

**The Netherlands**  
**Commissariaat voor de Media (CvdM)**  
**Vilnius meeting**  
**EPRA Country Report May 2013 – October 2013**

**New organisation of CvdM**

As addressed in a few previous country reports the CvdM decided to change its organization structure radically. This in order to cope with the big budget cuts we are confronted with (711,000 euro yearly on structural basis from 2018) and in order to perform our legal tasks more efficiently. Per 1 September the total number of fte's is decreased by almost 20 to 35. From that date there will be two main departments:

The department of *Investigation and Access* which will be dealing with licensing of linear media services, registration of on-demand media services and all kinds of investigation and monitoring activities. Mr. Wim Groen is the head of this new department.

The second department: *Enforcement Policy and Application* will be responsible for the development and application in practice of enforcement policies. This department will be dealing with legal affairs and procedures and is headed by Mrs. Suzanne Poelmann.

Furthermore there are two separate units: *External Affairs and Advisory* dealing with external relations, communications and general advices to the ministry and the unit of *Facility Affairs* responsible for internal business like archive and secretary.

**New commissioner CvdM**

Per 1 September 2013 a new commissioner has been appointed. Jan Buné will join the board of commissioners, which from that date will consist again of 3 persons. Jan Buné worked as a Senior Partner until 1 June for the firm Deloitte Accountants. Being an expert in accountancy Mr. Buné will be responsible for financial supervision within the CvdM. Other positions and sideline activities of Mr. Buné are: Arbitrator at the Netherlands Arbitration Institute (NAI) and Member of the Supervisory Board of Artis Natura Magistra; the Royal Amsterdam Zoo.

**New Muslim broadcaster**

The CvdM allocates once in five years national broadcasting time to organisations which represent the main religious and spiritual movements in our society (article 2.42 Media Act). The CvdM can allocate broadcasting time to only one representative organisation of each main religion or spiritual movement in the Netherlands. The allocation of broadcasting time to a representative Muslim organization leaded to a lot of procedures. Since the licensee did not longer represent in a sufficient manner the Muslim community in our country the CvdM had to withdraw the license. After many consultations and hearings the CvdM granted a license until 31 December 2015 to a new applicant, called SZW. The current system of autonomous religious and spiritual broadcasters will come to end and they all have to join existing public service broadcasters. NPO (National Public Broadcasting) has the legal mission to offer a programme that caters for the needs of the main religions and spiritual movements in Dutch society. Within the NPO, the NTR, the Dutch Programme Foundation, will be responsible for that. The financial and administrative matters of the new Muslim broadcaster are already taken care of by NTR.

### **Advertising rules better respected by broadcasters**

In its annual report over 2012 the CvdM draws the conclusion that broadcasters comply more to the advertising rules and especially the hourly advertising maximum. In 2012 the CvdM observed no more large overruns of the 12 minutes limit per hour. And already from 2010 there are no more serious infringements compared to the previous years. The CvdM concludes this is a result of its strict supervision and monitoring methods in order to safeguard level playing field for all broadcasters targeting Dutch market and audience.

### **Parliament adopts new bill on cable access**

As a result of the Broadcasting Distribution Bill the current system that regulates access to the cable will be changed radically. In the future situation cable operators and other parties operating distribution platforms will be obliged to transmit on their networks at least thirty digital TV channels. Those that are not (yet) transmitting digital programs or have an offer of less than thirty TV channels have a transitional period of five to meet new requirements. Within these 30 channels, at least the public must-carry channels (the Dutch and Flemish public TV and radio stations) should be included. When it comes to radio the operator is free to decide how many digital radio channels he is going to offer as long as at least the public must-carry radio channels are part of the package. In the new system, the transmission of at least 30 channels is considered to be sufficient diverse. So there will be no longer a legal advisory role for the programme council. Another important change is the new system will not only apply to cable operators but also to other digital distribution platforms. The new Bill will now be submitted to the Senate and the new system is expected to come into effect from 2014.

### **New budget cuts announced for CvdM**

On Tuesday 17<sup>th</sup> of September the CvdM has been confronted with new budget cuts for the near future. Traditionally on the third Tuesday of September the reigning monarch of the Netherlands (currently King Willem-Alexander) addresses a joint session of the Dutch Senate and House of Representatives in the Ridderzaal or Hall of Knights in The Hague. The Speech from the Throne (Dutch: Troonrede) sets out the main features of government policy for the coming parliamentary session. On this day also the budget plan for the upcoming year is presented by the government. In the media chapter of the budget plan for 2014 it is announced that on all autonomous administrative bodies including the CvdM new budget cuts will be imposed. In 2016, there will be a reduction of € 202.000, increasing to the amount of € 458.000 in 2017 and € 559.000 in 2018. Note that these budget cuts come in addition to the general budget cut of 711,000 euro yearly on structural basis from 2018. So in total the CvdM will be losing more than 1/3 of its budget, this meanwhile it has been assigned with many new tasks and activities in the recent past.