The Statute on Mass Media makes reference to a future statute on TV and radio broadcasting and work on it began at the end of 1990. No such law has ever been passed, although several bills were prepared and put before the State Duma (lower house of the Russian parliament). The issue of passing the Law on Television and Radio Broadcasting has now been put off indefinitely. In the absence of specific legislation, broadcasting in Russia is currently regulated by the provisions of the Statute on Mass Media, which covers only the most general broadcast rules, and on the basis of presidential and governmental decrees and orders. This is how heads of the national state channels have been appointed, as well as the heads of state-controlled regional TV and radio companies (in coordination with local administrations).

Until adoption of a statute on TV and radio broadcasting licensing issues are regulated by:

-Government Ordinance No. 1359 (December, 1994) on TV and Radio Broadcast Licensing (which currently regulates broadcast licensing in cities with populations of less than 200,000), and

-Government Ordinance No. 698 (June, 1999) on the holding of competitions for the right to terrestrial TV and broadcasting and for the development of new radio frequencies for TV and radio broadcasting (which regulates licensing in regional capitals and in cities with populations of over 200,000).

In accordance with the ordinances, a license, which is typically issued for a period of 5 years, grants the holder the right to distribute a media product registered in compliance with the Statute on Mass Media, on the condition of observance of the license terms and requirements.

Since March 9, 2004 the authorised licensing agency for TV and radio broadcasting is the Federal Agency for Print and Mass Communications at the Ministry of Culture and Mass Communications. Its predecessor was the Ministry of the Press, Broadcasting and Mass Communications.

The Federal Competition Commission on Television and Radio Broadcasting, which deals with the procedures for carrying out and taking decisions in competitions for broadcasting licenses all over Russia consists of nine members. Whenever a competition is held for a license in a single region of the Russian Federation, three more members are added and they represent local authorities.

Voting takes place after presentations of the applicants concerning their program concept. During the discussion members of the Federal Commission define the professional level of the program concepts presented by competitors judged by several criteria, including ensuring of needs of population to be covered by particular broadcasting programs and necessity to support socially important television and radio projects.

Russia currently lacks the kind of public television system found in western countries. A presidential decree in 1993 set forth state broadcasters' responsibility to inform the citizenry, but because Russia has no public television, the recommended minimum standards for state broadcasting established by it remain only a declaration on paper.

On May 8, 1998, the president signed decree No. 511 "On Improvement of Performance of the State-owned Electronic Media", which assigned the Government of the Russian Federation to form a media holding based on the Federal State Unitary Enterprise "The Russian Television and Radio Broadcasting Company" (RTR). The decree paved the way for transforming state-owned electronic media in the regions into affiliates of the RTR (previously they were run by RTR and its owner, the Russian Government, together with the public authorities of a relevant subject of the Russian Federation).

At a later stage of centralization of the state television property, the Government of the Russian Federation adopted an ordinance "On the Russian Television and Radio Broadcasting Company" (of February 26, 2004, No. 111). The Ordinance order to transform all regional affiliates into departments of RTR within six months. Those departments will no longer be legal entities.

The Federal Budget of the Russian Federation for 2004 (approved by the statute No. 186-FZ of the State Duma on November 28, 2003 and enacted by the President of the Russian federation on December 23, 2003) set aside total 9,952,024,300 rubles for the TV and radio sector. Out of the sum 8,520,360,300 were designated for the now defunct the Ministry of the

Press, Broadcasting and Mass Communications (replaced by the Federal Agency for Print and Mass Communications at the Ministry of Culture and Mass Communications) to be spent on state TV and radio companies, or in essence the same RTR company. (The current rate of exchange is 1 Euro = 35 rubles).

According to the statute of RTR, the programmatic aims of the company are as follows:

- 1) to seek, obtain and disseminate information, produce and disseminate programmes in the Russian Federation and beyond,
- 2) provide the TV viewers and radio listeners updated and all-round information about events in the Russian federation and abroad;
- 3) to provide information and analysis about the internal and foreign policies of the Russian federation;
- 4) to promote freedom of the mass media, preservation and dissemination of Russian culture.

It is interesting to note that obtaining profits is one of the stated aims of the company.

2. The regional public television model

At present there are 86 regional TV and radio companies that are part of the RTR state holding, one in almost each region. Some regions have two state TV and radio companies (for example, Maritime Territory with the centre in Vladivostok). Each of the regional companies broadcasts from the administrative centre of the region (with one or two exceptions) to the population of the relevant region and covers, on average, 98 percent of this population.

These stations incorporate their programmes into the programming schedule of the national state TV channel (*Rossia*), also part of the same RTR. In several regions, in addition, they broadcast on another VHF or UHF channel, or have two additional channels. Main programming on these channels is that of other state national TV channels, *Kultura* (educational and cultural programme, part of RTR), or *Sport* (sports), or commercial *7TV* (sports).

According to the Statute of RTR, approved by the above-mentioned Ordinance No.111, RTR (which includes regional departments) is “a commercial organization, established to fulfill the functions of state producer and disseminator of TV and radio programmes.”

The sole founder of the company is the Government of the Russian Federation. The Government regulates the procedures for drafting and approval of all target figures of programmes (plans) of business activity of the company. Operational overseeing of the company is done by the Federal Agency for the Press and Mass Communications, established on March 9, 2004 by the Ordinance of the Government (earlier these functions belonged to the

Ministry for the Press, TV and Radio Broadcasting, and Mass Communications, now disbanded). The Federal Agency for the Press and Mass Communications:

- drafts and approves of all target figures of programmes (plans) of business activity of the company
- approves target figures as criteria of economic effectiveness of the company
- channels budgetary funds for the needs of the company
- hires and fires the chief accountant for the company, approves financial and other reports of the company
- controls the use of the federal property used by the company
- gives permissions to any contracts of the company that value more than 10 percent of its charter capital, or any other contract in which it has interest (the charter capital comprises 2,416,961,000 rubles);
- gives permissions to any credits to be taken by the company
- appoints auditors, takes decisions on audits to be taken in the company.

RTR is headed by Director-general, appointed and fired from the position by the President of the Russian Federation. Director-general of RTR appoints and fires heads of the regional departments upon agreement of the Federal Agency for the Press and Mass Communications (prior to March 9, 2004 these functions belonged to the Ministry for the Press, TV and Radio Broadcasting, and Mass Communications, now disbanded). The heads of the regional departments have also functions of chief editors of the relevant TV and radio programmes in the sense of law on the mass media. In this sense they are protected in the independence of their editorial policy.

In accordance with RF Statute “On the Languages of the Russian Federation” of 1991 broadcasts of the all-Russian TV and radio programmes are conducted in Russian language as the state language of the Russian Federation. At the same time, in the mass media of the subjects of the Russian Federation, the Russian language, the state languages of the republics, as well as other languages of the peoples living on their territories are used. In practice, slots for broadcasting by the subjects of the Federation in *Rossia* national (all-Russian) TV channel in national republics within Russia are broadcast in the national language. In the second part of 2003 the number of slots was decreased which caused complaints of cultural minorities organizations on disappearance of broadcasting in a number of languages in the local slots. It should be noted, that the change in the concept of broadcasting of the state channel *Rossia*

was done without consideration of the opinion of local authorities or non-governmental organizations.

Several national republics (Tatar, Ingush, Yakut, etc.) have recently established broadcasters that are not subordinate to Moscow (unlike local broadcasting on *Rossia*). These broadcasters are typically founded by regional authorities and major local businesses. Their national-language programmes claim a large share of the local audience. Such TV companies in the Russian regions are closely connected to regional administrations, although the degree of interference and pressure by the latter varies greatly by region. In addition, by some estimates, each major city now has three or more broadcasters owned independently from the state.

3. Typology of local/regional activities

Daily regional programming on *Rossia* channel consists of about a dozen slots for regional news produced by the regional departments of RTR (10-20 minutes each, from 6 a.m. till 9 p.m.), and commercials around these slots. Regional advertising, regional infotainment and entertainment programmes, programmes on nature and hunting, etc., sports programmes appear on Saturday afternoons (in one 1-hour slot), and on Sunday morning 40-minute slot. Most of them are produced directly by regional departments of RTR or private local production companies: that differs from region to region.

On other channels, they depend on the major programme provider. If it is the *Kultura* channel, then the local RTR has 4 hours in the early morning and 4 late at night, on *7TV* it could be from 1 to 2 hours daily throughout the day.

4. Economic resources of the local-regional company/

Regional companies make money by selling advertising in their windows of broadcasting. They also welcome sponsorship of their programming, as well as receive direct funding from RTR according to their needs and availability of money in the budget.

5. Relationships between local/regional public television activities and local institutions or social/political organizations

Such relationships with the regional public authorities are formalized in the sense that regional TV companies are accredited at the offices of these authorities. As state companies they have preferential status (though not formalized) in obtaining and dissemination of public information. For many social/political organizations these companies represent “the hand of

Moscow” and possible protection of the “centre” from abuse of power and other faults of the regional authorities.

6. Digital terrestrial television

As for equipments, many regional stations are equipped for digital editing and production of TV programmes, sometimes satellite delivery of the signal in the regions of the Far North and Far East. At the same time, no experiences exist or plans exist for digital terrestrial broadcasting of TV.

Serbia

1. Structure of Public television

Public Company Radio Television of Serbia (RTS) is by law a public service broadcaster, established by the National Assembly (Parliament) of the Republic of Serbia.

The formal division of the company matches the administrative divisions on the level of the state (Serbia and the two autonomous provinces: Vojvodina and Kosovo and Metohija). Thus Public Company Radio Television of Serbia consists of Radio Television Belgrade, Radio Television Novi Sad and Radio Television Pristina.

As a legal entity, Radio Television of Serbia employs approximately 6.000 employees⁷¹ in six units: Management, Television, Radio, Technics, Finance, Marketing. It should be noted that the reorganisation of this organisational structure is currently being prepared. Radio Television Novi Sad and Radio Television Pristina function as independent units with their own organisational scheme. Radio Television Serbia is going through a period of restructuring and reorganisation. Part of these efforts is a programme of major job cuts – about 2.500 employees were dismissed over the last two years and according to the newly appointed Director General, 2.000 more will be made redundant. As Radio Television Novi Sad is transformed into autonomous regional RTV centre, the number of employees is expected to come under 4.000. Radio Television Serbia broadcasts a total of 96 hours of daily programme during the week while the weekend output of the three national channels (TV1, TV2, 3rd channel) amounts to 108 hours. Each of the channels has a territorial coverage of over 95%.

2. Current state of affairs

More than three years after the regime change, the broadcasting media still operate in a lawless state. The reasons for this condition do not lie so much in the absence of proper legislation⁷² but in the lack of its proper implementation. The transition to the new media legislation took place at a very slow pace. The 1998 *Public Information Act* [Zakon o javnom informisanju] has not been applied since the democratic changes in 2000 and most of its

⁷¹ December 2003 figure was 5.936 full-time employees.

⁷² Although some parts of media legislation, such as the law on public access of information [Zakon o slobodnom pristupu informacijama], have not yet been adopted.

provisions were annulled by the ruling of the Constitutional Court in February 2001. However the first of the new media laws was passed more than a full year after that when Serbian Assembly passed the first of the new media laws – the *Broadcast Act* [Zakon o radiodifuziji] – in July 2002. But its provisions have not been yet put into practice. This has in term affected the implementation of the subsequent *Public Information Act* [Zakon o javnom informisanju] and the *Telecommunications Act* [Zakon o telekomunikacijama] (both passed in March 2003). Experts estimate that there are approximately 1.200 commercial and public radio and TV stations operating on the territory of the Republic of Serbia and only 2% are estimated to have the proper operating documents and comply with technical standards. There are no exact figures available as the central registry of broadcasters ceased to be maintained in 2000, but even before that a large proportion of commercial stations operated illegally.

3. Republic Broadcasting Agency

The formation of the *Republic Broadcasting Agency*, an independent organisation of “supreme authority” that regulates the use of frequencies, issues broadcasting licences, prescribes rules on the broadcasting policy etc., as defined by the *Broadcast Act* (Articles 6 to 37), was seen as the first step towards ending of such lawless state of affairs. But the *Agency's* managing body – Council has not yet been formed to this day due to illegal appointment (procedural violations) of councillors⁷³ nominated by the National Assembly of the Republic of Serbia.

4. The impact on Radio Television Serbia

The postponed passing and implementing of the *Broadcast Act* as well as the delayed appointment of the Council of *Republic Broadcasting Agency* also blocked the transformation of the state media network, Radio Television Serbia, into a public service (Broadcasting Institution of Serbia). The state-owned company was left without reliable funding and without new management and organisational structure, making it vulnerable to outside pressure and government interference.

⁷³ The *Broadcasting Act* gives the state the right to nominate four of the nine councillors; two are nominated by social institutions – the universities and the Church – and two by lobby groups and professional organisations. The ninth member is nominated by the eight other councillors, with the provision that the candidate must live and work in Kosovo (Article 23). In this way, as analysts warn, the balance of influence on the Agency, and therefore on the entire broadcast sector, including public service outlets, was swung in favour of the state.

The government failed to secure the independent financing of the Radio Television Serbia; although defined by Articles 80-83 of the *Broadcast Act*, the collection of subscription has not been renewed.⁷⁴ Except from the marginal proportion of advertising revenue and donations, the Radio Television Serbia is financed from the national budget reserve.

Articles 76-84 of the *Broadcast Act* provide the basis on which Radio Television Serbia should be transformed from State radio television into a Public service broadcasting institution. But since the Act was not put into practice, the Radio Television Serbia remains suspended between the provisions of the abolished 1991 *Radio Television Serbia Act* [Zakon o Radio-televiziji Srbije] and the non-implemented *Broadcast Act* of 2002.

Consequently, the management of Radio Television Serbia is chosen in accordance with *Public companies Act* [Zakon o javnim proizvedcima], meaning that the Government directly appoints the Director General⁷⁵ and the Council of RTS. The Council consists of 17 members: 12 are appointed by the Serbian government and 5 are appointed by the employees (by the three representative unions of RTS).

A further legal grounding of Government's direct control over Radio Television Serbia is the *Assets of the Republic Act* [Zakon o sredstvima u svojini Republike] that defines RTS as fully owned by the Republic of Serbia.

With inoperative *Republic Broadcasting Agency*, preparations for public bidding for broadcast frequencies were also brought to a standstill, leaving the chaotic media market intact. The delayed application of the *Broadcast Act* also set back the transformation of property ownership in local media operated by local government bodies.

5. Laws and rules that define the activities of regional public television

Formally, the regional public television activities of Radio Television Serbia are based in two regional outlets: RTV Novi Sad and RTV Pristina. But the premises of RTV Pristina were severely damaged in the 1999 NATO bombings⁷⁶ and subsequent fighting and outbursts of

74 See also section 6.

75 The recent (March 2004) dismissal of the Director General on account of Radio Television Serbia's reporting of escalated violence in Kosovo was received by the media and media analysts as yet another sign of government's reluctance to transform RTS from state into public service media.

76 Apart from the loss of 16 employees, the NATO bombings are estimated to have caused about \$ 420 million material damage to facilities and equipment for production, broadcasting and transmitting of radio and television programme. Thus for example the premises of TV Novi Sad were completely destroyed and the company now operates from a temporary location.

violence. RTV Pristina gradually withdrew from Pristina and the remaining team now functions as a correspondence unit based in Kosovska Mitrovica.⁷⁷

Thus in practice, only **TV Novi Sad** qualifies as a public regional television which produces and broadcasts regional programmes, including programmes for national minorities.

There is however a large number of local TV (and radio) stations founded or partly owned by local authorities on municipal and regional level. Despite the lack of the precise data on the number of broadcasters on the territory of the Republic of Serbia (see section 2.1), the estimations for the number of such stations is fairly accurate as majority of them were officially registered in 2000. The estimated figure of 50 stations means that 31% of the 160 municipalities in the Republic of Serbia own a local public TV station.⁷⁸

According to the Article 96 of the *Broadcasting Act*, these stations are defined as stations of a local community (if founded by municipal assembly) and as stations of a regional community (if founded by two or more municipal assemblies or set up by a city assembly). They have the status of a public company as long as the state-owned resources represent the majority stake in their total capital and are obliged to comply with provisions of the *Broadcasting Act* which relate to special obligations of a public service broadcaster regarding programme production and broadcasting, as long as they have the status of a public company.⁷⁹

However the Article 96 of the *Broadcasting Act* also requires these stations to privatise by 2006 at the latest. The only exception to this are the stations of Local and Regional Communities providing the programme for national minorities that the privatisation and market economy otherwise would not support.

The general media laws and regulations that currently define the legal framework for activities of regional public televisions in Serbia are:

- Broadcast Act [Zakon o radiodifuziji] – (adopted July 2002)
- Public Information Act [Zakon o javnom informisanju] – (adopted March 2003)
- Telecommunications Act [Zakon o telekomunikacijama] (adopted March 2003).

The *Broadcast Act* defines basic provisions for public service broadcasting:

⁷⁷ TV Pristina used to broadcast 7 hours of daily programme in Serbian together with daily news programme in Albanian and Turkish language.

⁷⁸ In other words, these local TV stations represent 18% of the total number of registered TV stations in the last official registry. In addition to that, there were 125 legally registered local radio stations, owned or partly owned by municipal authorities. On the average there is one such radio station in 70% of the 160 Serbian municipalities.

⁷⁹ Namely the principles of impartiality and fairness in treating different political interests and different persons, upholding the freedom and pluralism of the public expression of opinions, and prevent any form of racial, religious, national, ethnic or other intolerance or hatred, or intolerance on the grounds of sexual affiliation. *Broadcasting Act*, Article 79.

- **Article 47** of the defines the territorial coverage of a public service broadcaster to a minimum of 90% of the population in proposed service area.
- **Article 68** defines Basic Obligations in Respect of Programme Content.
- **Article 73** defines that at least 50% of annually broadcasted programmes must be produced in the Serbian language, out of which at least 50% should be produced by the broadcaster itself. Self-produced programmes include in-house production and co-productions. Broadcasters producing and broadcasting programmes for national minorities are obliged to broadcast at least 50% of their self-produced programme in the total annual broadcasting time in the languages of national minorities.
- **Article 73** defines the independent production quota for public broadcasting service institutions of the Republic of Serbia and autonomous provinces, as well as the local and regional broadcasters, which are predominantly state-owned, to the minimum of 10% of their total annual broadcasting time.

The specific legal framework that defines the operation of TV Novi Sad will be described in the following section.

6. TV Novi Sad

The legal status of (Radio) Television Novi Sad is somewhat complex as it's operations and the degree of autonomy from (Radio) Television Serbia are defined in a number of national and provincial acts that are often contradictory or remain unimplemented.

Central to this issue is the question of the founder– the government of the Autonomous Province of Vojvodina is struggling to regain the control over the (R)TV Novi Sad⁸⁰ from Radio Television Serbia and its founder, the National assembly of the Republic of Serbia.

6.1. Legal provisions

According to the Article 85 of the *Broadcasting Act*, Radio Television Serbia should have been transformed into Serbian Broadcasting Service Institution, a public service broadcaster in February of 2003. In this process, the (R)TV Novi Sad should have separated from Radio Television Serbia and form the **Broadcasting Institution of Vojvodina** (Article 94) in order

80 Autonomous Province of Vojvodina has been the founder of RTV Novi Sad and has financed its operation until 1992 when it was integrated into Radio Television Serbia. In 2002, the Assembly of the Autonomous Province of Vojvodina for example passed the *Act on defining the competences of the province* [Zakon o utvrđivanju određenih nadležnosti autonomne pokrajine] that vested the power of founding of media (Article 19) to the Assembly of Vojvodina. But as far as the (R)TV Novi Sad is concerned, the law was not fully put into practice and the provincial government withdrew financial support of (R)TV Novi Sad in 2003.

to perform the activities of a public broadcasting service on the territory of the Autonomous Province of Vojvodina.

The *Broadcasting Act* thus reinstates a certain degree of autonomy:

-The Programme Board of the Broadcasting Institution of Vojvodina shall be appointed by the Assembly of the Autonomous Province of Vojvodina.

-The *Republic Broadcasting Agency* is obliged to appoint members of the Managing Board of the Broadcasting Institution of Vojvodina from amongst individuals who live and work in the territory of the Autonomous Province of Vojvodina (Article 94).

-The provisions of the *Broadcasting Act* Articles 85-93 related to the bodies of the Broadcasting Institution of Serbia, their competencies, the Programme Board, the auditing of financial statements, and provisions with regard to the Statute of the Broadcasting Institution of Serbia, also apply to the Broadcasting Institution of Vojvodina.

TV Novi Sad broadcasts minority programmes on Channel 2. The media related rights of ethnic national minorities, guaranteed by Constitution of the Republic of Serbia and by the Statute of the Autonomous Province of Vojvodina, are provisioned in:

-Protection of Rights and Freedoms of National Minorities Act [Zakon o zaštiti prava i sloboda nacionalnih manjina] (national level, adopted February 2002).

-Act on Defining the Competences of the Province [Zakon o utvrđivanju određenih nadležnosti autonomne pokrajine] (provincial level, adopted February 2002).

Article 17 guarantees of the *Protection of Rights and Freedoms of National Minorities Act* provisions that the state will secure informative, cultural and educational radio and television programme within the programme of public broadcasting service (as well as their right to form minority radio/TV stations) while Articles 7 and 11 of the *Act on Defining the Competences of the Province* guarantee the public use of minority languages and that founding and financing of minority media will be supported by the Provincial Government.

6.2. Current implementation

However so far, only the division of assets provisioned by the above listed Articles of the *Broadcasting Act* has been carried out. RTS claims that it transformed the programme and

that it abides the regulations of the *Broadcasting Act* regarding the amount of advertising, self-production etc. but that it can not go through with the organisational changes due to the lack of financial resources.

Currently, the (R)TV Novi Sad remains firmly embedded within the Radio Television Serbia as a local branch and under the formal control of the Council of RTS and the Director General of RTS. The management of (R)TV Novi Sad is appointed by the Council of RTS; similarly, the programme of TV Novi Sad is determined according to the *Annual production plan*, prepared by Managing editors of programme units for Serbian language and editorial boards of the 7 minority programmes and confirmed by the Council of RTS and Director General of RTS.

The internal regulations adopted by the management of RTS and the Statute of Radio Television Serbia continue to define the legal framework and rules that define the operations of TV Novi Sad. However it should be noted that the Statute dates from 1991 and has not yet been harmonised with the *Broadcasting Act*.

6.3. Local structure characteristics and regional public television model

As was described above, RTV Novi Sad is formally still a regional branch/unit of a national broadcaster Radio Television Serbia and employs approximately 1.700 people and had a budget of 5.2 million Euro (360 million Dinars) in 2003.⁸¹

TV Novi Sad is a regional public television that broadcasts on two channels. The Channel 1 broadcasts the programme in Serbian language while the Channel 2 is entirely dedicated to the programmes for national minorities.

Territorial coverage: the broadcasting of the programme (both channels) is centred on the territory of the Autonomous Province of Vojvodina, roughly a quarter of the national territory of the Republic of Serbia (its Northern part), where 27 percent (2.032.000) of nation's population lives.

In the NATO bombings, the broadcasting and transmitting facilities of RTV Novi Sad were severely destroyed. Due to the slow and costly reconstruction of these facilities, TV Novi Sad in March 2004 still does not meet the required 90% of territorial coverage; transmitters unit estimates that the signal of TV Novi Sad covers between 50 and 60 percent of the territory of the Autonomous Province.

⁸¹ All financial data in this report was calculated on official exchange rate: 1 Euro = 69,9641 Dinars (National Bank of Serbia, 30th of March, 2004).

6.4. Level of dependency/autonomy from main national public television

TV Novi Sad is still a local branch of the main national public television, as was described above. Although functionally, technologically and organisationally, TV Novi Sad is a separate/independent unit, its management (appointing, dismissing, confirmation etc.) is under the control of the Council of RTS and the Director General of the RTS. Editorial and day-to-day operational decisions are in the domain of TV Novi Sad.

In regard to the financing, the TV Novi Sad is still fully dependent on the Radio Television Serbia. Apart from the marginal commercial revenue, it is financed from the central budget of the RTS (which is state financed). The funds generated by advertising on regional programmes are attributed to TV Novi Sad while the funds generated by advertising on programmes aired on national scheme go to central budget of RTS. The funds are allocated according to the *Annual production plan* (see below).

TV Novi Sad is independent regarding programming. The programme is determined according to the *Annual production plan*, prepared by the Managing editors of informational, cultural and educational programmes and the autonomous editorial boards of the seven national minority programmes. TV Novi Sad is fully independent when it comes to the preparation of the production plan as well as its realization, however this annual plan needs to be approved by the governing bodies of RTS.

6.5. Typology of local/regional activities

Typology of activities of TV Novi Sad:

- regional programmes and shows (regional programme scheme);
- programmes and regional programmes (national programme scheme);
- programmes for seven national minorities – Hungarian, Slovak, Rumanian, Ruthenian, Ukrainian, Croatian and Roma communities;
- correspondence network for national TV (news and current affairs).

Channel 1

The Channel 1 of TV Novi Sad airs programme in Serbian language. It is broadcasted 24 hours per day; between 0:15 and 7.00 exclusively reprise programme is aired.

In 2003, the total of 515.700 minutes (8595 hours) of programme was aired. Self-production amounted to 408.900 minutes or 79,29 % of the total figure.

Annually, approximately 20.400 minutes of programme produced by TV Novi Sad enters national broadcasting scheme of RTS. The largest share of this production (35%) is the daily TV news at 17:00 hours. Educational programmes broadcasted on weekdays come in second with approx. 4.100 minutes (25%), followed by music shows 17 % (broadcasted weekdays and on Sundays). Children's programme is aired every Saturday and entertainment shows on Sundays (8% respectively). Every second Sunday, RTS also airs agricultural programme produced by TV Novi Sad (7%).

TVNS transmissison by genre-	%
News and Current affairs	31,1%
Music	16,84%
Drama	13,22%
Enterteinment	10,82%
Science and Culture	7,75%
Yiuth and Childreen	4,51%
Advertising and tv sales	2%
Sport	1,73
Other	3,02

The origin of exchanged and commissioned programme is primarily RTS and foreign producers (Eurovision etc.); the independent production quota is met by airing programme of independent producers and other public and commercial TV stations. Channel 1 regularly airs three programmes of the national television – daily news at 19:30, and every second Sunday a programme on agriculture and a programme on army. Channel 1 of TV Novi Sad also broadcasts monthly show *Zajedno* - a cultural programme in Serbian, Hungarian, Slovak, Romanian and Ruthenian language.

Chanel 2

The Channel 2 of TV Novi Sad is fully dedicated to the programmes of the national minority communities of Vojvodina.⁸² The daily programme of the Channel 2 is somewhat shorter (approx. 2,5 hours daily) than that of the Channel 1. In 2003, the total of 7.735 hours of

82 The population of Autonomous Province Vojvodina (2.032.000) consists of 26 ethnic communities and groups. The largest national minority is Hungarian (290.207), followed by Slovak (56.637), Croatian (56.546), Romanian (30.419), Roma (29.057), Ruthenian (15.626) and other ethnic communities. In addition to Serbian, the Statute of the Autonomous Province of Vojvodina defines Hungarian, Slovak, Rumanian, and Ruthenian language as official languages in Vojvodina. (Data: 2002 Census).

programme was aired and self-production of the seven independent national minority redactions (in-house production and co-production) amounted to 79,77 % of the total figure. The most important programme for each of the seven national minority redactions (Hungarian, Slovak, Rumanian, Ruthenian, Ukrainian, Croatian and Roma) are information and current affairs shows. Roma programme *Amen Ades* and Sunday music shows are regularly broadcasted in national programme scheme of RTS on TV 2.

7. Economic resources of regional company/branch

As already mentioned above, the financial resources are allocated to the regional TV programmes on the basis of *Annual Production Plan* from the central budget of Radio Television Serbia.

Apart from the marginal revenue created through advertising, the bulk of production of TV Novi Sad is financed from the central budget of RTS, which is directly funded from the budget reserve of the Republic of Serbia. In 2004, RTS will receive 3,2 billion Dinars (33 million Euro) out of the 4,3 billion Dinars budget of the Ministry of culture. In 2003, RTV Novi Sad funding amounted to 11.2 million Euros, i.e. 15% of the total income of RTS (see table below).

The *Broadcasting Act* provisions the reintroduction of the financing through subscription which was abolished in 1993. According to the Article 83, 70 percent of the revenue collected from the monthly subscription on the territory of Vojvodina would be used for the financing of province's public broadcasting service institution.

The subscription will be collected by a public company⁸³ on behalf of the Broadcasting Institution of Serbia, which will transfer the funds to the public broadcasting service institution of the autonomous province within three days after payment collection.

In 2002, the monthly subscription fee was set to 210 Dinars (3 Euro). Article 83 also provisions that the subscription rate shall be harmonised with the retail price growth index in the Republic of Serbia in the preceding calendar year, in accordance with data officially published by the authorised statistics body, increased by 5%.

8. Formalised relationships between regional public TV and local institutions

Currently, there are no formalised relationships between regional (or national) television and regional/local social or political organisations and institutions and TV Novi Sad. This applies

83 The method of collection (phone bill, electric power consumers etc.) and possible contractors are still being negotiated.

to the Serbian language programme as well as to the work and programme scheme of minority redactions. The latter operate as independent editorial units that define their programme in line with the basic guidelines for public media - without participation of the representatives of minority communities or any formal, direct influence of minority organisations.

The only agreement/function of this kind applied to the RTS which was obliged to broadcast sessions of the National Assembly on TV 2 but it had ceased with this practice in 2002 due to a web of low ratings, scheduling problems and large financial costs involved.

9. Projects for digital terrestrial television

There are no specific plans for digital terrestrial television neither on local nor on national level due to scarce financial resources of RTS and the large investments needed for the reconstruction of the analogue broadcasting system destroyed by the NATO bombing. This is particularly true in the Autonomous Province of Vojvodina, where current repairs of RTV Novi Sad broadcasting systems, financed in large part by the Government of the Autonomous Province, have not yet succeeded in guaranteeing the minimum territorial coverage (90%) provisioned by the law. Currently, the signal covers 50 - 60% of the territory of Vojvodina.

A pilot project of a digital transmitter was planned for 2003 but it was not yet undertaken due to the unsolved legal/formal status of the RTV Novi Sad. However in March 2004, the public tender for the realisation of the project was said to be in its closing stage.

Slovenia

1. General television structure

Radio-television Slovenia is a public service broadcaster, established by the National Assembly (Parliament) of the Republic of Slovenia.

As a legal entity, RTV Slovenia employs approximately 2400 people⁸⁴ organised in nine units, five of which are concerning television:

- the programme unit Television Slovenia, Ljubljana;
- the organisation unit Television Production;
- the regional RTV centre of Koper/Capodistria;
- the regional centre of Maribor including Hungarian language programming in Lendava/Lendvai;
- the organisation unit Transmitters and Communications.

The complete organisation is serviced by the so called "common service departments" (primarily finance and administration, but includes joint network of foreign correspondents).

TV Slovenia broadcasts on 2 national TV channels (SLO 1, SLO 2), produces regional programmes in two regional centres, airs one TV channel for the Italian and Hungarian national community respectively and produces TV programme for Slovene national minorities in the neighbouring countries. Regional public television activities are based in regional RTV centres in Maribor and Koper/Capodistria.

In 2002, 375 full-time employees created a total of 14,956 hours of programming for SLO 1 and SLO 2. The first and second national channel have aired 13,573 hours of various programmes and 1,383 hours of video text and weather forecasts, which is 1,962 hours more than in 2001. The introduction of the morning show produced jointly by three studios the programme output share of the regional centres grew considerably. The overall production of TV Slovenia including both channels of TV Slovenia, the regional programmes for the Italian

⁸⁴ The total number of full-time employees in January 2003 was 2,248, approximately the same figure as a year before (2,240). There is also a significant number of outsourced staff – over 600 contract workers work for RTV Slovenia on regular basis (e.g. 10,000 contracts with freelancers were signed in 2002). However significant cuts in staff were planned for 2004 and 2005.

and Hungarian community, regional programmes in Slovene and those for foreign audiences amounts to approximately 18,400 minutes of television programmes.

The overall share of SLO 1 and SLO 2 of TV Slovenia exceeds those of the individual commercial competitors.

Transmission by genre	%
Current affairs	17
Documentary	13
Sport	11
Film	10
Music	10
Series&serials	9
Youth and children	7
Advertising and tv sales	6
Entertainment	6
News	5
Education	1
Religion	1
Other	4

The managing body of RTV Slovenia is the Council of RTV Slovenia⁸⁵ consisting of 25 members. 5 members are appointed by the Parliament, as closely as possible reflecting the proportional representation of the members of the parties on government. The Italian and the Hungarian national community appoint one member respectively. Other members are representatives of civil society.⁸⁶ Financial operations are supervised by a seven-member Audit Committee. The business and operations of RTV Slovenia are managed by the Director General, appointed by the Council of RTV Slovenia on the basis of a public call. The Directors of National Minority Programmes are appointed on the basis of a public call on the proposal following the recommendations of the National Minority Council and the Director

⁸⁵ The Council of RTV Slovenia adopts the Statutes, appoints and relieves the Director General, the Directors of Radio and Television Programmes, the Director of the Transmitters and Communications Unit, the Directors of National Minority Programmes and the Editors-in-Chief, it determines the license fee, adopts the financial plan and final accounts, defines programme standards and programme concepts and decides on other relevant issues. Determining the license fee requires the approval of the Government of the Republic of Slovenia; the election of the Director General, as well as the adoption of Statutes have to be approved by the Parliament.

⁸⁶ One member respectively is appointed directly by: the University of Ljubljana and the University of Maribor; the Academy of Arts and Sciences; the Association of Film Producers; the Association of Musicians and the Association of Composers; the Association of Writers and the Association of Theatre Artists; the Association of Cultural Organisations; the Federation of Journalists; the Council of the Organisation of the Disabled Persons; the National Olympic Committee; the Association of Employers; the Co-operative Union and Farmers' Association; the Co-ordination Committee of Organisations and Parties of the Retired People; representative trade unions as organisations of employees; the Youth Council and the Union of Youth Supporters; religious communities in Slovenia; three members are directly elected by the employed of RTV Slovenia; they have to represent information programming, culture and arts programmes and the technical department of the organisation.

General. Editors-in-Chief are appointed by the Council of RTV Slovenia on the basis of a public call upon a proposal following the recommendations of the director in charge.⁸⁷

2. Economic resources

The public service of RTV Slovenia has a mixed financing scheme consisting of license fee and commercial revenue. License fee of 2,281 SIT (9,6 Euro) has to be paid by every owner of a radio or television receiver (approx. 590.000 – radio and TV; 95.000 – radio only). RTV Slovenia collects its data from the list of electric power consumers. In 2002, the budget amounted to 110.734.000 Euro.

3. Laws regulating regional public television activities

Regional public television activities are based in two regional RTV centres: RTV centre Maribor and regional RTV centre Koper-Capodistria. Apart from producing regional programs and programmes for national television, the two regional centres also produce regional and national programmes for the Italian and Hungarian community. Thus the rules and regulations regarding regional television activities also comply with over 30 laws and regulations that control the protection of special rights of the two ethnic minorities⁸⁸ granted by *Articles 5, 11 and 64 of the Constitution of the Republic of Slovenia*.

The Acts and regulations that currently define the legal framework for activities of regional public televisions in Slovenia are:

- RTV Slovenia Act [Zakon o RTV Slovenija] - (adopted March 1994, revised October 1999 and September 2001)
- Media Act [Zakon o medijih] – (adopted March 2001)
- Statute of RTV Slovenija [Statut RTV Slovenija] – (adopted June 1995, confirmed by National assembly September 1995)

Article 3 of the *RTV Slovenia Act* states presenting the interests of regions, reporting on regional events and production of programmes for Italian and Hungarian minorities will be carried out through regional centres in Maribor, Koper and Lendava. Article 5 defines the

⁸⁷ All mandates are appointed for a period of 4 years and may be renewed.

⁸⁸ According to the 2002 census, there are 2258 members of Italian and 6243 members of Hungarian minority in Slovenia.

territorial coverage of national programmes to 90% of territory or in case of programmes for ethnic minorities to 90% of the territory they populate. Article 6 defines the in-house production, co-production and commissioned production of informational, cultural and educational programmes to 50% of broadcasting time or minimum of 30 minutes per day in case of minority TV programme; commissioned production from independent producers/TV stations etc. should amount to 10% of above mentioned production. Articles 13 and 14 define the legal framework for financing of RTV Slovenia and of the minority programmes of regional RTV centres.

The *Media Act* guarantees the ethnic minorities the right to information (Article 5) and advertising (Article 51) in their own language.

The *Statute of RTV Slovenia* defines the formal organisation of RTV Slovenia (production units - see page 2) in Article 9 and 74. The organisation and programme of regional RTV centre Koper-Capodistria is addressed in Articles 18 and 19, regional RTV centre Maribor (including Hungarian language programming in Lendava-Lendvai) in Articles 20 and 21. The statute also defines the role of representatives of minorities (Articles 52-55) within the two regional public televisions but this issue will be addressed in detail in section 6.

4. Regional Public Television

There are two regional public television programs in Slovenia (TV Koper-Capodistria and TV Maribor) produced by the two regional centres in Koper and Maribor.

The RTV centre Koper-Capodistria, which is formally organised as a regional branch/unit of RTV Slovenia. It employs approximately 300 people and had total expenditure of 10,839 million Euro in 2001. The regional centre broadcasts radio and TV programme in Slovene, radio and TV programme for Italian minority in Slovenia, radio and TV programme for Slovene minority in Italy and produces radio and TV programme for national broadcasting on RTV Slovenia.

The programme of TV Koper-Capodistria is produced by two autonomous Slovene and Italian minority programme units. The broadcasting of the programme is centred on the region of Primorska and Notranjska (South-West, West and parts of central Slovenia) and covers about 40% of national territory, including the metropolitan area of Ljubljana. The programme of TV

Koper-Capodistria is also available in local cable systems throughout most of Slovenia, but its availability depends on individual agreements with local cable distributors.⁸⁹

Due to its function as a media of national minorities – both the Italian community in Slovenia and Slovene community in Italy – the territorial coverage of TV Koper-Capodistria is focused on covering the regions, populated by these minorities, as defined by the *RTV Slovenia Act* (minimum 90%). The programme of TV Koper-Capodistria thus covers border regions of Italy – Friuli-Venezia Giulia and Veneto from transmitters on Slovene side of the border. The programme is also visible in coastal areas of Northern Istria, Croatia

The Regional RTV centre of Maribor and its branch for Hungarian programmes in Lendava-Lendvai. is formally organised as a regional branch/unit of RTV Slovenia, employs nearly 120 people and had total expenditure of 5,394 million Euro in 2001. Similarly to the regional centre in Koper, the Maribor centre broadcasts radio and TV programme in Slovene, radio and TV programme for Hungarian minority in Slovenia, radio and TV programme for Slovene minority in neighbouring countries and produces radio and TV programme for national broadcasting on RTV Slovenia.

The Slovene part of the programme of TV Maribor is prepared in TV centre Maribor while the Hungarian programmes for national and regional broadcasting are produced in TV studio Lendava- Lendvai.

The programme of TV Maribor primarily covers East, North East and South East regions of Slovenia (Stajerska, Koroska, Pomurje). It is broadcasted on nearly 45% of national territory and reaches about a quarter of national population.⁹⁰ The programme is also available through cable system throughout Slovenia, depending on the individual agreements with local cable operators.

5. Level of dependency/autonomy from main national public television

The level of autonomy of the *Regional television programmes RTVC Koper and RTVC Maribor* varies according to the area in question:

⁸⁹ The “extended” visibility of the programme through cable networks is determined through the participation of viewers from whole country in phone-in programmes of regional television.

⁹⁰ The broadcast reaches about 500.000 of the country’s total population of 1,964 million (according to the 2002 Census).

- a. **organisationally**, they are a part of local branch of main national public television. There are “common service departments” (380 employees) within regional centre and within RTV Slovenia that primarily cover administration, finance, marketing, programme controlling etc. Joint network of foreign correspondents also belongs to these common services;
- b. in regard to the **financing**, the *Slovene-language Regional television programmes of RTVC Koper and RTVC Maribor* are fully dependent on main national public television. The funds are allocated to them on the basis of *Annual production plan* (see below) from the central budget of RTV Slovenia. The funds generated by advertising on regional programmes are attributed to regional centres while the funds generated by advertising on programmes aired on national scheme go to central budget of RTV Slovenia;
- c. according to Article 14 of the *RTV Slovenia Act*, programmes for Italian and Hungarian community are partly government sponsored through Office for Nationalities;
- d. both *Slovene-language Regional television programmes* are independent regarding programming. The programme is determined according to the *Annual production plan*, prepared by Managing editor of regional television programme and Director of TV programmes. Article 3 of the *RTV Slovenia Act* defines the fundamental guidelines for the programme⁹¹ while ratings are not decisive criteria but provide only informative insight (more in terms of scheduling). The production plan is confirmed by the Council of RTV Slovenia. However with the preparation of the production plan as well as its realization and with day-to-day operational decisions, both Regional television programmes enjoy full autonomy.
- e. the two *TV programmes for Italian and Hungarian community* enjoy full autonomy in terms of programme. According to the *RTV Slovenia Act* and *Statute of RTV Slovenia*, their annual production plan is prepared by Managing editors of TV programmes and Director of programmes for Italian/Hungarian community and coordinated with representatives of Italian/Hungarian community – Programme Councils for national minority programmes (their role will be described in section 6).

6. Typology of local/regional activities

At regional and local level the main activities are:

- regional programmes and shows (regional programme scheme);
- correspondence network for national TV (news and current affairs);
- shows, programmes and regional programmes (national programme scheme);

⁹¹ General PBS provisions of quality programme serving the public interest (universality of appeal, diversity, balance, impartiality etc.).

- programmes for Italian and Hungarian communities and for Slovene minority in Italy, including cross-border cooperation and co-production.

Regional TV centre Koper-Capodistria

From Monday to Friday, the programme of TV Koper-Capodistria is broadcasted 11 hours per day (14:00 to 01:00) and 13 hours per day on Saturdays and Sundays (12:00 to 1:00).

Slovene-language Regional TV programme RTVC Koper

Slovene language regional programme is broadcasted between 18:00 and 19:00 (Monday to Friday) and 22:30 to 24:00 (Monday and Thursday). Main programmes aired are regional news *Primorska kronika*, followed by weekly regional sport shows *Sportna mreza* and *Sportel* and show on ecology *Potovanje v zeleno*. There are also several call-in studio shows on politics, music and youth programme. Shows and programmes broadcasted on national programme scheme: humanitarian programme *Pomagajmo si*, programme on agriculture *Ljudje in zemlja* and on the sea and nautics *Med valovi*. In addition to that, TV Slovenia nationally broadcasts the programme for Slovene minority in Italy *Brez meje* (weekends 18:00-19:00) and the satirical show *TV Poper* (prime time).

Total production of Slovene-language Regional TV programme RTVC Koper in 2003 amounted to 25.000 minutes; 70% of this was in-house production and 30% was programme of national public television and exchange programme produced by Slovene minority in Italy (RAI).

The most part of programmes (91%) produced by Slovene-language Regional TV programme RTVC Koper was aired in national programme scheme of TV Slovenia.

Production by genre	%
News	32
Current affaire	25
Sport	13
Programmes for italian minorit�	12
Music	8
Advertising and tv sales	1,7
Enterteinment	3
Arts	2,3
Telenovelas	2
Youth	1

7. Regional TV programme for Italian community

TV programme for the Italian community is broadcasted 9 hours per day between 14:00 and 18:00 and 19:00 to 24:00 except on Monday and Thursday (7,5 hours) when part of the evening programme is given to the Slovene-language programme. Main programmes include *Tuttoggi* (news), *Meridiani* and *Tuttoggi Attualita'* (current affairs), *Artevisione* (cultural programme), *Giotto* (youth programme), *Istria e dintorni* (territorial programme), *Tg Sport* and *Zona sport* (sport).

Total production of TV programme for the Italian community in 2003 amounted to 35.200 minutes; (informative programme 18.300 min, cultural programme 13.800 min, sport 3.120 min). 65,9% of this was in-house production (19,2% was premiere production), 26% was exchanged programme and 7,5% was commissioned programme (EU origin).

National programme scheme of TV Slovenia does not broadcast regularly any programmes of TV programme for the Italian community but occasionally broadcasts series or documentary programme. Within the project of Cross-border television the RAI - regional channel for Friuli-Venezia Giulia based in Trieste⁹² broadcasts the daily news show produced by the TV programme for the Italian community.

Another important cross-border project is the monthly one hour Lynx magazine, a co-production of Regional RTV centre Koper-Capodistria (Slovene and Italian programme) and RAI Trieste (Italian and Slovene programme).

Producing by genre (Italian % language)	%
News	14
Current Affairs	19
Sport	23
Music	5,8
Youth	2
Enterteinment	0,8
Art	13
Drama	22

⁹² It also broadcasts daily news show in Slovene, produced by Slovene-language regional TV programme RTVC Koper.

8. Regional TV centre Maribor

Regional programme TV Maribor broadcasts 16 hours of programme daily between 7:00 and 23:00.

The staff produces programme for regional and national broadcasting scheme; the total production for regional programme for 2004 is estimated to 54.400 min - 39.000 min for national and 15.400 min for regional programme while in 2003, the ration between national and regional production was 60% for national, 40% for regional programme. In 2003, in-house production consisted 30% (premiere production 20%) of broadcasting time, 10% was exchanged programme from other regional televisions, while the rest were shows of TV Slovenia and video pages.

In 2004, 216 minutes of in-house daily programme is expected to be produced while in 2003, the figure was 270 minutes per day.

Production by genre	%
News	48,2
Educational	5,3
Sport	1
Music	2,5
Entertainment	21
Arts	2,6
Telenovelas	22
Video Pages	23,5
Advertising and tv sales	2,4

TV Maribor produces bulk of the 2-hour morning TV programme aired by national television every weekday. Main programmes, broadcasted in national scheme are shows on gardening (*Na vrtu*), agriculture (*Ljudje in zemlja*), diaspora programme (*Slovenci po svetu*), show on pets (*4*4*) etc. Live broadcasting of cultural and sport events for national television are also important part of this production, while main regional programme is daily one hour regional information programme *Tele M*.

9. Regional TV programme for Hungarian community

TV studio Lendava is a local branch of Regional TV centre Maribor and creates programme for the Hungarian community.

The total production of TV programme for Hungarian minority is 6.240 minutes and consists of four 30 minute programs per week. The TV studio Lendava does not broadcast it's

programme – they are all shown in national programme scheme of TV Slovenia. Some of the shows are re-run in the programmes of TV Maribor.

The main programme is *Mostovi/Hidak* – on life and events of the Hungarian community in Slovenia (Wednesday and Friday, 16:00-16:30 on SLO1). Other shows include documentary programmes *Pod drobnogledom*, *Moj gost/moja gostja*, youth programme *Kanape* and two co-productions with Hungarian TV *Brez meja* and *Potepanje* with TV Danube.

Three quarters of the production is news, current affairs while youth and documentary programmes constitute the remaining quarter. The origin of the exchanged programmes is Hungary (Hungarian TV and TV Danube).

10. Economic resources of regional company/branch

As already mentioned above (see section 3.4), the financial resources are allocated to the regional TV programmes on the basis of *Annual Production Plan* from the central budget of RTV Slovenia. RTV Slovenia has mixed financing scheme consisting of license fee (67%) and commercial revenue (advertising 19%, other commercial income 8%). State subsidy is allowed for single projects but is primarily reserved for the sponsoring of programmes for Italian and Hungarian communities, as defined by Article 14 of *RTV Slovenia Act*.

Regional TV programme RTVC Koper

In 2003, Regional TV programme RTVC Koper (Slovene-language unit) had a budget of 145 million SIT (609.414 Euro).⁹³ Structure of revenue: licence fee 98,3%, advertising 1,7%.

Regional TV programme RTVC Maribor

In 2003, Regional TV programme RTVC Maribor had a budget of 450 million SIT (1.891.286 Euro). Structure of revenue: licence fee 90%, advertising 10%.

Regional TV programme for Italian community

In 2003, Regional TV programme for Italian community had a budget of 170 million SIT (714.485 Euro). Structure of revenue: state funding - Republic of Italy 28,3%, advertising 5,3%, EU funds 6,5%. The remaining 59,3% were covered from licence fee and state funding from Republic of Slovenia.⁹⁴

Regional TV programme for Hungarian community

⁹³ All financial data in this report was calculated on official exchange rate: 1 Euro = 237,933 SIT (Bank of Slovenia, 30th of March, 2004).

⁹⁴ Only the figure of 167 million SIT (701.877 Euro) for combined state funding of radio and television programmes of Italian community was available.

In 2003, Regional TV programme for Hungarian community had a budget of 73 million SIT (306.808 Euro). Structure of revenue: licence fee 75,1%, state funding (Republic of Slovenia) 24,9%.

11. Formalised relationships between regional public TV and local institutions

As far as Slovene-language regional national television programmes are concerned, no formalised relationships exist between regional (or national) television and regional/local social or political organisations and institutions. Such relationships are neither enabled nor allowed by valid legislation. This is in part due to the fact that Slovenia has only recently undergone the process of transformation of local institutions to a system of local self-government and still has not implemented the division of country into regions. The awareness of the need for closer collaboration with the local communities and institutions of local government is only gradually building up.

However, the programmes for Italian and Hungarian communities are a different case. The collaboration of representatives of regional television (and radio) with Italian and Hungarian national communities is regulated by both the *RTV Slovenia Act* and by the *Statute of RTV Slovenia*.

On the highest level of decision making process, the Article 16 of the *RTV Slovenia Act* defines that Italian and Hungarian minority elect one representative respectively into the managing body of RTV Slovenia – the Council of RTV Slovenia.

Furthermore, the programme autonomy of both radio and television national minority programme is ensured by the formation of special Programme council for national programme for each minority (*Article 12 of the RTV Slovenia Act*). The representatives of the seven-member Council actively participate in the creation of *Annual Production Plan* of the national minority programme and are empowered to:

- give approval to the extent and content of the national minority programme;
- oversee the realisation of production plan of the national minority programme;
- nominate the candidate for the position of director of the national minority programme;
- give approval to appointment of and dismissal of director of the national minority programme;

-deal with the initiatives of viewers, editors, journalists and others regarding the content of national minority programme and directs attention of the Council of RTV Slovenia to them, if appropriate.

Four members of each Council are elected by the most important minority organisation – Italian and Hungarian autonomous community (elected by the local community at municipal level), while three members are appointed by the Council of RTV Slovenia (they are of Slovene nationality but competent for minority issues).

12. Projects for digital terrestrial television

Currently, there are no specific plans for digital terrestrial television on local level as the whole system on national level still operates on analogue system (the broadcasting, not the studio equipment, where the transfer to digital technology started in 1986).

There are only two test transmitters of DAB and DVB technologies operating at the moment. The pilot project of digital radio was started in 1997 and pilot project for digital television was started in 2001.

At the moment, joint committee of Ministry of Information Society, Agency for Telecommunications, Broadcasting and Post, SROF Broadcasting Council, and Transmitters and Communications unit of RTV Slovenia is preparing the digitalisation strategy. Specific information remains classified at the moment but the unofficial timeframe of the project is 2011.

One of the major areas that need to be cleared is the issue of financing and subsidizing the project, for as long as the investments into new technology remain at present level (e.g. in 2002, only 0,2% or 1,5 million SIT (6.304 Euro) of the total budget of Transmitters and Communications unit was invested into new technologies), the prospect for the implementation of digital technology remains uncertain.

Sweden

1. General television structure

The national public service television in Sweden is operated by **Swedish Television** (SVT). It is mainly financed by license fee paid by approximately 3.3 million households. There is also a small complementary financing by sponsorship.

The two national channels, SVT1 and SVT2 are broadcasting all over Sweden covering 99.8 percent of the households. Both of the channels are analogue – but the programmes are also broadcasted via the digital terrestrial net as well as via digital satellite and digital cable.

In addition SVT24 is the digital news channel, distributed via the digital terrestrial net as well as the six regional digital news channels: SVT Syd, SVT Väst, Östnytt, Mälarna and SVT Mitt.

SVT1 and SVT2 are planned jointly. Programmes are produced in six units all over Sweden. There are 11 production sites outside the capital Stockholm, grouped into four units: SVT South, SVT West, SVT Central and SVT North.

15 local studios are linked to these. Programmes are also produced by two units in Stockholm: SVT Nyheter och fakta (news and factual programmes) and SVT Fiktion (fictional programmes).

2. Swedish laws regulating regional public television activities

The general principles of broadcasting are presented in the **Freedom of Expression Act**. It forbid censoring and demands of pre-endorsement of programmes. But the details are set out in the Radio and Television Act⁹⁵. One of the terms in the Radio and Television Act is, that SVT shall exercise the right to broadcast impartially and accurately and also with regard to the requirement that extensive freedom of expression and freedom of information shall predominate sound radio and television..

All radio and television programmes are formally supervised by the **Broadcasting Commission** (Granskningsnämnden för radio och TV), which is a government agency. Swedish Broadcasting Commission ensures the content of already transmitted programs is in accordance with the laws. Also follows foreign satellite transmissions and reports to government if content deviates from programming rules adopted by, among others, member

⁹⁵ Radio- och TV-lagen (1996:844) (The radio and Television Law)

states of European Union. The Broadcasting Commission controls the observance of the rules of advertising and sponsorship and the respect of right to reply. Distinctions are made in the complaints-decision-process between the different services.

2.2. Public Service obligations

SVT and other broadcasters with public service commitments are granted license from the Swedish government. The license is issued by the government for terrestrial television and national radio on the basis of a contractual agreement, normally for a period of five years. The new license for SVT, the **Charter For Television Broadcasting Services**⁹⁶ (Tillstånd at sända television) is for the period 1 January 2002 – 31 December 2005. For the contractual period certain specifications are presented, concerning for example news, organisation, children's programming and Swedish productions.

The terms of the license require the company to bear in mind the special impact of the broadcast media when deciding the subject matter, form of presentation and scheduling of programmes. This implies an obligation to be especially careful on representation of violence, sex and drugs as well as content that may be perceived to discriminate against people on the basis of gender or ethnic background. Furthermore, the company is cautioned to respect the individual's private life in programming. SVT is obligated to offer a rich variety of programming of good quality, to cater for differing interests and needs of the population, to meet the interests of minorities, to offer a diversity of opinion, and to satisfy a variety of interests in such areas as religion, the Arts and science. Other obligations of a public-service character are reporting of news and producing programmes especially adapted for the partially deaf or visually impaired and the right to reply.

In addition SVT shall ensure that more than half of the annual broadcasting time is taken up by programmes of European origin, and at least ten percent of the broadcasting time (or 10 percent of the programme budget) is dedicated to programmes of European origin. In addition the programmes shall to a significant extent contain programmes in Swedish language, programmes with Swedish artists and works of Swedish authors.

The regional channels are only specified few places in the license. But the license specifies that SVT as a minimum shall broadcast the same or more regional news in the regions as in 2001. Many of the terms in the license aim indirectly at the regional SVT stations. Most of all because SVT fulfill many of its public service obligations by means of the regional stations.

⁹⁶ <http://www.google.dk/search?q=cache:hi-yvHjcPqoJ:www.svt.se/hela/inenglish/charter.pdf+advertising+svt+broadcasting&hl=da&ie=UTF-8>

Some examples are the descriptions: Programming shall cover cultural life in many different parts of the country and SVT has a responsibility to take the needs of linguistic and ethnic minorities into account, with particular attention to the Samí, Finnish and Tornedal-Finnish cultural spheres.

(N.B. Samí: Sweden's indigenous minority; Tornedalen: the land frontier between Finland and Sweden, north of the Gulf of Bothnia.)

But the terms for regional obligations are explicitly specified in the the **Charter of Television Broadcasting Services** for the year 2002 (Anslagsvillkor för Sveriges Television AB för år 2002)

One of the terms is that 55 percent of the national news has to be produced outside the capital Stockholm. SVT shall have a decentralized organization that mirrors the public in all regions in Sweden – at a regional level. Local stations shall be managed in a way, that the different regional units within SVT can make decisions independent of each other. Moreover the regional station in Leksand is explicitly described: the production of television for deaf people on the regional station in Leksand has to be on at least the level of 2001.

2.3. Advertising and sponsoring

According to the **Radio and Television Act**, SVT may not carry commercial advertisements. The prohibition does not include sponsor identification, spots which advertise SVT programmes, or educational materials, and similar products bearing a direct relation to programmes. SVT's may not carry sponsored programmes where the sponsor's contribution is paid directly to SVT or substantially reduces the cost of the production of SVT. And sponsored programmes are also prohibited for programmes which primarily address audiences of children under twelve years of age.

2.4. Economic resources

SVT is mainly financed by license fees paid by the TV-owners. This financing is attributing to the company's independence from commercial interests and interference from the state.

In 2002 SVT got 391.33 million € in license fees of a total amount of license fee in Sweden reaching 687.40 million €. 10.74 million € were from extra fees SVT gets for distributing the programs both digitally and analogue.

It has not been possible to get any detailed information on the economy of the regional SVT stations.

3. Level of dependency or autonomy from the main national public television company

As of 1st January 1997, Sveriges Television is owned by a foundation, Förvaltningsstiftelsen för Sveriges Television AB, Sveriges Radio AB och Sveriges Utbildningsradio AB. The purpose of the foundation is to ensure the independence of Sveriges Television and the other public service companies, Sveriges Radio and Sveriges Utbildningsradio. The board of the foundation appoints five of seven regular members and one alternate member of Sveriges Television's Board of Governors. The Chairman of the Board of Governors and one alternate are appointed by the Government. The Managing Director is appointed by the Governors. The Managing Director sits on the Board. The board decides how the company is structured, but it never decides the content of the programmes.

The owning foundation has no role in deciding the amount of the disbursement to Sveriges Television, nor does it have any authority in matters concerning the company's organization or policy. The Board of Governors chart the company's course, but have no say in matters relating to programme content. This structure gives Sveriges Television a good measure of independence. Sveriges Television is owned neither by the state nor by influential commercial interests.

Thus, it is independent and shielded from any pressure that may be applied concerning the company's most important task as set out in the Charter, namely, "to scrutinize authorities, organizations and private firms which exert influence over policy affecting the citizenry".

The regional SVT stations are units in the SVT family. Each of them has a general manager, holding the day-to-day responsibility. The units have a unit-manager. The programming is planned centrally, but in accordance with the regional SVT stations. The programmes are to a great extent planned on the regional stations, and there are a big degree of freedom in shaping the projects.

Moreover the **Charter For Television Broadcasting Services** argues, that SVT shall seek to give units on regional level the best possibilities of making independent decisions.

4. Regional broadcasting structure

In 2002 the total amount of regional broadcasts on national SVT2 was 1 728 hours (inclusive local election programmes). Seen from a viewer point, they were offered 143 hours regional news parallel distributed from the 11 regional stations.

In 2002 SVT had a special focus on covering the elections in Sweden. SVT were broadcasting about 225 hours from the elections, and 60 percent were regional broadcast from local elections.

In 2002 each of the regional stations had 157 broadcasts, whereof 5 of them were repetitions. Each of the regional stations has their regional news broadcasts shown in windows of the SVT2. They broadcast news on weekdays 17:55 (5 minutes), 19:10 (20 minutes) and 21:40 (10 minutes). On Sundays 17:55 (5 minutes) and 21:15 (5 minutes).⁹⁷

5. Regional economic resources

All of the SVT's production units in Sweden are financed by SVT, and the regional stations are an integrated part of SVT. The budget for the different units are decided by SVT, but in co-operation with the units, and with respect to the tasks each of the regional stations gets.

Swedish Television has not wanted to give detailed information on the economy for the different regional television stations. One of the reasons is, that the regional stations are both producing regional news for the respective regions and in addition producing for the national channels.

6. The regional SVT stations

Nordnytt (Luleå Region - North) is produced by a staff of approximately 65. It covers Norbotten County; an area of 98 249 km². Regional news is broadcast to 267 000 inhabitants with 137 000 TV sets. Specialized programming is documentaries, adventures, wildlife, entertainment, music, adventure, nature and Lappish magazines. In addition there is a production unit in Kiruna.

Västerbottensnytt (Umeå Region - North) has a staff of approx. 65. It covers Västerbotten County; an area of 105 886 km². Regional news is broadcasted to about 256 000 inhabitants with 125 000 TV sets. Specialized programming is consumer programmes, religion and entertainment. In addition the regional TV station has a local production unit in Skelleftea.

Midtnytt (Sundsvall, Region – North)The station has a staff of approx. 65. It covers the counties Jämtland County and Vesternorrland County; an area of 77 331 km². Regional news

⁹⁷ Swedish Television's Public Service-Report 2002 (Sveriges Televisions Public Service-Redovisning 2002)

is broadcasted to about 500 000 inhabitants with 250 000 TV sets. Specialized programming is wildlife programmes, music, entertainment, news and culture. In addition there are production units in Ostersund and Sundsvall.

In 2002 Mittnytt produced the nature programme Mitt i naturen (In the middle of nature) for the national SVT, a feature letting the journalist describing the nature from south to north.

Gävledala (Falun, Region Central) The station has a staff of approximately 65. It covers the counties Dalarna and Gavleborg; an area of 50 118 km². Regional news is broadcasted to about 544 000 inhabitants with 325 000 TV sets. Specialized programming is regional cars, traffic and travelling and special service for deaf people.

They broadcast four times on weekdays and two times on Sundays.

There is another station in the region; **Leksand** with a staff of approximately 40. It produces a national news programme for the deaf. It is broadcast on weekdays. Specialized programming for deaf children and young people. In addition there is a local production unit in Gavle.

Värmlandsnytt (Karlstad, Region Central) is a station with a staff of approximately 45. It covers Varmland County; an area of 19 371 km². Regional news is broadcasted to an area of 274 000 inhabitants with 150 000 TV sets. Specialized programming is medicine, environment, entertainment, youth programmes.

Tvärsnytt (Örebro, Region Central) is a station with a staff of approximately 60. It covers the counties of Örebro and Västernorrmandsland; an area of 32 435 km². Regional news is broadcasted to an area of 533 000 inhabitants with 300 000 TV sets. Specialized programming is regional news, music, entertainment and religion. There are production units in both Eskilstuna and Vasteras.

Östnytt (Norrköping, Region Central) is a station with a staff of approx 80. Covers the counties of Södermanland, Gotland and Östergotland; an area of 21 383 km². Regional news is broadcast to 733 000 inhabitants with 400 000 TV sets. About 25 percent of them watch the station every day. Specialized programming is entertainment, regional news, natural science and religion.

There are production units in Visby and Eskilstuna.

In 2002 Östnytt produced the programme Nova for the national SVT. It was a program on Swedish research and with a feature about many Swedish universities. Moreover the program told about archaeology, gene-modifications in Skåne and industrial techniques in Mjölby.

Västnytt (Göteborg, West Region) is a station with a staff of approximately 40. It covers the counties of Västergötland and Halland; an area of 31 054 km². Regional news is broadcast to nearly 1.8 million people. Halmstad is the biggest city in the region with 87 372 inhabitants. Specialized programming is drama, entertainment, culture and music. There are production units in Halmstad, Borås and Uddevalla.

Smålandsnytt (Växjö, Region South) started in 1983 and has a staff of approximately 80. It covers the counties of Kalmar, Jonköping and Kronoberg; an area of 32 342 km². Regional news is broadcasted to about 741 000 inhabitants with 360 000 TV sets. About 200 000 of them are watching the news daily. The nature of the programmes is: music and youth programmes.

There are production units in Jönköping and Kalmar.

Sydnytt (Malmö, Region South) is a station with a staff of approximately 45. It covers the counties of Skåne and Blekinge; an area of 14 397 km². Regional news is broadcasted to approximately 1.3 million inhabitants with 650 000 TV sets. The programmes transmitted are: entertainment, current affairs, religion, music, culture, drama, youth, news and sport. In addition, there is a production units in Kalskrona in the eastern part of the region.

The station co-operates with the Danish regional TV2 station, TV2 Lorry in the project Project Iland (Projekt Ø). The idea with the project is to stress the integration between the two regions, and the project is supported financially within the frames of Interreg IIIA. Project O is a TV-programme in feature format with focus on questions about integration. It is broadcasted on both sides of Oresund. On the regional TV2 Lorry in Denmark every Tuesday at 11:58 and in Sweden on the national SVT 2 at 16:00. Four journalists are producing the features and news. Two from Denmark and two from Sweden.

SVT ABC (Stockholm, Region Capital) is situated in the capital of Sweden. It covers the counties of Uppsala and Stockholm and is the region in Sweden with most people per km² with nearly 2.2 million people. The area is 13 968 km². Every day nearly 500 000 are watching the station, which make it the most watched regional newsprogramme in Swedish Television. They broadcast from the same house as the national SVT TV2.

The station has a newly opened production unit in Uppsala.

7. Experiences of digital terrestrial television

Terrestrial digital television was introduced in 1999 – initially in the five regional SVT channels, Nordnytt, Västnytt, Sydnytt, Östnytt and ABC. The stations could at that time reach roughly half of the population. Both SVT channels and all the principal commercial channels were included.

All of the 11 regional SVT channels can moreover be seen via satellite.

On 15 March 1999 the national SVT started broadcasting digital terrestrial television on the channel SVT24. Since it has broadcasted news and actuality-programmes in Swedish 24 hours on weekdays. At the end of 2000, 12 percent were able to watch the channel (or about 1 million Swedes). It was brought on digital terrestrial network, cable and via satellite. In 2002 SVT24 broadcasted 8 700 hours, 24 hours all days. Nearly 900 hours were news from the programme Aktuellt, the news Rapport or news and production from all the regional SVT channels.

On the 28th of May 2003 the Swedish Parliament decided that analogue television broadcasting in Sweden will be switched off by the 1st of February 2008. Terrestrial television will then be all digital. The switch-off will be realized in steps. The Government will develop the details regarding switch-off, expected to be presented to Parliament early 2004. This also concerns questions such as the digital coverage and the licensing method.