

**Official Gazette, No. 93 of 19 July 2013**

Pursuant to Article 75, Paragraph 5 of the Electronic Media Act (Official Gazette No. 153/09 and 84/11), the Electronic Media Council adopts

**ORDINANCE**  
**on the amount and method of payment of fees**

Article 1

(1) This Ordinance stipulates the amount and method of payment of the fee for:

- a concession for the provision of television and radio media services,
- tender documentation ,
- the public tender bid for granting a concession.

(2) The fee referred to in Paragraph 1, Subparagraph 1 of this Article shall be paid to the state budget of the Republic of Croatia in accordance with the notice entry into the Concession Register from the Republic of Croatia's Ministry of Finance.

(3) The fee referred to in Paragraph 1 Subparagraph 2 and 3 of this article shall be paid to the Agency for Electronic Media.

AMOUNT OF FEES

Article 2

(1) The amount of the annual concession fee for the provision television and radio media services consists of:

- a) a fixed part
- b) a variable part

(2) The fixed proportion of the annual concession fee for the provision of television and radio media services is paid for every 50,000 inhabitants to the amount of HRK 500.00.

(3) The variable part of the annual concession fee for the provision of television and radio media services is paid to the amount of 0.15 % of the total annual gross income achieved in the previous year by media service providers who provide television and radio media services.

(4) The variable part of the annual concession fee referred to in Paragraph 3 of this Article, is paid by providers of television and radio media service for the total annual gross revenue exceeding over HRK 5,000,000.00 and achieved in the previous year for the the provision of television and radio media services.

(5) Providers of non-profit television and non-profit radio media services pay 50% of the established fixed part of the concession fee and 50% of the specified variable part of the concession fee in accordance with Paragraphs 3 and 4 of this Article.

(6) The minimum annual concession fee for the provision of television and radio media services amounts to HRK 500.00.

Article 3

The number of inhabitants in the concession area is determined by the technical parameters provided by the Croatian Post and Electronic Communications Agency.

#### MANNER OF PAYING FEES

##### Article 4

- (1) The fixed part of the annual concession fee is paid in one lump sum for the current concession year by the mid-year of that year.
- (2) The variable part of the annual concession fee is paid in two (2) equal instalments by 31 December of the current year for the previous year.

##### Article 5

- (1) In order to ensure payment of the concession fee, the broadcaster is required at the time of signing the concession to submit to the concession grantor a notarized blank promissory note.
- (2) The blank promissory note referred to in Paragraph 1 of this Article shall have the effect of a final writ of enforcement and the property of an enforceable document in accordance with the law applicable at the time of submitting the blank promissory note.
- (3) If, during the term of the concession, due to changes in current law, the blank promissory note ceases to fulfil the properties referred to of Paragraph 2 of this Article, the broadcaster shall, within fifteen days of the Agency for electronic Media serving notice, submit another sought instrument of surety.
- (4) If during the term of the concession, the blank promissory note is used before the expiration of the term for which the concession was granted, the broadcaster shall, within fifteen days of receiving notice from the Agency for Electronic Media, issue a new blank promissory note for the purpose of providing surety of payment of the remaining concession fee amount.
- (5) The provisions of Paragraph 4 of this Article shall apply in the appropriate manner to other surety referred to in Paragraph 3 of this Article.
- (6) If the media service provider does not in full and in a timely manner comply with the notice of the Agency for Electronic Media as referred to in Paragraph 3 and 4 of this Article, the Agency for Electronic Media will repeal the decision on the selection the most favourable bid and/or terminate the Concession Agreement.

##### Article 6

- (1) The public tender procedure for granting a concession for the provision of television and radio media services is paid in one lump sum and amounts to:
  - a) HRK 100.00 for the requested tender documentation,
  - b) HRK 3,000.00 for submitting the bid to participate in the public tender procedure,
- (2) The fees referred to in Paragraph 1 of this Article shall not be refunded.

#### TRANSITIONAL AND FINAL PROVISIONS

##### Article 7

Within a period of ninety (90) days of the enactment of this Ordinance, all Agreements on the Use of Concessions will be harmonized with the provisions of this Ordinance.

Article 8

- (1) Upon the entry into force of this Ordinance, the Ordinance on the Obligation, the Amount and Manner of Paying Fees (Official Gazette No. 46/ 10) ceases to be valid.
- (2) This Ordinance shall enter into force on the day of its publication in the Official Gazette.

**ELECTRONIC MEDIA COUNCIL  
COUNCIL PRESIDENT**

Zdenko Ljevak, BE

**CLASS: 612-12/12-01/0259**

**Reg : 567-02/01-13-10**

**Zagreb, 10 July 2013**