



Agencija za elektroničke medije  
Agency for Electronic Media

## **CROATIA COUNTRY REPORT; APRIL – SEPTEMBER 2015**

### **Revision of EU Works and EU Independent production related ordinances**

The Electronic Media Council revised the *Ordinance on the criteria and manner of increasing the share of European Works*<sup>1</sup> and the *Ordinance on the criteria and manner of increasing the share of European Audiovisual Works of Independent Producers*<sup>2</sup>. The changes mainly reflect more flexible approach towards non-linear audiovisual media services providers where they are now no longer requested to meet quotas in cases where they opt for the prominence of EU Independent Producers' Works. Additionally, the revision introduced the procedure for the approval of exemption for broadcasters with viewing rates below the set threshold.

### **Preparing for the DVB-T to DVB-T2 switchover and initiating trial of DAB+ Digital radio in Zagreb**

The Agency for Electronic Media and the Electronic Media Council will lead the working subgroup in charge of content issues as part of the Working Group that is formed to produce the national Strategy of the switchover that is provisionally planned for 2020. Additionally, the Agency and the Council cooperate with the telco regulatory authority HAKOM in defining details to launch trial of DAB+ in Zagreb where one citywide multiplex with the total of 16 new radio channels capacity would be launched for this purpose.

### **Workshops on national minorities and gender equality programs' production**

The Agency for Electronic Media and *Documenta - Centre for Dealing with the past* have organized a series of workshops in Zagreb, Split, Osijek and Lovran, on the topic of national minorities in Croatian media, as part of publishers' education. The workshops successfully ended in yielding the publication "Media and national minorities" available in Croatian only<sup>3</sup>.

The Agency for Electronic Media organized an international workshop *Promoting media literacy on gender equality and to combat gender stereotypes in the media* for broadcasters in Croatia. The workshop was organized as a side event to the technical meeting of MNRA in

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<sup>1</sup> [http://www.e-mediji.hr/repository\\_files/file/683/](http://www.e-mediji.hr/repository_files/file/683/)

<sup>2</sup> [http://www.e-mediji.hr/repository\\_files/file/682/](http://www.e-mediji.hr/repository_files/file/682/)

<sup>3</sup> [http://www.e-mediji.hr/repository\\_files/file/674/](http://www.e-mediji.hr/repository_files/file/674/)

Zagreb where experts from Morocco and Andalusia actively participated and contributed to the workshop's success.

### **Media literacy and the protection of minors, joint AEM and UNICEF public awareness campaign launched**

The Electronic Media Council in March 2015 removed the watershed stipulated in their Ordinance on Protection of Minors for the audiovisual content classified „12“ and introduced both video and sound warnings for that category. AEM and UNICEF worked together on the revision of the legal framework and cooperated in production of guidelines on protection of minors that will be published in January 2016. The joint public awareness campaign that started on 6th October aimed primarily at parents and named „Birajmo što gledamo!“ (*„Let's be selective what we watch“*) will include broadcast of three different video clips, the publication of guidelines for the protection of minors for broadcasters and the launch of media literacy website. The first video clip in Croatian language that started airing on national and local TV channels can be found by using this link on youtube: <https://youtu.be/zaYEUjpb-c>

### **Electronic Media Council imposes a 13 thousand EUR fine to RTL concerning breach of protection of minors rules in the regional reality show Big Brother**

The Electronic Media Council issued the misdemeanor warrant to RTL Television concerning Big Brother reality programme. The program broadcast that encouraged the use of alcohol and tobacco was classified „12“ and the broadcaster was sanctioned for the violation of Electronic Media Act, Article 26, paragraph 1, alinea 1 and 3 which stipulates that *„In audiovisual or radio programmes, it shall be prohibited in any manner to encourage, promote and glorify violence and crime and encourage citizens, especially children and youth, to use tobacco products, alcohol or drugs“*.

The misdemeanor warrant according to the Electronic Media Act is set at 100.000 HRK (13 thousand EUR).

### **The 8th Electronic Media Days, Opatija**

The traditional national electronic media event takes place in Opatija from 20th-22nd October. Stakeholders representing the government, the industry, regulators and academia will discuss topics that include the state of play and perspectives of electronic media in the context of new media policy, highlights of the AVMSD revision, EU models of support for media pluralism and media public value content production, the DVB-T/DVB-T2 switchover strategy and the initial results of recently commissioned research on the Croatian radio market. The event will attract more than 150 participants and this year we are proud to welcome EPRA president, Mrs. Celene Craig from the Irish BAI.

## **The PBS rules on ceding unutilised exclusive rights**

Pursuant to the Article 40, par. 5 of the Croatian Radiotelevision Act The Electronic Media Council has adopted Rules on ceding unutilised exclusive rights. The rules stipulate the procedure for ceding unutilised exclusive rights in the event of the procurement of audio and audiovisual content of a higher value on the basis of exclusive rights, and in the event of the procurement of premium sports events.

The rules apply to the ceding of unutilised exclusive rights when the possibility of such ceding is stipulated by an agreement on the acquisition of exclusive rights for the exploitation of audio and audiovisual content of a higher value and/or premium sports events, or as stipulated by the law. Unutilised exclusive rights refer to those rights based upon which Croatian Radiotelevision has not broadcast content on programme channels in accordance with the provisions of the Croatian Radiotelevision Act and its contract with the Government of the Republic of Croatia. Audio and audiovisual content of high value refers to all activities that Croatian Radiotelevision procures under exclusive rights. The provisions of the rules do not apply to the archived material of Croatian Radiotelevision.

The ceding of unutilised exclusive rights is carried out based on a public tender and the starting fee shall not be less than 20% of the monetary value of the scope (quantity) of the unutilised exclusive rights that are to be ceded. The starting fee is calculated based on the fee stated in the exclusive rights acquisition contract for the exploitation of audio and audiovisual content of a higher value, and/or premium sports events.