

Name of Regulatory Authority the Media)	ERC – Entidade Reguladora para a Comunicação Social (Regulatory Entity for the Media)
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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).
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General remit	<input checked="" type="checkbox"/> TV <input checked="" type="checkbox"/> radio <input type="checkbox"/> networks and infrastructures <input checked="" type="checkbox"/> Others: Press, Internet
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Funding mechanisms ⁱ	<input checked="" type="checkbox"/> licence fee <input checked="" type="checkbox"/> industry fee <input checked="" type="checkbox"/> state budget <input checked="" type="checkbox"/> mixed funding <input checked="" type="checkbox"/> Other: fines imposed as penalties, regulation fees, other regulatory services fees
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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:	<input checked="" type="checkbox"/> 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: Ms. Helena Sousa

Vice Chairman: Mr. Pedro Correia Gonçalves

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"/>	<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	<input type="checkbox"/> Frequency allocation falls under the competence of ANACOM, the regulatory authority for electronic and postal communications in Portugal.		
Supervision of	private broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	public broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Others:	<input type="checkbox"/>	<input type="checkbox"/>
Handling complaints	<input checked="" type="checkbox"/>		
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:		
	Note: suspend a programme, broadcast and rebroadcasting		
Rule making	<input type="checkbox"/> codes <input checked="" type="checkbox"/> rules: According to Article 62 if its Statutes, ERC may issue binding regulations on matters that fall under its competences. <input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/> 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 (e.g. chairman of PSB)	<input checked="" type="checkbox"/> ERC has no power of appointment of management boards of PSBs. However, and according to point l), paragraph 3, Article 24 of ERC's Statutes, the opinion of ERC regarding the appointment of heads of programming and information of PSBs is mandatory.		
Monitoring	<input checked="" type="checkbox"/> programming <input type="checkbox"/> financial performance <input checked="" type="checkbox"/> 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	<input type="checkbox"/> Please specify:		

Please add any information you deem important:
