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# Act on Czech Television



## English Pages of Czech Television

Welcome to the English Pages of Czech Television (CT), the public service broadcaster in the Czech Republic

483/1991 Coll.

### **Act of the Czech National Council of 7 November 1991 on Czech Television**

Amendment: 36/1993 Coll.

Amendment: 253/1994 Coll.

Amendment: 301/1995 Coll.

Amendment: 39/2001 Coll.

Amendment: 231/2001 Coll.

Amendment: 82/2005 Coll.

Amendment: 127/2005 Coll.

The Czech National Council has passed the following Act:

#### **Article 1**

(1) The present Act establishes Czech Television with a seat in Prague.

(2) Czech Television is a legal person managing its own property whose principal part is the property transferred from Czechoslovak Television.<sup>1)</sup> Czech Television acquires rights and incurs liabilities through its own acts.

(3) The State shall not be responsible for obligations of Czech Television and Czech Television shall not be responsible for obligations of the State.

#### **Article 2**

(1) Czech Television shall provide a service to the public by creating and distributing television channels or other multimedia content and accessory services on the whole territory of the Czech Republic (hereinafter referred to as "public service remit in the field of television broadcasting").

(2) The main public service tasks in the field of television broadcasting include in particular:

a) providing objective, verified and diverse information, balanced as a whole, to enable free formation of opinion;

b) fostering general legal awareness among the population of the Czech Republic;

c) creating and distributing television channels and providing a balanced offer of programmes that is targeted at all groups of the population and takes into account their freedom of religious faith and conviction as well as culture, ethnic or national origin, national identity, social background, age and sex, to ensure that the aforementioned channels and programmes reflect diversity of opinion as well as of political, religious, philosophical and artistic trends, and thus enhance mutual understanding and tolerance and foster the cohesion of a pluralistic society;

d) developing the cultural identity of people living in the Czech Republic, including the members of national or ethnic minorities;

e) producing and broadcasting programmes, especially news, current affairs, documentaries, art programmes, drama, sports, entertainment and educational programmes as well as programmes for children and youth.

#### **Article 3**

(1) In fulfilling the public service remit in the field of television broadcasting, Czech Television shall in particular:

- a) operate analogue broadcasting of two television channels via terrestrial radio transmitters or other technical means to ensure the population of the Czech Republic through a parallel operation of terrestrial analogue and terrestrial digital broadcasting the option to receive the aforementioned channels to the extent stipulated in paragraph 3;
- b) operate terrestrial digital broadcasting of the television channels specified under letter a) and of at least two other television channels included in an aggregate data flow which consists of data flows belonging to television and radio channels, to multimedia content and to accessory services of the public service remit in the field of television and radio broadcasting, all the aforementioned components being adapted for common distribution via a terrestrial network of radio transmitters with the envisaged penetration of at least 95% of the population of the Czech Republic, calculated on the basis of the last census<sup>1a)</sup> (hereinafter referred to as "public service multiplex");
- c) in its capacity of a public service multiplex operator and in co-operation with Czech Radio assemble the aggregate data flow and be responsible for its control and delivery for distribution via a terrestrial network of radio transmitters;
- d) set up a network of its own news reporters;
- e) through Czech Television studios (hereinafter referred to as "television studios") ensure regional news and current affairs broadcasting for their respective territories. The regional broadcasting of each television studio must in due proportion contain contributions from the whole territory of its competence;
- f) create and maintain archives and participate in the use thereof as part of the national cultural treasure;
- g) support Czech film production;
- h) broadcast works of domestic and foreign origin;
- i) provide a 24-hour programme service, including latest news, on at least one of the channels it broadcasts;
- j) provide Teletext services;
- k) furnish at least 70% of broadcast programmes with closed or on-screen captions for the hard-of-hearing or with simultaneous interpreting into sign language;
- l) be active in the field of new broadcasting technologies and services.

(2) The state authority which is under a special legal regulation<sup>1b)</sup> responsible for the management of the frequency spectrum shall in co-operation with the Council for Radio and Television Broadcasting reserve for Czech Television such radio frequencies as will enable it to operate broadcasting to the extent stipulated in paragraph 1 letters a) and b).

(3) For the purposes of the present Act, nationwide television broadcasting shall mean broadcasting which enables the reception of a particular television channel and the obligatory accessory services connected therewith by at least 95% of the population of the Czech Republic, calculated on the basis of the last census.<sup>1a)</sup>

#### **Article 3a**

(1) At least 80% of the aggregate data flow of the public service multiplex must be reserved for the distribution of television and radio channels. The remaining part of the aggregate data flow of the public service multiplex may be used for the distribution of accessory services.

(2) Czech Television shall include the broadcasting of Czech Radio channels in the public service multiplex to the extent to which Czech Radio fulfils the public service remit in the field of terrestrial digital radio broadcasting under a special legal regulation.<sup>1c)</sup> Czech Television shall charge the costs connected with operating the public service multiplex to Czech Radio or to the providers of accessory services according to their respective shares of the aggregate data flow of the public service multiplex.

(3) The television channels distributed via the public service multiplex may be digitally distributed by Czech Television also by means of satellites and cable networks.

#### **Article 4 Czech Television Council**

(1) The public exercises its right to monitor the activities of Czech Television through the Czech Television Council (hereinafter referred to as "Council"). The Council shall have 15 members. Council members shall be elected and recalled by the Chamber of Deputies of the Parliament of the Czech Republic (hereinafter referred to as "Chamber of Deputies") with a view to due representation of important regional, political, social and cultural opinion trends within the Council.

(2) Organisations and associations representing cultural, regional, social, trade union, employer, religious, educational, scientific, environmental and national interests submit to the Chamber of Deputies nominations of candidates for Council membership. The nomination proposals shall be submitted within 15 days of the day on which the chairperson of the Chamber of Deputies makes a public call for nominations in a manner stipulated by a resolution of the Chamber of Deputies.

(3) Council membership shall be open to citizens of the Czech Republic with:

- a) full capacity to perform legal acts;
- b) permanent residence on the territory of the Czech Republic, and
- c) clear criminal record; the aforementioned condition shall exclude any person convicted for a wilful crime, provided that the relevant decision has taken effect, unless the sentence has been annulled or unless such person is to be considered as not having been convicted for other reasons; the same exclusion applies to anyone who does not meet requirements set by a special law.<sup>1d)</sup>

(4) Members of the Council shall be elected from among candidates nominated in accordance with paragraph 2 for a six-year term, with one-third of the members being replaced every two years; the members may be re-elected. Vacancies occurring for other reasons than the expiry of the lawful term of office shall be filled by new members elected to serve till the end of the replaced member's term. If the remaining time period is shorter than one year, the restrictions placed on re-election shall not apply. If the Council is recalled in accordance with Article 6 paragraph 3 and a new Council is subsequently elected, the new Council shall at its first meeting choose by lot five members who shall serve a two-year term, five members with a four-year term and five members with a six-year term.

(5) The Council shall be accountable to the Chamber of Deputies for the discharge of its functions.

(6) Council membership is a public office.<sup>2)</sup> Council members shall receive remuneration whose amount shall be set by a resolution of the Chamber of Deputies.

(7) The Council elects and recalls a chairperson from among its members.

#### **Article 5**

(1) Council membership shall be incompatible with the office of the President, deputy or senator, Cabinet member, judge, state prosecutor, member of the Supreme Audit Office or member of the bank council of the Czech National Bank, with any post in public administration, with membership in the Council for Radio and Television Broadcasting, the Czech Radio Council, or the Czech News Agency Council, with the office of Director General of Czech Radio and with membership in the Supervisory Commission of Czech Television or the Supervisory Commission of Czech Radio.

(2) A Council member must not hold any office within a political party, political movement or civic association, nor may he/she in the discharge of his/her functions within the Council act on behalf of such parties, movements or associations, or promote the interests thereof or any other group interests. A Council member must also refrain from engagement in any business activities in the mass media field, and must not represent commercial interests which could interfere with the discharge of his/her office or which could jeopardise the trust in his/her independence and impartiality in Council decision-making. A Council member must not hold any other office or a paid job within Czech Television nor have any other income from Czech Television apart from the pecuniary consideration he/she receives in connection with the discharge of his/her functions under the present Act and apart from income generated by the use of objects of protection under the Copyright Act.<sup>2a)</sup>

(3) A Council member is also ineligible for the office, if he/she is closely related<sup>3)</sup> to a person who holds a paid office or a paid job within Czech Television or who has other income from Czech Television than that generated by the use of objects of protection under the Copyright Act or who is involved in any business activities in the mass media field, or represents commercial interests which could jeopardise the trust in his/her independence and impartiality in Council decision making.

#### **Article 6**

(1) Council membership shall cease:

- a) upon expiry of a member's term of office;
- b) on the following day after the chairperson of the Chamber of Deputies received a written resignation statement;
- c) upon a member's recall from office;
- d) on the day on which a Council member ceased to satisfy the eligibility criteria for election into the Council, stipulated in Article 4 paragraph 3;
- e) in the event of death.

(2) The Chamber of Deputies shall recall a Council member from office:

a) if he/she no longer meets the conditions for the discharge of his/her office within the Council as stipulated in Article 5;

b) if he/she has seriously infringed the dignity of a Council member or has behaved in a way which casts doubt on his/her independence or impartiality in the discharge of his/her office within the Council;

c) if he/she is continuously absent from the meetings of the Council for a period exceeding three months.

(3) The Chamber of Deputies may recall the Council, if the Council repeatedly neglects its duties stipulated by the present Act or if the Chamber of Deputies twice fails to approve the Annual Report on the Activities of Czech Television or the Annual Report on the Financial Management of Czech Television.

#### **Article 7**

(1) The activities of the Council are governed by its rules of procedure. The Council shall adopt the rules within thirty days of its first meeting.

(2) The majority of all Council members shall constitute a quorum, provided that the aforementioned majority includes the chairperson of the Council or at least one of the vice-chairpersons. The Council shall adopt decisions by a majority of the votes of members present, with the exception of decisions under Article 8 paragraph 1 letters b), e), f), g), j), k) and l), which shall require a majority of the votes of all Council members and the decision on the appointment or recall of the Director General of Czech Television (hereinafter referred to as "Director General"), which shall require the votes of at least ten Council members.

(3) The meetings of the Council shall be open to the public. On the basis of a Council resolution, the public may be excluded from the whole meeting or a part thereof, if the Council discusses facts protected under special legal regulations.3a) The chair of the meeting may issue a warning to any person disturbing a public Council meeting and in case of repeated disturbance such person may be ordered out of the meeting premises.

(4) The chair of a Council meeting shall take minutes thereof. The minutes from a Council meeting, documents approved under Article 8, or resolutions of the Council on excluding the public from its meeting must be published within three days of the relevant Council meeting in a way that enables long-distance access, with the exception of those parts of the aforementioned documents, which contain references to facts protected under special legal regulations.

#### **Article 8**

(1) In the discharge of its functions, the Council shall:

a) appoint and recall the Director General and appoint and recall the directors of Television Studios on the proposal of the Director General; the decision on the recall of the Director General must include a written statement of reasons and must be published within seven days of its delivery to the Director General in a way that enables long-distance access;

b) approve the budget of Czech Television, the statement of claims and liabilities and the closing accounts of Czech Television under a special legal regulation<sup>4</sup>) as checked by an auditor under a special legal regulation;<sup>5</sup>) till the approval of the budget Czech Television shall manage its funds in accordance with its long-term plan of economic development;

c) inspect the effectiveness and efficiency of the use of Czech Television's financial resources and property according to the approved budget and inform the Director General in writing of the deficiencies discovered;

d) monitor the fulfilment of requirements stipulated by the European Communities law as regards transparency of financial relations within Czech Television;<sup>6</sup>)

e) on the proposal of the Director General approve the Statute of Czech Television;

f) submit the Czech Television Code, which sets the principles of fulfilment of the public service remit in the field of television broadcasting, to the Chamber of Deputies for approval; violation of the Code shall be considered a violation of work discipline under a special law;<sup>3b</sup>)

g) approve the proposals of the Director General for the establishment or disestablishment of television studios (Article 9 paragraph 9) and proposals under Article 9 paragraph 8;

h) make decisions in cases of complaints concerning the Director General;

i) supervise the fulfilment of the public service remit in the field of television broadcasting (Article 2 and 3) as well as the observance of principles ensuing from the Czech Television Code and to this effect issue opinions and recommendations concerning the programme offer;

j) approve long-term plans of programming, technological and economic development;

k) establish the Supervisory Commission (Article 8a), approve its Inspection Rules (Article 8a paragraph 7) and set the amount of remuneration of the members of the Supervisory Commission (Article 8b paragraph 4);

l) set the salary of the Director General.

(2) The Council shall submit to the Chamber of Deputies an annual report on the activities of Czech Television by 31 March of the following calendar year and an annual report on the financial management of Czech Television by 31 August of the following calendar year. The Annual Report on the Financial Management of Czech Television must contain a separate chapter with information on how Czech Television complied with the requirements of the European Communities law.<sup>6</sup> Within three days of the submission of both annual reports to the Chamber of Deputies the chairperson of the Council shall publish them in a way that enables long-distance access.

(3) All costs connected with activities of the Council and the remuneration of Council members as well as all costs connected with the work of the Supervisory Commission and the remuneration of its members shall be paid from funds budgeted as a separate expenditure item of the Czech Television budget.

(4) Neither the Council, nor individual Council members may interfere with the production and broadcasting of television programmes.

#### **Article 8a Supervisory Commission**

(1) The Supervisory Commission is an advisory body to the Council in matters related to the inspection of financial management of Czech Television. Its task is to monitor whether the financial resources and property of Czech Television are being used effectively and efficiently in accordance with the approved budget of Czech Television, with legal regulations and requirements of the European Communities law.<sup>6</sup> The Supervisory Commission shall inform the Council of any deficiencies discovered and propose remedies.

(2) The Supervisory Commission has five members elected and recalled by the Council from among the citizens of the Czech Republic who possess the expert qualifications required for the work of a Supervisory Commission member.

(3) Members of the Supervisory Commission shall be elected for a four-year term with the possibility of re-election, but may only be elected for a continuous period of four terms. The requirements stipulated in Article 4 paragraph 3 and Article 5 shall apply by analogy to the election to and discharge of the office of a Supervisory Commission member. The cessation of membership in the Supervisory Commission shall be subject to a reasonable application of Article 6 paragraph 1 and 2.

(4) The Supervisory Commission elects and recalls its chairperson and vice-chairperson from among its members. The latter shall act in the capacity of the chairperson during his/her absence; the aforementioned responsibilities shall include chairing the meetings of the Supervisory Commission. The Supervisory Commission shall adopt its own rules of procedure.

(5) The Supervisory Commission shall always meet upon a written request of at least two of its members; notwithstanding the above, it must meet at least once during each calendar month. The meetings of the Supervisory Commission shall be closed to the public and the chair shall take minutes of every such meeting.

(6) The Supervisory Commission shall have a quorum in the presence of its chairperson or vice-chairperson and at least two other members. Its decisions shall be adopted by the majority of the votes of members present. In case of an equal number of votes the chair of the meeting shall have a casting vote.

(7) With the prior knowledge of the Director General the members of the Supervisory Commission may inspect all bookkeeping vouchers, accounting records and other documents of Czech Television, which can have bearing on the facts investigated by the Commission and other related facts. The Supervisory Commission members are also authorised to demand from the relevant employees of Czech Television oral or written information concerning the aforementioned facts. Czech Television employees are obligated to provide the members of the Supervisory Commission with copies of all requested documents, bookkeeping vouchers or accounting records of Czech Television, as well as with any requested information. The conditions and manner in which the inspections will be conducted shall be defined by Inspection Rules of the Supervisory Commission which shall be approved by the Council.

(8) The members of the Supervisory Commission are obligated to respect the confidential nature of the facts learned in the discharge of their office, unless they have been relieved of the aforementioned duty by the chairperson of the Council. The obligation to maintain secrecy shall last even after the cessation of membership in the Supervisory Commission.

(9) The Supervisory Commission shall submit to the Council a written report on its activities for each calendar quarter by the tenth day of the second month of the

following quarter. The Supervisory Commission shall also submit to the Council its analysis of the financial management of Czech Television as a source material for the Annual Report on the Financial Management of Czech Television. The aforementioned analysis must be submitted by 30 June of the following calendar year.

#### **Article 8b**

##### **Remuneration and other essentials connected with membership in the Council and in the Supervisory Commission**

(1) A Council member shall be entitled to a monthly remuneration whose amount for the period from 1 January to 31 December of the given calendar year shall be defined as the average gross monthly pay of Czech Television employees in the previous calendar year (hereinafter referred to as "average monthly pay") multiplied by a coefficient reflecting how responsible and demanding the member's office within the Council was (hereinafter referred to as "remuneration coefficient"). The remuneration shall be rounded up to whole hundreds of Czech crowns.

(2) Czech Television shall publish the amount of the average monthly pay by 31 January of the relevant year in a way that enables long-distance access.

(3) The remuneration coefficient under paragraph 1 shall be:

- a) 0.80 for a Council member;
- b) 1.03 for the vice-chairperson of the Council;
- c) 1.27 for the chairperson of the Council.

(4) The Council shall set the amount of remuneration of the Supervisory Commission members.

(5) Council members and Supervisory Commission members are entitled to a reimbursement of travel expenses connected with the discharge of their functions to the same extent as employees under a special legal regulation.<sup>7)</sup> For the purposes of reimbursing travel expenses, the journey from a member's place of residence to a Council meeting, the Council meeting as such and the journey back from the Council meeting to the place of residence shall be considered a business trip.

(6) The discharge of the functions of a Council member and of a Supervisory Commission member shall be deemed a public interest reason for absence from work, as stipulated by a special legal regulation.<sup>7)</sup> The employer shall grant a Council member and a Supervisory Commission member a leave of absence without wage compensation.

(7) Remuneration and other essentials connected with the discharge of the functions of a Council member and a Supervisory Commission member are provided to Council and Supervisory Commission members by Czech Television. Remuneration and other essentials mentioned in the first sentence shall be payable on the regular payday of Czech Television employees.

#### **Article 9**

##### **Director General**

(1) The Director General is the statutory body of Czech Television. When absent, the Director General shall be substituted by a deputy authorised by him/her to act on his/her behalf.

(2) The Director General shall be accountable to the Council for the discharge of his/her office and shall have the right to attend Council meetings.

(3) Unless the present Act stipulates otherwise, the Director General shall be subject to the provisions of the Labour Code.

(4) The Council shall appoint the Director General on the basis of a selection procedure from among candidates satisfying the criteria set in Article 4 paragraph 3. The Director General shall be appointed for a six-year term.

(5) The office of Director General shall by analogy be subject to the requirements set in Article 5 paragraph 1 and 2.

(6) The discharge of the office of Director General shall cease:

- a) upon the expiry of his/her term of office;
- b) on the day immediately following the delivery of a written resignation of the Director General to the Council;
- c) on the day immediately following the delivery to the Director General of a written decision of the Council recalling him/her from office;
- d) upon the coming into force of a court decision declaring the Director General incapable to perform legal acts or limiting his/her capacity thereto;
- e) upon the coming into force of a court decision convicting the Director General of a wilful crime or a crime connected with the operation of television broadcasting;

f) in the event of his/her death.

(7) The Council may recall the Director General from office if:

a) Czech Television is not fulfilling the public service remit in the field of television broadcasting in accordance with the present Act (Article 2 and 3) or the duties ensuing from special legal regulations<sup>8)</sup> or if its programming is not fulfilling the principles of the Czech Television Code, provided that, within the preceding twelve months, the Director General received a written notice from the Council pointing out any or all of the aforementioned deficiencies;

b) the Director General has breached his duties stipulated by law or by the Czech Television Statute, provided that, within the preceding twelve months, he/she received a written notice from the Council pointing out the aforementioned breach of duty;

c) the Director General no longer satisfies the criteria for the discharge of his/her office (Article 5 paragraph 1 and 2), or

d) the Director General has not been discharging the functions of his/her office for six months.

(8) Prior to the conclusion of any contract on the lease of real property owned by Czech Television or on the lease of parts of such property for a period of time exceeding three months, or prior to the conclusion of any contract on the transfer of ownership to or encumbrance of real property owned by Czech Television, or parts of such property, the Director General must obtain the consent of the Council. Without such consent the legal act shall be null and void.

(9) With the exception of the Brno Television Studio and the Ostrava Television Studio, the Director General may establish and disestablish television studios with the prior consent of the Council.

(10) In cases stipulated by the Statute of Czech Television the Director General shall appoint and recall senior employees of Czech Television after consultation with the Council.

(11) The directors of television studios and persons referred to in paragraph 10 must satisfy the criteria under Article 4 paragraph 3 letter c) and Article 5 paragraph 1 and 2.

(12) If the office of the Director General falls vacant for any of the reasons listed in paragraph 6, a senior employee designated by the Statute of Czech Television (hereinafter referred to as "deputy of the Director General") shall act as the head of Czech Television till the appointment of a new Director General. The Council shall appoint a new Director General within three months of the day on which the aforementioned vacancy occurred.

(13) Till the appointment of a new Director General the deputy of the Director General shall by analogy be subject to provisions of paragraphs 1 to 11.

#### **Article 10 Financing of Czech Television**

The sources of Czech Television financing include in particular:

a) television licence fees collected in accordance with a special legal regulation,<sup>3c)</sup>

b) income from business operations.

#### **Article 11**

(1) Under conditions stipulated by legal regulations Czech Television may pursue commercial activities related to its objects, provided that the aforementioned activities do not interfere with the fulfilment of its tasks (Article 2 a 3).

(2) Czech Television shall use its financial resources to fulfil tasks under Article 2 and 3.

#### **Article 11a Separate accounts**

(1) Czech Television shall keep accounts according to a special legal regulation.<sup>4)</sup>

(2) In its organisational structure Czech Television shall separate the activities which consist in providing public service in the field of television broadcasting (Article 2 and 3) from business activities (Article 11 paragraph 1). Czech Television is obligated to keep accounts for each of the aforementioned groups of activities in a manner clearly distinguishing the costs and revenues connected with providing public service in the field of television broadcasting from costs and revenues connected with business activities. Czech Television shall define the methods for distinguishing costs and revenues and for the linking thereof to activities under Article 2 and 3 or under Article 11 paragraph 1 by an internal regulation (hereinafter referred to as "Accounting Standards of Czech Television"), which must comply with the requirements of the European Communities law.<sup>6)</sup>

(3) Czech Television shall preserve data on the fulfilment of the duty under paragraph 2

for a period of time stipulated by the European Communities law<sup>6</sup>) and submit the aforementioned data on request to the Office for the Protection of Competition<sup>9</sup>) together with the Accounting Standards of Czech Television and other materials required for reviewing the fulfilment of the duty under paragraph 2.

## **Article 12**

### **Television studios**

(1) The structure of Czech Television includes the Brno Television Studio, the Ostrava Television Studio and television studios established on the basis of Article 9 paragraph 9.

(2) A television studio director is authorised to enter on behalf of Czech Television into legal acts concerning the relevant television studio, with the exception of contracts on the transfer or encumbrance of real property owned by Czech Television or a part of such property. A television studio director shall be accountable to the Director General for the operation of the television studio.

(3) Within the scope of their activities television studios shall have powers similar to those listed in Article 3 paragraph 1 with the exception of letters a) and g). The time volume of regional broadcasting of news and current affairs programmes under Article 3 paragraph 1 letter c) shall be at least 25 minutes a day in the case of the Brno Television Studio and the Ostrava Television Studio; with television studios established by the Director General under Article 9 paragraph 9 the total time of such broadcasting may be shorter.

(4) The share of television studios in the nationwide broadcasting offer must be at least 20% of the total broadcasting time of Czech Television for each month.

## **Article 13**

Czech Television may use its technical and production base only in accordance with the present Act (Article 2 and 3).

## **Common and final provisions**

### **Article 14**

(1) The Czech National Council shall elect the Council within one month of the coming into effect of the present Act. The Council shall appoint a Director within one month of its election.

(2) Till the appointment of a Director Czech Television shall be headed by a Temporary Director elected by the Czech National Council. The Temporary Director shall not hold powers under Article 8 para.1 of the present Act.

### **Article 14a**

abolished

### **Article 14b**

abolished

### **Article 15**

The present Act shall take effect on 1 January 1992, with the exception of Article 11 paragraph 2. The provision of Article 11 paragraph 2 of the present Act shall take effect on 1 January 1993.

## **Selected provisions of the amendments**

### **Article II of Act No. 39/2001 Coll.**

#### **Transitory provisions**

1. Council Membership of those members of the Czech Television Council elected before the coming into force of the present Act shall cease upon the coming into force thereof. The Chamber of Deputies shall elect new members of the Czech Television Council within 60 days of the deadline for submitting nomination proposals. At its first meeting the Czech Television Council shall choose by lot to see who will serve for two, four and six years respectively.

2. In the interim period from the coming into effect of the present Act till the election of at least ten members of the Czech Television Council the Chamber of Deputies shall have the right to recall the Director General of Czech Television.

3. During the vacancy period after the recall of the Director General of Czech Television under paragraph 2 and before the appointment of a new Director General by the Czech Television Council the powers of the Director General of Czech Television, shall be exercised by a Temporary Director of Czech Television elected by the Chamber of Deputies.

### **Article II of Act No. 82/2005 Coll.**

#### **Transitory provisions**

(1) The average monthly pay of Czech Television employees for the period from the coming into effect of the present Act till 31 December 2004, calculated for the purposes of determining the remuneration due to the members of the Czech Television Council under Article 8b paragraph 1 of Act No. 483/1991 Coll., is CZK 21,326.

(2) Czech Television shall bring its Statute into compliance with Act No. 483/1991 Coll., as amended by the present Act, within 3 months of the coming into effect of the present



Act.

**Article 176 of Act No. 127/2005 Coll.**

**Transitory provisions**

(1) Czech Television shall launch the digital broadcasting of television channels mentioned in Article 3 paragraph 1 letter a) of Act No. 483/1991 Coll., on Czech Television, as amended by the present Act, within 60 days of the day on which Czech Television and the relevant provider of the electronic communications network conclude a contract on the distribution of the public service multiplex. The digital broadcasting of at least two additional Czech Television channels shall be launched gradually, depending on the economic, organisational and technical readiness of Czech Television.

(2) The conditions under which the channels or accessory services of Czech Radio will be distributed via the public service multiplex shall be stipulated by a contract concluded between Czech Television and Czech Radio. The Director General of Czech Television shall submit the draft of the aforementioned contract verified by both parties to the Czech Television Council for information at least 30 days before the agreed launch of terrestrial digital radio broadcasting of Czech Radio.

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1) Article 4 of Act No. 136/1991 Coll., on the Division of Powers between the Czech and Slovak Federative Republic and the Czech and Slovak Republics in Matters Concerning the Press and Other Information Media.

1a) Article 12 paragraph 2 of Act No. 89/1995 Coll., on the State Statistical Service, as amended by later regulations.

1b) Act No. 127/2005 Coll., on Electronic Communications, Also Amending Related Acts (Electronic Communications Act).

1c) Article 3 paragraph 1 letter b) of Act No. 484/1991 Coll., on Czech Radio, as amended by later regulations.

1d) Act No. 451/1991 Coll., Setting Additional Qualifications for the Discharge of Certain Functions Within State Administration Bodies and Organisations of the Czech and Slovak Federative Republic, the Czech Republic and the Slovak Republic, as amended by later regulations.

2) Article 124 paragraph 1 of the Labour Code.

2a) Act No. 121/2000 Coll., on Copyright and the Neighbouring Rights, Also Amending Other Acts (Copyright Act).

3) Article 116 of the Civil Code.

3a) E.g. Articles 17 to 20 of the Code of Commerce, Act No. 148/1998 Coll., on the Protection of Official Secrets, Also Amending Other Acts, as amended by later regulations, Act No. 101/2000 Coll., on Personal Data Protection, Also Amending Other Acts, as amended by Act No. 227/2000 Coll.

3b) Act No. 65/1965 Coll., the Labour Code, as amended by later regulations.

3c) Act No. 252/1994 Coll., on Radio and Television Licence Fees, as amended by Act No. 135/1997 Coll.

4) Act No. 563/1991 Coll., on Accounting, as amended by later regulations.

5) Act No. 254/2000 Coll., on Auditors, Also Amending Act No. 165/1998 Coll., as amended by later regulations.

6) Commission Directive 80/723/EEC of 25 June 1980, on the Transparency of Financial Relations between Member States and Public Undertakings and on Financial Transparency Within Individual Businesses, as amended by Commission Directive 93/84/EEC and Commission Directive 2000/52/EC.

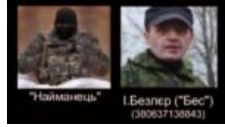
7) Act No. 119/1992 Coll., on Reimbursement of Travel Expenses, as amended by later regulations.

8) E.g. Act No. 231/2001 Coll., on Operating Radio and Television Broadcasting, Also Amending Other Acts, as amended by later regulations, Act No. 40/1995 Coll., on the Regulation of Advertising, Also Amending Act No. 468/1991 Coll., on Operating Radio and Television Broadcasting, as amended by later regulations.

9) Article 2 letter c) of Act No. 273/1996 Coll., on the Powers of the Office for the Protection of Competition.

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