

## OVERVIEW OF FUNDING METHODS AND FINANCIAL OBLIGATIONS OF BROADCASTERS AS SET BY MEDIA LAWS

### SERBIA

Article 41 stipulates that broadcasting license can be given only to «domestic person or legal entity». A domestic company, whose founders are foreign legal entities or persons from countries where it is impossible or forbidden by local regulations to establish the origin of their capital, cannot participate in the competition for program broadcasting licenses. A maximum of 49% foreign capital share in the total capital of a company participating in program broadcasting license competition is allowed, «unless otherwise stipulated by an international agreement ratified by FR Yugoslavia(?)».

Article 52 defines mandatory documentation to be submitted by a potential broadcaster with his application for the competition. Paragraph 5 stipulates projection of planned annual income and expenses (with their specification) and data on the financial ability of the applicant, and, for broadcasters who have already broadcast program at the time of their application, also a financial reports including balance sheets for the previous business year.

Article 61 (paragraph 10) also stipulates that «...if a foreign legal entity of which it is not allowed or not possible to determine the origin of founder's equity appears as one of the founders of the broadcaster, after the granting of its broadcasting license», this may constitute one of the reasons for termination of validity of broadcasting license before the expiry of the period for which it was granted.

Articles 80 through 84 deal with funding sources of public broadcasting services, through TV and radio subscription, etc.

Article 95 describes radio and TV stations of the civil sector. Those broadcasters may obtain funds for their operation from donations, citizen contributions, sponsorships and other contributions in accordance with the laws regulating activities of citizen associations and NGOs. If, during its operation, a radio or television of the civil sector broadcasts program or used sponsorship or advertising contrary to the provisions of this law, its broadcasting license shall be revoked before the end of its validity and it shall pay a retroactive fee for program broadcasting (civil sector broadcasters are exempt from payment of this fee).

Parts of the Law dealing with the forbidden media concentration, advertising and sponsorships also deal with the issues of broadcaster funding in an indirect and general manner.

**The Law stipulates that the fees for program broadcasting and usage of radio-frequencies shall be fixed by the Broadcasting Agency and the Government, without specifying their exact amounts. Monetary fines for violations are specified by the Law.**

Article 66, paragraphs 5 through 7, stipulate that the amount of the fee for program broadcasting shall be fixed by the Agency (into whose account it is paid) with the approval of the Government, whereas the fee for usage of radio-frequency (paragraph 2) shall be set by a special law and paid to the telecommunications regulatory body.

Article 113, paragraph 1, stipulates fines ranging from 50,000 to 200,000 dinars (EUR 645 to 2,580) for various violations, including (point 1) broadcasting without a license.