



Agencija za elektroničke medije
Agency for Electronic Media

Zagreb, 10 March 2016

Notice by the Council for Electronic Media

In regard to the Opinion of the Government of the Republic of Croatia as published on its website, the Council states the following.

The Electronic Media Council has continually cautioned Croatian Radio-Television (CRT) on fulfilling the obligation as stipulated by Article 38, Paragraph 7 of the Croatian Radio-Television Act relating to the obligation of introducing and implementing the allocation of indirect costs in producing programmes. Specifically, the separating revenue and expenditure achieved and incurred in undertaking public activities from commercial activities. In July 2012, a request was put forward to CRT to submit its entire financial documentation for 2010 and 2011, in order for the Electronic Media Council to fulfil its obligation as stipulated by the Croatian Radio-Television Act.

The Report on Work for 2014 did not note the held work meetings with media service providers. However, in regards to CRT, we point that on the 5-14 session held on 28 January 2014, the conclusion was *that prior to deciding whether to provide prior approval to the decision by the CRT Supervisory Board on the amount of the broadcast user fee for 2014, a meeting be held with representatives of the CRT management bodies in order to gain further insight into the process of separating funds in accordance with the Croatian Radio-Television Act. In February 2014, a meeting was held after which CRT sent a correspondence dated 3 April 2014, outlining a flow chart of particular activities for introducing the allocation of indirect costs in producing programmes.*

Given that in CRT's notification from September 2015 it was evident that neither in 2016 would it introduce the obligation but instead delay it until 1 January 2017, the Council in accordance with the Croatian Radio-Television Act sought from the CRT Supervisory Board that it urgently and without delay implement measures to introduce separate accounting. In line with the conclusion of the held meeting in January 2016, a work group was formed comprising representatives of CRT and the Agency for Electronic Media to resolve the issue.

In regard to the allegation of conflict of interest by a member of the Electronic Media Council, Gordana Simonović, we would like to point out that based on the recommendation of the Government of the Republic of Croatia, Croatian Parliament appointed Gordana Simonović in 2012 as a member of the Administrative Council of HINA from the ranks of media experts, and as of 1 May 2014 she was appointed member of the Electronic Media Council. On 16 December 2014, Gordana Simonović was dismissed from her position as member of the Administrative Council of HINA upon her own personal request.

We note that in accordance with Article 68, Paragraph 2 of the Electronic Media Act, the Government of the Republic of Croatia is conducting a public call for collecting applications from candidates for appointment to the position of member of the Electronic Media Council, and proposes to Croatian Parliament to undertake such an appointment. In light of this, the Electronic Media Council has no lawfully stipulated basis to appoint and/or dismiss a member of the Electronic Media Council, instead the procedure is carried out solely and only by the legislator – the Ministry of Culture, the Government of the Republic of Croatia and Croatian Parliament.