



REPUBLIC OF MACEDONIA
AGENCY FOR AUDIO AND AUDIOVISUAL MEDIA SERVICES
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COUNTRY REPORT, REPUBLIC OF MACEDONIA

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Replacement of licenses for performing broadcasting activity by television and radio broadcasting licenses

In accordance with the Law on Audio and Audiovisual Media Services, the Agency for Audio and Audiovisual Media Services was obliged, in the line of its duty, to replace the then valid licenses for performing broadcasting activity with new ones – for television or radio broadcasting – within 90 days from the date of adopting the decision to elect the Agency's director.

The Agency's Council adopted a Decision to replace 133 broadcasting licenses by new television and radio broadcasting licenses.

These will be valid for nine years starting from the day of issuance of the new license.

Adoption of bylaws

In the period from September 2014 until early April 2015, the Agency undertook extensive activities to define and complete the bylaws arising from the Law on Audio and Audiovisual Media Services. A total of 41 bylaws were adopted, 22 of which arise from the Law on Audio and Audiovisual Media Services and concern the broadcasters, the operators of public electronic communications networks, the providers of on-demand audiovisual media services while others tackle the Agency's regular operations. The bylaws were prepared with the expert assistance and support through the IPA 2009 Project on "Enhancing the Administrative Capacities of Telecom and Media Authorities for Efficient Regulation of New Digital and Multiple Play Services," financed by the European Commission according to the IPA frameworks. The adoption of all documents (guides, rulebooks, decisions) was carried out following a strict procedure that ensured transparency and inclusion of the public.

Supervision over the media publishers, operators of public electronic communication networks and providers of on-demand audiovisual media services

In accordance with the Law on Audio and Audiovisual Media Services, the Agency conducts programme, administrative and expert supervisions.

Program supervision was conducted over broadcasters concerning audio and audiovisual commercial communications obligations, protection of the minors, fostering and protection of cultural identity.

The work of the operators of public electronic communications networks was controlled by regular, extraordinary and control supervisions. The most common violations were retransmitting unregistered program services and providing subtitles in languages different than Macedonian or the language of the

community that does not constitute the majority but is spoken by at least 20 % of the citizens in the Republic of Macedonia whereas.

Administrative supervision over the broadcasters was conducted in terms of their fulfillment of the obligations to publish imprints, make information accessible to the users, to submit data to the regulatory body on a special form prescribed by the latter, by 31 March of the current year, and the obligation to announce data on the ownership structure, the editor-in-chief/editors and the sources of their financing in the previous year in their own programmes at least three times throughout the current year, and submit a recording of the announcement to the Agency.

Administrative supervisions were conducted over the work of print media publishers, and all concerned the fulfillment of the obligation to publish, at a visible spot, the following data: name and address of the headquarters of the media publisher' and its editorial board; name of the media publisher's authorized person; name and last name of the editor-in-chief, i.e. the editors, in line with the internal organization of the editorial board, and name and address of the printing house and the date of print or reprint, as well as the number of printed copies.

Expert supervision was conducted over a total of 136 broadcasters in order to verify fulfillment of the technical, spatial and staffing conditions on their part, in line with the requirement for obtaining a license. The supervision covered 133 broadcasters which, after the completed procedure of replacing the then existing licenses for performing broadcasting activity, had been issued television or radio broadcasting licenses on 5 January 2015, as well as three broadcasters that had been issued television broadcasting licenses without announcing a public competition.

Due to non-compliance with the provisions of the law provisions and bylaws, appropriate measures were issued.

Monitoring the ownership and changes of the ownership structure of broadcasters

For several years now, the Agency has been conducting semi-annual analyses and preparing reports on monitoring the broadcasters' ownership structure for illicit media concentration and fulfillment of broadcasters' obligations concerning transparency of the ownership and financing sources.

Throughout November and December, 2014, inspection was carried out into the data of the Internet distribution system of the Central Register of the Republic of Macedonia in order to establish of which trading companies the broadcasters themselves, their managers and the physical and legal entities that are the broadcasters' founders, appeared as founders.

The aim of this scrutiny was to ensure monitoring of the harmonization of the broadcasters' work with the provisions of Article 37 - Restrictions on Acquiring Ownership, of the Law on Audio and Audio Visual Media Services, which defines the thresholds to which a physical or legal entity may appear as the owner of two or more broadcasters at the same time, and of Article 39 - Illicit Media Concentration.

The performed inspection did not find any violations of these provisions with any of the broadcasters, i.e. it was concluded that neither the physical nor the legal entities that are founders of broadcasters, or the holders of managerial position within the broadcasters, appeared as founders of broadcasters contrary to Article 37, and none of them is a founder of a trading company the prevailing activity of which is one of those stated in Article 39 of the Law on Audio and Audiovisual Media Services.

Survey and analyses

In tune with the Agency's legal duty to conduct public research and analyses in terms of the development and conditions of the market of audio and audiovisual media services, a number of activities have been carried out. An Analysis of the Structure of Employees in the Broadcasting Industry (by post, degree of education, gender and status), Analysis of the Structure of Employees in the Broadcasting Industry (based on their ethnicity), a semi-annual Analysis of all measures conducted by the Agency for Audio and Audiovisual Media Services concerning the broadcasters and the most frequent violations on the broadcasters' part, and a semi-annual Analysis of the misdemeanor court proceedings with the aim of establishing the efficiency of the sanctions pronounced in the misdemeanor proceedings against the broadcasters. A "Guide to Monitor Hate Speech" was promoted as well.