

LAW ON AMENDING AND SUPPLEMENTING THE LAW ON BROADCASTING ACTIVITY

Article 1

In the Law on Broadcasting Activity (“Official Gazette of the Republic of Macedonia” No. 100/05), in Article 126, line 3, the wording: “Executive Director” is being replaced with the wording: “Governing Body”.

Article 2

In Article 131, paragraph 1, the wording: “Executive Director of MRT and the Deputy Executive Director” and in Article 138, line 5, the wording: “Executive Director of MRT and the Deputy Executive Director of MRT” are being replaced with the wording: “Governing Body of MRT”.

Article 3

In Article 133, paragraph 1, line 2 and Article 134, paragraph 7 the wording: “Executive Director” is being replaced with the wording: “Governing Body”.

Article 4

Article 140 is being amended, saying:

"The work of MRT shall be managed by a Governing Body comprised of two persons, having equal responsibility in governing MRT's work and equal legal obligations.

The members of the Governing Body shall have deputies.

The members of the Governing Body and their deputies may be local or international private persons offering high quality work programme of MRT.

The members of the Governing Body and their deputies, besides the conditions provided in paragraph 3 of this Article, should also meet the following conditions:

- To have University degree;
- To have at least five years of working experience in broadcasting area or at least five year working experience as successful manager and
- To be familiar with the broadcasting regulation.

A member of the Council of MRT and the Management Board of MRT may not be elected as a member of the Governing Body and its deputy.

The members of the Governing Body and their deputies shall be elected by the Management Board of MRT, on the basis of a previously conducted public announcement procedure, and a submitted programme for MRT's work. The members of the Governing Body and their deputies shall be dismissed by the Management Board of MRT.

The procedure on election and dismissal of the members of the Governing Body and their deputies shall be laid down by the Statute of MRT.”

Article 5

After Article 140, new Article 140-a is being added, saying:

"Article 140-a

A member of the Governing Body and deputy member may be dismissed in the following cases:

- 1) Upon own request;
- 2) In case of serious long-term disease that prevents this person from fulfilling the obligations;
- 3) If the person does not work and does not implement this and other laws, Statute and other MRT acts or does not provide reasonable explanation for not implementing the decisions of the Managing Board or acts contrary to them and
- 4) If with his malpractice and erroneous work this person inflicts significant damages to MRT or if s/he neglects and does not fulfil his/hers obligations so serious damages affecting the work of MRT will be or could be inflicted.”

Article 6

The introductory clause in Article 141 is being replaced, saying: "Governing Body".

Article 7

After Article 141, new Article 141-a, is being added, saying:

"Article 141-a

The acts and financial documents in the scope of Governing Body shall be signed by the two members, while in their absence by their deputies.

If the act and financial document from the paragraph 1 is not signed by the two members of the Governing Body or their deputies in five days, then they shall be adopted by the Managing Board of MRT in the next three days.”

Article 8

In the heading of Chapter XVI the wording: "Penalty Provisions" is being replaced with the wording: "Infringement Provisions".

Article 9

In Article 166, paragraph 1, the introductory clause saying: “Shall be subject to a fine amounting from Denar 200,000 to 300,000 “ is being replaced with the wording: “Shall be subject to a fine amounting from Euro 4,000 to 5,000 to be paid in Denars”.

In paragraph 2, the wording: “shall be fined with Denar 6.000.000“ is being replaced with the wording: “shall be fined with Euro 40,000 Euros to be paid in Denars”.

In paragraph 3, the wording: “shall also be fined with Denar 30,000 to 50,000 for any violation laid down in paragraph 1 of this Article”, is being replaced with the wording: “shall also be fined with Euro 500 to 2,000 to be paid in Denars”.

In paragraph 4, the wording: “shall be fined with Denar 1.000.000” is being replaced with the wording: “shall be fined with Euro 16,000 to be paid in Denars”.

Paragraph 5 is being erased.

In paragraph 6, the wording: “In addition to the fine, the broadcaster or the other legal person shall be sanctioned with pronouncement of protective measure prohibition” is being replaced with the wording: “In addition to the fine, the broadcaster or the other legal person shall be sanctioned with pronouncement of temporary prohibition”.

In paragraph 7, the wording: “In addition to the fine, also a pronouncement of preventive measure prohibition to pursue profession, activity or duty for a period of three months to one year” is being replaced with the wording: “In addition to the fine, also a pronouncement of temporary prohibition to pursue profession, activity or duty for a period of one to two years”

Article 10

In Article 167 paragraph 1, the introductory clause saying: "Shall be subject to fine of Denar 100,000 to 200,000" is being replaced with the wording: “Shall be subject to fine of Euro 1,500 to 3,000 to be paid in Denars.”

In paragraph 2, the wording: “shall also be fined with Denar 20,000 to 30,000 for any violation laid down in paragraph 1 of this Article”, is being replaced with the wording: “shall also be fined with Euro 500 to 1,000 to be paid in Denars for any violation laid down in paragraph 1 of this Article”.

Paragraph 3 is being erased.

Article 11

In Article 173 paragraph 3, the wording: “within 6 months” is being replaced with the wording: “within 12 months”.

Article 12

The Statute of MRT shall be harmonized with the provisions of this Law no later than 30 days since the enforcement of this Law.

Article 13

The existing Executive Director and Deputy Executive Director of MRT shall continue their work until the election of new Governing Body pursuant to this Law.

Article 14

The Law shall enter into force on the day of its publishing in the “Official Gazette of the Republic of Macedonia”