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LAW ON RADIO-TELEVISION OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

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Law on Radio-Television of the Federation of Bosnia and Herzegovina

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Table of Contents

Section A - General Provisions

- Article 1. Scope of the Law
- Article 2. Definitions
- Article 3. Status of the Company
- Article 4. Name and Seat of the Company
- Article 5. Independence of RTV FBiH
- Article 6. Public Broadcasting System
- Article 7. Communications Regulatory Agency
- Article 8. Activities
- Article 9. Equal Ethnic Representation
- Article 10. Method of Programme Transmission
- Article 11. Archives
- Article 12. Statute and General By-Laws of RTV FBiH

Section B - Programming

- Article 13. Programming Principles
- Article 14. Realisation of Programming Principles
- Article 15. Programming Restrictions
- Article 16. Programme Quantity

Section C - Advertising and Sponsorship

- Article 17. Advertising Principles
- Article 18. Quantity of Advertising
- Article 19. Advertising in Election Campaigns
- Article 20. Virtual Advertising
- Article 21. Sponsorship

Section D - Other Obligations

- Article 22. Protection of Intellectual Property
- Article 23. Broadcast for Third Parties
- Article 24. Right of Reply
- Article 25. Corrections
- Article 26. Obligation to Preserve Recordings
- Article 27. Minimum Service Requirements

Section E - Rights

- Article 28. Confidentiality of Sources
- Article 29. Access to and Broadcast of Events

Section F - Governance and Management

Article 30. Bodies of RTV FBiH
Article 31. RTV FBiH Board of Governors
Article 32. Composition of the Board of Governors
Article 33. Selection, Appointment and Dismissal of the Board of Governors
Article 34. Membership Compensation of the Board of Governors
Article 35. Competence of the Board of Governors
Article 36. Quorum and Decision-Making of the Board of Governors
Article 37. Advisory Bodies
Article 38. Appointment and Mandate of the Director General
Article 39. Competence of the Director General
Article 40. Termination of the Director General's Mandate

Section G - Financial Matters of RTV FBiH

Article 41. Funding of Regulator Operations
Article 42. Funding from the Budget
Article 43. Fiscal Responsibility
Article 44. Audit Requirements

Section H – RTV Subscription Fee

Article 45. Fee for Receiver Possession
Article 46. Method of Collection
Article 47. Assumption of Possession
Article 48. Obligation to Report Possession of Receiver
Article 49. Number of Receivers
Article 50. Distribution of RTV Subscription Fee
Article 51. Audit of RTV Subscription Fee Collection
Article 52. Issuance of Payment Order

Section I - Penalty Provisions

Article 53. Failure to Pay RTV Subscription Fee
Article 54. Failure to Report Possession or Making a False Claim Related Thereto

Section J - Termination of RTV FBiH

Article 55. Termination of RTV FBiH

Section K - Interim and Final Provisions

Article 56. Joint Use of Transmission Network and Frequencies
Article 57. Appointment and Formation of the Initial Board of Governors
Article 58. Other Deadlines
Article 59. Entry Into Force and Publication

LAW ON THE RADIO-TELEVISION OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

Section A General Provisions

Scope of the Law Article 1

This Law regulates the status of the Radio-Television of the Federation of Bosnia and Herzegovina (hereinafter: RTV FBiH) as a legal person, its activities, rights and obligations in relation to the provision of radio and television services in the Federation of Bosnia and Herzegovina (hereinafter: the Federation), its seat, bodies, company organisation, programming principles, advertising principles, the source and the manner of financing, the manner of acquiring and distributing assets, the manner of covering losses, rights and obligations of possessors of radio and television services, penalty provisions in relation to these rights and obligations and other issues.

Definitions Article 2

For purposes of this Law:

- "Advertising" means any public announcement in return for payment or similar consideration or for self-promotional purposes, which is intended to promote the sale, purchase or rental of a product or service, to advance a cause or idea, or to bring about some other effect desired by the advertiser or the broadcaster itself;
- "Broadcaster" means the natural or legal person who has editorial responsibility for the composition of radio or television programme services for reception by the general public and transmits them;
- "European audiovisual works" means creative works, the production or co-production of which is controlled by European natural or legal persons;
- "Sponsorship" means the participation of a natural or legal person, who is not engaged in broadcasting activities or in the production of audiovisual works, in the direct or indirect financing of a programme with a view to promoting the name, trademark, image or activities of that person;
- "Transmission" means the initial emission by terrestrial transmitter, by cable, or by satellite of whatever nature, in encoded or un-encoded form, of radio or television programme services for reception by the general public;
- "Virtual advertising" means the use of electronic systems that partially change the television signal by adding an advertisement to the television picture that actually does not exist on the spot from which the signal is being transmitted.

Status of the Company Article 3

(1) RTV FBiH shall have the status of an independent public broadcaster for the Federation.

(2) The Law on Business Companies shall be applied to the performance and activities of RTV FBiH unless otherwise specified in this Law.

Name and Seat of the Company

Article 4

- (1) The RTV FBiH Business Company name shall be: “Radio-Television of the Federation of Bosnia and Herzegovina” - Limited Liability Company.
- (2) The abbreviated name of the Company shall be: RTV FBiH d.o.o. [Lt.d.] Sarajevo.
- (3) The seat of RTV FBiH shall be in Sarajevo.
- (4) The company name “RTV FBiH” must be displayed, in Latin and Cyrillic alphabets, at the building in which RTV FBiH has its seat.

Independence of RTV FBiH

Article 5

RTV FBiH shall be independent in its operations and shall have editorial independence and institutional autonomy especially in areas such as:

- The conception and production of programmes;
- The definition of programme schedules;
- The editing and presentation of news and current affairs programmes;
- The usage and disposal of assets;
- Employment practices and rights and obligations of employees;
- The organisation of the activities and internal structure.

Public Broadcasting System

Article 6

RTV FBiH, together with Radio-Television of Republika Srpska (hereinafter: RT RS) and the Public Broadcasting Service of Bosnia and Heregovina (hereinafter: PBS BiH), constitute the Public Broadcasting System of Bosnia and Herzegovina in accordance with the Law on the Basis of the Public Broadcasting System and on the Public Broadcasting Service of Bosnia and Herzegovina.

Communications Regulatory Agency

Article 7

RTV FBiH shall comply fully with the rules and regulations of the Communications Regulatory Agency (hereinafter: CRA) inasmuch as they are not inconsistent with this Law. RTV FBiH shall be subject to all sanctions available to CRA for non-compliance therewith except licence revocation and/or suspension.

Activities

Article 8

(1) The activities of RTV FBiH shall be:

- Preparation, production, transmission and broadcasting of its own radio and television programming;
- Exchange of and participation in joint programming, programming and technical and technological projects with other broadcasting agencies and programme producers;
- Acquisition of programming;
- Introduction and usage of new technologies;

- Publication and distribution of any printed matter related to its programming or to questions of broadcasting in general;
- Storage and usage of archives of sound and video recordings;
- Organisation of cultural, musical and other events;
- Surveying of the media market, marketing and advertising services;
- Providing services of teletext and activities related to other fields of broadcasting technology.

(2) RTV FBiH may establish a correspondent network and information technical centers in all Cantons in accordance with the Statute.

(3) RTV FBiH shall, in line with its capabilities, develop and expand its programme contents with the aim of broadcasting special programmes in the languages of ethnic minorities who live within the Federation, in accordance with the Constitution.

(4) Other activities may also be defined by the RTV FBiH Statute provided that they are not in contravention of the basic activities of RTV FBiH as defined by this Law.

Equal Ethnic Representation Article 9

RTV FBiH shall, in its operations and its staff structure, implement the relevant Constitutional provisions regarding the equal rights of constituent peoples and others.

Method of Programme Transmission Article 10

(1) RTV FBiH shall have the right to transmit programmes via terrestrial networks, satellites, cable, Internet or any other technical means.

(2) RTV FBiH shall realise the activities from Article 6 by the production and broadcasting of programmes on at least one radio and one television network in the territory of the Federation.

(3) Requests for expanded service or additional channels shall be submitted to CRA.

Archives Article 11

(1) RTV FBiH shall be bound to organise the collection, preservation and a procedure of archiving of all produced and collected audiovisual records in a modern archival manner, in accordance with the Law.

(2) The classification and categorisation of audiovisual records shall be defined depending on their culture, history and programming values.

(3) The protection and usage of audiovisual records shall be provided by a separate By-law.

(4) PBS BiH and RT RS shall have access to RTV FBiH's archives.

Statute and General By-Laws of RTV FBiH Article 12

(1) RTV FBiH shall have a Statute that shall determine its internal organisation, powers and the manner in which individual bodies shall take decisions and shall regulate other issues of importance for operations and transactions of the RTV FBiH.

(2) The Statute of RTV FBiH shall be published in the “Official Gazette of the Federation of Bosnia and Herzegovina”.

(3) RTV FBiH shall have other general documents in accordance with the law and the Statute.

Section B Programming

Programming Principles Article 13

(1) RTV FBiH’s programming shall serve the public interest and shall be in accordance with professional standards and rules and regulations of CRA. RTV FBiH shall be obliged to ensure diverse and balanced radio and television programmes that meet high standards of ethics and quality, that show respect for human life, dignity and the physical integrity of persons, and that foster democratic freedoms, social justice and international understanding and peace.

(2) RTV FBiH’s programming shall include information, culture, education and entertainment.

(3) The programmes of RTV FBiH shall take into account national, regional, traditional, religious, cultural, linguistic and other specific features of the constituent peoples and all citizens of the Federation of Bosnia and Herzegovina. The programmes of RTV FBiH shall also serve cultural and other needs of national minorities in the Federation of Bosnia and Herzegovina.

(4) RTV FBiH shall produce and edit programmes in accordance with the highest professional criteria and with respect for artistic and creative licence, independent of the opinions of governmental bodies, political parties and/or other interested groups.

(5) RTV FBiH shall have the right to broadcast sessions or parts of sessions of the Federation Parliament, i.e., to inform the public on parliamentary activities in any suitable manner, in accordance with its editorial guidelines. For that purpose, RTV FBiH shall have free access to the sessions of the Federation Parliament.

(6) RTV FBiH shall be obliged to publicly present its annual programme plans as well as reports on the realisation of previous programme plans. Everyone has the right to submit to RTV FBiH objections and suggestions related thereto.

Realisation of Programming Principles Article 14

(1) In the realisation of fundamental programming principles, RTV FBiH shall in particular do as follows:

- Inform the public in a truthful, complete, impartial and timely manner of political, economic, educational, scientific, religious, cultural, sport and other events;
- Ensure an open and free discussion on issues of the public interest, taking into account the universality of appeal;
- Respect and promote pluralism of political, religious and other ideas;
- Treat impartially all political, economic, educational, scientific, religious, cultural and other issues in order to enable equal presentation of different viewpoints with a view to fostering democratic spirit, mutual understanding and tolerance;
- Foster and develop all forms of creative capacities that contribute to the development of culture, art and entertainment.

(2) RTV FBiH shall observe the Programming Code of the Public Broadcasting System in Bosnia and Herzegovina, which regulates basic principles of editorial policy in accordance with the highest professional criteria.

(3) News shall be unbiased, independent and correct. Before dissemination, information material comprising the news must be examined, with reasonable care, according to circumstances, as to its content, origin and truth. Commentary shall be clearly distinguished from news.

Programming Restrictions

Article 15

(1) RTV FBiH shall not broadcast any material which by its content or tone incites national, religious or racial hatred, intolerance or discrimination against individuals or groups, or which by any reasonable judgment could incite violence, disorder or rioting or could encourage crime or criminal activity.

(2) RTV FBiH shall not violate general community standards of decency and civility in programme content and scheduling, taking particular care to protect the psychophysical development of children.

(3) RTV FBiH shall not broadcast any material that they know to be false or by prudent and routine inquiry it could determine to be false, or if reasonable grounds exist to assume that it is false.

Programme Quantity

Article 16

(1) RTV FBiH shall strive to broadcast a majority of European audiovisual works in its programmes.

(2) RTV FBiH shall reserve at least forty percent (40%) of its broadcast time for domestically produced programmes across all genres, exclusive of news and sports programmes.

(3) RTV FBiH must acquire or commission programmes from independent producers and/or commercial broadcasters to fill at least ten percent (10%) of its broadcast time, exclusive of news and sports programmes and commercials.

(4) RTV FBiH shall be obliged to have achieved the percentage from paragraphs (2) and (3) of this Article within two (2) years of the date when this Law comes into force.

Section C

Advertising and Sponsorship

Advertising Principles

Article 17

(1) Advertisements shall be clearly identifiable as such and clearly separated from other programmes by visual and acoustic means.

(2) The person or organisation placing an advertisement may not influence the programme concept, content or editorial policy of RTV FBiH.

(3) RTV FBiH shall be entitled to refuse to broadcast an advertisement the contents of which are in contravention of programming principles defined herein, or other rules and regulations governing public advertising.

(4) Persons regularly presenting news and current affairs programmes may not participate in process of preparation, production or broadcast of advertisements.

(5) Indirect and subliminal advertising shall not be allowed.

Quantity of Advertising Article 18

(1) The quantity of advertising and other paid messages, and the prime-time redistribution thereof, may not exceed the amount determined by CRA in its Decision dated 6 December 2001.

(2) The prime time broadcast period for RTV FBiH is the period from 17:30 to 22:30 hours.

(3) CRA shall review, and may adjust, these advertising limits every five (5) years.

(4) In exceptional circumstances and where the collapse of the public or commercial broadcasting sector is imminent, the CRA Council, upon unanimous agreement to review, shall have the right to review all advertising limits. This review must include consultation with and take into account the needs of all State and entity level broadcasters in both the public and commercial sectors.

Advertising in Election Campaigns Article 19

(1) The broadcasting of propaganda messages of political parties and candidates shall not be allowed, except during official election campaigns, in accordance with the Election Law of Bosnia and Herzegovina and pursuant to the rules and regulations of the Election Commission of Bosnia and Herzegovina.

(2) During the election campaign RTV FBiH shall be obliged to enable political parties and candidates to present their election programmes under equal terms. Radio and television must allocate a portion of their programming schedule for presentation of candidates, political parties and their programmes free of charge.

Virtual Advertising Article 20

(1) Virtual advertising shall be allowed only if the organiser of an event has given his consent and if TV viewers have been notified about virtual advertising in the specific case.

(2) A virtual advertisement may be inserted only in places usually used for advertising but may not be more prominent than other advertisements in such places, and may not appear on persons or their clothes or equipment.

Sponsorship Article 21

(1) Sponsorship of news and current affairs programmes shall not be allowed.

(2) All sponsored programmes must be clearly distinguished as such.

(3) Any influence of a sponsor or advertiser on the contents of a programme shall not be allowed.

Section D
Other Obligations

Protection of Intellectual Property
Article 22

RTV FBiH is obliged to ensure full implementation of the laws governing the protection of copy and related rights and intellectual property, in accordance with the highest international standards.

Broadcast for Third Parties
Article 23

(1) RTV FBiH shall transmit, without delay and free of charge, information from bodies of authority, the announcement of which requires urgency, such as information on danger to life and health, the endangerment of property, or threats to security or public peace and order.

(2) RTV FBiH shall not be responsible for the contents of the information described in paragraph (1) of this Article.

(3) Details regarding broadcasts for other third parties shall be regulated by the Statute.

Right of Reply
Article 24

(1) Any person whose legal rights are affected or whose honour and reputation are harmed by a statement of fact broadcast by RTV FBiH shall be entitled to give a reply, within fifteen (15) days of the broadcasted statement.

(2) Replies shall be submitted to RTV FBiH in written form and reduced to facts. Each reply must be signed by the party concerned or by his or her legal representative.

(3) RTV FBiH, at its discretion, has the right to shorten the reply and to remove any defamatory or criminal content from it, complying with the content thereof. RTV FBiH has the right to refuse to broadcast the reply if it is unrelated to the broadcasted statement.

(4) If the reply is related to the daily news programme, RTV FBiH shall be obliged to broadcast it, free of charge, not later than three (3) days from the receipt thereof, in the manner and at the time when the information to which the reply refers was broadcast. If the reply is related to periodic programming it must be broadcast, also free of charge, in the first following programme.

(5) If RTV FBiH fails to broadcast the reply or fails to do it in an appropriate manner, the person described in paragraph (1) of this Article shall be entitled to file a complaint with the Board of Governors within eight (8) days of the date when the deadline to broadcast the reply expired.

(6) If the person who filed a complaint is not satisfied with a decision of the Board of Governors, he/she shall be entitled to request court protection in civil proceedings within fifteen (15) days of the date of receipt of a written decision, or within thirty (30) days of the date when the complaint was filed, if no decision was taken or if it was not delivered to him/her.

(7) RTV FBiH may refuse to broadcast the reply if the person concerned has no legal interest in its dissemination or if the request for a reply was not submitted promptly.

Corrections
Article 25

The procedures laid down with regard to the Right of Reply shall be applied to requests for the correction of false statements of fact.

Obligation to Preserve Recordings
Article 26

- (1) RTV FBiH shall be obliged to organise the preservation and processing of all audio and visual recordings used in programmes.
- (2) Recordings of all broadcasts must be preserved for not less than six (6) weeks from the date of their transmission.
- (3) If requested by CRA, or if court proceedings or any other dispute has been initiated, RTV FBiH shall be obliged to preserve the relevant recordings until the adoption of a final decision.

Minimum Service Requirements
Article 27

- (1) In the event of a strike, minimum service broadcasting of RTV FBiH shall be maintained.
- (2) The Director General shall, after consultation with the trade union representative, choose individuals from the staff of RTV FBiH who will perform the minimum service broadcasting defined under paragraph (1) of this Article.
- (3) If the staff chosen to carry out the minimum service broadcasting refuse to work as required by this Article, the Director General may use non-union employees of RTV FBiH or employ external workers to fulfil these duties.

Section E
Rights

Confidentiality of Sources
Article 28

- (1) The confidentiality of sources of information shall be guaranteed.
- (2) Disclosure of a source of information or any discovered facts can be required from a journalist only on the basis of a court order, with the intention of preventing serious crimes.

Access to and Broadcast of Events
Article 29

- (1) RTV FBiH shall have access to public cultural, sporting and other events for the purpose of informing the widest public. The duration of reports transmitted without any payment shall not exceed the duration necessary to inform about the event in terms of news.
- (2) In its regularly scheduled news programmes, RTV FBiH shall be entitled to quote, free of charge, from transmissions of other broadcasters of events mentioned in paragraph (1) of this Article. Duration of the quote shall not exceed ninety (90) seconds and the source of the quote shall be duly indicated.

(3) All broadcasters shall be entitled to quote from transmissions of RTV FBiH in accordance with the conditions stated in paragraph (2) of this Article.

Section F
Governance and Management

Bodies of RTV FBiH
Article 30

The bodies of RTV FBiH are the Board of Governors and the Director General.

RTV FBiH Board of Governors
Article 31

- (1) The Board of Governors shall be the highest body of RTV FBiH.
- (2) The Board of Governors shall represent and protect the interests of the public with regard to radio and television programming, and supervise the entire operation, as well as the usage and disposal of RTV FBiH property.
- (3) The Board of Governors shall elect its own Chairman and establish its own Rules of Procedure.
- (4) The Chairman of the Board of Governors shall, by virtue of his/her office, be a member of the Executive Committee of the Board of Governors of PBS BiH and shall perform the functions accorded thereto.

Composition of the Board of Governors
Article 32

- (1) The Board of Governors shall have nine (9) members.
- (2) The members of the Board of Governors shall be citizens of Bosnia and Herzegovina.
- (3) Four members of the Board of Governors shall be appointed by the Parliament of the Federation (hereinafter: Federation Parliament) from each of the constituent peoples and from Others; three members shall be appointed by the current Board of Governors; and two members shall be appointed in accordance with a method devised by the Board of Governors for their selection.
- (4) Members of the Board of Governors shall be independent in their work and shall not take instructions from their appointing body.
- (5) The term of office of the members of the Board of Governors shall be three (3) years and may be renewed only once.

Selection, Appointment and Dismissal of the Board of Governors
Article 33

- (1) Candidates for the members of the Board of Governors to be appointed by the Federation Parliament are nominated by civil society organizations in the Federation (cultural, educational, social, scientific, economic, professional, sport and other institutions and associations), through a public tender selection.
- (2) The Board of Governors may appoint members from its own composition.

(3) For the membership of the Board of Governors, the following individuals cannot be named:

- Officials in legislative, executive and judicial structures, at any level of government;
- Members of political party organs;
- Employees of PBS BiH, RTV FBiH and RT RS;
- Employees in other companies carrying out activities of radio or television broadcasting, members of their governing and supervisory bodies, or persons that are in businesses that may cause a conflict of interest.

(4) A separate decision of the Federation Parliament will define the method of appointment of the four Board of Governors members it appoints.

(5) In case the term of a Board of Governors' member appointed by the previous Board of Governors ends prematurely, a new member shall be appointed by the Board of Governors.

(6) The appointing body of Board of Governors' members shall be authorised to make the decision on their dismissal, but only upon the initiative of the Board of Governors.

Membership Compensation of the Board of Governors **Article 34**

(1) The members of the Board of Governors shall receive monthly compensation for their work, in the amount of the average salary paid in RTV FBiH for the last month, as well as reimbursement of travel and material expenses in accordance with the Statute and By-laws.

(2) The RTV FBiH Board of Governors may determine any increase of compensation for the Chairman.

Competence of the Board of Governors **Article 35**

The Board of Governors shall:

- Determine programme policy, in compliance with this Law;
- Adopt the Statute, Codes and By-laws as necessary;
- Devise and adopt the method of appointment of the members of the Board of Governors that are appointed by civic associations and non-governmental organisations;
- Determine financial plan, and adopt annual financial statements and interim statements of accounts;
- Submit proposal for amount of subscription fee to Board of Governors of PBS BiH;
- Approve expenditures in accordance with the Statute;
- Publicly present the programme plan and the annual report on the realisation thereof;
- Approve purchases or sales of RTV FBiH property, as well as conclusion of contracts on ceding the above property to third parties in compliance with this Law and the Statute;
- Appoint and dismiss the Director General and conclude the employment contract with the Director General;
- Give approval for the appointment of staff with direct reporting lines to the Director General;
- Other duties as specified by this Law and the Statute.

Quorum and Decision-Making of the Board of Governors **Article 36**

(1) The Board of Governors can make valid decisions when at least five members are present at the session (quorum).

(2) The Board of Governors shall make decisions by a majority of votes of the overall number of members. Issues that are defined as such by this Law or the Statute are to be decided upon by a qualified majority.

(3) The appointment and dismissal of the Director General, adopting the programming policies of both radio and television, as well as the adoption of the financial plans and annual budget will require at least seven votes of Board of Governors' members.

Advisory Bodies Article 37

The Board of Governors may convene advisory bodies for the purpose of considering pertinent issues and advising it with regard to certain aspects of RTV FBiH's activities.

Appointment and Mandate of the Director General Article 38

(1) The Board of Governors shall appoint the Director General on the basis of a public competition in accordance with paragraph (3) of Article 36 of this Law.

(2) The Director General shall be appointed to a four (4) year term of office, which may be renewed only once.

(3) The Director General shall be a citizen of Bosnia and Herzegovina, who meets all the conditions stipulated in the Statute.

(4) The Director General may not perform any executive, legislative or judicial function at any level in the entire territory of Bosnia and Herzegovina and may not own or co-own any company involved with radio or television broadcasting.

Competence of the Director General Article 39

(1) The Director General shall represent RTV FBiH.

(2) The Director General shall manage the operations of RTV FBiH and be responsible for the legality of the work of RTV FBiH, in particular for its compliance with decisions of the Board of Governors and programme principles stipulated by this Law.

(3) The Director General shall appoint the editorial and managerial team of RTV FBiH according to the highest professional criteria and in the manner established in the Statute.

(4) The Director General shall perform other work, in accordance with the law and the Statute.

Termination of the Director General's Mandate Article 40

(1) The Board of Governors shall be obliged to dismiss the Director General in the following circumstances:

- If he/she requests to be dismissed in accordance with the Contract on Employment;
- If such reasons arise which, according to special regulations or regulations on employment arrangements, lead to the termination of the Contract on Employment.

(2) The Board of Governors may dismiss the Director General if it determines that he/she has failed to perform

his/her duties in accordance with this Law, the Statute, the By-laws or his/her Contract on Employment.

(3) In the case of the dismissal of the Director General, the Board of Governors shall be obliged to appoint an Acting Director General immediately, and a new Director General within sixty (60) days.

Section G
Financial Matters of RTV FBiH

Funding of Regular Operations
Article 41

(1) Regular operations of RTV FBiH shall be primarily financed by revenues from the following sources:

- Radio and television subscription fee (hereinafter: RTV subscription fee);
- Advertising;
- Sponsorship.

(2) RTV FBiH may generate revenue by operations within its core activities, including, but not limited to, producing programmes per special request, commercialisation of copy and related rights, production and sales of audio and visual works, and offering teletext and other services.

Funding from the Budget
Article 42

(1) On the basis of a decision of the Board of Governors, RTV FBiH may request to fund from the budget of the Federation the following:

- Construction and expansion of transmission network;
- Satellite rental costs;
- Programming projects of significance for the Federation of Bosnia and Herzegovina not included in the annual programme plan of RTV FBiH;
- Cost of archive protection, as a cultural good.

(2) Funding from the budget may not in any manner influence the programming independence of RTV FBiH.

Fiscal Responsibility
Article 43

(1) The Director General shall prepare a financial plan for the next year to be delivered to the Board of Governors at the latest by November 1 of that year.

(2) The Director General shall submit a business report for the previous year to be delivered to the Board of Governors at the latest by February 28 each year.

(3) Losses shall be covered from the assets of RTV FBiH.

Audit Requirements
Article 44

An annual business audit of RTV FBiH shall be conducted by an independent auditing institution.

Section H
RTV Subscription Fee

Fee for Receiver Possession
Article 45

- (1) All physical and legal entities in the territory of the Federation in possession of a radio or television receiver shall be obliged to pay the monthly RTV subscription fee to RTV FBiH.
- (2) Revenue from the RTV subscription fee shall only be used to finance core activities of RTV FBiH.
- (3) Revenue from the RTV subscription fee shall not be subject to taxes.

Method of Collection
Article 46

- (1) RTV FBiH shall be authorized to determine the manner of the collection of RTV subscription fees and may collect the RTV subscription fee or certain categories thereof through its own service, or may assign that task to other legal entities (e.g., public companies, specialised agencies, etc.) on a contractual basis.
- (2) If requested by RTV FBiH, public utility companies of the Federation (elektroprivreda, telekom, posta and others) shall enter into a contract therewith for the collection of the RTV subscription fee.
- (3) PBS BiH shall be a party to all contracts entered into by RTV FBiH for the collection of RTV subscription fees.

Assumption of Possession
Article 47

- (1) It shall be assumed, to determine the obligation to pay the RTV subscription fee, that one person in each household, and each hotel or other legal entity is in possession of at least one radio or television receiver (hereinafter: subscriber).
- (2) The assumption in paragraph (1) of this Article can be disputed by a written statement to RTV FBiH by either the head of the household or by the legal entity.
- (3) Statements referred to in paragraph (2) of this Article amount to an agreement to an on-site verification of this claim by an authorized representative(s) of the public broadcasters. If such verification is not permitted, the written statement shall have no legal effect.
- (4) If the statement from paragraph (2) of this Article is verified, the records will be corrected in accordance with the RTV FBiH By-laws.

Obligation to Report Possession of Receiver
Article 48

- (1) All physical or legal entities that are not currently subscribers shall be bound to register with RTV FBiH the procurement of a radio or television receiver within thirty (30) days, if it creates the obligation to pay the RTV subscription fee, as determined by this Law.
- (2) Each subscriber is obliged to report to RTV FBiH any change of address or seat.
- (3) The obligation to pay the RTV subscription fee shall start from the first day of the month following the

acquisition of a radio or television receiver.

Number of Receivers
Article 49

- (1) Each household shall pay the RTV subscription fee for one receiver of either kind regardless of the total number of receivers in the household. Only one member of the household shall be the subscriber.
- (2) All legal persons, except those provided for in paragraph (3) of this Article, shall be obliged to pay the RTV subscription fee for each receiver in their possession.
- (3) Public health institutions, public educational institutions, social welfare institutions, broadcasters, and legal entities dealing with the production, servicing, installation, sales or rental of radio or television receivers shall be obliged to pay only one fee per institution, shop, office or branch office.

Distribution of RTV Subscription Fee
Article 50

- (1) Fifty-eight percent (58%) of the RTV subscription fee collected in the Federation shall be RTV FBiH's share of the RTV subscription fee.
- (2) Forty-two percent (42%) of the RTV subscription fee collected in the Federation shall be PBS BiH's share.
- (3) The portion of the RTV subscription fee belonging to PBS BiH must be directly paid by the organisation collecting the RTV subscription fee into PBS BiH's bank account with no delay or mediation.

Audit of RTV Subscription Fee Collection
Article 51

An annual audit of the RTV subscription fee collection by an independent audit institution is obligatory and it shall determine the rate and percentage of the collected RTV subscription fee, as well as the regularity of distribution of the collected revenue.

Issuance of Payment Order
Article 52

- (1) RTV FBiH may issue a Payment Order for the debt of unpaid RTV subscription fees to any physical or legal entity (hereinafter: "the subject") that fails to pay the RTV subscription fee. The Payment Order shall direct the subject to pay the debt, including the legal interest rate and any expenses involved in processing the Payment Order, which is due within eight (8) days of receipt of the Payment Order, or to lodge a complaint against the issued Payment Order within the same deadline. The subject will be warned that any untimely complaint shall be rejected.
- (2) If RTV FBiH finds the subject's complaint to be legitimate, it shall inform the subject in writing within thirty (30) days that the Payment Order is cancelled.
- (3) If RTV FBiH finds that the subject's complaint is not legitimate, either partially or fully, it shall forward the Payment Order with the complaint attached, to the competent court, to launch proceedings. While deciding upon the issue, the court will decide whether the RTV FBiH Payment Order remains fully enforceable, only partially enforceable or is fully withdrawn.
- (4) A Payment Order that is not followed by a complaint shall become effective and enforceable.

Section I
Penalty Provisions

Failure to Pay RTV Subscription Fee
Article 53

- (1) A physical entity that fails to comply with obligations from Articles 45 and 49 of this Law shall be fined in the amount between KM 100 and 300.
- (2) A legal entity that fails to comply with obligations from Articles 45 and 49 of this Law shall be fined in the amount of KM 1000 - 3000, and the responsible person in the respective legal entity shall be fined in the amount of KM 200 - 500.

Failure to Report Possession or Making a False Claim Related Thereto
Article 54

- (1) A physical entity that fails to comply with obligations from Articles 47 and 48 of this Law shall be fined in the amount between KM 100 and 300.
- (2) A legal entity that fails to comply with obligations from Articles 47 and 48 of this Law shall be fined in the amount of KM 1000 - 3000, and the responsible person in the respective legal entity shall be fined in the amount of KM 200 - 500.

Section K
Termination of RTV FBiH

Termination of RTV FBiH
Article 55

- (1) The decision on the termination of RTV FBiH may only be made in the form of a law.
- (2) The Law on the Termination of RTV FBiH shall specify the procedure of termination and manner of distribution of property.

Section J
Interim and Final Provisions

Joint Use of Transmission Network and Frequencies
Article 56

- (1) Pending the establishment of a separate transmission network for PBS BiH, RTV FBiH shall share with PBS BiH its transmission network.
- (2) The programmes of PBS BiH shall, as a rule, be broadcast during prime time and shall have a priority in network utilisation.

Appointment and Formation of the Initial Board of Governors
Article 57

- (1) The Federation Parliament shall appoint its four members of the Board of Governors in accordance with this Law within thirty (30) days from the date it adopts this Law.
- (2) The RTV FBiH Council, appointed by virtue of Annex II of the High Representative's Decision on

Restructuring the Public Broadcasting System in Bosnia and Herzegovina (Official Gazette of BiH Federation, No 37/99) and Annex to the Second Decision on restructuring the Public Broadcasting System in Bosnia and Herzegovina (Official Gazette of BiH Federation, No 51/00) shall appoint three members of the Board of Governors by the deadline set in paragraph (1) of this Article.

(3) The RTV FBiH Council shall devise and adopt the method for appointment of the Board of Governors' members to be appointed by the civic organisations by the deadline set in paragraph (1) of this Article and thereafter shall call on such associations for nominations.

(4) The inaugural session of the Board of Governors shall be called by the Chairman of the RTV FBiH Council, within fifteen (15) days from the appointment of all members.

(5) Until the Board of Governors is constituted in accordance with this Law, its functions shall be performed by the RTV FBiH Council from paragraph (2) of this Article.

Other Deadlines

Article 58

(1) The Board of Governors shall adopt the Statute and appoint the Director General within ninety (90) days from the day of the inaugural session of the Board of Governors.

(2) The distribution of the RTV subscription fee, in accordance with the provisions of Article 50, must start no later than four (4) months from the date of the entry into force of this Law.

Entry Into Force and Publication

Article 59

This Law shall become effective on the eighth (8th) day from the day of its publishing in the "Official Gazette of the Federation of Bosnia and Herzegovina".