



NEWSLETTER

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Regulatory Authorities of the Republic of Bulgaria and Republic of Macedonia Hold



On 26 October 2018, at the premises of the Agency, Director Zoran Trajchevski had a bilateral meeting with representatives of the regulatory body for electronic media of the Republic of Bulgaria. The participants in the meeting discussed a number of issues and the practical experiences of the two regulators in their everyday operations, placing a special accent on the development of media literacy.

During the meeting, it was concluded that there was an exceptional cooperation between the two countries in the area of media regulation, but that there was still room for promoting it even further.

Regulatory bodies of the Republic of Macedonia and Bosnia and Herzegovina sign Protocol on Cooperation



The Agency for Audio and Audiovisual Media Services and the Regulatory Agency for Communications of Bosnia and Herzegovina held a bilateral meeting on 25 and 26 October 2018 in Sarajevo, at which they signed a Memorandum of Cooperation in the area of media regulation.

As part of the two-day bilateral meeting, the representatives of the two Agencies discussed the setups and the functioning of their respective regulatory bodies and the competences of their Agency Councils; exchanged experiences on the distribution of foreign programmes via electronic communication networks, the presence and treatment of marginalized groups in the media and the accessibility of the broadcasters' programmes to the persons with disabilities.

Both sides came to the conclusion that such meetings are of special importance for the promotion and expansion of cooperation between the two regulatory authorities, particularly when it comes to issues of common interest.

Guidelines on Meeting the Requirements to Publish Impressum and Information that Should Be Made Available to the Users

In October, the Agency adopted the Guidelines on Meeting the Requirements to Publish an Impressum and Information Available to the Users.

The Guidelines define the actions all broadcasters should take to fulfill the obligations arising from the Law on Media, when it comes to the Impressum, and the Law on Audio and Audiovisual Media Services with regard to information that should be made available to the users.

The Guidelines on Meeting the Requirements to Publish an Impressum and Information Available to the Users are available at www.avmu.mk

Data on the Radio Stations' Reach and TV Stations' Share in the Total Viewership – Q 3 2018

In October, the Agency published the data on the radio stations' reach and TV stations share in the total viewership during the third quarter of 2018. The same are available at the following website: www.avmu.mk.



АГЕНЦИЈА ЗА АУДИО И
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Referendum 2018

The Agency issued press releases on several occasions to inform about the broadcasters' media coverage during the Referendum.

Following the monitoring of the way the radio and television stations during the Referendum, the Agency informed on 1 October that none of the broadcasters that had been subject to monitoring had violated the pre-referendum silence. The broadcasters met their professional obligation to keep the citizens informed within a specific context typical of a pre-referendum blackout, without violating the rules.

On 3 October, the Agency informed that the monitoring in the period from 21 until 27 September, had found seven broadcasters in violation of the Guidelines for Media Coverage during Referenda. Contrary to Point 34 of the Guidelines, 1 TV had aired paid public propaganda as part of the special information programme titled "Otvoreno Studio 1" (Open Studio 1). The same broadcaster had violated the Guidelines on other grounds as well – Point 28 – as it had aired paid public propaganda "IN FAVOUR" of the Referendum, commissioned by the Parliament of the Republic of Macedonia, much longer than the permitted 4 minutes and 30 seconds. The air time allocated for this client drastically exceeded the ratio of the duration of the media coverage – 59 % "For" and 41 % "Against" – defined by the Action Guidelines of the Parliament's Coordinative Body regarding the running of the public propaganda and their amendments and supplements. Misdemeanour proceedings were initiated against the broadcaster due to these violations. Violation of Point 28 was detected with ALSAT-M, KANAL 5, Telma, SITEL, 21 TV and 24 VESTI TV, as well, but the duration of the paid public propaganda by one interested entity – the Parliament of the Republic of Macedonia again – was within the frameworks of the time ratio defined by the Parliament's Coordinative Body.

The Agency Council discussed these violations, although they were not within its direct competence, since they were still within the scope of the regulator's work. The Council took the stand that, in conditions of insufficient clearness and discordancy of the relevant regulations and the different directions that the media had received from the SEC, AAVMS and the Parliament's Coordinative Body, no misdemeanor procedures should be initiated. The broadcasters had abided by the Action Guidelines of the Parliament's Coordinative Body concerning the running of public propaganda and their amendments and supplements, according to which the ratio of the duration of the media coverage was 59 % "For" and 41 % "Against". Considering the stance of the Council, the Agency Director decided not to initiate misdemeanor proceedings against ALSAT-M, KANAL 5, TELMA, SITEL, 21 TV or 24 VESTI TV. The Agency published the second monitoring report on the media coverage of the 2018 Referendum, which covered the period from 19 until 27 September 2018, on 4 October 2018. The monitoring results showed that, in general, the media covered by the monitoring had continued their efforts to provide information on the diverse aspects of the referendum process in the second reporting period as well. With most of the broadcasters, one could notice greater presence of the standpoints "IN FAVOUR" of the Referendum, whereas none of the media outlets aired items favouring the stance "AGAINST", which was a result of the fact that there was no agitation in favour of this option. The information on the activities and standpoints favouring "BOYCOTT" of the Referendum were less present and referred mainly to the statements of President Gjorgje Ivanov, the Crisis Headquarters of "Macedonia Boycotts", the World Macedonian Congress and The Left. Unlike the daily information shows, the majority of broadcasters strove to provide versatility of standpoints in their special information programmes.

On 5 October, the Agency published an Overview of the Public Propaganda for the 2018 Referendum. The overview data regarding the allocated air time were obtained on the basis of an analysis of the entire programme that the state-level broadcasters had been airing in the period from 10 until 27 September.

Supervisions over Broadcasters, Print Media and OPECN

Broadcasters

The Agency conducted regular programme supervision over the radio stations of Hepi Radio, Kapitol FM, Lajf, Rosa-AB, EF-EM 90.03 Sportsko Radio and Radio Vat, regarding their observance of the legal provisions defining the rules for airing audio commercial communications, quizzes and other forms of award-winning participation, lottery games the language use in their programmes and the quota for airing radio programme on a daily basis. The same broadcasters were also subjected to administrative supervision regarding their obligation to publish Impressums, as well as information that should be made available to the users and the broadcaster's identification. The supervision showed that Lajf Radio, Radio Rosa-AB and EF-EM 90.03 Sportsko Radio had failed to publish information that they need to make available to the users.

The Agency conducted regular programme supervision over Alsat-M TV, Alfa TV, Kanal 5 TV, Sitel TV and Telma TV, concerning their fulfillment of the legal provisions pertaining to minors' protection from programmes that may harm their physical, psychological or moral development, the rules on airing audiovisual commercial communications, quizzes and other forms of prize-giving programmes, as well as the use of value-added telephone services, tele-voting and lottery games. The same media outlets were subject to regular administrative supervision regarding their obligations to publish an Impressum, information that should be made available to the users, and the broadcaster's identification. The supervision showed that the broadcasters had acted in line with the legal provisions of the Law on Media and the Law on AAVMS.



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Control programme supervision was conducted over the work of Kocani LD TV, Svet TV, Zdravkin TV, Uskana Eden TV and the RFM Radio, to establish if they had acted upon the Agency's Decisions imposing warning measures against them. The supervision found that, on 17 September 2018, Kocani LD TV had failed to provide the information that it should make available to the users; on 6 October 2018, Zdravkin TV had aired the cinematographic movie "Venus & Vegas", labelled as not recommended for children below 12 years of age at an inappropriate period of the day; while, in the period from 6 until 12 August 2018, the RFM Radio had failed to carry out at least 80 % of the programming concept prescribed by the license issued to it. Svet TV and Uskana TV had acted in line with the imposed warning measures.

Print Media

During a regular administrative supervision conducted over all print media publishers, the Agency established that the Repro Print DOOEL Skopje publisher of the "Nova Makedonija" daily had failed to state the circulation in its edition of 22-23 October 2018, while ATV Media Kompani DOOEL Skopje publisher of the "Lajm" daily had failed to publish data about its editor in chief in the edition of 22 October 2018. The supervision over Marks Step DOOEL Skopje, publisher of the "Skopsko Eho" weekly, found, in the edition of 18 October 2018, the printing house address was missing. Due to these violations, the three print media publishers were issued warning measures and given 30-day deadlines to harmonize their work with the provisions of the Media Law. The Agency conducted regular administrative supervision over 23 print media publishers to establish if they had published Impressums, data about their headquarters, printing house, dates of print and reprint, and circulations, as obligations arising from the Media Law. The supervision found that 26 print media covered by the supervision met the requirements in full, while the "Nova Makedonija" and "Lajm" dailies and the "Skopsko Eho" weekly had met the requirements under Article 14, Paragraph 1, of the Media Law only partially.

The Agency conducted regular administrative supervision over ZAMAN DOOEL Skopje, publisher of the ZAMAN weekly and the "Zaman Shqip" magazine, and ARS LAMINA DOO Skopje, publisher of the "Mini Libi" and "Libi" Magazines in the Macedonian and Albanian languages, to check if the latter observed the obligations laid down in the Media Law, to publish Impressums, data about their headquarters, printing plant, dates of print or reprint and their circulations. The supervision showed that the above print media had met their legal obligations.

Operators of Public Electronic Communication Networks

Regular programme supervision was conducted over the Makedonski Telekom, Neotel, Kombo 2003 and Signal-Net, Total TV and ONE.VIP cable operators, regarding their obligations to register their programming services with the Agency and provide subtitles in their programmes. The supervision over these operators found no violations. The Agency also conducted an ad hoc programme supervision over the Multimedia-Net cable operator from Skopje, concerning its observance of the rules on retransmitting programming services that contain pornography, subtitling and retransmission of services by domestic broadcasters only within the service zone for which the broadcaster had received the TV or radio broadcasting license, and for retransmitting programming services registered with the Agency.

The supervision showed that this operator had been retransmitting the programming services of RTS 1, RTS 2, Ring TV, Cartoon Network, Boomerang, Erox, Eroxxx, Film Box Plus, Film Box, Docu Box, Fight Box, Fashion Box, Sport Klub 1, Sport Klub 2, Sport Klub 3, Sport Klub 4, Lov i Ribolov, Cinemania, Sky Sport 2, Action TV, HBO, Tring Sport 3, Tring Sport 2, RTL, Vox, RTL 2, Super RTL, HRT 2, Duga TV, Nova TV (Croatian) and Hustler, which had not been covered by the registration certificates issued by the Agency, due to which it was issued a warning measure. The subsequent control supervision found that the operator had acted in full upon the said Decision.

The Agency for Audio and Audiovisual Media Services conducted control programme supervision over the IP SISTEMS cable operator from Kumanovo, to establish if the above had acted upon the warning decision to terminate the retransmission of the programming services, which had been sent to it by the Agency, due to failure to observe the requirement for registration of the programming services with the Agency. The supervision showed that IP SISTEMS had acted upon the above Decision, sent to it by the Agency, in full.

