

REGULATION ON DETAILED MEMBERSHIP CRITERIA UNDER ARTICLE 3.6 OF THE EBU STATUTES

(in force since June 2013)

This Regulation sets out binding criteria further to the conditions and definitions of Articles 3.2 - 3.5 of the Statutes.

1. The combined criteria of Articles 3.2 - 3.5 of the Statutes refer to a broadcasting organisation fulfilling a public service remit

1.1. This remit must be laid down in a Law, a Charter or a similar legal instrument. The use of the words "public service" (or a similar expression) as well as the mode of funding will be indicative, but not necessarily decisive.

2. National character and importance (Article 3.4, EBU Statutes)

2.1. "National character and importance" means that the nature of the service provided is national, as opposed to transnational, regional or local. Where in a country there are two or more linguistic areas, this criterion refers individually to each such area. Where a given service can be regarded as aimed at two or more countries at the same time, even if it is intended primarily for the broadcaster's own country, it does not meet the requirement of national character; targeting of news, the content of advertising and the existence of programme windows for foreign audiences will be the main indicators of this.

2.2. Programmes must be produced for the national audience, reflecting the interests and concerns of society at large as well as, more specifically, the variety of national culture (national writers and performers; important anniversaries; cultural events).

3. Programme obligations (Article 3.5.1, EBU Statutes)

3.1. "Varied and balanced" means, firstly, that the service must not be thematic (such as a sports channel, a news channel or a channel for children) or concentrate on only two or three programme categories. However, the fact that a broadcaster provides thematic programming in addition, as a supplementary service, is without relevance.

- 3.2. Programming must include at least the following various categories: news and current affairs (covering both national and international news), sport, drama, entertainment, music and arts/culture, programmes for children and other young persons; these various programme categories must appear regularly in the programme schedule.
- 3.3. As regards television sports programming in particular, such programming must cover a wide range of different sports and, where applicable, of different events within the same sports category, rather than being chiefly devoted to the most popular two or three sports in the country. While it is appreciated that preferences and areas of emphasis vary both from country to country and on a relatively frequent yet unpredictable basis, the following minimum should normally be attained, subject to particular circumstances which may explain a temporary short-fall:
- between 07.00 and 01.00, plus any live coverage between 01.00 and 07.00, programming should include at least 200 hours of sports programming per year;
 - sports programming should include at least 12 different categories of sport, of which at least 8 each have a total annual transmission time of more than 3 hours.

Sports news items contained in general news programmes, in special sports news bulletins or in sports magazines shall not be taken into account.

Figures for the preceding three full calendar years shall be taken as a basis, with the possibility to even them out over the total period; newly established broadcasters must provide reasonable evidence that they are making concrete efforts to ensure that they reach these figures by the end of the third year of their operation.

- 3.4. In terms of ethical standards, the programme service should distinguish itself positively from purely profit-oriented programme services with particular regard to the depiction of violence and the amount, intensity and timing of sex-related ("adult") programming.
- 3.5. "All sections of the population" means that the programme service is aimed at all age groups. Rich and poor, and educated and less well educated, must be part of the overall target audience. Apart from special/minority interest programming, the programme service must also cater for the audience as a whole.
- 3.6. "Programmes catering for special/minority interests" must reflect the linguistic, cultural and religious diversity of the national audience, constitute an integral feature of the schedule, and must be broadcast at times of day when the target audience can reasonably be expected to be watching or listening.

4. Own and/or commissioned production (Article 3.5.2, EBU Statutes)

- 4.1. The *raison d'être* of this membership requirement is the ability to offer Eurovision and Euroradio programmes of interest to members in other countries, and to engage in coproductions with other members. It is this type of production that is relevant under Article 3.5.2 of the EBU Statutes.
- 4.2. With regard to television news, the broadcaster must present daily bulletins for which it has overall editorial control. At least one main bulletin must have an average duration of at least 15 minutes. The bulletins must cover national news (and particularly politics) in comprehensive fashion, based on items produced or specially commissioned by the broadcaster itself.
- 4.3. The broadcaster must, moreover, produce, as a continual part of its schedule and with its own facilities or under its direct control, magazine programmes which deal in depth with news and current affairs developments.
- 4.4. As regards television sport, in addition to the presentation of sports news in the form of news reports, the broadcaster must provide, and with its own facilities or under its own control, the production of the signal for different sports events of national importance which take place on its territory.
- 4.5. For other television programme categories it must produce, with its own facilities or under its own control, programmes in the fields of drama, documentaries, music, and programmes for young people.
- 4.6. "Substantial proportion" means at least 30% of the totality of the programmes. This percentage is assessed over a period of three consecutive years. Newly established broadcasters must provide reasonable evidence that they are making concrete efforts to ensure that they reach this figure by the end of the third year of their operation.

5. Technical coverage (Article 3.5.3, EBU Statutes)

- 5.1. "Virtually all" means 98% of the national households. For the purposes of this provision, all means of distribution (terrestrial, over-the-air broadcasting, cable, satellite and cable, direct reception satellite) shall be taken into account. The figure of 98% coverage shall result either from a legal obligation on the broadcaster to cover the entire national territory or from the practical reality that the broadcaster consistently achieves such a level of penetration. The coverage level required excludes *de facto* the possibility of pay-TV services as such being Members, even if they broadcast some of their programmes in unencrypted form.
- 5.2. "National" households refers, where applicable, separately to each linguistic area of a country.
- 5.3. Where in a given country for particular reasons no programme service reaches the required 98%, the programme service nearest to this percentage, plus any other programme service whose figure is at most 1% lower than the former's, shall be deemed to meet this condition. If, for instance, the most widely available service reaches 96%, then any other service reaching at least 95% would also qualify.

- 5.4. Broadcasting organisations which, at the time when they submit an application for membership, reach at least 75% of households may submit a concrete plan demonstrating that they will have reached, by the end of the next five years, 98% of households.

This plan must have been adopted by the organisations' responsible bodies (Administrative Council or equivalent), must begin to be implemented by the time of application for membership and must specify the following points:

- technical feasibility (operation of new terrestrial transmitters, development of cable and satellite reception) with reference to studies undertaken or agreements concluded in this field
- timetable for implementation
- funding plan for these developments.

6. Link with sports rights agency (Article 3.5.4, EBU Statutes)

6.1. A "link" is deemed to exist if

- the broadcasting organisation holds at least 15% of the share capital of a sports rights agency, or vice versa
 - a media group which holds at least 51% of the shares of a sports rights agency holds at least 15% of the shares of the broadcasting organisation.
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