

## Republic of Serbia



Name of Regulatory Authority: **Republic Broadcasting Agency**

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### Basis for operation

Legal framework: Broadcasting Law of Republic of Serbia, 2002, subsequent amendments

General remit:  TV  radio  networks and infrastructures  
 Others (please specify): Cable distributive systems, Satellite broadcasting

Funding mechanisms <sup>i</sup>  licence fee  industry fee  state budget  
 mixed funding (please specify):  
 other (please specify):

### Composition

Number of members: 9 (nine)

Term of office: 6 (six) years Re-election possible:  YES

Proposal of members:

*The following have power to propose members:*

*1) The competent committee of the Assembly; (3 members)*

*2) The Assembly of the Autonomous Province of Vojvodina;*

*3) The University conference;*

*4) Associations of public media outlets in Serbia, associations of journalists in the Republic of Serbia, professional associations of film and drama artists in the Republic of Serbia and professional associations of composers in the Republic of Serbia by common agreement;*

*5) Domestic non-governmental organisations and civic organisations primarily focusing on the protection of the freedom of speech, the protection of the rights of national and ethnic minorities and the protection of the rights of the child by common agreement;*

*6) traditional churches and religious communities.*

*The ninth Council member is proposed by the previously elected Council members, providing that candidate is a person residing and employed in territory of Kosovo and Metohia.*

Appointment of members: *Each authorised nominator submit a list to the competent Assembly committee by obligatorily nominating two Council member nominees, with the exception of the competent Assembly committee, which proposes a list by obligatorily nominating six nominees. Only one nominee is nominated for the election of the ninth Council member. The Assembly appoints one nominee from each valid list and three nominees from the list proposed by the competent Assembly committee.*

Revocation of mandate possible:  YES based on: *The term of office of the Council members may end in the following events: upon expiry, upon revocation in the event of a conflict of interest, upon resignation submitted to the Parliament in writing (pre-submitted resignation shall produce no legal effect), upon death, upon long period of absence that prevents the member from fulfilling his duties.*

Number of staff: 80

Chairman: Vice Chairman: **Goran Petrović**

Please describe your authority's structure if it does not have a board: *The Council Chairperson acts in the name and behalf of the Agency, manages the work of the Council, signs the Council decisions and ensures their implementation, exercises the powers of a company director in respect of employment rights, obligations and responsibilities of the Agency technical service staff, and performs other functions set forth in the Law and Statute.*

**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"/>
	Others (please specify): Licences for MMDS transmission	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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 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 declarations, please specify the authority in charge:

Please add any other relevant information:

- Frequency allocation  *Frequency allocation is performed together with the Telecommunication Agency. The principle is one desk, two licenses, since broadcasting license encompasses frequency and location designated to the broadcaster.*
- 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 (please specify): *The RBA Council ex officio submits requests for the initiation of offence proceedings, for which fines are provided for legal and responsible persons in the legal person.*
- Rule making  codes  rules (please specify): *Republic Broadcasting Agency passes recommendations, instructions, binding instructions and general binding instructions for broadcasters to ensure the efficient implementation of the broadcasting policy in the Republic of Serbia. The Agency passes general binding instructions for closer regulation of certain issues related to the program content (e.g. in pre-election period, concerning timing of adult programs, etc.) independently of the existing broadcasters practice. The binding instruction may deal with a particular issue, with a number of related issues or with all issues related to program content.*  
 other (please specify): *The RBA Council adopted the Broadcaster Code of Conduct, in accordance with the Broadcasting Law, which presents a system of general binding instructions regulating the broadcasters' conduct; it is not a professional code of ethics for journalists, editors and their associations, nor the code of profession and its is directly implemented solely on the broadcasters' conduct and any measures that the Agency may introduce refer exclusively to broadcasters.*
- Consultative powers  please specify the areas covered: *The Broadcasting Agency delivers its opinion to the relevant government bodies regarding the accession to international conventions and other agreements related to broadcasting. It cooperates and exchanges experience with corresponding organisations from other countries. When preparing regulations related to the field of broadcasting the relevant government bodies must obtain the opinion of Broadcasting Agency thereof.*
- Power of nomination (e.g. chairman of PSB)  please specify: *The Broadcasting Council nominates directly the members of the Boards of Governors of the public service institutions in Serbia and Vojvodina. It also nominates one third of the members of the program board in both public service companies (Serbia and Vojvodina).*

- Monitoring  programming  
 financial performance  
 others (please specify): *Through the allocation of license the financial and ownership structure of competing broadcasters is controlled.*
- Others  Please specify: *The Broadcasting Agency deals with the protection of youth, prevents hate speech, monitors the percentage of domestic and self-produced programs, monitors the percentage of advertising quotas, takes care about the mode of political advertising, prevents media concentration and illegal networking, ensures the protection of copyright and intellectual property.*

Please add any information you deem important:

*The Agency is competent for:*

- 1) Passing the broadcasting development strategy in the Republic of Serbia with the consent of the Government of the Republic of Serbia;*
- 2) Controlling and ensuring the consistent application of the provisions of the Broadcasting Law;*
- 3) Issuing broadcasting licences and prescribing the licence form;*
- 4) Setting technical, organisational and programming conditions for the production and broadcasting of programmes pursuant to the provisions of Broadcasting Law;*
- 5) Prescribing rules binding on broadcasters which ensure the implementation of the broadcasting policy in the Republic of Serbia;*
- 6) Supervising the operation of broadcasters in the Republic of Serbia;*
- 7) Considering submissions filed by natural and legal persons and complaints of broadcasters concerning the operation of other broadcasters;*
- 8) Delivering to the competent state bodies its opinions with regard to accession to international conventions related to the broadcasting sector;*
- 9) Imposing adequate sanctions against broadcasters in keeping with this Law;*
- 10) Performing other duties in accordance with the Broadcasting Law;*
- 11) Protecting minors;*
- 12) Enforcing regulations on copyright and neighbouring rights;*
- 13) Preventing the broadcasting of programmes which contain information inciting discrimination, hatred or violence against an individual or a group of individuals on grounds of race, religion, nationality, ethnicity or sex.*

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<sup>i</sup> 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.