

REPUBLIC OF LITHUANIA LAW

ON AMENDMENT OF REPUBLIC OF LITHUANIA LAW

ON THE NATIONAL RADIO AND TELEVISION

10 October 1996, No. I-1571

Vilnius

(As amended June 29, 2000. No. VIII – 1780)

CHAPTER I

GENERAL PROVISIONS

ARTICLE 1. Purpose of the Law

1. This law shall establish the procedure of the founding, administration, activity, reorganisation and liquidation of the National Radio and Television of Lithuania (abbreviation-LRT) and the rights, obligations and liability of LRT.

2. LRT shall base its activity upon the Law on the Provision of Information to the Public, Law on Public Institutions, other legal acts and, unless it shall be established to the contrary by this Law, upon its own by-laws.

ARTICLE 2. Concept and Status of LRT

1. The LRT denotes a public, non-profit institution which according to the right of ownership, belongs to the State.

2. The LRT shall be a legal person, having its own seal and bank accounts, in accordance with the procedure established by laws.

ARTICLE 3. Principles of Activity of LRT

1. LRT must collect and publish information concerning Lithuania and the world, acquaint the public with the variety of European and world culture and principles of modern civilisation, reinforce the independence and democracy of the Republic of Lithuania, create, nurture and protect the values of national culture, foster tolerance and humanism, culture of co-operation, thought and language, and strengthen public morality and civic awareness and develop the country's ecological culture. In preparing and broadcasting its coverage LRT must be guided by the principles of objectivity, democracy and impartiality, ensure freedom of speech and creative freedom, must reflect in its broadcasts diverse opinions and convictions, with individuals of various convictions having the right to take part and voice their views in them. Human rights and dignity must be respected in the broadcasts, and the principles of morality and ethics must not be violated.

2. The reception zone of LRT radio and television programme broadcasts shall extend throughout the entire territory of the Republic of Lithuania.

ARTICLE 4. Programme Requirements of LRT

1. A variety of topics and genres must be ensured in the programmes of LRT and the broadcasts must be oriented towards the various strata of society and people of different ages, various nationalities and convictions. Biased political views should not be allowed to predominate in the programmes; The information presented in LRT information broadcasts and commentaries, must be balanced and reflecting various political views, while opinions and factual news must be authorised, substantiated and comprehensive.

2. Priority shall be accorded in LRT programmes, to national culture as well as, informational, world culture, journalistic, analytical, educational and art broadcasts Mass culture shall be reflected in review, informative and analytical type broadcasts.

3. Over one half of the LRT programmes must be comprised of the sound and video (audiovisual) works of European and Lithuanian authors. At least ten percent of the LRT programme must be comprised of independent producers (natural persons producing radio and television broadcasts, non subordinate to LRT and not connected with it by property relations or joint activity) sound and video (audiovisual) productions, produced no earlier than within the past five years.

4. The minimum duration of LRT programme broadcasts shall be:

- 1) television: work days, 12 hours per 24-hour period, and weekends and holidays, 16 hours per 24-hour period;
- 2) radio duration: First Programme shall be 24 hours per 24-hour period, Second Programme-18 hours per 24-hour period and Third Programme-12 hours-per 24-hour period.

ARTICLE 5. The Rights, Responsibilities of LRT

1. LRT is the successor to the rights and responsibilities of the Lithuanian Radio and Television, founded by the Seimas of Lithuania. There may not be any other partners of the LRT. The functions of the general meeting of LRT shall be assigned to the LRT Council (further-Council).

2. LRT shall have the right of publishing and also the right of free recording and transmission of the Seimas and Government sitting proceedings, and formal acts of the state and use the recordings at its own discretion.

3. The LRT shall have the right to provide teletext services, freely prepare 90-second informative segments of publicly significant political and other events in Lithuania and other countries, or cultural, sports and other events, for the provision of information to the public whereof, other broadcasters have acquired an exclusive right.

4. LRT shall have the right to hold competitions, festivals, conferences, seminars, establish art collectives, establish direct ties with foreign organisations and companies, take part in the activities of international organisations, to organise radio and television broadcasts to foreign countries, re-transmit foreign radio and television programmes, to establish branches and correspondent centres and to publish informative publications regarding its activity.

5. LRT shall have a priority right to newly co-ordinated electronic communication channels (radio frequencies), state radio and television broadcasting installations with state of the art radio and television technologies. LRT shall have the right to have 2 television and 4 radio programmes.

6. LRT shall provide time for the President of the Republic to speak on internal and foreign policy issues in accordance with the procedure established by the Law on the Office of President. Following a request by the Seimas or the Government, LRT shall according to its resources provide time, as soon as possible, for official Seimas and Government announcements. LRT may allow a representative of the opposition to speak.

7. LRT shall provide time for Lithuania's traditional and state-recognised religious communities to broadcast religious services in accordance with the conditions and procedure stipulated in bilateral agreements.

8. LRT shall provide time during elections for the candidates to the post of Republic President, political parties and candidates thereof to the Seimas or municipal council membership in accordance with the conditions and procedure established by the Laws on the Elections to the Seimas and Municipal Councils.

9. LRT shall create conditions for workers to raise their qualifications.

10. Other radio and television stations shall not be allowed to operate through the channels used by LRT without permission of the Council.

ARTICLE 6. Advertising in LRT Programmes

1. Advertising in LRT programmes shall be broadcast in accordance with the procedure established by laws.

2. Advertising shall be prohibited on LRT programmes:

- 1) on days of mourning announced by the State;
- 2) during broadcasts of state significance;
- 3) during broadcasts intended for children.

3. Duration of advertising both on LRT television and on LRT radio programmes must not exceed 15 percent of the day's broadcast time.

4. With the increase of State tax on LRT receipts, advertising time shall be gradually and proportionately reduced to 10 percent of a day's broadcast time, per decision of the Council.

5. Commercial advertising shall not be broadcast on LRT informational and educational programmes.

6. It shall be prohibited for LRT to insert an advertisement in the broadcast of films that are less than 45 minutes long.

7. Teleshopping ads shall not be broadcast by LRT.

ARTICLE 7. LRT Programme Sponsorship

LRT programmes shall be sponsored in accordance with the procedure established by the Law on Provision of Information to the Public.

ARTICLE 8. The Requirements of LRT Activity During Employee Strikes or in Extraordinary Situations

1. During strike actions by the employees of LRT, the radio and television must ensure for its listeners and viewers, the minimum of information, stipulated by the Council.

2. In the event of natural disasters, epidemics, an extraordinary or war situation, LRT must broadcast the official statements of the President, Seimas, Government, Constitutional Court and Office of the Prosecutor General.

CHAPTER II

THE MANAGEMENT OF THE NATIONAL RADIO AND TELEVISION OF LITHUANIA

ARTICLE 9. LRT Council

1. The governing bodies of LRT are the Council and Administration. The Council of the National Radio and Television of Lithuania is formed in accordance with the procedure established by Article 29 of the Law On Provision of Information to the Public. Members of the Seimas, Government, Radio and Television Commission, persons in Government service of political (personal) confidence and also persons who are working according to labour contracts with radio and television stations, including the LRT, and also the owners and co-owners of radio and television stations, may not be members of the Council.

2. A Council member may not be dismissed from his duties, prior to the expiration of his term of appointment, except in instances whereby:

- 1) a council member shall resign;
- 2) a council member shall fail to participate in the council's work for more than a 3-month period, without reasonable excuse;
- 3) a court judgement has come into force against a council member;
- 4) a council member shall lose his Republic of Lithuania citizenship;
- 5) the legal basis for a council member's appointment shall change.

3. Upon expiration of any Council member's term of office, this Council member may be re-appointed to the Council with the stipulation that two terms at the most, will result from such reappointment.

4. When a position shall become vacant in the Council, the Chairman of the Council shall contact the institution which had delegated the missing Council member and request the appointment of a new Council member to carry on until the expiration of the term for which the Council member, who has resigned or has been recalled, had been appointed.

5. The Council shall have the right to resign prior to expiration of their term of office. If the Council resigns, all of the powers of the Council and all the Council and members shall be interrupted upon the convening of the newly-appointed Council to a first meeting. In the event of resignation by the Council, the provision of paragraph four of this Article shall not apply.

6. When the Council resigns, the Seimas Committee on Education, Science and Culture shall contact, no later than within 10 days, the institutions, which had delegated Council members with a request to appoint Council members.

7. The institutions, authorised to appoint Council members, must appoint them within 10 days of the day of the request by the Seimas Committee on Education, Science and Culture. Having appointed all of the Council members, the Seimas Committee on Education, Science and Culture shall organise the election of the Council chairman, no later than within a 10-day period. The chairman of the Council shall be elected for a three-year-term by an absolute majority vote of the Council members, for no more than two terms of office. Upon the recommendation by the council chairman, the deputy chairman of the council shall be elected by the same procedure.

8. The Council chairman shall convoke meetings of the LRT Council at least once a month, and in the event he is not discharging his duties, the meetings shall be convoked by the deputy chairman, upon his own initiative, or by the request of more than one-third of the Council members. The meetings shall be valid whenever they shall be attended by at least one half of the Council members. Decisions shall be adopted at the meeting by a simple vote majority of the participating Council members, with the exception of the instance stipulated in paragraph 4, of Article 12, of this Law.

9. The Council of the National Radio and Television of Lithuania shall act in accordance with the labour regulations approved by it.

10. The Council shall be funded (compensated for meetings, administrative expenses) from LRT funds.

ARTICLE 10. The Functions, Rights and Accountability of LRT

1. The Council shall:

1) form the state strategy of the LRT Programmes; 2) form the scope and structure of LRT programmes, annually approve the composition of LRT programmes and changes thereof;

3) establish the number of channels and their use in programme transmission;

4) approve LRT bylaws;

5) supervise how LRT tasks are implemented and requirements raised for broadcasters in legal acts are being adhered to;

6) deliberate and approve long-term and annual plans of LTR activity

7) approve annual receipt and expense estimates of LRT administration and reports on implementation thereof;

8) discuss and approve the annual reports of LRT activity;

9) approve the positions of labour contracts of the creative LRT employees working according to fixed-term contracts and employees, accepted by the procedure of open competition.

10) approve results of competition on LRT broadcast preparation;

11) approve an Administrative Commission to deliberate issues of LRT economic and financial activity;

12) approve regulations of the Administrative Commission;

- 13) appoint members of Administrative Commission;
 - 14) establish the procedure of public competition for the post of the LRT Director General (further -director general);
 - 15) publish a competition at least within 15 days after election of a Council Chairman, for the post of a director general;
 16. appoint a director general to a five-year term, by way of a public competition and determine his salary;
 - 17) stipulate the number of his assistants;
 - 18) upon recommendation of the director general, appoint and dismiss his assistants;
2. A Council member may not be a director general.
 3. The decisions of the Council shall be mandatory for LRT.
 4. If the director general fails to agree with a Council, he can appeal to the Council with a justified request to reconsider the decision, excepting a Council decision regarding resignation of the Council. The Council must no later than within 10 days deliberate the request by the director general. Following a repeated balloting of the same decision by more than one half of all Council members, the decision of the director general must be implemented.
 5. The Council shall have the right to send its representatives to meetings of LRT administration and Administrative Commission, and also, obtain from LRT administration, Administrative Commission, State and municipal institutions and agencies the information necessary in the implementation of its functions.
 6. The activity of the Council shall be public. In instances stipulated by the Council regulations, closed Council meetings may be held. In accordance with the procedure established by the LRT by-laws, Council resolutions shall be published in

LRT Radio and (or) television broadcasts. The Council shall annually render an accounting of its activity to the public, in the press, while the Council chairman shall annually present an account of LRT activity at a Plenary sitting of the Seimas.

ARTICLE 11. Administrative Commission, its Functions, Rights and Accounting

1). The Administrative Commission shall be comprised of five members. The Council shall appoint the Administrative Commission members for a term of four years. Seimas and Government Members, state employees of political (personal) confidence, persons employed according to labour contracts in radio and (or) television stations, including LRT, as well. Upon conclusion of an Administrative Commission's term of office, he may be re-appointed, with the condition, provided that no more than two consecutive terms of office shall result from this.

2. Members of the Administrative Commission must be management and (or) finance specialists.

3. If for some reason, a member of the Administrative Commission shall not be able to perform his duties or does not participate in Administrative Commission meetings for more than four months, the Council shall have the right to recall him and appoint another individual in his place. A member of the Administrative Commission shall have a right to resign

4. The Administrative Commission shall act in accordance with the regulations approved by the Council.

5. Members of the Administrative Commission shall elect a chairman, who shall convoke an Administrative Commission meeting at least once every two months. The meeting is valid if it is attended by more than half of the Administrative Commission members. The Administrative Commission shall adopt the conclusions by a simple majority vote of the administrative Commission's members.

6. The Administrative Commission shall perform the following functions:

1) submit conclusions to the Council concerning LRT activity and economic and financial substantiation of LRT activity long-term and annual plans;

2) submit conclusions to the Council on the LRT annual income and expenditure estimate and the account of implementation thereof;

3) submit conclusions to the Council on granting of bank credits, guarantees and fulfilment of obligations;

4) submit conclusions to the Council in forming agreements on investments, if the transaction sum amounts to at least 100,000;

5) submit conclusions regarding the LRT broadcasts draft plans submitted for competition;

6) submit conclusions to the director general regarding the use of funds, which are not projected in the approved LRT estimate;

7) submit conclusions to the director general regarding financial issues;

8) consult the Council and director general on financial issues;

9) may propose to the Council to initiate an audit of economic and financial activity of the LRT or separate branches thereof.

7. The Administrative Commission shall have the right to end its representative to meetings of the LRT Administration, obtain from the LRT Administration and Council, information necessary for performing its functions

8. The Administrative Commission shall be funded from LRT funds in accordance with the procedure established by the Administrative Commission.

9. The Administrative Commission shall give an account account of its activity to the Council, at least once a year.

ARTICLE 12. The Director General

1. The director general shall be in charge of the LRT. The director general shall be responsible for LRT activity, Programmes produced and broadcast by LRT and for implementation of Council decisions, as well.

2. The director general shall be appointed by means of competition, for a term of five years, by the Council, supported by at least one half of its members. Upon failure to secure this number of votes, a new competition shall be held.

3. Should a person, approved as the director general, be a member of a political party or political organisation, he shall interrupt his membership in this organisation for the duration of his work as director general.

4. The director general may be relieved of his duties, prior to the expiration of his term, as result of lack of confidence expressed by the Council for failure to carry out his duties properly, if at least two-thirds of the entire membership of the Council shall vote in support of this.

5. The director general may resign prior to expiration of his term of office. In this instance the deputies of the director general, who have been appointed through his recommendation, shall also resign.

6. Upon resignation of the Council, the director general and the deputies of the director general appointed by the Council, through his recommendation, shall be dismissed. Upon the resignation of the Council or the director general, the Council shall assign to the director general or another individual to temporarily perform the duties of director general, until such time as a new director general shall be appointed.

ARTICLE 13. The Functions Rights and Accounting of the Director General

The director general shall:

1) be in charge of the LRT activity, represent the LRT within the country, abroad, and among international organisations, as well as in court, approve the structure and system of labour compensation, form contracts, publish directives and supervise the implementation thereof;

2) per request by the Council, inform the Council regarding the LRT functions projected by laws, implementation of Council decisions and conclusions of the Administrative Commission.

2. The director general shall have the right to obtain Council decisions and other information, necessary for the fulfilment of its functions, and to participate, without voting right, in the Council and Administrative Commission meetings.

3. The director general shall draft and submit to the Council for approval, the annual report of LRT activity.

CHAPTER III

THE ASSETS OF THE NATIONAL RADIO AND TELEVISION OF LITHUANIA, FINANCIAL AND ECONOMIC ACTIVITY

ARTICLE 14. The Assets of the National Radio and Television of Lithuania

1. The assets of the LRT shall be state assets and may not be privatised.

2. The LRT shall manage its assets, use and dispose of them in accordance with the trust rights.

3. LRT buildings and land may not be offered for sale, transferred or mortgaged.

4. Long-term assets, the balance value of every object whereof shall amount to at least 1000,000 Lt, may be sold, transferred and written off by the LRT, only with the permission of the Government.

5. Long-term assets, the balance value of every object whereof shall amount to less than 100,000 Lt, may be sold, transferred or written-off with the permission of the Council.

6. Long-term assets, that are completely worn out and short-term assets, whose initial acquisition or indexed value shall amount up to 1000 Lt, may be sold, transferred or written off by the LRT per order of the director general.

7. It shall be prohibited to ensure the fulfilment of other individuals' obligations with the assets of the LRT.

ARTICLE 15. The Financial and Economic Activity of the LRT

1. LRT shall be funded from the allocation of the State Budget, income obtained from state taxes for the services provided to the public by LRT, for transmission of radio and television broadcasts, advertisement, publishing and from sponsorship and receipts obtained from commercial and economic activity. With the increase of LRT receipts from the State taxes, LRT funding from the State Budget shall be reduced accordingly.

2. The National Radio and Television of Lithuania shall implement commercial, economic and publishing activity independently.

3. The funds allocated to the LRT shall be indicated on a separate line in the Republic of Lithuania Budget. The funds for LRT programme transmission shall be allocated from the State Budget, while the sum thereof shall be indicated on a separate line of the Law on the State Budget.

4. Bankruptcy shall not apply to LRT.

ARTICLE 16. Reorganisation and Liquidation

The LRT shall be reorganised or liquidated according to the law of the Republic of Lithuania.

ARTICLE 16. Final Provisions

1. In accordance with this Law, the procedure of funding the LRT shall come into effect from January 1, 2001.

2. LRT Administrative Commission shall be established no later than January 31, 2001.

3. The provision of paragraph 6, Article 6 of this Law shall come into effect from January 1, 2002.

Based upon paragraph two of Article 71 of the Republic of Lithuania Constitution, I promulgate this Law passed by the Seimas of the Republic of Lithuania

CHAIRMAN OF THE SEIMAS

**OF THE REPUBLIC OF LITHUANIA
LANDSBERGIS**

VYTAUTAS