



AUTORITETI
MEDIAVE
AUDIOVIZIVE



ALBANIA-COUNTRY REPORT

**The 7-th Annual Meeting of the Black Sea
Broadcasting Regulatory Authorities Forum (BRAAF)**

8-9 september, Moldava



The Implementation of the Law on Audiovisual Media/secondary legislation

It was continued the work for the new regulatory acts and for the adoption of a series of changes in the existing regulations, with the aim to fully implement the law no.97/2013 on "Audiovisual Media in the Republic of Albania"

- **BYLAWS**

The Audiovisual Media Authority during the period September 2015 up to September 2016 has approved the following bylaws:

- "The Code of Ethics of the Employees of the Administration of AMA",
- Regulation "On broadcasting messages for the public interest"

The Implementation of the Law on Audiovisual Media, including secondary legislation

- Bylaw
 - Regulation “On Granting audio broadcasting licenses for the community”
 - “The Code of Conduct of the Members of the Audiovisual Media Authority”
 - Regulation "On the procedures and criteria for granting audio broadcasting licenses"



The Implementation of the Law on Audiovisual Media, including secondary legislation

The Audiovisual Media Authority has drafted, reviewed and is in the process to approve the following bylaws:

- Regulation “On the Audiovisual Media Authority”
- Regulation “On the ranking plan of the audiovisual media service providers relying on digital networks”
- Regulation “On the procedures and criteria for granting the authorizations”
- Regulation “On the procedures and criteria for granting the audiovisual licenses”
- Regulations “On the procedures and criteria for granting national, regional and local private digital networks broadcasting licenses in the transitional period”
- Regulation “On the audio and/or audiovisual commercial and advertising communications. Forms, conditions and daily time allowed for the transmission of advertising”



Digitization Process

- The process of licensing of digital networks and their programs, through the Beauty Contest procedure
- On May, 2015, AMA approved the regulation "On the licensing of digital networks and their programs, through the Beauty Contest procedure", and opened the procedure for the issuing of five national private licenses for the digital audiovisual broadcasting, according to the Beauty Contest.
- Four companies applied for this procedure. Their application was discussed in the meetings of the Council since September 2015, but only in a Council meeting on February, 2016, AMA decided not to issue national licenses for digital audiovisual broadcasting according to the Beauty Contest procedure, because the legal required quorum for "Yes" was not reached. Based on Law 97/2013, AMA issues and invalidates licenses with a qualified majority.

Digitization Process

- The operators participating in the competition challenged the AMA's decisions before the Administrative Court of First Instance of Tirana, which decided to change the decisions of AMA and to grant the national licenses for the digital networks to the 3 companies "Digit-Alb" sh.a, "Tv Klan" sh.a and "Top Channel" sh.a.
- Currently the construction of public and private operator networks is in the implementation phase.
- National private operators should cover the service allotment of Tirana within 6 months from the date of licensing and within 12 months signal must cover not less than 50% of the territory.
- The public operator has 2 digital networks and digital broadcasting is expected to start within this month (September) in the capital city, where it is also concentrated the majority of the population and then will continue in other regions of the country.



Digitization Process

- Audiovisual Media Authority regarding this process has also adopted the technical standards decoders to be used by the general public in the context of digitalization of networks and audio-visual services, in February 2015. The parameters specified in the latter are defined in the European Telecommunications Standards Institute.
- There are set tariffs that local/regional subjects should pay to the public digital network.
- AMA also has launched public information campaign on April 2016, preparing commercials, brochures and has set up Call Centre which will come to help the public.
- AMA has cooperated and continues cooperation with the Ministry of Innovation and the Ministry of Social Affairs related the distribution of decoders for families in need.



Governance and organizational developments

- The Authority is committed to improve on some issues that strengthen the capacity and independence of the regulator
- **Appointment** procedures and mandate
- **Financial** autonomy
- **Accountability** and transparency



Governance and organizational developments

- As regards the element, “Appointment Procedures and Mandates”. The parliament has selected new member of council on July 2016. It is first time that AMA is working with all members, since 2012.
- As regards “Financial Autonomy”, even though the Authority has doubled its financial revenue inflow in 2015 when compared with the average inflow rate of previous years, it continues to face challenges in covering the investments required for the improvement of its technical capacities.
- As regards “Accountability and Transparency”, in the framework of its legal obligations on conflict of interest, AMA has approved the Code of Ethics of the AMA Administration Staff and has also drafted the Code of Ethics for the AMA members. All decisions taken by AMA will be published in the website.



Monitoring Systems – Receiving and Examining Complaints Process

- **114 inspections were undertaken during a year, which have led to the following measures:**
 - 46 fines (10 have been revoked by the AMA Council; 2 sanctions to be reviewed in the next scheduled meeting);
 - 30 warnings
 - 9 administrative measures to seize audiovisual equipment because the activity was illegal.
- In line with the transparency program, the updated information on the administrative measures taken can be directly accessed using the AMA website at www.ama.gov.al.

Monitoring Systems – Receiving and Examining Complaints Process

➤ Content monitoring

- Approximately 69,000 hours of audiovisual programming and approximately 5,000 hours of audio programming have been recorded in the monitoring studio. The main reasons for these recordings are the following:
 - Programming obligations;
 - Advertisement and commercial communications;
 - Primetime newscasts of national subjects;
 - Complaint review for specific content.

Monitoring Systems – Receiving and Examining Complaints Process

- **The following statistics were gathered with regard to monitoring:**
 - A total of approx. 3,500 hours of audiovisual subject content monitoring related to programming obligations;
 - A total of approx. 14,000 hours of advertisements broadcasted by national audiovisual subjects monitored;
 - A total of approx. 900 newscasts of national audiovisual subjects and approx. 600 newscasts of national audio subjects monitored;
 - A total of approx. 1,240 hours of audio subject monitoring;
 - Approx. 500 hours of monitoring to verify respect for broadcasting and copy rights (including local television platforms and subjects);
 - Approx. 750 hours of monitoring of broadcasting rights during sports broadcasting.

Complaints Council

- AMA has finalized the process of establishing the Complaints Council. It is a new structure in AMA which is focused on overseeing the implementation of the Code and regulations adopted by the AMA, dealing in particular with:
 - The respect of the dignity and of other fundamental rights of the human beings,
 - Protection of minors,
 - The right for information and public awareness regarding the respect of moral and ethical norms.

Actually, since in May 2016, the AMA has concluded with a decision for the appointment of the Chairman and members of the Complaints Council. Structure comprises a chairperson and two members.

Thank you!



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