

SPAIN (CATALONIA)



**Consell
de l'Audiovisual
de Catalunya**

Name of Regulatory Authority : **Consell de l'Audiovisual de Catalunya (CAC)** – Catalan Audiovisual Council
– Conseil de l'Audiovisuel de la Catalogne

Address : c/ dels Vergós, 36-42, 08017 Barcelona (Spain)

Phone : + 34 93 557 50 00

Fax : + 34 93 557 50 01

E-mail : audiovisual@gencat.cat

Homepage : <http://www.cac.cat/>

Basis for operation

Legal framework : Law 2/2000 of May 4, of the Catalan Audiovisual Council
Law 22/2005 of 29 December, Catalan Broadcasting Act

General remit : TV radio networks and infrastructures
 others (please specify)

Funding mechanismsⁱ : licence fee industry fee state budget
 mixed funding (please specify):
 other (please specify):

Composition

Number of members: 6 Term of office: 6 years Re-election possible: NO

Proposal of members: The members of the Council are chosen by the Parliament, at the proposal, of, at least, two parliamentary groups, by a majority of two-thirds. If in the first voting round this majority of two-thirds is not reached, they are chosen by an absolute majority in a second voting round that must be done in the same session.

The President of the Council is chosen by the Parliament by a majority of two-thirds amongst the members that compose the Council. If, in the first voting round this majority of two-thirds is not reached, the person is chosen by an absolute majority in a second voting round that must be done in the same session.

Appointment of members: Please see above

Revocation of mandate possible: based on: Members of the Catalan Audiovisual Council are appointed irrevocably and only cease being members for one or more of the following reasons: a) The period of membership expires; b) Resignation or death; c) Permanent legal incompetence to fill the post, unforeseen incompatibility or prohibition from holding public office; d) Penalty in final judgement for offence involving mens rea; e) The non-resolution of the incompatibilities set by article 6 in the period established¹.

In the case of the letter a), members of the Council cease when ends their office but they continue exercising their office, interim, since the new members take office.

Number of staff: 75
Chairman: **Mr. Roger Loppacher i Crehuet**

Competences

		national	regional	local
Granting of licences	terrestrial analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	terrestrial digital broadcasters	<input type="checkbox"/>	✓	✓
	satellite analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	others(please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

in the areas where your authority is not competent to grant licences, please specify the authority in charge: Government of Spain

Please add any other relevant information:

¹ This letter has been amended by the Act 22/2005, December 29th, modifying several broadcasting acts.

Granting of registrations	terrestrial analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	terrestrial digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite analogue broadcasters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	satellite digital broadcasters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	cable analogue broadcasters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	cable digital broadcasters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	others(please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

in the areas where your authority is not competent to grant registrations, please specify the authority in charge: Government of Spain

Please add any other relevant information:

Frequency allocation

Supervision of	private broadcasters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	public broadcasters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Handling complaints

Sanctioning

<input checked="" type="checkbox"/> issue warning	<input checked="" type="checkbox"/> impose fine	<input checked="" type="checkbox"/> demand to broadcast announcement
<input checked="" type="checkbox"/> revoke licence	<input checked="" type="checkbox"/> suspend licence	<input type="checkbox"/> reduction in the licensing period
<input checked="" type="checkbox"/> suspend a programme / broadcast		
<input type="checkbox"/> other (please specify):		

Rule making

codes rules (please specify):

other (please specify): "Instructions" are generally speaking rules produced by the Catalan Audiovisual Council (CAC). The General Instructions are guidelines which are compulsory to the broadcasters. They usually clarify the general laws giving interpretation to terms that can be sometimes difficult to translate in everyday patterns of action for the broadcasters.

The CAC also produces codes of conduct or recommendations to broadcasters. These are not compulsory, but are taken as the best practice possible for the broadcaster in a particular circumstance (tragedies for instance) or when treating a particular question (i.e. immigration).

Consultative powers please specify the areas covered:

Both the Catalan Government and the Parliament can consult and/or ask for a report to the CAC, in order to draw new legislation, initiate new policies ... etc. The areas have to do with all the main areas of surveillance of the CAC (pluralism, children protection, advertising, promotion of culture and industry ...etc.)

Power of nomination please specify:

(e.g. chairman of
PSB)

The members of the Governing Council of the Catalan Broadcasting Corporation are elected by Parliament, by a two-thirds majority, after the Catalan Audiovisual Council has proposed them and verified their suitability. To this effect, it must be specially valued that they have carried out functions of administration, of high management, of control or of consultancy, or functions of similar responsibility, in public or private entities.

The Parliament will forward to the Catalan Audiovisual Council the list of candidates to form part of the Governing Council of the Catalan Broadcasting Corporation, in a number that can be higher than that of the existing vacancies. The Catalan Broadcasting Authority shall issue a report on each of the candidates that will deal on their ability and suitability to occupy the position, and will send the said reports to Parliament, before the public appearance and examination of the candidates before the corresponding committee.

Monitoring

programming

financial performance

others (please specify):

Monitoring of the obligation for television broadcasters to earmark a percentage of their operating revenue for the funding of European audiovisual works.

ⁱ By "licence fee" we refer to the public service licence fee usually paid by the entire population, whereas the term "industry fee" implies all those funding mechanisms based on a contribution from broadcasters themselves, including, for example, licensing fees (i.e. an amount of money that is paid by the broadcaster for it to be able to carry out its broadcasting operations) and frequency taxes.