

Name of Regulatory Authority the Media) ERC – Entidade Reguladora para a Comunicação Social (Regulatory Entity for the Media)
Address Av. 24 de Julho, 58, 1200-869 Lisboa, Portugal
Phone +351 210 107 000
Fax +351 210 107 019
E-mail info@erc.pt
Homepage www.erc.pt

Basis for operation

Legal framework Law no. 53/2006, of 8 November, which establishes ERC and approves its Statutes, as well as other legislation regulating the media, such as the Press Act (Law no. 2/99 of 13 January), the Radio Broadcasting Act (Law no. 54/2010 of 23 February), and the Television Broadcasting Act (Law no. 27/2007 of 22 August).

General remit TV radio networks and infrastructures
 Others: Press, Internet

Funding mechanisms ⁱ fees licence fee industry fee state budget
 mixed funding
 Other: fines imposed as penalties, regulation fees, other regulatory services

Composition

Number of members: Five Term of office: Five years Re-election possible: No

Proposal of members: At least 10 members of the Assembly of the Republic, and 40 at the most, propose the lists of candidates.

Appointment of members: The Assembly of the Republic appoints the members of the Regulatory Board. The Regulatory Board then elects the Chairman and Vice Chairman from among its members.

Revocation of mandate possible: based on:
a) absence from 3 consecutive meetings or 9 interpolated meetings, unless justification is accepted by the Regulatory Board plenary;
b) decision approved by at least two thirds

of all members of the Assembly of the Republic present, in case of serious breach of statutory duties.

Number of staff: 58

Chairman: Mr. Sebastião Póvoas

Vice Chairman: Mr. Mário Mesquita

Please describe your authority's structure if it does not have a board:

Competences

		national	regional	local
Granting of licences	terrestrial analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	terrestrial digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	satellite analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	satellite digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	cable analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	cable digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Note: Portuguese law makes a distinction between licenses, which are granted whenever hertzian terrestrial frequencies are allocated, in which case a public tender is required, and authorizations, which are granted to broadcasters that do not use hertzian terrestrial frequencies, i.e. cable and satellite operators. Both licenses and authorizations are granted by ERC. The licensing of the digital terrestrial platform distribution operator falls also under the competence of ANACOM, the regulatory authority for electronic and postal communications in Portugal.		<input type="checkbox"/>	<input type="checkbox"/>
In the areas where your authority is not competent to grant licences, please specify the authority in charge:				
Please add any other relevant information:				
Granting of registrations	terrestrial analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	terrestrial digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	satellite analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	satellite digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	cable analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	cable digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Others: exclusive Internet broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

In the areas where your authority is not competent to grant declarations, please specify the authority in charge:

Please add any other relevant information:

- Frequency allocation Frequency allocation falls under the competence of ANACOM, the regulatory authority for electronic and postal communications in Portugal.
- Supervision of private broadcasters
public broadcasters
Others:
- Handling complaints
- Sanctioning issue warning impose fine demand to broadcast announcement
 revoke licence suspend licence reduction in the licensing period
 suspend a programme / broadcast
 Other:
Note: suspend a programme, broadcast and rebroadcasting
- Rule making codes rules: According to Article 62 of its Statutes, ERC may issue binding regulations on matters that fall under its competences.
 Others: ERC may also issue non-binding directives setting out general principles and standards of good practices to be observed by the media, as well as recommendations to specific newspapers, broadcasters and other media operators (Article 63 of ERC's Statutes).
- Consultative powers ERC gives non binding advice on the public concession contract between the State and the public service broadcasters, as well as its modifications (point m), paragraph 3, Article 24 of ERC's Statutes). Any draft law on matters affecting the media must also be submitted to non binding advice of ERC (Article 25 of ERC's Statutes).
- Power of nomination ERC has no power of appointment of management boards of PSBs. However, and according to (e.g. chairman of point l), paragraph 3, Article 24 of ERC's Statutes, the opinion of ERC regarding the appointment of PSB) heads of programming and information of PSBs is mandatory.
- Monitoring programming
 financial performance
 Others: ERC is also responsible for monitoring the concentration of media ownership and is asked to provide opinions on major acquisitions of the property of the media, as well as on practices that might affect competition.
- Others Please specify:

Please add any information you deem important:
