

Pursuant to Article 18, Paragraph 1, Indent 8, and Article 20, Paragraph 1, Indent 11,¹ 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, 132/17, 168/18, 248/18, 27/19) and the Law Amending the Law on Audio and Audiovisual Media Services ("Official Gazette of the Republic of North Macedonia" Nos 42/20 and 77/21); Article 15, Paragraph 1, Indent 7, and Article 39, Paragraph 1, Indent 11 of the Rules of Procedure of the Agency for Audio and Audiovisual Media Services (Consolidated Text) No. 01-3732/1, dated 29.07.2019, and, in accordance with the Conclusion of the Council of the Agency No. 02-2699/3, dated 22.07.2021, a Consolidated Text was prepared of the Rulebook Concerning the Obligations to Broadcast Macedonian Audiovisual Works and Music.

The Consolidated Text of the Rulebook Concerning the Obligations to Broadcast Macedonian Audiovisual Works and Music incorporates the following: Rulebook on the Obligations to Broadcast Originally Created Programmes, Music, Documentaries and Feature Programmes No. 01-5976/1, dated 04.12.2014, and Rulebook No. 01-2775/1, dated 22.07.2021, Amending and Supplementing the Rulebook on the Obligations to Broadcast Originally Created Programme, Music, Documentary and Feature Programmes No. 01-5976/1, dated 04.12.2014.

RULEBOOK ON THE OBLIGATIONS TO BROADCAST MACEDONIAN AUDIOVISUAL WORKS AND MUSIC (Consolidated Text)

I. GENERAL PROVISIONS

Article 1 Subject of the Rulebook

This Rulebook prescribes the manner of implementing the provisions under Article 92 of the Law on Audio and Audiovisual Media Services, in terms of broadcasters' obligations to air programme originally created as Macedonian audiovisual works in the Macedonian language or in the languages of the ethnic communities that do not constitute the majority in the Republic of North Macedonia, and to broadcast instrumental, vocal and/or vocal-instrumental music originally created in the Republic of North Macedonia.

Article 2 Definitions

The following terms used in this Rulebook shall have the following meaning:

Programme originally created as Macedonian audiovisual works in the Macedonian language or the languages of the ethnic communities that do not constitute a majority in the Republic of North Macedonia (hereinafter: Macedonian audiovisual works) shall refer to programme/works produced originally by citizens of the Republic of North Macedonia, as well as to works belonging to the audiovisual cultural heritage of the Republic of North Macedonia.

Works belonging to the audiovisual cultural heritage of the Republic of North Macedonia shall mean audiovisual goods and phonotheque goods that are cultural heritage of the Republic of North Macedonia and that are intended for public screening/airing.

Own production programme is a television programme created on the initiative of and organized by a broadcaster themselves. The programme created upon order by a broadcaster (ordered production), as well as the programme produced as co-production, shall also be considered as self-produced programme.

II. MACEDONIAN AUDIOVISUAL WORKS

Article 3

¹ Indents 8 and 9 have been deleted; please see Article 8 of the Law Amending and Supplementing the Law on Audio and Audiovisual Media Services ("Official Gazette of the Republic of Macedonia", No. 248/18).

What shall be considered as Macedonian audiovisual works

Based on their production, the Macedonian audiovisual works may be a broadcaster's own productions or created by other broadcasters or by independent producers established in the Republic of North Macedonia.

Programmes that are a broadcaster's own production and programmes by independent producers established in the Republic of North Macedonia, made as co-productions with broadcasters or producers from other countries, shall be considered as Macedonian audiovisual works if at least half of the persons on the creative team who have taken part in the programme's creation (screenwriter, director, editor, director of photography, cameraperson, composer, host/s, author of the programme content, etc.) are citizens of the Republic of North Macedonia.

As regards genre traits, Macedonian audiovisual works shall include all types of programmes aired by a broadcaster, except for the newscasts or television journals; the broadcasts or footages of sessions of the authorities; broadcasts or footages of socio-political events; horoscope, tarot, psychic or dream interpretation programmes; music videos and contents not subject to the classification specified under Point 17 of the Guidelines on the Method of Classifying the Types of Audiovisual and Audio Programmes² (audiovisual commercial communications; announcements by the broadcasters regarding their own programme; announcements of public interest; charity fundraising appeals; intermezzos; religious programmes, sermons and services; programmes about physical culture and recreation; opening and end credits, jingles and TV test cards).

Article 4

Language in which the obligation shall be fulfilled

The Public Broadcasting Service shall fulfill the obligation to broadcast Macedonian audiovisual works in the Macedonian language or in the languages of the ethnic communities that do not constitute the majority in the Republic of North Macedonia, in the language or languages in which the programming services shall be broadcasted.

Commercial broadcasting companies that air television programming services shall be obliged to fulfill the obligation to broadcast Macedonian audiovisual works in the language(s) in which they broadcast the spoken part of their respective programming services, in tune with their television broadcasting licenses.

Commercial broadcasting companies that are obligated under their respective broadcasting licenses to broadcast the spoken part of their television programming services in several languages, may fulfill the obligation to air Macedonian audiovisual works in all the languages specified in their respective licenses.

Article 5

Premier broadcasting

Calculated within the Macedonian audiovisual works quota shall be only the premier broadcasting of the types of programme in the course of a single day and night, for each broadcaster individually.

Article 6

Method of calculating the percentage

The mandatory percentage for Macedonian audiovisual works shall be calculated based on the total programme broadcasting time in the course of a single day and night, with the exception of the time that falls airing contents that are not subject to classification as specified in Point 17 of the Guidelines on the Method of Classifying the Types of Audiovisual and Audio Programmes.

Article 7

Announcing works belonging to the audiovisual cultural heritage of the Republic of North Macedonia

² The Guidelines on the Method of Classifying the Types of Audiovisual and Audio Programmes was published in the "Official Gazette of the Republic of Macedonia" No. 171/14, and is available on the website of the Agency for Audio and Audiovisual Media Services, at the following link: <https://avmu.mk/legislativa/domasna-legislativa/podzakonski-akti/elektronski-mediumi/>

The broadcasting of programmes that are works belonging to the audiovisual cultural heritage of the Republic of North Macedonia should be preceded by a suitable verbal or visual announcement stating the name of the author, the title of the work, the year of production and other information about the work.

III. MUSIC AIRED BY THE RADIO PROGRAMMING SERVICES OF THE PUBLIC BROADCASTING SERVICE

Article 8

Method of calculating the required music broadcasting quota

The mandatory percentage of instrumental, vocal and/or vocal-instrumental music originating in the Republic of North Macedonia for the radio programming services shall be calculated based on the total of music of all types and genres they air in the course of a single day and night.

Article 9

Language in which the music broadcasting obligation shall be fulfilled

The Public Broadcasting Service shall fulfill the obligation to broadcast vocal and/or vocal-instrumental music originally created in the Republic of North Macedonia in the Macedonian language or in the languages of the ethnic communities that do not constitute the majority in the Republic of North Macedonia in the language or languages in which its respective programming services are aired.

IV. FINAL PROVISIONS

Article 10

(Article 15 of the Rulebook on the Obligations for Broadcasting Originally Created Programmes, Music, Documentaries and Feature Programmes, No. 01-5976/1, dated 04.12.2014)

Once this Rulebook enters into force, the Rulebook on Implementing the Provisions Related to Protecting and Fostering Cultural Identity ("Official Gazette of the Republic of Macedonia" No. 113/06) shall cease to be valid.

Article 11

(Article 16 of the Rulebook on the Obligations for Broadcasting Originally Created Programmes, Music, Documentaries and Feature Programmes No. 01-5976/1, dated 04.12.2014)

This Rulebook shall enter into force the day after that of its publication in the "Official Gazette of the Republic of Macedonia".

Article 12

(Article 16 of Rulebook No. 01-2775/1, dated 22.07.2021, Amending and Supplementing the Rulebook on the Obligations for Broadcasting Originally Created Programmes, Music, Documentaries and Feature Programmes, No. 01-5976/1, dated 04.12.2014)

The Rulebook Amending and Supplementing the Rulebook on the Obligations for Broadcasting Originally Created Programme, Music, Documentaries and Feature Programme No. 01-5976/1, dated 04.12.2014, shall enter into force the day following that of its publication in the "Official Gazette of the Republic of North Macedonia," and shall be published on the website of the Agency for Audio and Audiovisual Media Services.

**No. 01-2876
29-07.2021**

Skopje

Agency for Audio and Audiovisual Media Services

President of the Council,

Lazo PETRUSHEVSKI