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Ministry of culture

Later changes to the regulations

- Act No. 1548 of 18/12/2018 § 1

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the whole text

Executive Order on the Act on Radio and Television Operations ¹⁾

The Act on Radio and Television Operations is hereby announced, cf. Consolidated Act No. 115 of 30 January 2019.

The amendments that follow from § 1, no. 4 and 5, of Act No. 1548 of December 18, 2018, are not incorporated in this statutory order, as they enter into force on 1 January 2022, cf. . 2, in Act No. 1548 of 18 December 2018, amending the Act on Radio and Television Operations, the Personal Tax Act, the Social Pension Act and various other laws. ²⁾

Chapter 1

Exercise of program activities

§ 1. The following shall have the right to exercise program activities as specified in § 2:

- 1) DR, cf. chapter 4.
- 2) The regional TV 2 companies, cf. Chapter 6.
- 3) TV 2 / DANMARK A / S, if the company is authorized to carry out public service program activities in accordance with Chapter 6 a.
- 4) Enterprises which, pursuant to Chapter 8, have been authorized to carry out program activities, or who, in accordance with § 47, may exercise program activities without permission.

PCS. 2. The Minister of Culture may, in special cases, authorize other persons than those mentioned in subsection (1). 1, on the basis of safety considerations, may carry out program activities in major traffic facilities. The Minister of Culture may lay down more detailed rules for this program company.

PCS. 3. The program company must be exercised in accordance with the law and provisions laid down pursuant to the Act and any conditions on which the program license has been notified.

§ 2. The exercise of program activities is understood to mean

- 1) broadcasting audio and video programs to the public using radio systems;
- 2) distribution by means of common antenna systems of audio and video programs, which are not also broadcast as mentioned in paragraph 1,
- 3) broadcasting image programs to the public using other electronic communications networks as defined in the Telecommunications Competition and Consumer Relations Act than those mentioned in paragraphs 1 and 2;
- (4) the provision of on-demand audiovisual media services, the main purpose of which is to provide informative, entertaining or informative imaging programs with or without sound to the public through electronic communications networks as defined in the Electronic Communications Networks and Services Act.

PCS. 2. For the purposes of this Act, joint aerial installations shall mean common aerial installations and other cable installations for the distribution of audio and video programs for premises used for private living.

PCS. 3. For the purposes of this Act, an on-demand audiovisual media service shall mean an audiovisual media service provided by a media service provider for the purpose of receiving programs at a user-selected time and at the request of each user on the basis of a program directory selected by the media service provider.

PCS. 4. For the purposes of this Act, a media service provider shall mean the natural or legal person who has editorial responsibility for the choice of audiovisual content in an audiovisual media service, and which determines how the audiovisual content is organized.

PCS. 5. An audiovisual media service is understood to mean either a television broadcast covered by paragraph 1. 1, no. 1-3, or an on-demand audiovisual media service covered by subsection (1). 1, no. 4.

Chapter 2

Distribution of audio and video programs

Distribution of audio and video programs using terrestrial digital broadcasting

§ 3. Distribution of Danish and foreign audio and video programs by means of terrestrial digital radio and television transmission networks can only be done with the permission of the Radio and Television Board.

PCS. 2. Permission is granted by the Radio and Television Board after a tender.

PCS. 3. The Minister for Culture may lay down rules on tender procedures pursuant to subsection (1). 2, including conditions for permits etc. The Minister of Culture may also stipulate that the Radio and Television Board may, in connection with the issuance of distribution licenses in accordance with rules laid down by the Minister of Culture, lay down conditions for the company, etc.

PCS. 4. However, according to the Minister of Culture's further stipulation, permission can be granted to DR, a regional TV 2 company, several regional TV 2 companies in association or TV 2 / DANMARK A / S. Similarly, a license may be granted to a company which is exclusively owned by one of these enterprises or several of the enterprises in association.

PCS. 5. The Minister of Culture may lay down rules on the derogation from subsection (1). 2 in connection with experimental activities.

§ 4. Exercise of a company pursuant to section 3 may be subject to payment of a concession fee.

PCS. 2. The minimum size, calculation basis and payment terms of the concession fee must be stated in the tender documents.

PCS. 3. The Radio and Television Board may withdraw a license granted pursuant to section 3 if the holder

- 1) violates the law or provisions laid down by law if a violation is serious or violations are often repeated, or
- 2) overrides the terms on which the permit is granted.

Distribution of audio and video programs in common aerial installations

§ 5. Distribution of joint aerial installations of Danish and foreign audio and video programs that are received directly by means of an antenna or carried to the plant by means of cable installations, may only take place without changes and at the same time as the broadcast or transmission takes place.

PCS. 2. Subtitles and the like. However, time-delayed distribution may occur if the broadcaster or television company concerned has given its consent.

§ 6. Owners of communal antenna systems shall ensure that the installation distributes sign language-interpreted news broadcasts from DR and TV 2 / DANMARK A / S, programs from DR1 and DR2 with visual interpretation and the TV channel FOLKETINGET.

PCS. 2. The Minister of Culture may lay down more detailed rules on the distribution of picture programs in common aerial installations.

§ 6 a. Owners of communal aerial installations, as well as owners of properties, owner associations and cooperative housing associations or the like, to the extent that they enter into an agreement with owners of common aerial installations for joint program supply, shall ensure that households upon request are exempted from connection to and payment for joint program supply in the plant, including the establishment, improvement and operation of the plant, cf. 2 and 3. Exemption must be made with a notice corresponding to the rules in force at any time regarding the right to terminate contracts for ongoing services in the Danish Consumer Contracts Act.

PCS. 2. Notwithstanding paragraph 1 1, households may be required to pay for the establishment, improvement and operation of communal aerial installations owned by the owner of the property, the owner association, the cooperative housing association or the like, and households may be ordered to pay reasonable costs for the administration, which owners of properties, owner associations, cooperative housing associations etc. has in connection with a common aerial plant.

PCS. 3. Notwithstanding paragraph 1 1, households may be ordered to pay for the establishment, improvement and operation of communal antenna systems that are not owned by the owner of the property, the owner association, the cooperative housing association or the like, if, in addition to the program supply, the plant is also used for conveying other electronic communication services in the property or the association.

PCS. 4. Owners of common aerial installations may not establish conditions, etc., which by virtue of coupling between receipt of program supply and receipt of other services or otherwise prevent households from exercising it in subsection (1). 1 or obstructs owners of properties, owner associations, cooperative housing associations or the like. in complying with households' request for exemption under paragraph 1; First

PCS. 5. A household who has availed himself of the exemption option in subsection (1). 1, must not again be obliged to join and pay for joint program supply, cf. 2 and 3.

PCS. 6. The Minister of Culture may lay down more detailed rules on exemption from connection to and payment for joint program supply, cf. 1-5 and § 7 b.

7. The Minister of Business and Growth may lay down regulations on access to the use of decoders in common antenna systems, which convert encrypted signals into television signals that can be reproduced immediately by television sets. The regulations may lay down rules on the following conditions:

- 1) Program providers' access to use a common decoder system used in the common antenna system.
- 2) Program providers' access to use their own decoder.
- 3) Program providers' access to settle directly with users.
- 4) Fees to cover the expenses associated with the administration of section 7, including the provisions laid down in accordance therewith.

§ 7 a. The Palace and Culture Agency supervises compliance with section 6 (1). 1, and rules issued pursuant to section 6, subs. 2. The Danish Castle and Culture Agency may, in connection with the supervision, issue an order to owners of communal aerial installations regarding compliance with section 6 (1). 1, and rules issued pursuant to section 6, subs. 2. Decisions concerning section 6 (1). 1, and decisions in accordance with rules issued pursuant to section 6, subs. 2, cannot be brought before another administrative authority.

§ 7 b. The Palace and Culture Agency supervises compliance with § 6 a, subs. 1-5, and rules issued pursuant to subsection (1). 6, if the matter cannot be brought before another administrative appeal body pursuant to the Rent Act and the Act on Renting of Public Housing. Slots- og Kulturstyrelsen may, on the basis of its supervision, make decisions regarding section 6 a, subsection (1). 1-5, and rules issued pursuant to subsection (1). 6. The Palace and Culture Agency's decisions cannot be brought before another administrative authority.

Section 8. The Danish Business Authority shall supervise compliance with regulations issued pursuant to section 7. In connection with the supervision, the Danish Business Authority may issue orders to owners of common aerial installations for compliance with regulations issued pursuant to section 7.

PCS. 2. The Minister of Business and Growth cannot give the Danish Business Authority service service on the Board's performance of regulatory tasks concerning specific cases, on the processing and decision of individual cases, on the Danish Business Authority's issuance of administrative regulations in areas where the Agency is authorized to do so, or on the Danish Business Authority's other supervisory activities for the purpose of to ensure compliance with this law and administrative regulations issued thereunder.

PCS. 3. The Minister for Business and Growth cannot grant exemptions from administrative regulations issued by the Minister pursuant to this Act.

§ 9. Appeals against the Danish Business Authority's decisions made pursuant to section 8 of this Act may be brought before the Telecommunications Complaints Board.

Chapter 3

Public service company

§ 10. The total public service company must via television, radio and internet or other. like. ensure the Danish population a wide range of programs and services including news, information, education, art and entertainment. Quality, versatility and diversity must be sought in the supply. The program planning must place a decisive emphasis on the consideration of freedom of information and expression. In the dissemination of information, emphasis must be placed on objectivity and impartiality. The program company must

provide the public with access to significant social information and debate. Special attention must also be paid to Danish language and Danish culture. The program company must also reflect the breadth of the production of art and culture and provide program offers that reflect the diversity of cultural interests in Danish society.

§ 11. DR, the regional TV 2 companies and TV 2 DENMARK A / S carry out public service activities in accordance with the rules in chapters 4, 6 and 6 a.

PCS. 2. In the overall public service company, according to the Minister of Culture's further stipulation, public service program activities, cf. section 10, may be included in the form of television channels, radio channels, similar Internet-based services, etc. exercised by other enterprises than those mentioned in PCS. 1. Authorization for this program company shall be notified in accordance with the rules of Chapter 8.

Section 11 a. Under the rules laid down by the Minister of Culture, the Danish Film Institute may grant subsidies for the production of Danish television drama, television documentary programs and public service television programs for children and young people for broadcast on television companies other than DR, the regional TV 2- companies and non-commercial local TV stations and on-demand audiovisual media services belonging to other than DR, the regional TV 2 companies and non-commercial local TV stations, cf. section 92 a.

Chapter 4

DR

DR's public service company

§ 12. The DR shall exercise public service activities for the entire population according to the principles mentioned in § 10.

PCS. 2. The DR's completion of public service obligations is set out in a public service contract between the Minister of Culture and the DR.

PCS. 3. The DR shall annually prepare a statement on the fulfillment of the public service contract.

§ 13. Sponsored programs may not be included in DR's public service program business.

PCS. 2. Notwithstanding paragraph 1 1, programs sponsored by public institutions and foundations, foundations and associations, etc., for the public good may be included in the public service program under the rules of Chapter 11.

PCS. 3. The inclusion or reference to a product, service or trademark in a program (product sponsorship) may, regardless of paragraph. 1 and 2 are included in the public service program according to the rules in chapter 11.

PCS. 4. The Minister of Culture may lay down rules that, in special cases, programs may be included which are sponsored by persons other than those referred to in subsection (1). 2, in the public service program company according to the rules in chapter 11.

§ 13 a.

DR's other business

§ 14. The DR may exercise other program activities in accordance with the rules in chapter 8.

PCS. 2. DR may engage in other activities, including telecommunications services, in connection with the program company with a view to utilizing the institution's technical equipment, special expertise, etc.

PCS. 3. DR may set up new companies or invest capital in existing companies with a view to exercising other activities, including program activities, or in order to enter into collaboration on media-related activities with other companies.

PCS. 4. DR's other company, cf. 1-3, must take place on competitive terms. The Minister of Culture may lay down more detailed rules for the accounting separation between the public service company and other companies.

PCS. 5. The Minister of Culture may lay down more detailed rules on DR's other business.

DR's organization, etc.

§ 15. DR is an independent public institution.

PCS. 2. The DR's business is financed through subsidies from the state, cf. 5 and 6.

PCS. 3. The grants referred to in paragraph 1 2, is granted by the state for co-financing of DR's public service company and amounts to DKK 898.0 million. DKK 2019, DKK 1,729.6 million. DKK 2020, DKK 2,510.8 million. DKK 2021, DKK 3,229.7 million. DKK 2022 and DKK 3,092.5 million. DKK 2023 (2018 prices). The subsidy is regulated annually by the consumer price index.

PCS. 4. Subsidy under subsection (1). 2 is paid in advance in equal installments each month. The Minister of Finance may, in agreement with DR, fix amended payment terms.

PCS. 5. DR is financed in addition to the state subsidy mentioned in subsection (1). 2, in the period from 1 January 2019 to 31 December 2021, together with DR's share of the license fees. DR can also be financed by license funds after 31 December 2021, in so far as it is an excess license and recovery of license arrears and income from the period before 31 December 2021.

PCS. 6. The DR's business is financed in addition to the state subsidy mentioned in subsection (1). 2, and the license fees mentioned in subsection (2). 5, through revenues from the sale of programs and other products and services, other grants, dividends,

profit shares, etc. DR may not receive advertising revenue from the program company and public Internet service activities. DR cannot demand user payment for public service services except for activities related to DR's ensembles and entrance fees in connection with major events.

PCS. 7. DR is not covered by the state budget and grant rules, the state accounting rules and the state rules in terms of terms of employment and collective agreement.

PCS. 8. DR can borrow on ordinary market conditions to finance the institution's investments, provided that the total borrowing does not exceed 4 per cent. of revenue according to latest accounts. Borrowing in addition must be approved by the Minister of Culture.

PCS. 9. The Minister of Culture may lay down a statute for DR.

§ 16. The DR is led by a board of 11 members appointed by the Minister of Culture. The Minister of Culture appoints three members (including the chairman), and the permanent employees of DR appoint 2 members and 2 deputies for this. The six largest parties of the Folketing each nominate 2 candidates, which the Minister of Culture and the parties must jointly choose between for the purpose of designating the six remaining members. The Minister of Culture protects the Vice-Chairman from among the six members appointed by the Minister of Culture and the parties.

PCS. 2. The board of directors must be composed so that the entire board represents media, cultural, managerial and professional insight.

PCS. 3. Members or candidates for the Folketing, regional council or the European Parliament cannot be members of the board.

PCS. 4. Members of or candidates for municipal councils may not be members of the board of directors ³⁾.

PCS. 5. The appointments are valid for 4 years. Only once can re-election of board members, cf. First

PCS. 6. In the event of withdrawal, a new member shall be appointed for the remainder of the term of office.

17. The Board of Directors is DR's top management. The Board of Directors has overall program responsibility and responsibility for ensuring that the provisions of the institution's activities set out in the Act and provisions laid down pursuant to the Act are complied with. The Board of Directors sets the general guidelines for DR's business.

PCS. 2. The Board of Directors appoints the Director-General and other members of the DR Executive Board.

PCS. 3. The Board of Directors shall, after discussion with the Director-General, also recruit the listeners and viewers. The editor must report to the board of directors on his business.

PCS. 4. DR's decisions in cases relating to the institution's activities cannot be brought before another administrative authority, cf. 2nd

PCS. 5. However, DR's decisions in cases concerning good press practice and on remarks can be brought before the Press Board in accordance with the rules in Chapter 5-7 of the Media Responsibility Act.

18. The Director-General has daily program responsibility and handles the daily administrative and financial management of DR. The personnel who are not employed by the Board of Directors, cf. 2 and 3, is appointed by the Director-General.

19. - (1) The Board of Directors shall set the budget for DR's activities for each year. The budget is sent to the Minister of Culture and the Folketing for information.

PCS. 2. The institution's accounts are prepared by the Board of Directors and the Executive Board and audited by the National Audit Office. The accounts for the individual year are submitted with the audit's remarks to the Minister of Culture for approval and then sent to the Folketing for information.

§ 20. Funds may be made available by the Treasury to cover the expenses of parts of DR's business. The terms of the agreement are made between the Minister of Culture, the Board of Directors and the Minister whose business area is affected by that part of the company.

PCS. 2. By an agreement under subsection 1, the provisions of section 17 (1) may apply. 4 and 18 are departed from.

21. - (1) The Minister of Culture may, after negotiation with the Minister of Finance, provide a state guarantee to ensure the fulfillment of the pension obligations incurred by the Pension Fund for Officials in DR. Similarly, DR's obligations to provide non-pensionable personnel are a continuous lifelong support in addition to the social pension.

Chapter 5

(Canceled)

Chapter 6

The regional TV 2 companies

Public service of the regional TV 2 companies

§ 31. The regional TV 2 companies must carry out public service activities for the entire population in the company's area according to the principles mentioned in section 10.

PCS. 2. The regional TV 2 companies must produce news and current affairs programs and programs including information, culture and entertainment. The programs that are not news and current affairs programs must, to a reasonable extent, be provided through purchases from other producers.

PCS. 3. The regional TV 2 companies must attach importance to connection to the region when programming.

PCS. 4. Completion of public service obligations by regional TV 2 companies is set out in a public service contract between the Minister of Culture and each company.

PCS. 5. Each regional TV 2 company must annually prepare a report on the fulfillment of the public service contract.

§ 32. Sponsored programs may be included in the public service program activities according to the rules in chapter 11.

The other company of the regional TV 2 companies

33 .- (1) The regional TV 2 companies cannot perform other program activities.

PCS. 2. The regional TV 2 companies can carry on other activities in connection with the program company for the purpose of utilizing available capacity within technical equipment, personnel, premises and the like.

PCS. 3. The regional TV 2 companies can participate financially and management-wise in companies in order to, in cooperation with other companies that are independent of the regional TV 2 companies, to carry out Internet-based information activities on the individual regional area. A regional TV 2 company must not gain control over its participation in such companies.

PCS. 4. The regional TV 2 companies can, regardless of paragraph. 1 exercise other activities, including in the form of a company, for the purpose of exercising a license issued pursuant to section 3 (1). 4th

PCS. 5. The regional TV 2 companies' other business must take place on competitive terms. The Minister of Culture may lay down more detailed rules for the accounting separation between the public service company and other companies.

PCS. 6. The Minister of Culture may lay down more detailed rules on the regional TV 2 companies' other activities.

The regional TV 2 companies' organization, etc.

34 .- (1) For the eight regional TV 2 companies, there is a committee of representatives composed of a diverse representation of the regional cultural and social life.

PCS. 2. The Minister for Culture may in special cases approve the creation of new regional TV 2 companies.

PCS. 3. The Minister of Culture may lay down a statute for the regional TV 2 companies. The Statute may contain rules on supervision and sanctions.

34 a. The Minister of Culture may in special cases change the limits of the coverage of the regional TV 2 companies.

§ 35. The regional TV 2 companies are financed through grants from the state, cf. 3 and 4. The grant is regulated annually by the consumer price index.

PCS. 2. Subsidy under subsection (1) 1 is paid in advance in equal installments each month. The Minister of Finance may, in agreement with the regional TV 2 companies, fix amended payment terms.

PCS. 3. The regional TV 2 companies are financed in addition to the state subsidy mentioned in subsection (1). 1, in the period from 1 January 2019 to 31 December 2021, as well as the share of the regional TV 2 companies in the license fees.

PCS. 4. The regional TV 2 companies are financed in addition to the state subsidy mentioned in subsection (1). 1 and the license fees referred to in subsection (1). 3, through revenue from the sale of programs and other products and services, other grants, dividends, profit shares, etc.

PCS. 5. The regional TV 2 companies are not subject to the state budget and funding rules, the state accounting rules and the state rules as regards terms of employment and collective agreements.

§ 36. The overall management of the individual regional TV 2 company is handled by a board of 5-7 members. The permanent employees of the regional TV 2 company choose one member and one deputy member, while the other members are elected by the Board of Representatives.

PCS. 2. Members of or candidates for the Folketing, regional council, European Parliament or municipal councils may not be members of the board.

PCS. 3. Members of the Board are elected for 4 years. Only once members of the Board of Directors can be re-elected, cf. 1. Half of the board members elected by the Board of Representatives are up for election every two years.

PCS. 4. In the event of withdrawal, a new member shall be elected for the remainder of the term of office.

PCS. 5. The Board is the top management of the regional company. The Board of Directors has the overall program responsibility and responsibility for ensuring that the provisions for the company laid down in the Act and pursuant to the Act are complied with. The Board of Directors sets the general guidelines for the regional company and appoints the director of the regional company.

PCS. 6. The director of the regional TV 2 company has daily program responsibility and manages the daily administrative and financial management of the regional company. The director hires the company staff.

37. The board of directors of a regional TV 2 company shall annually determine the budget of the company. The budget is sent to the Minister of Culture and the Folketing for information.

PCS. 2. The accounts of the regional TV 2 company are prepared by the Board of Directors and the Executive Board and audited by the National Audit Office. For TV Syd, however, the accounts are audited by a state-authorized public accountant. The accounts for

the individual year are submitted with the audit's remarks to the Minister of Culture for approval and then sent to the Folketing for information.

§ 38. The decisions of the regional TV 2 companies in cases relating to the institution's activities cannot be brought before another administrative authority.

PCS. 2. The decisions of the regional TV 2 companies in cases concerning good press practice and whether remarks can be brought before the Press Board in accordance with the rules in the Media Responsibility Act chapter 5-7.

Chapter 6 a

TV 2 / DANMARK A / S 'public service program company

§ 38 a. The Minister of Culture may grant permission for TV 2 / DENMARK A / S to carry out public service program activities. TV 2 / DANMARK A / S 'public service program activities must be exercised towards the entire population according to the principles mentioned in section 10.

PCS. 2. The Minister of Culture may, in connection with the issuance of the license, lay down more detailed terms for the public service program company, etc., including to what extent the company may be wholly or partly financed by subscription payment. In this connection, it may be stipulated that the license fee must be paid for the license. It may also be stipulated that a penalty system must be agreed upon which must be applied in the event that the conditions on which the program permit is notified are disregarded.

§ 38 b. The Minister of Culture may lay down rules on the program company, including rules on content in the program company, rules on promoting programs of European origin and rules on how the program company is made available.

PCS. 2. The Minister of Culture may lay down rules that TV 2 / DANMARK A / S shall make information that identifies TV 2 / DANMARK A / S vis-à-vis viewers and users accessible.

§ 38 c. Advertising, sponsored programs and programs for which payment time has been paid can be included in the program company according to the rules in chapter 11.

§ 38 d. On the recommendation of the Radio and Television Board, the Minister of Culture may decide to withdraw the program license temporarily or finally if TV 2 / DENMARK A / S

- 1) violates the law or provisions laid down by law if a violation is serious or violations are often repeated;
- 2) disregards section 87 or order issued pursuant to this provision;
- 3) overrides the terms on which the program permission is granted, or
- 4) override the order notified under section 88.

§ 38 e. The Minister of Culture may withdraw the program license temporarily or definitively if TV 2 / DANMARK A / S does not use the license or there is a significant interruption of the program company.

§ 38 f. In the event of withdrawal pursuant to §§ 38 d or 38 e, the Minister of Culture may issue a license to another enterprise which, if applicable, enters the rights and obligations of TV 2 / DANMARK A / S pursuant to the Radio Act and television activities and provisions laid down by law. § 38 a, subs. 2 shall apply *mutatis mutandis*.

§ 38 g. The Minister of Culture may lay down more detailed rules on the accounting separation between the public service program company and other companies.

Chapter 7

The Radio and Television Board

39. - (1) The Minister of Culture shall establish a committee, the Radio and Television Board, consisting of 10 members appointed by the Minister. The Minister appoints 8 members, including the Chairman and Deputy Chairman, The Cooperation Forum for Danish Listening and Viewing Organizations designates one member, and the Danish Judicial Association appoints one member. The members appointed by the Minister must represent legal expertise, including one member having special criminal law insight, and economic / administrative, professional and media / cultural expertise. The chairman must be a lawyer. The board is reduced for 4 years at a time.

PCS. 2. The member appointed by the Danish Judge Association, and the member with special criminal law insights appointed by the Minister of Culture, shall participate only in the work of the Board in the handling of cases where a decision may be made pursuant to section 50 (2). 1, no. 2, no. 1, or paragraph. 3, concerning rules as laid down pursuant to section 48, third sentence. When examining these cases, the member appointed by the Danish Judicial Association acts as the chairman of the board, and the chairman appointed by the minister acts as deputy chairman.

PCS. 3. The Minister may, after obtaining the opinion of the Board, lay down rules of procedure for this. In the Rules of Procedure, it may be stipulated that the Board may establish subcommittees which may make final decisions in matters on behalf of the Board.

PCS. 4. Broadcasting organizations and other media service providers covered by the Radio and Television Board's activities are obliged to notify the Board of the information, hand over the documents, etc. and to submit the written statements required by the Board. The Board may set a deadline for the submission of such information, etc.

40. - (1) The Radio and Television Board shall carry out a number of tasks in the radio and television field, cf. sections 41-44 b. The decisions of the Board pursuant to these provisions may not be brought before another administrative authority.

PCS. 2. The Radio and Television Board also issues opinions on broadcasters' statements on compliance with public service contracts and public service broadcasting licenses.

PCS. 3. In addition, the Board shall issue an opinion on other matters, if this is stipulated in the public service contracts, licenses or similar of the broadcasters.

PCS. 4. The Radio and Television Board advises the Minister of Culture on radio and television issues.

PCS. 5. The Minister of Culture may delegate other tasks in the radio and television field to the Radio and Television Board. The Minister of Culture may decide that the board's decisions in such cases cannot be brought before another administrative authority.

PCS. 6. The Radio and Television Board cooperates with supervisory bodies in other EU countries, countries with which the Community has concluded agreements, and other European countries. More detailed rules are set by the Minister of Culture.

PCS. 7. The Minister of Culture may lay down more detailed rules on the Radio and Television Board's handling of the reports mentioned in subsection (1). 2nd

41. - (1) The Radio and Television Board has the following tasks relating to the distribution of sound and image programs by means of terrestrial digital transmission options:

- 1) To decide on permits for the distribution of Danish and foreign audio and video programs by means of terrestrial digital broadcasting networks, to issue such licenses and to supervise the company, cf.
- 2) To prosecute violations of the Act and provisions laid down by law and conditions laid down in connection with the issuance of licenses for distribution.
- 3) To decide on the withdrawal of permits for distribution, cf. Third

Section 42. The Radio and Television Board has the following tasks concerning program activities on the basis of permission or registration:

- 1) To decide on the permission of the program company, issue such permits and supervise the program company, cf. section 45.
- 2) To register entities that carry out program activities using satellite, common antenna systems, terrestrial digital broadcasting, short-wave broadcasting or other electronic communications networks, and to oversee program activities, cf.
- 3) To prosecute violations of the law and provisions laid down by law and conditions laid down in connection with the issuance of program permits.
- 4) To decide on the withdrawal or cancellation of a license for program activities, cf. 1 and 51.
- 5) To decide on the nomination of a registered program company, cf. 2nd

§ 42 a. The Radio and Television Board supervises program activities covered by § 2, no. 4.

PCS. 2. The Radio and Television Board may decide on the recommendation of the program company mentioned in subsection (1). 1, cf. section 50, subs. Third

Section 43. The Radio and Television Board may grant grants, cf. section 92a, to non-commercial local radio stations and non-commercial television stations which carry out program activities pursuant to a license issued by the Radio and Television Board pursuant to section 45, PCS. 1, 2 and 6.

Section 43 a. The Radio and Television Board may grant grants to enterprises for the purpose of performing public service program activities, cf. 2nd

44. The Radio and Television Board has the following tasks concerning advertising and sponsorship of programs:

- 1) The Board decides on the identification, location and extent of advertising, cf. sections 72-75.
- 2) The Board decides on the content of advertisements, cf. sections 76 and 77. In cases concerning compliance with the Act on medicinal products and the Act on the marketing of healthcare, the Board first collects an opinion from the Danish Medicines Agency and the National Board of Health respectively.
- 3) The Board decides on a reply to information of an actual nature which has been published in advertising. The right of reply presupposes that the information is suitable for inflicting any significant financial or other damage and that its accuracy is not undoubtedly. The Board may require the holder of a permit or registration to broadcast or broadcast a broadcast. The committee can decide on the content, form and space of the reply.
- 4) The committee decides on the identification of sponsor and sponsored programs, cf. sections 79, 80, 81, 83 and 84.
- 5) The committee decides on questions about incentives for marketing etc. in sponsored programs, cf. sections 82 and 85.
- 6) The committee decides on questions about product placement in programs, cf. section 85 a.

Section 44 a. The Radio and Television Board has the following tasks concerning TV 2 / DANMARK A / S 'public service program company in accordance with Chapter 6 a:

- 1) Supervise the public service broadcaster,
- 2) prosecution of violations of the Act and provisions laid down in accordance with the Act, and conditions laid down in connection with the issue of the license and
- 3) make recommendations to the Minister of Culture regarding withdrawal of a permit issued pursuant to section 38 a.

44 b. The Radio and Television Board shall, on application or on its own initiative, decide on the approval of the DR and the regional TV 2 companies to initiate significant new services and significant changes to existing services.

PCS. 2. By decisions pursuant to subsection (1). 1, the Radio and Television Board shall weigh the service's public service value for society and the service's impact on other services on the market.

PCS. 3. A new service means a larger, coherent, concrete initiative on a platform that is not imposed on DR or the regional TV 2 companies under the public service contracts or approved by the Radio and Television Board.

PCS. 4. The Minister of Culture may, after obtaining the opinion of the Danish Competition and Consumer Authority, lay down more detailed rules on the Radio and Television Board's decisions pursuant to subsection (1). 1, including procedures and criteria for the board's decisions.

Chapter 8

Program services on the basis of permission and registration and on-demand audiovisual program activities

45. Exercise of program activities provided by broadcasters and other media service providers belonging to the Danish authority can only be done with the permission of the Radio and Television Board. However, this does not apply to program activities covered by section 47 and DR's, TV 2 / DENMARK A / S 'and the regional TV 2 companies' public service activities pursuant to sections 12, 31 and 38 a.

PCS. 2. Authorization for program activities by means of terrestrial broadcasting and public service broadcasting licenses pursuant to section 11 (2). 2, shall be notified by the Radio and Television Board following a call for tenders, cf. 6th

PCS. 3. Authorization for program activities according to subsection (1). 1 may be subject to payment of a concession fee.

PCS. 4. The minimum size, calculation basis and payment terms of the concession fee must be stated in the tender documents.

PCS. 5. The Minister of Culture may lay down rules on tender procedures pursuant to subsection (1). 2 and permits pursuant to subsection (1). 1, including the exercise of the program company and the duration of permits. The Minister of Culture may also stipulate that the Radio and Television Board may, in connection with the issuance of licenses for program activities and in accordance with rules laid down by the Minister of Culture, lay down conditions for the program company, etc. The Minister of Culture may lay down rules on broadcasting cooperation.

PCS. 6. The Minister of Culture may lay down rules that the Radio and Television Board may, without a tender, grant permission for associations, etc., whose purpose is to produce non-commercial television produced by and directed at persons with physical disability or intellectual disability.

PCS. 7. The Minister of Culture may lay down rules on the derogation from subsection (1). 2 in connection with experimental activities and temporary program activities.

PCS. 8. The Radio and Television Board may extend local radio broadcasting licenses and licenses to perform non-commercial program activities using the MUX terrestrial digital TV network 1.

PCS. 9. The Minister of Culture may lay down more detailed rules on the extension of permits pursuant to subsection (1). 8th

§ 45 a. The Minister of Culture may lay down rules that a maximum number of program permits can be issued for non-commercial television in each of the eight regional areas corresponding to the regional TV 2 companies' areas and a certain number of program permits for non-commercial local radio in areas that corresponds to the municipal division.

PCS. 2. The Minister of Culture may lay down rules that license holders for non-commercial television and local radio program activities must be associations, etc. resident in the area that the program license includes, that a majority of the members of the board of the association, etc., must be resident in the license area and that the licensees themselves must produce their programs.

PCS. 3. The Minister of Culture may lay down rules that program permits for non-commercial and commercial local radio program activities should not be given to the same sending option. The Minister of Culture may also lay down rules on the distribution of the transmission options that are available for local radio purposes, with a view to making them available to commercial local radio companies or to non-commercial local radio activities.

46. For the purpose of implementing the Directive of the European Parliament and of the Council on the coordination of certain laws and regulations of the Member States concerning the provision of audiovisual media services and the fulfillment of Denmark's international obligations, the Minister of Culture shall lay down rules on when television undertakings and other media service providers who exercise program company belongs to the Danish authority.

Section 47 Enterprises which carry out program activities by means of satellite, common antenna systems, short-wave transmission possibilities or other electronic communication networks, and which belong to the Danish authority, must register with the Radio and Television Board. Media service providers that offer on-demand audiovisual program activities covered by section 2, subs. 1, no. 4, can carry out program activities without registration.

PCS. 2. Entities carrying out program activities by means of terrestrial digital broadcasting, for which distribution licenses have been issued pursuant to Paragraph 3 (2). 1 or pcs. 4, and which belongs to the Danish authority, must register with the Radio and Television Board, cf. 4th

PCS. 3. Pcs. 1, 2 and 4 do not apply to the exercise of public service program activities pursuant to section 11 (2). 2, cf. section 45, subs. 1 and 2.

PCS. 4. The Minister of Culture may lay down more detailed rules on the exercise of program activities by means of terrestrial digital television broadcasting, where permission for distribution has been announced in accordance with § 3, subs. 4, the license must be granted by the Radio and Television Board pursuant to section 45 (2). 1, 2 and 6.

PCS. 5. The Minister of Culture may lay down more detailed rules on registration in accordance with subsection (1). 1, 1st paragraph, and subs. 2nd

PCS. 6. The Minister of Culture may also lay down more detailed rules on the enterprises covered by subsection (1). 1, 2 and 4, including rules that allow enterprises to disclose information identifying the enterprise to viewers, listeners and users.

§ 48. The Minister of Culture may lay down rules on the program company, including rules on content in the program company, rules on promoting programs of European origin and rules on how the program company is made available. Rules on the protection of minors may be laid down in connection with the establishment of rules on program activities. Furthermore, rules may be laid down that programs should not in any way encourage hatred due to race, gender, religion, nationality or sexual observance, as well as rules that programs should in no way promote terrorism.

Section 49. Advertising, sponsored programs and programs for which transmission time has been paid can be included in the program company in accordance with the rules in chapter 11.

PCS. 2. Entities carrying out program activities on the basis of authorization or registration under this Chapter shall identify themselves at the end of each program.

50. The Radio and Television Board may withdraw a program permit pursuant to section 45 temporarily or definitively if the holder

- 1) violates the law or provisions laid down by law if a violation is serious or violations are often repeated, or
- 2) disregards section 87 or orders notified under this provision, or
- 3) overrides the terms on which the program permission is granted, or
- 4) override the order notified under section 88.

PCS. 2. The Radio and Television Board may decide on temporary or final recommendation of program activities pursuant to section 47 (2). 1, 1st sentence, if the registered enterprise

- 1) violates the law or provisions laid down by law if a violation is serious or violations are often repeated, or
- 2) disregards section 87 or orders notified under this provision, or
- 3) override the order notified under section 88.

PCS. 3. The Radio and Television Board may decide on temporary or final recommendation of program activities pursuant to section 47 (2). 1, 2nd sentence, if the media service provider violates the law or repeatedly or provisions laid down pursuant to the Act.

Section 50 a. A decision taken pursuant to section 50 (2). 1, no. 2, no. 1, or paragraph. 3, by the party to whom the decision relates may be required to be brought before the courts if the decision relates to rules as determined pursuant to section 48, 2nd or 3rd paragraph.

PCS. 2. Requests for this must be made to the Radio and Television Board within 4 weeks after the decision has been notified to the person concerned. The decision must include information on the right to demand judicial review and the deadline. The Radio and Television Board takes action against the person in the civil proceedings.

PCS. 3. The court may by order declare that the action has suspensory effect. If the Radio and Television Board's decision is upheld by judgment, it may be stipulated here that appeal does not have suspensive effect.

51. - (1) The Radio and Television Board may withdraw a program permit temporarily or definitively if the holder does not exercise the license or there is a significant interruption of the program company.

Chapter 9

(Canceled)

Chapter 10

License

69. For devices that can receive and reproduce picture programs or services broadcast to the public, media license must be paid.

PCS. 2. The size of the media license is set for one or more years at a time by the Minister of Culture with the support of the Folketing's Finance Committee.

PCS. 3. After negotiations with the Minister of Social Affairs, the Minister of Culture may lay down rules on the reduction or cancellation of the license for groups of persons. Funds may be made available by the Treasury to cover the income loss that such rules entail.

Section 69 a. The media license is collected by the DR and distributed according to the Minister's specific provision to DR, the regional TV 2 companies and any other media and film related purposes.

PCS. 2. The Minister of Culture may lay down more detailed rules on the commencement of the license obligation and termination, on payment deadlines and collection and on fees, etc. Interest accruing on late payment of license and other amounts due. In this connection, the Minister may lay down rules on minimum amounts for the collection and repayment of licenses, respectively. Interest rates are calculated from the due date. Interest and reminder fees are determined in accordance with the provisions of the Act on Interest in Delayed Payment etc. The Minister of Culture may lay down rules on postponement and remission of arrears.

PCS. 3. Section 17 (1) of the Act 4, shall apply correspondingly to DR's decisions regarding the collection of the taxes, etc.

§ 69 b. In connection with the collection of license, DR may exercise license control in relation to households, including through household visits etc.

PCS. 2. License inspectors employed by DR may, in connection with control, as stated in subsection (1). 1 register a household as a licensee if it is found that the household is the holder or user of a licensed device.

PCS. 3. If the household documents to the DR that the household is not the holder or user of a device subject to a license, the household cannot be registered as a licensed person under subsection (1). 2nd

PCS. 4. The Minister of Culture may lay down more detailed rules on control and registration activities, cf. 1-3.

§ 70. It is the responsibility of the holder or user of a device capable of receiving and reproducing image programs or services broadcast to the public to notify DR of the possession of the apparatus. More detailed rules are set by the Minister of Culture.

PCS. 2. The Minister of Culture may lay down rules on control fees for violations of subsection (1). 1, 1st paragraph The size of the control fee corresponds to the amount of license that has been avoided, but a minimum of DKK 500.

§ 71. (Repealed)

§ 71 a.

Chapter 11

Advertising and sponsorship of programs and partnerships

advertisements

§ 72. Advertising must be clearly identifiable as such, so that in content and presentation they differ from ordinary programs.

§ 73. Advertising on television may only be sent in blocks, which must be placed between the programs. This does not apply to advertisements in teletext.

PCS. 2. However, advertising blocks may interrupt sports programs where pauses occur or programs that transmit a performance or event with breaks to the public. The placement of such advertising blocks must take account of the program's natural breaks, duration and nature and in such a way that neither the integrity and value of the program nor the rights of the proprietor are infringed.

§ 74. Advertising on radio can be placed anywhere in the broadcast area.

Section 75. Advertising on radio and television must not exceed 12 minutes per advertisement. hour.

PCS. 2. Pcs. 1 does not apply to advertisements in teletext.

76. Advertising may not be broadcast for tobacco products or for goods that are mainly used in connection with tobacco smoking, cf. the Act on the prohibition of tobacco advertising etc.

PCS. 2. Advertising must be issued for pharmaceuticals and healthcare services in accordance with the rules of the Medicines Act and the Act on the Marketing of Healthcare.

PCS. 3. On television, advertisements may not be broadcast for employers' organizations, trade unions, religious movements, political parties, political movements, and elected members or candidates for political assemblies.

PCS. 4. On television, advertisements for political messages may not be broadcast during the period from the time of the election to political assemblies or referendums until the holding of the election or the poll. If the date of the election or the poll is announced earlier than 3 months before the event, the advertising-free period does not commence until 3 months before the election or the vote.

77. - (1) The Minister of Culture may lay down more detailed rules on how advertising can be included in the program company, including rules on the identification, location, content and extent of advertising in radio, television and on-demand audiovisual media services.

Section 78. Complaints regarding advertising and sponsorship of programs, cf. section 44, must be received by the Radio and Television Board no later than 4 weeks after the entry or program has been broadcast.

PCS. 2. The Radio and Television Board may decide to raise cases of its own accord.

PCS. 3. The Minister of Culture may lay down rules on the lodging of complaints regarding other cases concerning advertising and sponsorship of programs.

Sponsorship of programs and partnerships

79. Sponsorship of programs shall mean any form of granting, directly or indirectly, funding for programs on radio, television, including teletext pages, and on-demand audiovisual media services from a natural or legal person who does not self-serve. business by broadcasting, offering or producing programs on radio, television or on-demand audiovisual media services, films, phonograms, etc., in order to promote the person's name, logo, image, activities or products.

§ 80. Sponsored programs must be clearly identifiable by the fact that the sponsor's name, logo or other symbol, including an indication of the sponsor's product, service or a hallmark thereof, is indicated at the beginning, end or both of the program. However, such information must not appear in the program. In teletext, the information mentioned in the first sentence must be stated on the individual teletext pages that are sponsored.

PCS. 2. The identification of sponsorships of enterprises whose activities include the manufacture or sale of medicinal products shall not be undertaken by the promotion of certain medicinal products which are prescription-only under the Medicinal Products Act.

§ 81. The content and programming of a sponsored program shall not be affected by the sponsor in such a way as to affect the responsibility and editorial independence of the broadcaster or media service provider.

PCS. 2. Likewise, program content and programming may not be affected by companies, etc. with which the broadcaster has entered into commercial agreements with the broadcaster in such a way as to affect the responsibilities and editorial autonomy of the broadcaster.

82. A sponsored program shall not encourage the marketing of sponsor or third party goods or services and shall not promote their goods or services.

83. Programs may not be sponsored by companies whose main activity is to produce or sell tobacco products or other goods that are preferably used in connection with smoking.

PCS. 2. In radio that is part of the overall public service company, cf. section 11, and on television, programs that are sponsored by employer organizations or trade unions or by political parties or religious movements must not be broadcast.

84. In television and on-demand audiovisual media services, news and current affairs programs must not be sponsored.

PCS. 2. In radio that is not part of the overall public service company, cf. section 11, news and current affairs programs can be sponsored.

§ 85. The Minister of Culture may lay down more detailed rules on sponsorship of programs and on how programs for which transmission time is paid can be included in the program company.

PCS. 2. The Minister of Culture may furthermore lay down more detailed rules that program content and programming may not be affected by companies, etc., with which radio or television companies have entered into commercial agreements in connection with the program company in such a way that it affects the responsibility of the broadcaster or television broadcaster and editorial independence, cf. 2nd

Product placement in programs

§ 85 a. Product placement in programs in television and on-demand audiovisual media services is not permitted.

PCS. 2. For the purposes of this Act, product placement shall mean the display or disclosure of a commodity, service or trademark in the context of a program for payment or other consideration.

PCS. 3. Pcs. 1 does not preclude the inclusion or reference to a product, service or trademark in a program (product sponsorship) if
(1) the goods, services or trademarks have no significant value;
(2) no relevant media service provider or affiliate has received payment or other consideration in relation to the inclusion or reference of the product, service or trademark of the program.

PCS. 4. The Minister of Culture may lay down more detailed rules on product placement, including on deviation from the prohibition on product placement in subsection (1). 1, and further rules on product sponsorship.

Chapter 12

Various provisions

§ 86. Cases and documents relating to DR's and the regional TV 2 companies' program activities and related business matters are exempted from the Public Administration Act.

PCS. 2. Cases and documents relating to DR's and the regional TV 2 companies' program activities and related business matters are exempted from Chapter 4-6 of the Public Administration Act.

§ 87. DR, the regional TV 2 companies, holders of licenses for program activities and registered enterprises must record and for 6 months keep all programs in accordance with rules that can be set by the Minister of Culture. In dealing with a case concerning the program company, including regarding broadcast advertisements, undertakings may be required to submit recordings of the programs. If the processing of a case makes it necessary, it may be required to keep the programs for more than 6 months.

PCS. 2. Media service providers that provide on-demand audiovisual program activities covered by section 2, subsection (2). 1, no. 4, when receiving a complaint against the program company, must keep a record of the program that is being complained about. The media service provider, cf. point 1, may also be ordered in connection with the processing of a case concerning the program company to submit a recording of the program.

§ 88. Radio and television companies that are covered by this Act are obliged, in accordance with rules that may be determined by the Minister of Culture, to issue messages of emergency importance to the population.

§ 89. (Repealed)

90. The Minister of Culture may lay down rules that the exclusive rights of broadcasters to events of major social interest must not be exploited in such a way that a significant part of the population is prevented from following such events via direct or time-shifted transmission on free television.

PCS. 2. Television companies belonging to the Danish authority may not exercise exclusive rights to events such as those of another EU country, of a country with which the Community has concluded an agreement, or of a country which has acceded to the Council of Europe Convention on Transfrontier Television, has been declared to be of significant public interest, in such a way that a significant proportion of the population of that country is prevented from following the events on free television. The exercise of exclusive rights must be in accordance with the rules of the country concerned for full or partial transmission and for simultaneous or delayed transmission of events.

PCS. 3. A broadcaster broadcasting an event of great interest to the public shall allow other broadcasters established within the European Economic Area access to short extracts from the transmitting signal.

PCS. 4. Extracts that have been granted access to in accordance with subsection (1). 3, may only be used in general news programs. Extracts in a general news program, cf. item 1, may only be used in on-demand audiovisual media services when the same program is offered time-delay by the same media service provider.

PCS. 5. The Minister of Culture shall lay down more detailed rules on the access to and use of extracts according to subsection (1). 3 and 4.

§ 91. It is not permitted to manufacture, import, translate, possess or modify decoders or other decoding equipment, the purpose of which is to provide unauthorized access to the contents of a coded radio or television program. Advertising or other advertising of such equipment is not permitted.

92. The use of radio frequencies for the purpose of performing program activities requires permission issued by the Danish Business Authority in accordance with the Radio Frequency Act. If permission in accordance with the first sentence The Minister of Culture may decide that the program license in accordance with the Radio and Television Act lapses.

PCS. 2. The Radio and Television Board may, in connection with the issuance of a program permit, set a time limit within which a license must be available in accordance with the Radio Frequency Act. The deadline can be extended.

Section 92 a. The Minister of Culture may lay down rules on the distribution of grants, financial reporting and auditing, conditions for the use of grants and submission of applications, etc. regarding grants paid in accordance with sections 11a and 43 of the Act.

PCS. 2. The Danish Film Institute or the Radio and Television Board can obtain additional material from the grant recipients for use by the National Audit Office for a more detailed financial review.

PCS. 3. Commitments canceled and disbursements paid may be refunded in cases where the beneficiary does not meet the conditions of the grant or does not carry out the foreseen activity.

PCS. 4. Payments of grants can be made in advance.

92 b. Municipalities may provide support in the form of grants, loans or guarantees for loans for television programs.

PCS. 2. The Minister of Culture may lay down more detailed rules on subsidies, loans or guarantees under subsection (1). 1, including on conditions for grants, loans or guarantees and on documentation of the use of grants or loans.

Chapter 13

Penalties

§ 93. With a fine it is punished there

- 1) carry out program activities in contravention of section 1,
- 2) distribute audio or video programs in violation of § 3,
- 3) violates section 6, subs. 1
- 4) disregards requests made by the Radio and Television Board pursuant to section 39 (2); 4
- 5) overrides a decision under section 44,
- 6) fails to register in accordance with section 47 (2). 1 and 2,
- 7) disregards a decision on the cessation of the program activities pursuant to section 42, no. 2, or § 50, subs. 2 or 3,
- 8) in repeated or coarser cases, section 70 (2) violates. 1, 1st sentence, or regulations issued pursuant to section 70 (1). 1, 2nd paragraph,
- 9) violates section 85 a, subsection. 1
- 10) violate Section 87 or order issued pursuant to this provision;
- 11) violates section 90 (1). 2
- 12) fails to grant access to short excerpts in accordance with section 90 (2). 3, or
- 13) violates section 90 (1). 4th

PCS. 2. In regulations issued pursuant to section 6, subs. 2, § 7, § 77, § 85, § 85 a, § 88 and section 90, subsection 2. 1 and 5, penalties may be imposed for fines for breach of the provisions of the regulations.

PCS. 3. Companies, etc. (legal persons) may be liable to criminal liability in accordance with the rules in Chapter 5 of the Penal Code.

§ 94. Penalties shall be imposed on anyone who intentionally or grossly neglects section 91.

PCS. 2. If the violation has been committed intentionally and under aggravating circumstances, the penalty may rise to imprisonment for up to 1 year and 6 months, unless higher punishment is due pursuant to section 299 b of the Criminal Code. , in a wider circle or in circumstances where there is a particular risk of extensive infringements.

PCS. 3. Section 93 (3) 3 shall apply *mutatis mutandis*.

Chapter 14

Entry into force and transitional provisions, etc.

95. The Act shall enter into force on 1 January 2003.

PCS. 2. At the same time, Act No. 1065 of 23 December 1992 on radio and television activities is repealed, with subsequent amendments.

PCS. 3. The rules on the location and scope of the section 54 (2) of the Act. 1, no. 4, which the Minister of Culture may lay down pursuant to section 54 (1) of the Act. 4 shall apply to licenses issued with effect from 1 January 2003 and later.

96. The Act does not apply to the Faroe Islands and Greenland.

97. Rules issued pursuant to the previous Act on Radio and Television Operations, cf. 2 shall remain in force until terminated or replaced by rules issued under this Act. Violations of the rules are punished according to the rules in force so far.

Section 98. Program licenses pursuant to Chapter 9 of the Act, which were issued after 1 January 2003, may not extend beyond March 2, 2004, regardless of the provision in section 60.

PCS. 2. The Minister of Culture may lay down more detailed rules on deviation from subsection (1). First

PCS. 3. The Minister of Culture may, irrespective of the provision in section 60, lay down rules on the extension of program permits issued pursuant to Chapter 9 of the Act before 1 January 2003.

§ 99. Permits for program activities that have been announced at the time of the entry into force of the Act remain in force.

PCS. 2. The Minister of Culture may lay down rules on the relaxation of conditions in permits that have been notified at the time of the entry into force of the Act.

Act no. 439 of 10 June 2003 amending the Act on Radio and Television Operations (Amendments as a result of the Act on TV 2 / DANMARK A / S) contains the following entry into force:

§ 2

The Minister of Culture shall determine the date of entry into force of the Act. The Minister may then stipulate that the individual provisions of the Act shall enter into force at different times. Upon the entry into force of section 1 (6) of the Act, the self-governing institution TV 2 / DENMARK is deemed to be dissolved.⁴⁾

Act No. 1437 of 22 December 2004 amending the Radio and Television Act (Political advertising and extension of program permits) contains the following entry into force:

§ 2

The Act enters into force on 1 January 2005.

Act No. 1439 of December 22, 2004 on the delivery of publications contains the following entry into force

22. The Act shall enter into force on 1 July 2005.

PCS. 2. The Minister of Culture submits proposals for revision of the Act no later than the 2007-08 parliamentary year.

PCS. 3. Act no. 423 of 10 June 1997 on the delivery of duties of published works is repealed.

Act No. 430 of June 6, 2005 on amending various laws and repealing the Act on Municipal Cooperation on Collection and Recovery (Consequence Changes as a result of the Act on the Collection and Recovery of Certain Claims - the Collection of Recovery in the Ministry of Taxation) contains the following entry into force:

§ 70

PCS. 1. The Act enters into force the day after the Order in the Law Gazette.

PCS. 2. The Act shall take effect on 1 November 2005, cf. Third

PCS. 3. Decisions on recovery that have been appealed to the previous administrative appeal bodies before 1 October 2005 will be processed by the National Tax Tribunal on 1 January 2006 if the previous appeal bodies have not finalized the complaint before that date.

Act No. 431 of 6 June 2005 on amending various laws (Simplification, harmonization and objectification of the rules for the recovery of debt to the public, etc. and the possibility of using digital pay slips) contains the following entry into force:

§ 85

PCS. 1. The Act shall take effect on 1 November 2005, cf. 2nd
PCS. 2. (Excluded)

Act No. 563 of June 24, 2005 on the amendment of a number of laws in the field of culture (Implementation of the municipal reform in the field of culture) contains the following entry into force:

§ 10

PCS. 1. The Act shall enter into force on 1 January 2007. The provisions of subsection (1) shall apply. 2-6, however, comes into force on the day following the Act's Executive Order in the Law Gazette.

PCS. 2-4. (Optional)

PCS. 5. Notwithstanding the provision in section 64 (2) of the Radio and Television Act, 6, committees in municipalities that form part of a merger with one or more other municipalities, and whose functional period expires no later than 30 April 2006, until the end of 2006. With effect from 1 January 2007, the municipal council or municipal councils shall establish a new board⁵⁾.

PCS. 6-7. (Optional)

Act No. 1404 of 21 December 2005 amending the Act on Radio and Television Operations and the Media Responsibility Act (New Local Radio and Local Television Scheme, Increasing the Penalty Framework for Piracy, etc.) contains the following entry into force:

§ 3

PCS. 1. The Act enters into force on 1 January 2006.

PCS. 2. The Radio and Television Board may, without prior invitation to tender, extend permits for local radio activities by means of terrestrial broadcasting opportunities that expire during the period 1 January 2006 - 31 December 2007. Similarly, in special cases, the Board may offer available broadcasting opportunities to other license holders in the area to which the broadcasting opportunity has been announced. Extensions and permits cannot extend beyond December 31, 2007.

PCS. 3. The Minister of Culture shall lay down rules on the 2, including derogations from the said period.

PCS. 4. The Radio and Television Board may, in accordance with rules laid down by the Minister of Culture, extend permits for local television services, which expire during the period 1 January 2006 - 31 December 2006.

PCS. 5. Program Operator licenses issued at the time of entry into force of the Act remain in force for the remainder of the period in which the License is in force.

PCS. 6. Local program activities that are pending at the time of entry into force of the Act will be transferred from the local radio and television committees to the Radio and Television Board on 1 January 2006.

PCS. 7. Cases of permission or registration of local program company pending at the time of entry into force of the Act must be finalized in accordance with the rules of this Act or provisions laid down by law. Other pending cases are finalized according to the rules in force so far.

PCS. 8. The Minister of Culture may lay down more detailed rules on the relaxation of conditions in permits that have been announced before the Act enters into force.

Act No. 1569 of 20 December 2006 amending the Act on Radio and Television Activities and the Act on Rental (Implementation of the Media Agreement 2007-2010, etc.) contains the following entry into force provisions:

§ 3

PCS. 1. The Act shall enter into force on 1 January 2007, cf. 2 and 3.

PCS. 2. Section 1 (6) of the Act enters into force on 1 January 2011.

PCS. 3. The Minister of Culture shall determine the date of entry into force of section 1 (2) of the Act.

§ 4

The regional TV 2 companies can still carry on other activities established at the time of the Act's entry into force pursuant to section 33 (1), which has been in force until now. 2 and 3 of the Radio and Television Act. Such a company, which, in accordance with

section 33, subsection Paragraphs 2 and 3, which are drafted by § 1, nos. 11 and 12 of this Act, must not be exercised, however, must be settled no later than 1 January 2011.

Act No. 1336 of 19 December 2008 on the amendment of the Source Tax Act, the Collection Act, the Debt Settlement Act and various other laws (Impact Changes as a result of the Act on the Recovery of Debt to the Government) contains the following entry into force:

§ 167

PCS. 1. The Act shall enter into force on 1 January 2009, cf. 2. Section 11 shall only apply to decisions on wage-keeping that are made after the Act enters into force.

PCS. 2. The Minister of Taxation determines the date of entry into force of § 9, § 99, no. 3, § 103, § 109, no. 4 and 5, § 117, no. 4, § 118, no. 1, § 136, no. , 3 and 4, § 144, no. 1 and 2, § 148, no. 2, and section 149, no. 2.

Act No. 1404 of December 27, 2008 on the amendment of the Trade Marks Act, the Penal Code, the Act on Radio and Television Operations and various other laws (Strengthened efforts against piracy, etc.) contain the following entry into force:

§ 9

PCS. 1. The Act enters into force on 1 January 2009.

PCS. 2-4. (Optional)

Act No. 189 of 18 March 2009 amending the Radio and Television Broadcasting Act (Extension of program permits for the fourth and fifth FM radio channels) contains the following entry into force:

§ 2

The Act enters into force on 1 March 2009.

Act no. 426 of 30 May 2009 amending the Act on Radio and Television Operations (New scheme for broadcasting non-commercial TV, changing the must carry rules, collecting license etc.) contains the following entry into force:

§ 2

PCS. 1. The Act shall enter into force on 1 June 2009, cf. 2nd

PCS. 2. Section 1 (1), (2), (3), (19) and (21) of the Act shall enter into force on 1 November 2009.

PCS. 3. Grants under the commitments made by the Radio and Television Board before the Act's entry into force can still be paid.

Act No. 1269 of 16 December 2009 amending the Act on Radio and Television Operations and the Copyright Act (Implementation of the Audiovisual Media Services Directive) contains the following entry into force:

§ 3

PCS. 1. The Act enters into force on 18 December 2009.

PCS. 2. Section 90 (2) 3, of the Act on Radio and Television Operations, as drafted by section 1, no. 32 of this Act, applies only to exclusive transmissions on which an agreement has been concluded or extended after the Act enters into force.

PCS. 3. Entities which, at the time of entry into force of the Act, carry out program activities by means of satellite, common antenna systems, terrestrial digital television broadcasting, short-wave transmission possibilities or other electronic communications networks, and which belong to the Danish authority, cf. 1, 1st sentence, of the Act on Radio and Television Activities, as drafted by § 1, no. 18 of this Act, and which has not already been registered with the Radio and Television Board, must register with the Board no later than 1. February 2010.

Act No. 1360 of 8 December 2010 on the amendment of the Act on Radio and Television Operations (Implementation of the Media Agreement for 2011-2014, etc.) contains the following entry into force provisions:

§ 2

PCS. 1. The Act enters into force on 1 January 2011, cf. 2nd

PCS. 2. The Minister of Culture shall determine the date of entry into force of section 11a of the Act on Radio and Television Activities, as drafted by section 1, no. 5 of this Act.

§ 3

DR can, irrespective of section 11, subsection 5 of the Radio and Television Act as drafted by § 1, no. 3 of this Act, continue to carry out program activities on the fourth FM radio channel on the basis of a license which has been notified or extended by the Radio and Television Board prior to the entry into force of the Act according to the rules in § 11, subs. 4, of the Act on Radio and Television Operations until a new license holder can commence his business.

Act No. 1531 of 21 December 2010 on financial and administrative matters for recipients of operating grants from the Ministry of Culture contains the following entry into force:

14. The Act shall enter into force on 1 January 2011.

PCS. 2-3. (Optional)

Act no. 513 of May 27, 2013 amending the Act on Radio and Television Operations and the Act on TV 2 / DANMARK A / S (Amended must carry rules, DR's access to sponsorship, the coverage of the regional TV 2 companies, the abolition of the radio license, the reintroduction of a ban on product placement and the cancellation of the Minister of Finance's authorization to sell the shares in TV 2 / DENMARK A / S etc. as part of the implementation of the media agreement for 2012-2014) contains the following entry into force provisions:

§ 3

PCS. 1. The Act enters into force on 1 June 2013, cf. 2nd

PCS. 2. § 1, no. 13-15, comes into force on 1 July 2013.

§ 4

PCS. 1. § 1, no. 16-18, applies only to programs for which an agreement on production has been concluded or extended after the entry into force of the Act, or the purchase of such programs after the entry into force of the Act.

PCS. 2. § 13, subs. Paragraphs 1 and 2 of the Act on Radio and Television Operations, as drafted by section 1 (7) of this Act, only apply to programs for which an agreement on sponsorship has been concluded or extended after the entry into force of the Act.

Act No. 644 of June 12, 2013 amending the Act on Radio and Television Operations (Prohibition on the Promotion of Terrorism in Program Activities, etc.) contains the following entry into force:

§ 2

The Act enters into force on 1 July 2013.

Act No. 1626 of 26 December 2013 on the amendment of the Act on Radio and Television Operations (New scheme for broadcasting non-commercial television) contains the following entry into force:

§ 2

PCS. 1. The Act enters into force on 1 January 2014.

PCS. 2. The Radio and Television Board may issue permits to the broadcasting associations established pursuant to Executive Order No. 1423 of 20 December 2011 on non-commercial television in MUX 1 as amended by Executive Order No. 884 of 28 June 2013, thus that the broadcasters on the same terms as apply to license holders, cf. Executive Order no. 1423 of 20 December 2011 on non-commercial TV in MUX 1 as amended by Executive Order no. 884 of 28 June 2013, may broadcast previously broadcast programs or newly produced programs from the affiliated broadcasters for a transitional period until the new license holders, according to the new local TV scheme, can begin their program activities. The sending partnerships are responsible for ensuring that the programs in question comply with the law and the Executive Order no. 1423 of 20 December 2011 on non-commercial television in MUX 1, as amended by the Executive Order no. pursuant to the Act, Executive Order no. 607 of June 20, 2005 on the updating, storage and delivery of radio and television programs. The Radio and Television Board can provide grants to cover the broadcasting associations' distribution costs in connection with the broadcasting of the above-mentioned programs within a total framework of 0.5 million. kr.

Act No. 1517 of 27 December 2014 on the Act amending the Act on Radio and Television Operations (Re-appointment of DR's Board of Directors and re-election of the regional TV 2 companies' boards, access to support from the public service pool, abolition of the business license and the dealer reporting obligation, new scheme for non-commercial local radio, etc.) contains the following entry into force:

§ 2

PCS. 1. The Act enters into force on 1 January 2015, cf. 2 and 3.

PCS. 2. Section 1, no. 3, shall enter into force on 1 January 2019.

PCS. 3. The Minister of Culture shall determine the date of entry into force of § 1, no.

PCS. 4. The Minister of Culture shall lay down more detailed rules on the implementation of the election of the boards of the regional TV 2 companies for the period 2015 to 2018 pursuant to § 1, no. 4.

Act No. 643 of June 8, 2016 amending the Act on Radio and Television Operations, the Act on Rental and the Act on the Rental of General Housing (Free choice of TV distributor, distribution of digital radio, etc.) contains the following entry into force:

§ 4

PCS. 1. The Act enters into force on 1 July 2016.

PCS. 2. Before 1 July 2016, has there been an agreement between the owner of a common aerial plant and a television distributor or program provider or between the owner of a property, an owner's association, cooperative housing association or the like, and the owner of a common antenna system on joint program supply, which through terms etc. prevents households from exercising it in § 6 a, subs. 1, and in the Act on Radio and Television Services as drafted by § 1, no. 3 of this Act, the right mentioned or prevents owners of properties, owner associations, cooperative housing associations or the like, to comply with households' request for exemption pursuant to section 6 a, subsection (1). 1, the obligation in § 6 a, subs. 1, first effect from the earliest of the following times:

- 1) Expiration of the agreement or
- 2) the end of a period corresponding to the notice of termination of the agreement, calculated from 1 October 2016 or the later date at which the agreement can be terminated at the earliest.

PCS. 3. For plants where technically it is not possible to disconnect individual households, the Act will not apply until 1 January 2018.

Act No. 1548 of 18 December 2018 amending the Act on Radio and Television Activities, the Personal Tax Act, the Social Pension Act and various other laws (Implementation of an agreement on focusing DR and the abolition of the media license, etc.) contains the following entry into force:

§ 8

PCS. 1. The Act shall enter into force on 1 January 2019, cf. 2nd

PCS. 2. § 1, no. 4 and 5, and § 4 shall enter into force on 1 January 2022. However, after 1 January 2022, DR may collect media license in accordance with the rules in force up to now in Chapter 10 of the Act on Radio and Television Operations, in so far as it concerns the collection of media license for the period before 1 January 2022.

PCS. 3-5. omitted

Act No. 1549 of 18 December 2018 amending the Act on Radio and Television Activities (Implementation of parts of the media agreement for 2019-2023, etc.) contains the following entry into force:

§ 2

PCS. 1. The Act enters into force on 1 January 2019.

PCS. 2. This Act does not apply to licenses issued pursuant to the Act on Radio and Television Operations before 1 January 2019. For such licenses, the applicable rules so far apply.

PCS. 3. Rules laid down pursuant to section 47 (2). 3-5, in the Act on Radio and Television Operations, cf. Consolidated Act No. 444 of May 8, 2018, remains in force until they are repealed or replaced.

Ministry of Culture, March 16, 2019

Mette Bock

/ Lars M. Banke

Official notes

¹⁾ The law contains provisions implementing parts of Directive 2010/13 / EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain laws and regulations of the Member States concerning the provision of audiovisual media services (audiovisual media services directive), EU Official Journal 2010 L 95, page 1, and Directive 2002/22 / EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (the Utilities Directive), Official Journal 2002, no. L 108, page 51, as amended by Directive 2009/136 / EC of the European Parliament and of the Council of 25 November 2009, Official Journal, 2009, No L 337, page 11.

²⁾ The amendment that follows from § 1, no. 4 and 5 of Act no. 1548 of December 18, 2018 was incorrectly incorporated into the Consolidated Act no. 115 of 30 January 2019.

³⁾ Pursuant to Act No. 1569 of 20 December 2006, section 16 (2) entered into force. 4, effective 1 January 2011.

⁴⁾ According to Executive Order No. 1030 of 11 December 2003, parts of the Act entered into force on 17 December 2003.

⁵⁾ Pursuant to Executive Order No. 1046 of 29 October 2008, § 1, no. 2, entered into force on 1 November 2008.

⁶⁾ Pursuant to Executive Order No. 1046 of 29 October 2008, § 1, no. 2, entered into force on 1 November 2008.