

Pursuant to Article 20, Paragraph 1, Indents 1 and 15, of the Law on Audio and Audiovisual Media Services (“Official Gazette of the Republic of Macedonia,” Nos 184/13, 13/14, 44/14, 101/14, 132/14, 142/16 and 132/17), and Article 10, Paragraphs 1 and 3, and Article 39, Paragraph 1, Indents 1 and 15, of the Rules of Procedure of the Agency for Audio and Audiovisual Media Services, No.01-4351/1 of 29.08.2014, in relation to Article 20, Paragraph 1, Indent 8, Article 27 and Article 67, Paragraph 6 of this Law, the Director of the Agency adopted the following

## **GUIDELINES**

### **ON MONITORING THE IMPLEMENTATION OF THE PROGRAMME CONCEPT**

#### **I. GENERAL PROVISIONS**

1. These Guidelines determine the method of and criteria for monitoring the fulfillment of the obligation laid down in Article 67, Paragraph 6 of the Law on Audio and Audiovisual Media Services (LAAVMS), according to which broadcasters are obligated to carry out, on a weekly basis, minimum 80 % of their programme concepts, for which they have been issued a broadcasting license.
2. The programme concept is a component of the television or radio broadcasting license, which is submitted to the Agency for Audio and Audiovisual Media Services in the procedure for obtaining the license. It defines the format of the broadcaster’s programming service and the basic substantial directions for its operation. The programme concepts of the broadcasters are available to the public through the Agency’s website.
3. Monitoring of the observance of the obligation laid down in Article 67, Paragraph 6, of the LAAVMS is carried out by means of:
  - analysis of the content of the total programme aired by the broadcaster in the course of one week (from Monday to Sunday), and
  - comparison of the findings of the analysis to the programme concept of the broadcaster.

4. Considering that, in accordance with Article 67, Paragraph 6 of the LAAVMS, broadcasters are obligated to carry out minimum 80 % of the programme concepts for which they have obtained their licenses, analysis of the content of the total programme aired may be made during any past week of the year, chosen randomly. When selecting the week (the seven-day span) to be analyzed, one should make sure:
  - to select a week for which the Agency has the complete recording of the broadcaster's week-long programme, and
  - not to select a week within an election campaigning period or during which the broadcaster has aired programmes of events of major significance or other events in which there is considerable interest among the public, and have the capacity to influence, i.e. disturb the broadcaster's regular programme scheme.

## II. PROGRAMME CONCEPT MONITORING CRITERIA

5. The programme concept consists of several elements related to the broadcaster's programme. Taken into account as monitoring criteria are the elements the observance of which may be inspected by means of an analysis of the total week-long programme selected, as follows:
  - the format of the programme service;
  - the language in which the programme is broadcasted;
  - the amount of the broadcaster's own programme aired on a weekly basis;
  - the amount of Macedonian audio and audiovisual works aired on a weekly basis, and
  - in the case of broadcasters airing programme at the local and regional levels, the amount of programmes that cover events, information and other contents of relevance to the area in which the programming service at issue is aired.
6. The format of the programming service and the language in which the programme is broadcasted are criteria that are obligatory for all broadcasters when doing the monitoring.
7. The amount of Macedonian audio or audiovisual works is a criterion applied in the monitoring of only the broadcasters that have reported, in their programme

concepts, presence of these works on a daily basis that is greater than the legally defined minimum.

8. The presence of their own programme on a weekly basis and the amount of programmes that address events, information and other contents of relevance to the area in which the particular programme service is broadcasted, in the case of the broadcasters that air programme at the local and regional levels, is taken into account as monitoring criterion only with broadcasters the formats of which are defined on the basis of the talk portion of their programme.
9. Each of the criteria on the basis of which the assessment of the programme concept observance is done have different weight for different kinds of broadcasters (according to the formats of their programming services). The value of the criteria is expressed in points and percentages.

### III. EVALUATION OF THE MONITORING CRITERIA

10. With broadcasters the fulfillment of the programme concept of which is assessed by applying all 5 criteria (the format of the programme service; the language in which the programme is broadcasted; the amount of the broadcaster's own programme; the amount of Macedonian audio and audiovisual works, and the amount of programmes that cover events, information and other contents of relevance to the area in which the programming service at issue is aired), the observance of the criteria is evaluated in the following way:

| <b>Monitoring criteria</b>                              | <b>Points</b> | <b>%</b>    |
|---|---------------|-------------|
| Format  | 40            | 40%         |
| Language  | 25            | 25%         |
| Own programme   | 5             | 5%          |
| Macedonian audio or audiovisual works                   | 5             | 5%          |
| Information and other contents of relevance to the area | 25            | 25%         |
| <b>Total</b>  | <b>100</b>    | <b>100%</b> |

11. With broadcasters the fulfillment of the programme concept of which is assessed by applying 4 criteria (the format of the programme service; the language in which the programme is broadcasted; the amount of the broadcaster's own programme, and the amount of Macedonian audio and audiovisual works aired), the observance of the criteria is evaluated in the following way:

| <b>Monitoring criteria</b>            | <b>Points</b> | <b>%</b>    |
|---------------------------------------|---------------|-------------|
| Format                                | 65            | 65%         |
| Language                              | 25            | 25%         |
| Own programme                         | 5             | 5%          |
| Macedonian audio or audiovisual works | 5             | 5%          |
| <b>Total</b>                          | <b>100</b>    | <b>100%</b> |

12. With broadcasters the fulfillment of the programme concept of which is assessed by applying 3 criteria (the format of the programme service; the language in which the programme is broadcasted; and the amount of Macedonian audio and audiovisual works aired), the observance of the criteria is evaluated in the following way:

| <b>Monitoring criteria</b>            | <b>Points</b> | <b>%</b>    |
|---------------------------------------|---------------|-------------|
| Format                                | 70            | 70%         |
| Language                              | 25            | 25%         |
| Macedonian audio or audiovisual works | 5             | 5%          |
| <b>Total</b>                          | <b>100</b>    | <b>100%</b> |

#### IV. METHOD OF EVALUATION

13. If a broadcaster the programme service of which is being monitored has not reported within its programme concept presence of Macedonian audio or audiovisual works that is greater than the legally defined minimum, the points allocated for this criterion (5) are added to the 'format' criterion.

14. If a broadcaster has reported within its programme concept presence of Macedonian audio or audiovisual works that is greater than the legally defined minimum, then the points allocated for this criterion (5) are granted only if the analysis of the total selected week-long programme shows that the broadcaster has met at least 2/3 (two thirds) of the percentage above the legal minimum.
15. As the Rulebook on the Formats of Broadcasters' Programme Services (*Official Gazette of the Republic of Macedonia* No. 172/2014) provides sufficient flexibility, so that the broadcasters could easily abide by the format of the programming service specified in their broadcasting license, no points shall be granted on behalf of the 'format' criterion should the analysis of the total selected week-long programme show that the broadcaster has gone beyond the format.
16. No points shall be granted for the 'format' criterion in case the analysis of the total selected week-long programme shows that the broadcaster has met the format only formally, without any real daily or current journalist engagement in at least half of the programmes that have had the function to inform.
17. The points for the 'language' criterion shall be granted only if the analysis of the total selected week-long programme shows that the broadcaster has been airing its programme in the language or languages stated in the programme concept.
18. The points allocated for the 'presence of own programme' criterion (5) and the criterion concerning the 'presence of programmes that address events, information and other contents of relevance to the area in which the particular programme service is broadcasted' (25), are calculated when assessing the observance of the programme concept, only if the analysis of the total selected week-long programme shows that the broadcaster has met at least 2/3 (two thirds) of what it has registered as part of its programme concept for each of the two criteria in particular.

## V. FINAL PROVISIONS

19. These Guidelines shall enter into force on the day of their adoption, and shall be published on the website of the Agency for Audio and Audiovisual Media Services.

No.01-2265/1  
03.05.2018  
Skopje

Agency for Audio and Audiovisual Media Services  
Director,

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Zoran TRAJCHEVSKI, Ph.D.

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