



KOMISIONI I PAVARUR PËR MEDIA
NEZAVISNA KOMISIJA ZA MEDIJE
INDEPENDENT MEDIA COMMISSION

CIMC - 2007/01

Pursuant to the Article 16.1 of the Law No. 02/L-15 on the Independent Media Commission and Broadcasting the Council of the Independent Media Commission took:

Decision

on Level, Manner of Determination and Payment of Fees for Licences for Radios and TVs

Article 1

Content of the Decision

This Decision shall regulate:

1.1. Level of a single fee for processing of tender applications for licenses for terrestrial analogue broadcasting of radio and TV signals.

1.2. Level of a single fee for activities related to registration of an applicant for issuing, change or renewal of license for terrestrial analogue transmission and/or broadcasting of radio and TV signals.

1.3 Level, manner of determination and payment of an annual fee for license for terrestrial analogue transmission and broadcasting of radio and TV signals.

1.4 The level of a single fee for cable operators and digital broadcasting will be regulated by separate decisions.

Article 2

Level of a single fee for tender application processing

2.1 A single fee shall be charged for the tender application processing, whose level shall be determined according to the type of broadcasting activity and size of the area where the activity is performed.

2.2 A single fee for the tender application processing shall be paid to the Independent Media Commission during the submission of the tender application, without the possibility of refunding.

2.3 The level of the license fee for the tender application processing will be determined by a separate decision.

Article 3

Level of a single registration fee

3.1 A single fee for registration of a legal or natural person who has obtained the right to broadcast, as well as of persons who renew their licenses, shall be charged according to the expenses of issuing the license broadcasting, technical examination and registration by the Independent Media Commission.

The level of single registration fee is for:

Radio: 10% of the annual fee

Television: 10% of the annual fee

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3.2 During the submission of application for temporary license, a fee in amount of 10% of the single registration fee shall be paid.

3.3 During the submission of application, a single registration fee shall be paid to the Independent Media Commission, without the possibility of refunding.

Article 4

Level of annual fee

The Annual Fee for licence for broadcasting of radio and TV signals shall be determined on the basis of:

- Coverage zone and its economic attractiveness;
- Population in that zone;
- Characteristics of programme.

Article 5

Monthly fee level

Monthly fee for the licence for broadcasting of radio and TV signals shall be determined in the following manner:

$I = A \times B \times C \times D - E$, where:

A - is the amount of €50.00 for Kosovo wide TVs and Radios

€40.00 for other broadcasters

B – is the coefficient which, depending on the number of population in the coverage zone of the radio/TV station using the commercial broadcasting frequency from one site, amounts to:

- a) 1,00 for coverage zone with less than 10.000 citizens;
- b) 1,25 for coverage zone with 10.000 to 50.000 citizens;
- c) 1,50 for coverage zone with 50.000 to 150.000 citizens;

- d) 1,75 for coverage zone with 150.000 to 300.000 citizens;
- e) 3,00 for coverage zone with 300.000 to 800.000 citizens;
- f) 6,00 for coverage zone with over 800.000 citizens.

C – is the coefficient which, depending on the economic attractiveness of area, amounts to:

- a) 0,75 for the municipalities of Novobërdë/Novo Brdo, Štrpce/Shtërpçë, Leposavić/Leposaviq, Zvečan, Zubin Potok, Shtime/Štimlje, Glogovac/Glogovac, Skenderaj/Srbical;
- b) 1,00 for the municipalities of Kamenica/Kamenica, Deçan/Dečani, Malishevë/Mališevo, Istog/Istok, Klina/Kline, Podujevë/Podujevo, Obiliq/Obilić, Rahovec/Orahovac, Viti/Vitina, , Suharekë/Suva Reka, Kaçanik, Vushtrri/Vuçitrn, Lipjan/Lipljane, Fushë Kosove/ Kosovo Polje, Dragash/Dragaš;
- c) 1,50 for the municipalities of Ferizaj/Uroševac, Prizren/Prizren, Pejë/Peć, Mitrovicë/Mitrovica, Gjilan/Gnjilane, Gjakovë/Djakovica;
- d) 1,75 for the municipality of Pristine/Priština;
- e) 7 for Kosovo-wide coverage.

If two or more municipalities of different level of attractiveness are covered from one site, the coefficient of the more attractive one shall be taken.

Coefficient C for new municipalities that may be established after endorsement of this decision will be determined by a separate decision.

D – is the coefficient which, depending on the type of broadcaster, amounts to:

- a) 1, 00 for radio programmes;
- b) 1,50 for television programmes.

E – is the coefficient which reflects the deduction of the license fee in percent for commercial broadcasters which broadcast specific programming in minority languages and/or explicit public service programming (e.g. news, informative, cultural, educational programming):

- a) 5% for at least 60 minutes per week in a second language with not less than 30% informative content.
- b) 20% for broadcasters whose primary language is a minority language in the area they serve.
- c) 5% for at least 20 percent / 10% for at least 30 percent of local and/or self produced programming with public service character (news, informative, cultural, educational programming, excluding music).

All license fee deductions for which a broadcaster qualifies would be additive.

Article 6

Manner of payment of fee

6.1 The fee shall be paid monthly in 12 equal instalments (1/12 of the annual fee), and the first monthly fee shall be paid upon receiving the licence for the radio/television that starts broadcasting programme, including the month when the licence was issued.

6.2 The monthly fee for issued licence for broadcasting of radio and TV signals shall be paid to the bank account of the Independent Media Commission not later than 5th day of the current month.

6.3 In case when broadcasters fail to inform the Independent Media Commission that it does not intend to broadcast programme any longer, the undertaken financial liabilities from the licence shall be valid until the IMC receives the written notification.

6.4 If the licence holder stops broadcasting radio and TV signals prior to the expiry of time for which the fee has been paid, a part of fee that refers to the time left shall not be refunded.

6.5 If it is determined that a licensee has broadcast outside the coverage area set out in its license, the IMC may retroactively assess on the licensee [double] the amount of the fee it would have paid for its unlicensed coverage area if that coverage area had been set out in its license. This does not imply any right to continue to broadcast outside of the

coverage area set out in the license. This payment is in addition to any sanctions that the IMC may impose.

6.6 In case of late payment of the fee, referred in paragraph 2 of this Article, the person with the issued licence for broadcasting of radio and TV signals shall pay the interest on arrears.

6.7 The level of interest will be determined according to the level of interest that is applied by the Kosovo Tax Administration regarding arrears.

6.8 The interest will be calculated on monthly bases, for each month or part of the month from the day when the fee has become obligatory to be paid until the date when the fee is paid.

6.9 Failure to pay the License fee will result with the sanctioning of a broadcaster in accordance with the Law and Regulations of the IMC. The sanctioning may result with a revocation of a License.

Article 7

Temporary licence fee

The fee for a temporary broadcasting license shall be determined according to this decision and shall be paid prior to the issuing of the license in advance for the entire licensing period.

Article 8

Entering into force

This decision enters into force on 1 May 2007.

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Date

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