

THE CODE OF PUBLIC SERVICE MEDIA

The Fundamental Document of Hungarian public service media

*“... what panacea, miracle, invention could once again
wire together this nation shattered to smithereens...”*

LÁSZLÓ NÉMETH: The Tasks of Hungarian Radio (1934)

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THE PURPOSE OF THE CODE

The Code sets forth the basic principles of public media service provision and refines the public service objectives defined in Act CLXXXV of 2010 on Media Services and Mass Media (hereinafter: Media Act). Fundamentally, the Code is meant to provide guidance to public media service providers regarding the appropriate operating principles of the public media services within the framework of the Act.

The Media Service Support and Asset Management Fund (MTVA) works in close cooperation with public service media providers in the interest of ensuring appropriate operation and the achievement of the objectives defined by the law and the present Code.

The essence of public service media provision cannot be stated in any single succinct definition; rather, its substance should be viewed from the perspective of the definition of its objectives. It is not any brief definition (all elements of which would actually require further elucidation), but the overview of the precise objectives that can take us closer to understanding the role of public service media.

The Code is not a source of law and so it does not contain any concrete obligations that should be observed. The Code embodies fundamental principles, the implementation of which is overseen by the Board of Public Services on the basis of the authorisation conferred by the Media Act; this body may resort to the measures provided to it by law while exercising oversight over the compliance of public service media providers' operations.

The Code therefore is a guideline or standard in respect of the expectations towards public service media, and which is intended to interpret the relevant provisions of the Media Act.

WHO ARE THE TARGETS OF PUBLIC MEDIA SERVICE?

In European countries, the modern legal provisions on the media pay special attention to the needs and expectations of the members of society towards the media. The regulations that are created along these lines place equal emphasis on the interests of the *citizen* and the interests of the *consumer*, relying on both the original and symbolic meaning of those two terms. In the media the term “consumer” primarily denotes those seeking entertainment and diversion, while the term “citizen” primarily refers to those readers or audiences who are interested in public life and seek active participation in it, and who look upon the media as the reliable source of guidance for finding their way among the multitude of information. The continuous development of the technology enabling media provision, the low cost of access to the service provided by the media, and the wide variety of programmes offering quality entertainment serve the interests of the consumer. The primary needs of the citizen are directed at receiving appropriate information, accessing a satisfactory range of programmes serving their cultural needs and interests, and the opportunity to participate in the debates related to the former.

Of course, this presentation of the two different approaches is an over-simplification, as in reality – in respect of our media consumption habits – most often we are both consumers and citizens at the same time. Public service media cannot strive for less, either, than to address the highest possible number of people and provide content that is appealing to them. At the same time, public service media cannot enter the competition between the commercial media service providers acting as business enterprises without limitations. Quality must play a definitive role in the content produced or ordered by public service media, as well as in all public service media activities. Quality does not preclude, nor is the opposite of, entertainment, i.e. the appearance of entertaining elements in public service media is not impossible *ab ovo*, nor can public service media be expected to produce programmes exclusively for a presumed “elite”. Its task is much more complex than that: it is must produce content that is *both* popular *and* high quality.

Some argue against the maintenance of public service media, saying that in reality it is anti-democratic and paternalistic, because it wishes to tell people “from above” – i.e. indirectly from the state via the legal regulations and the system of financing – what is useful to them, while the people are able to vote using the simplest and most democratic instrument, the remote control, about what they wish to watch or listen to. If it relied solely upon viewership or audience size, the definition of the concept of public media service would also be very simple, since it would just consist of broadcasting those programmes watched or listened to by the largest number of people.

Public media service, however, is more than and different from media service based on the principles of the market. The most profitable sale of advertising air-time is not a priority for public media service, nor is a programme content based on maximising the number of viewers or listeners. Although, during recent years, the *quantity* of widely available content has increased dynamically, this has not been accompanied by an increase of *choice*. Increasing the size of the audience at all costs necessarily results in being highly selective among potential viewers or listeners (e.g. on the basis of purchasing power, which is of utmost importance to advertisers), and necessarily excludes significant groups of society from among those addressed by the media.

Due to the primacy of the objective of maximising revenues, the free media market in itself will not perform the task of democratic information that is justly expected from the media. Nor does it serve those actual or potential requirements and expectations of the communities that

do not coincide with the objectives of the free media market, since such requirements and expectations do not serve, and may even present an obstacle to, the increase of revenues. Hence, the requirement to ensure a broader choice for consumers also calls for the existence of a public media service.

The objective of public media service cannot be to focus primarily on a narrow segment or group of society either, i.e. it cannot be limited to serving those not addressed by commercial media service providers. It is in the interest of the diversity of public media service provision if it is not limited to serving minority needs exclusively but does not ignore them either, i.e. if the programme flow is structured to take both minority and majority needs into account. If – on the contrary – programmes are produced to address the various national, ethnic or religious minorities or other particular groups of society, this will necessarily result in the marginalisation of public media service. Public media service simultaneously serves the needs of the minorities and the majority, by performing a task that is important to the entirety of society; as such, it fulfils an important role in the mediation of values.

WHAT IS THE USE OF PUBLIC MEDIA SERVICE?

1. The management of community disputes

Although mass democracy is necessarily representative in character, on questions of fundamental importance -at elections or referendums - decisions are made directly by the members of society. Stemming from the system of democracy, certain citizens may continuously shape the public sphere, may pressure their representatives and, through various organisations, may demand a role in deciding certain issues. Public life is not limited to national issues, and the citizen is granted a greater opportunity to influence the political sphere in respect of partial interests and local problems. This desirable result cannot be achieved without a regulated and effective public sphere and the provision of appropriate information by the media. The media is the primary forum for presenting opposing opinions, for becoming acquainted with information from original sources and for the formation of opinions that are independent and based on sufficient and well-grounded information which enable informed decisions to be made in both political and civil communities. It is not exclusively upon the public media service providers that this democratic task of the media imposes duties; however, the role of public media service is nevertheless prominent because the provision of accurate, unbiased, thorough, fast and extensive information is a fundamental requirement towards it.

Freedom of expression belongs to all alike; however, the social effect that may be achieved via the exercise of this freedom and the extent to which the opinion expressed is able to reach others depends, to a high degree, on the capabilities of the individual as well as several other circumstances, such as the financial investment made by the party expressing the opinion. No state intervention into the processes of the formation of public opinion outside of the media is possible or is only possible in extremely justified cases (by the permissible limitation of expressions violating the rights or freedom of others).

In communications made via the media, while exercising the freedom of the press, the considerations of public interest must be given a role, since other than the media there are no alternative solutions of similar efficiency for the provision of democratic information and the management of the debates of the community. The modern media constitute the *agora*, the marketplace of opinions of modern mass societies where different ideas are able to meet. The exercise of the freedom of the press, however, does not mean that all individuals have access to the media, because access should be granted to the various views and ideas rather than the individuals, primarily to public service media. The right of access belongs to *ideas* and *thoughts*, but the right to information belongs to the community, i.e. the *entirety of the public* using the media, based on which right the members of that public may claim – as a right similar in strength to that of the freedom of the press – appropriate information and equal access to the various views under identical conditions.

2. Cultural responsibility

Culture and the media are inseparable, albeit a contradictory relationship at times. Today, the modern mass media are able to deliver the “products” of culture to a broader audience than ever before, thus ensuring their preservation and further enrichment. Most actors in the media market, however, do not look upon the mediation and presentation of cultural products of exceptional value as their responsibility. The mediation of cultural products is often contrary to market “laws”, and, by granting entertainment preference over quality content, mass media itself actively creates and shapes the new “cultural” environment.

The process that started a couple of decades ago and resulted in the evolution of a universal media market has brought about a new turn in the mass proliferation of the media. According to the most pessimistic scenarios of the future, in the long term the operation of the universal media market might result in the total annihilation of smaller national cultures. In all probability, this scenario exaggerates the danger of the disappearance of cultures, since the media does not, and we hope will not, play an exclusive role in the preservation of national culture. In fact, the universal media market may even be of use to the preservation of national cultures, *inter alia* via the publication of content on the internet, content that was hard to access previously. The new universal culture reaching the audience via the media may also actively contribute to the formation of a common, supra-national identity, although the key question in this respect is just what elements would make up this common identity.

The “products” of national culture and their creators are unable to compete with the producers of the other products on the universal media market and so, without assistance and support from the state, they would be driven out from the media. The preservation of national culture is one of the important tasks of the state and, in the field of the media, this can be achieved by maintaining a public media service. The European concept of the regulation of the media clearly regards state intervention in the interest of the protection of national culture, and therefore the maintenance of public media services, as acceptable. According to Jean Monnet and Konrad Adenauer, the founding fathers of European integration, Europe is primarily a “spiritual and cultural community”; this notion was the intellectual basis of the entire integration exercise.

According to the constitutional law principle of neutrality, the state cannot make preferences between the various world views and value notions, but must regard them as equal. The principle of neutrality is only tenable so long as all are granted the possibility to choose freely between the various views and notions. The state cannot force anyone to make decisions regarding their world view and value notions, although total independence is never achieved; as such, full neutrality and indifference are also not possible.

Human beings are not born into a vacuum. The cultural environment surrounding them provides the opportunity to choose between values, and enabling the choice between the various alternatives is one of the prominent tasks of the state. From among the various alternatives it is also the task of the state to support, with greater emphasis than the other possible choices, those exclusively or primarily representative of the values characteristic of its citizens, i.e. the national and minority culture. The concept of “culture” is a rather broad one within the context of the media, too; for example, it includes the protection of Hungarian products, as with the protection of certain musical genres or the traditional cultural heritage. If we were to surrender the need for educated and autonomous minds and their community in the name of some misinterpreted ideal of freedom, we would be surrendering the free and democratic rule of law and, in the broader sense, our very own traditions and future. Accordingly, today public media service operates on the basis of the value preference of the state, using public funds but organisationally detached from the state.

3. Promoting the cohesion and integration of the community

Public media service has to take a significant role in the creation of community cohesion and social integration. The goal cannot be servicing the needs of minorities or a narrow intellectual elite exclusively, because this would automatically exclude the majority from the enjoyment of services not provided by the profit-oriented media, and, at the same time, it would give a certain exemption to public service from the accountability owed to the majority. Public service media must be popular and consumable, otherwise, if it only focussed on the blank spaces left by commercial stations (unsatisfied demand), it could not fulfil its community responsibilities.

The media have a role in the constitution of identity. Identity and character are inseparable from the human being living in a community, as are the roles assumed within such smaller and broader communities. The media can help us recognise our perhaps dormant identities and are actively able to shape our images of ourselves; in the modern age, the media are one of the most efficient vehicles for creating community identities as well as for reinforcing those that already exist.

According to the outlook of European societies and legal systems, the role of communities (and, within this, primarily the respect of the nation as a value recognised also in itself), has always been determining. National existence and belonging to a nation are values in themselves. As a result of many different factors, of which, perhaps, one of the most important is the proliferation of mass media and the expansion of the American media, film and music industry, the twentieth century witnessed the emergence of processes capable of weakening national identity. Public service media is able to counter this process by producing programmes that potentially address the entire community, the nation, and that express the unity of its members. This “symbolic broadcasting” is a fundamental interest of every nation, since a society can only function well if the members of the given community cooperate. The prerequisite of this is the existence of certain cultural foundations. The media can help a lot in their creation.

In Hungary, where the continuity of social development was interrupted on several occasions during the previous century, the discovery, passing on and enrichment of the treasures of national culture constitute a common task in which public service media has a key role to play. Until now the concept and the manifestations of culture have been changing; therefore, the orienting and culture creating role of public media service is becoming increasingly important.

Furthermore, it can be stated as a fact that the earlier definition and forms of manifestation of “culture” have been fundamentally transformed in the free, mediatised world. The cultural binding force among the members of society has loosened with the disappearance of the generally recognised cultural canons. With the fading of the canons we can also greet a fortunate development, because freedom can exist only if the possibility of choice is also provided. Today everybody can freely choose the content they find valuable. However, in the process of selecting values, the public service media must play an orienting role, finding the forms that match the spirit, technical development and social conditions of the era, within which the values accumulated in the past can be revived again. If we say that the earlier definition of “culture” has to be restated, with that we are also saying that this is the task of public service media, which are one of the main “culture creators” of our times. The media are able to set examples for the entirety or certain groups of society by presenting suitable individuals and personalities with real and valuable achievements that enrich the community and society. It is with these means that public service media are able to contribute not only to the cohesion and integration of the community, but to the achievement of the goal of societal reproduction, i.e. it is able to participate in the renewal and recreation of the accumulated values of the community.

Public service media are only able to achieve their objectives via universally and easily accessible technical devices. The new sources of information, such as the internet or specialised (thematic) television media services, make it possible to satisfy minority needs previously neglected by the mass media. General access within the reach of all members of society has yet to come. Since those fora that are important but are not able to address the entirety or majority of the audience only strengthen cohesion to a limited extent, public media service still has many and diverse tasks that must be performed not only with high quality, but also in a way that reaches the broadest possible strata of society, since it is only able to fulfil its role effectively in this way. Public media service itself must make use of the new

technical possibilities to create new public service genres and to provide the newer generation with access to public media service, as well as an opportunity to identify with its objectives.

THE MAIN FEATURES OF PUBLIC MEDIA SERVICE

1. Public media service consists of *facilitating the operation of the public sphere of society* using traditional and new electronic communication technologies in a way that serves the interests of the whole of the nation and society and, within that, of all strata and groups, positively influencing the operation of the public sphere according to the traditions and values of society. Public media service operates on the basis of the public will and serves the public and it uses the resources made available by the public and under accountability to the public according to the order provided for by law.

2. *Public media service operates independently from both the State and from the economic actors.* The organs of the state and local authorities, or state or local authority-owned business enterprises, may not influence the content of public media service. They may not exercise pressure over the employees and directors of public service media and may not influence its operation. This is equally true of economic, political or public organisations and actors that are independent from the state (not including, of course, the cooperation related to the publication of commercial communications as provided for by the Media Act). With regard to the latter, too, no indirect influence over the programme flow and the content of the various programmes is permissible. Ordering the publication of a commercial communication cannot be made contingent upon the performance of any request related to content.

3. *The executives of the public media service providers and those involved in its activities have professional autonomy within the applicable legislative framework.* The independence, as defined in the previous section, includes professional independence as well; it is only limited by the relevant legal provisions, the provisions of the present Code and internal policies and agreements. At the same time, professional autonomy must be accompanied by professional integrity and ethical conduct; these norms are set forth in the internal regulations of the public media service providers.

4. *The system of public media service ensures the accountability of the media service providers and their executives and the implementation of the oversight of society.* The purpose of public media service is primarily to facilitate the realisation of the common interests of Hungarian society, the various social groups and the nation as a whole; accordingly, it is accountable to society and the nation. The rules of the supervision of compliance with these responsibilities are set forth in the Media Act. The primary forum of the exercise of supervision by society is the Board of Public Services. During the performance of this task, the Board is required to represent the entirety of society and the nation. Furthermore, as the owner of public media service providers, the Public Service Foundation also plays an important role in the field of supervision.

Besides the avenues offered by the Media Act, all stakeholders are entitled to express their opinions on public media service, as well as to make recommendations to any actor from the public media service system or the Board of Public Services and, if a legal violation is suspected, to lodge complaints with the Media Council of the National Media and Infocommunications Authority.

5. *The operations of public media services are financed from the joint contribution of those living in Hungary, from public funding.* Public media service operates using state funding and is required to manage the funds thus received prudently and to perform the tasks required from it by law. State funding ensures that success in the competition in the media market is not a primary objective for public media service providers; public service media do not intend

to succeed, at all costs, over other actors in the media market in the market competition. This, however, does not mean that – in parallel with performing its specific tasks – it does not intend to be popular and to gain a broad share of the audience; without this it would be unable to fulfil its mission. Accordingly – in keeping with the provisions of the Media Act – the actors in the public media service system may realise market revenues, which revenues must also be utilised in the interest of achieving their objectives as provided for by law. They must also strive to utilise alternative funding as well as state support, and a part of their revenue is or may be sourced from the payments to the budget made by other actors in the media market.

Public media service providers are required to perform their economic activities strictly and rationally, within the framework of their business plans, always bearing in mind the need to achieve their public service objective. They are required to minimise operating costs and to allocate the maximum amount possible to content provision.

6. *The activities of public media service providers cannot be primarily focused on profit-making.* In keeping with the previous section, the results achieved in market competition do not represent a definitive consideration for public media service providers and the public media system. Market revenues may only be utilised in the interest of achieving the public service objectives. Public service media provision is not a profit-oriented enterprise; its task is to serve the public interest, even by airing programmes which, according to the unwritten laws of the market, cannot contribute to its profit.

7. Public media service is required to foster *the operation of professional workshops* that are the best equipped to produce and prepare programmes achieving public service objectives at a high level of quality. Indispensable to this is the training of a new professional generation and the provision of stable working conditions and a predictable career path to its members.

THE OBJECTIVES OF PUBLIC MEDIA SERVICES

The task of public media service providers is to ensure that the objectives of public media service as provided for by Article 83 of the Media Act are achieved. Public media service providers are required fulfil this responsibility by joint effort – by coordinating their activities as much as possible – while retaining their autonomy.

The objectives of public media service:

- a) to provide media services which are comprehensive in both the social and the cultural sense, aiming to address as many social classes and culturally distinct groups and individuals as possible, while enabling all social strata or culturally distinct groups to represent themselves in the public sphere of the nation, and facilitating the rapprochement, understanding and integration between the various groups and strata;
- b) to provide a balanced, accurate, thorough, objective, many-sided, timely, reliable and responsible news and information service;
- c) to support, sustain and enrich national, community, religious and European identity, culture and the Hungarian language, to disseminate authentic historical knowledge;
- d) to promote and strengthen national cohesion and social integration, and to respect and support the institution of marriage and family values,
- e) to provide information about and support constitutional rights, the fundamental values of law and order and the rules of democratic society;
- f) to satisfy the media-related needs of national and ethnic minorities and religious and other communities; to present their culture, support and sustain the mother tongues of national and ethnic minorities;
- g) to satisfy the specific media service-related needs of underprivileged groups who are at a great disadvantage due to their age, physical, mental or psychological state or social circumstances, as well as of people with disabilities, with respect to the right of equal access to public media service;
- h) to serve the cultural needs of Hungarians living abroad, to promote the preservation of their national identity and mother tongue and to enable them to have a spiritual relationship with their mother country;
- i) to broadcast programmes serving the physical, mental, moral and cultural development and the interests of minors and widening their knowledge, as well as to produce and air educational and information programmes serving child protection purposes;
- j) to accomplish educational and information tasks and to present the latest scientific findings;
- k) to disseminate information promoting healthy lifestyles, the protection of the environment, nature and landscape conservation, public security and transport safety;
- l) to present programmes about the social, economic and cultural life of Hungary and of various areas within the Carpathian Basin;

- m) to present Hungary and Hungarian culture, as well as the culture of the national and ethnic minorities living in Hungary to Europe and to the world;
- n) to present dissenting opinions, conduct debates about community affairs and contribute to freedom of opinion based on the provision of reliable information,
- o) to air a diverse and rich assortment of programmes presenting different value systems; public media service providers are required to strive to present the different approaches to the given topic and its different evaluations, based on different value systems;
- p) to present quality entertainment and outstanding programming of great interest; public media service providers are required to maintain a high quality in entertainment programmes, too; to nurture and maintain the traditions of the various genres as well as to promote the identification of new directions and forms and professional/artistic revival;
- q) to ensure quality programming in respect of every element of the programme flow, in the interest of this to employ a highly trained and experienced team of professionals; to preserve and hand down professional experience; to participate in professional training and to create the possibility for as well as to initiate workshops, professional exchanges and discussions in all professional fields;
- r) to create value in every field of culture (literary, musical, cinematographic and fine art works, theatrical, dance or folklore productions) and sports by launching its own initiatives, inviting and encouraging creative artists, cooperating in the creation of works and supporting external workshops in Hungary and the Carpathian Basin; the workshops of public media service providers participate and play a leading role in reporting, organising and presenting the events of cultural and scientific life;
- s) to participate in media market competition to a reasonable and justified extent;
- t) to present the social and economic processes relevant to the population of the country, to inform them of the regulations and practical aspects to promote the resolution of problems and the exercise of citizens' rights and obligations;
- u) to present the activities of the Parliament, government and local authority bodies, churches, political parties, non-governmental organizations and citizens' organisations and to provide publicity for their operation;
- v) to present and to provide information about events of major importance for society.

Public media service strives to:

- a) ensure innovation in the media profession, the continuous improvement of professional standards and the use of high ethical standards in media service;
- b) boldly use new technologies and methods serving media service distribution, play a pivotal role in discovering new digital and Internet media services and exploit these in the public's interest;
- c) promote the acquisition and development of the knowledge and skills needed for media literacy through its programmes and through other activities outside the scope of media services;

- d) support Hungarian cinematographic art and create and present new Hungarian cinematographic works;
- e) support Hungarian musical life, to present rising contemporary works of classical and popular music;
- f) document and make accessible for the future the state of contemporary Hungarian culture and public life;
- g) serve public interest through activities outside the scope of media services, such as book and sound media publishing or active involvement in the organisation of theatrical events and concerts.

THE BASIC PRINCIPLES OF PUBLIC MEDIA SERVICE

A) The means and methods of attaining the statutory objectives of public media service

Public media services are society's especially effective information production and transmission mechanisms. As a result of this role, they fulfil an important public function; they present the processes of the past and the present that affect the whole of society, and the characteristics of individuals, groups, local communities and social strata as well as the unity and diversity of the conditions and situations of life and culture.

Broadcasting spiritual and moral values to society, those things necessary for the existence and maintenance of the individual and providing guidance and examples for everyday life are the fundamental tasks of public media services. They effectively facilitate the operation of the society of the nation on the basis of the common culture, common value choices and mutual respect, the recognition of common interests and unfolding the forces connecting, integrating and maintaining the operation of society.

By providing information and paradigms as described above, public media services play an important role in education and shaping the individual and the community by creating social self-awareness and promoting social integration. During their operation, public media services pay special attention to the presentation of the products of Hungarian culture as well as the creation of new artefacts, the dissemination of information on Hungarian history and the nurturing of valuable national traditions as well as the provision of information about the national ideal, democracy and freedom.

With respect to the presentation of the social and economic processes impacting broad strata of society, public media services also pay special attention to presenting the activities of the Parliament, governmental and local authority bodies, churches, political parties, the interest group organs and citizens' communities and providing publicity for their operation.

In the interest of the fulfilment of these tasks, public media service providers provide independent, authoritative, timely, accurate and balanced information about the events, facts, relationships and processes that are of interest to members of society and that affect their situation and everyday lives. Furthermore, their tasks also include providing quality entertainment for their audiences. By providing diversified programming and presenting a variety of views, including both majority and minority opinions, public media services satisfy the interests of a broad sphere of viewers and listeners representative of all significant groups of society.

On the basis of the above, public media service providers ensure the objectives provided for by law are achieved by ensuring that the following requirements are met in their programming:

- value principles,
- quality,
- provision of broad information,
- diversity,
- truthfulness.

B) The basic principles of independence from political parties and political organisations

In the programmes provided by public media service providers, the presentation of political parties, movements, social organisations and their representatives, as well as the balanced coverage of their positions, is mandatory in the interest of the balanced information to citizens. Accordingly, public media services strive to present the various positions in such a way as to enable the members of the audience to compare them. Political parties, governmental and local authority bodies, political and ideological movements, NGOs and participants in economic life may not influence the programming policies and programme structures of public media services, nor may they influence the time, order, frequency, form and proportions of their presentation in the various public media service programmes. The right of citizens to information demands that the representatives of political parties, organisations and business, as well as other public actors and their opinions, be presented with appropriate weight in the various programmes, given the public interest vested in them.

During the preparation and management of the European parliamentary elections, the national parliamentary elections and the elections of the members of local authorities, public media service providers perform their public service information tasks according to the effective relevant laws. Within the framework of this, they may only publish political advertisements or announcements for the events of political parties and organisations during the official campaign periods of the parliamentary and local authority elections and any referendums ordered to be held. During this, they are required to provide equal opportunities to the competing parties, views and personalities.

The presentation of politicians and figures from public life in public media services is always justified by the topic of the given programme. When giving voice to such participants, the media service provider is required to provide information about the state, government, local authority or party office held by the speaker. This may only serve information purposes and may not express any prejudice or contain any positive or negative opinion or assessment.

C) The principles regarding the diversity, objectivity and balanced nature of news and timely political programmes, the presentation of disputed issues and the diversity of opinions and views

Public media service providers are required to provide truthful, balanced, objective, timely and regular information to their audiences, both within and outside the borders of Hungary, about domestic and foreign political, public, social, economic, scientific, religious, cultural and sports news and events of interest. In keeping with its objectives as provided for by law, the programmes of public media service help the members of their audiences to formulate their opinions by presenting the various positions objectively and in a balanced way.

All Hungarian citizens are entitled to know about events significantly affecting their social, economic, political and cultural situation and to receive information about significant events directly or indirectly impacting them, whether individually or as members of groups of society. Among other areas, this principle may be manifested in public media services offering a wide range of topics and presenting diverse views.

In the interests of achieving the objectives of public media service as provided for by law, during the performance of their tasks public media service providers strive to present to their audiences, in their programmes related to current political events, the diverse positions of the various political parties and to ensure that the programmes reflect the different positions in a balanced manner according to the requirements of the principle of public interest. During the

selection of the facts and opinions to be included in their programmes, especially news and information programmes, public media service providers must take into account every significant fact and definitive opinion necessary for the members of the audience to formulate their own opinions, and strive to uncover the correlations between the various events.

In highly disputed issues concerning broad strata of citizens, the presentation of the diversity of positions is a priority task for public media service. Within the bounds of the constitutional freedom of opinion and freedom of the press, anyone may expound their opinion on the disputed issue and may voice their political convictions. During their work, public media service providers strive to present all relevant diverging opinions and positions related to an issue within the same programme or series of programmes, depending on the genre.

If an invited representative of a certain position does not want to appear in the programme, this cannot present an obstacle to its broadcasting; however, in such cases the public media service providers are required to present truthfully the position of the absentees (if it is known) and to inform viewers of the precise reason for non-participation or the fact that no such reason is known. If a relevant position cannot be presented for any other reason, then the public media service provider is required to provide an opportunity for its presentation within a reasonable time. The rejection of an invitation by a political party or group cannot constitute grounds for depriving another political party or group from the possibility of participating in the programme. At the same time, however, when providing such an opportunity, public media service providers are to ensure that it does not violate the good reputation or honour of others.

D) The criteria for supporting and sustaining the mother tongue culture

Public media service providers

- are aware that, during the provision of their service affecting a broad part of society, they have a definitive effect on the language of the Hungarian media and the press and, thereby, the evolution of everyday language; consequently, nurturing the Hungarian language is among their priority tasks,
- in the interest of nurturing and disseminating the mother tongue culture, the discovery, preservation and propagation of linguistic traditions and reflecting on and discussing linguistic usage and grammar issues, they regularly broadcast programmes cultivating the language,
- in their programmes and news coverage, the employees of public media service providers strive to use the Hungarian language correctly and to avoid expressions and uncalled for abbreviations that result in the deterioration and impoverishment of the mother tongue,
- they strive to avoid using foreign terms and much as possible, replace them with their Hungarian vernacular equivalents. They not only hence strive to avoid errors, and expressions and sentence structures that are alien to Hungarian, but also pick their words carefully, making good use of the richness of the Hungarian language and to use proper intonation and accentuation,
- since the most effective way of nurturing the mother tongue culture is to present personal examples, public media service presenters participate in continuous linguistic training. A precondition to going on air as a presenter is a valid permit (screen permit / microphone permit), issued by the relevant consultative bodies. In the interest of nurturing the mother tongue culture, special attention is paid to the presentation of Hungarian literary works, both from within and outside the borders of the country. Ensuring the diversity of linguistic usage also implies respect for and the presentation of the differences in the linguistic usage of Hungarians due to the differences in the history of the various regions, as well a nurturing of linguistic unity,

- in their programmes they present the various Hungarian dialects and vernaculars as assets in themselves and do not limit their usage. The presenters, their co-workers and any other participants cannot suffer any disadvantage simply on the basis of their dialect or vernacular.

E) The principles of the presentation of the culture and life of national and ethnic minorities in Hungary

Public media service providers attach importance to the task of the presentation of the life and culture of national and ethnic minorities living in Hungary. The minorities in Hungarian are state-constituent factors, and so their presentation is expressly required within the framework of public media service. Accordingly, in the programming policies of the public media service providers, programmes dealing with these groups of society are granted a prominent role. In the interest of strengthening the sense of identity and community life of minorities, public media service providers offer dedicated time in the schedules to programmes about them.

All national and ethnic minorities recognised by Hungary are entitled to support and sustain their culture and mother tongue, and to be regularly informed in their mother tongue by way of separate programmes aired through public media service. This task is fulfilled by the public media service provider via national or, having regard to the geographic location of the national or ethnic minority, via local media services by airing programmes satisfying the needs of the national or ethnic minority in question via audio-visual media services using subtitles or broadcasting in multiple languages, as required.

The national self-governments of national or ethnic minorities or (in the absence of such) their national organisations independently decide on the principles of the allocation of the airtime made available to them by the public media service provider on the basis of the Media Act. The public media service provider is required to abide by these principles, but these may not affect the content and editing of the programme.

Public media service providers

- provide regular coverage on the issues concerning national and ethnic minorities living in Hungary and present their lives. In respect of the preservation and dissemination of the cultural values of minorities, public media service providers attach great importance to the presentation of the traditions, cultural and natural heritage and art of the minorities and those living in the mother country. Whenever possible, the programmes targeting national and ethnic minorities are produced in the mother tongues of the respective minorities, thereby providing them with a link to their roots,
- if the programmes are produced in the mother tongue of a national or ethnic minority, special attention is paid to nurturing and preserving the purity of the language and the differences between the vernacular and literary language,
- they strive to ensure the presence of members of minorities among their presenters. In programmes targeting minorities, the presenters should primarily be members of the given minority,
- they take the sensitivities of minority groups into account and avoid any negative discrimination of minorities,
- in their programmes they emphasise tolerance and mutual understanding towards others,
- in programmes other than those expressly presenting or directed at national and ethnic minorities, they take special care to call attention to or emphasise the fact of belonging to a minority only in especially justified cases, thereby avoiding the possibility of negative discrimination.

F) The principles of presenting cultural, scientific, ideological and religious diversity

During the establishment of the programming policies of public media service providers, an important consideration is the production of programmes dealing with the universal and the national cultural heritage, and presenting – especially –Hungarian national culture, national and folk customs with no ideological bias in a balanced manner serving the preservation of values. Public media service providers also strive to present the cultural diversity of Europe and the world. Within the framework of the performance of their public service tasks, it is in this way that public media service providers strive to contribute to the culture and information of society and the success of scientific and general education. The diversity of the programme flow, however, is not realised if they perform these tasks by presenting programmes that are unpopular and appeal only to a few.

Public media service providers strive to satisfy the needs of all strata of viewers and listeners, and therefore they offer the presentation of a wide variety of both domestic and international contemporary and classical works of art.

During the presentation of scientific results, public media service providers attach special importance to those results by which Hungarian science and Hungarian researchers have contributed to or may contribute to the culture and development of Europe and the world. In scientific programmes special importance is attached to approaching the given science in a fair manner according to its professional rules. Public media service providers therefore avoid sensationalism and strive to present diverging scientific positions, opinions and experiences related to the topic of the programme.

The producers of the programmes strive to present the diverse scientific opinions and discoveries in a manner intelligible to the general public. Accordingly, they describe the effects which, according to the current state of science, a discovery or invention is expected to have on the lives of the audience, and when and how it could become directly useful to or usable by them.

Public media service providers present the religious activities of registered historical or otherwise significant churches, religious denominations and communities in Hungary and ensure that their followers are provided with appropriate information that is proportionate to the extent of their representation in society. When defining the proportions of independent religious/denominational programmes, public media service providers take into account the number, geographical distribution and linguistic needs of the followers as well as the internal religious rules of the church or religious community concerned.

Public media service providers must strive to present religious issues in an authentic manner as organic parts of the life of society. Public media service providers must strive to promote the dialogue between national and ethnic minorities and religious and other communities. It is important to present historic churches and other religious groups in the spirit of coexistence, acceptance and the mediation of values.

The programmes of public media service providers must reflect respect and tolerance for religious convictions. Religious symbols and artefacts may not be used or cited in the programmes in an offensive manner. Religious and faith-related programmes, including the coverage of rituals, may not be directed against other churches or different religious or ideological convictions. The production and placement within the programme flow structure of religious programmes must strive to harmonise with the special considerations and traditions of the religious communities. Religious programmes may not serve as a vehicle for the propaganda of political parties.

G) The principles of performing tasks with regard to the protection of minors

The objective of public media service providers is to contribute to the physical, mental and psychological development and social, cultural and moral well-being of children and minors in the spirit of the 1989 UN Convention on the Rights of the Child. In the interest of this, the regular broadcasting of programmes targeting this age-group at times suitable for them is integral to the programming policy of public media service providers. In this way it is possible to promote the socialisation and moral, intellectual and psychological development of the members of these generations.

In the field of content directed at children and youth, public media service providers primarily strive to present programmes targeting these generations that convey the diversity of cultures, provide examples for the resolution of problems, strengthen man's ties with the natural environment and pay special attention to nurturing the mother tongue; in a word, programmes that promote, in a holistic manner, the healthy development of the child.

It is, however, rather hard to promote the appropriate development if the appropriate attitudes of the adults responsible for raising them are missing; public media service providers therefore assist the work of parents, teachers and other professionals dealing with the education of children via various scientific, informational and other programmes.

In the interest of the protection of children public media service providers avoid the presentation of programmes or information detrimental or harmful to the development of children's and young people's personalities. In the interest of this, public media service providers publish a warning before any programme that could jeopardise the healthy development of children by presenting violence, sexuality or conduct violating public morals.

Public media service providers take special care when featuring children in the media. Prior to featuring them they request approval from the child, the parents, the guardian or the legal representative, as well as the form teacher during school hours if this is called for. The most important principle to observe when featuring minors in the media is that they should not be overly or unduly exposed to publicity and must not be humiliated, ridiculed, deceived or exploited.

H) Tasks in the field of education

An important task of public media service is the direct and indirect education of various groups of society. For example, the presentation of foreign programmes in the original language with Hungarian subtitles can significantly contribute to the knowledge of foreign languages. Furthermore, the presentation of the past and present achievements of research and science is also important.

Public media service can complement, render more colourful and popularise the elementary and secondary school curricula, as well as increase the knowledge of those who have already left the educational system. During the course of this activity, public service media may rely on the help and participation of representatives of Hungarian science. Participants in the educational system, as well as those about to enter it, may receive information from public media service about the various educational and training opportunities available.

The regular presentation to students, as well as to a broader audience, of Hungarian institutions of higher education within Hungary and beyond the borders and the results of their work promotes national cohesion as well.

I) Tasks in the field of the coverage of sports

The tasks of public media service providers include the regular promotion of the Hungarian Olympic movement and ideal, as well as sports as a way of life. The promotion of competitive, leisure and student sports, information on upcoming events and their coverage and, possibly, the organisation of similar events all belong to this sphere.

Parasport and the sports activities of people living with disabilities are of outstanding importance. Public media service must strive to present these as well as youth and school-age activities. Another important objective is to keep alive the traditions of Hungarian sports by the repeated broadcasting of programmes documenting our most prominent sport results from the public service archive. The presentation of the positive effects of physical education on health, character and personality and the development of physical culture is an important goal.

An important task of public media service providers is to present international sporting events and matches of priority importance that are relevant to Hungary, such as the Olympic Games, world and European championships and any other major international sporting events with Hungarian aspects.

J) The respect for personality and human rights

In keeping with the provisions of ECHR, the Hungarian Constitution and other legal provisions protecting personality and human rights, public media service providers respect the dignity and fundamental personality rights of all persons. Accordingly, they provide special protection to the right to reputation, the rights concerning the publication and use of images or sound recordings, the rules pertaining to private and family life, the privacy of dwelling and correspondence and data protection, and respect freedom of thought, conscience and religion as well as the freedom of opinion. The objectives of public service and the requirement of democratic information cannot be realised at the cost of violations against human and personality rights (not including the practice of investigative journalism that serves the public interest and is granted protection by the media regulations).

Public media service providers will not publish any news, information, comments, commentaries or editorials that violate the rights, dignity or identity of persons or institutions belonging to national, ethnic, religious or other social groups or that are capable of instigating hatred and exclusion against any minority or the majority.

If a public media service provider communicates or alleges false facts or represents true facts in a false light in any programme, that provider shall be required to publish a press correction if so requested by the party concerned and if the exception or complaint is accepted by the public media service provider or if a binding court decision so orders.

K) Programming principles related to people with disabilities

During the production of their programmes, public media service providers take the fact that, in certain cases, people living with disabilities are only able to exercise certain universal rights (including the right to information), to a limited extent into account. Accordingly, public media service providers are required to facilitate the social integration of such persons via their programmes.

Public service media have a key role to play in dismantling the prejudices towards disadvantaged groups. An increase in the level of representation of persons living with disabilities is required in both informational programmes and fictional content.

Public media service providers strive to increase the accessibility of their programmes to people living with disabilities. Furthermore, they strive to increase the proportion of programmes produced for or with the participation of people living with disabilities.

In the interest of social inclusion, equal treatment and equal opportunities, public media service ensures the presentation of a realistic image of persons living with disabilities. The expertise and experience of the relevant interest groups can help media professionals to get to understand the everyday lives and problems of people living with disabilities and members of disadvantaged groups and thereby to be able to present them in a realistic and authentic manner.

In the interest of the realisation of these objectives, public media service providers

- keep in mind the issue of the equal opportunities of people living with disabilities during their programming,
- provide regular coverage of the lives and issues of people living with disabilities. As far as possible, public media service providers strive to provide dedicated programmes for the realisation of this objective,
- pay special attention to ensure that current news, information, entertainment and service programmes as well as the films intended to preserve and distribute cultural values are, to the maximum extent possible, accessible to people living with disabilities; this especially includes providing subtitles and/or sign language interpretation for deaf people,
- they strive to render public service information intelligible to all, in the interest of peoples living with disabilities and members of other disadvantaged groups (e.g. children, elderly people, people with little education),
- they provide priority support to the creation of programmes depicting and promoting the social integration of people living with disabilities and members of disadvantaged groups.

L) The promotion of environmental and health consciousness

Public media service providers undertake a fundamental role in shaping environmental and health consciousness in the broad sense and reinforcing them according to the challenges of the present age, as well as in the dissemination, promotion and communication of the essence and main principles of environmental and social sustainability in the broadest sense.

Public media service provides regular and systematic coverage of social and economic challenges and crises of global, European and domestic significance with authentic information and provides the community with insight into the causes and context of these problems. Its task is to provide recommendations for solutions, models, practical examples and opportunities for action on the level of both the individual and society as a whole.

Public media service provides regular coverage of the need to lead a healthy lifestyle and related new scientific results. It discusses the diseases that qualify as social problems due to their proliferation and the possibility of avoiding, treating and curing them.

The tasks of public media service include the presentation of the lives and aspirations of local, professional, traditionalist, hiking and environmental communities, the promotion of social participation in local decision-making, the promotion of economic practices and consumption based on sustainability, i.e. the sparing utilisation of local and domestic natural

and human resources, energy saving and the rational application of renewable energy sources, the objective presentation of the threats facing the life chances of present and future generations (climate change, energy crisis, air and water pollution and the destruction of living creatures, habitats and the soil) and the provision of information about the necessary tasks and strategies of prevention and adaptation.

M) Provision of regional and local content

In the interest of strengthening the identity of local communities, as well as the provision of public media service in a more cost-effective manner better adapted to the needs of local audiences, public media service providers publish regional and local media content as well.

Regional and local public media service:

- presents the political, economic, cultural and sporting activities of the local communities,
- presents the natural and cultural conditions and assets of the given region, refers to the historical context important to the given region and presents facts and events of interest related to everyday life,
- presents the diversity of positions and opinions related to local public affairs with special respect to the opinions of the local authorities, political parties, civic organisations and residents' groups,
- regularly presents the given region in nationwide programmes and extends priority support to the central presentation of current news and information of nationwide significance related to the region,
- presents the lives of the national and ethnic minorities living in the given region and provides them with a forum for their voices to be heard,
- integrates with the national and European regional television and radio cooperation systems.

During the production of regional media content, public media service providers strive to cooperate with the relevant local and regional media service providers.

N) The principles of keeping members of the Hungarian nation living outside its borders adequately informed, and also of providing adequate information about them

Public media service providers promote the provision of information to the members of their audiences – especially Hungarians living in the country and outside its borders – about the events and processes impacting their lives and the positions of the groups shaping such events and processes, in order to prepare their viewers and listeners sufficiently for formulating their own opinions, taking autonomous positions and participating in debates of public life.

Public media service providers establish and continuously develop relationships with the Hungarian communities living beyond the borders of the country in order to ensure that the programmes addressing such communities are of appropriate quality and meet their expectations. It is important that programmes dealing with the Hungarian communities living beyond the borders not only address such communities, but also provide coverage about them. Nevertheless, in the case of all programmes published in public media service, it is a basic principle that the starting point should be the unity of the Hungarian nation and the Hungarian community in the Carpathian Basin, and the particulars related to various specific geographic areas should only be presented in the programmes beside the recognition of the existence of common cultural characteristics. The fact that someone lives as a Hungarian outside of the borders of Hungary should not be presented as some kind of disability or a

circumstance that, in itself, hinders the strengthening of the cultural unity of the Hungarian nation. During the production and broadcast of their programmes, public media service providers take into account the specific interests and needs of Hungarian audiences beyond the border, with special respect to the needs related to news services. Public media service providers feature the areas beyond the border in proportion to the number of Hungarians living in the given area and the newsworthiness of the given event. Priority is granted to the coverage of the results of cultural dialogue between Hungarians living beyond the border and the majority nation of the given country, as well as any exchanges of ideas related to politics and public affairs. The advantages resulting from the diversity and multi-lingual nature of the environment of Hungarians living beyond the borders must also be showed.

Besides broadcasting their programmes to the Hungarian communities living beyond the borders, public media service providers also support other television and radio stations broadcasting exclusively or partially in Hungarian beyond the borders of the country. In the interest of continuous development and the provision of appropriate information to the Hungarian communities living beyond the borders, they maintain a regular rapport with them and exchange experiences in order to develop further and jointly the quality of programmes broadcast from Hungary to areas beyond the borders as well as media services provided in Hungarian from outside of the country.

O) The principles relating to the extent and guarantees of the autonomy and responsibility of producers and programmers employed by the public media service system, and to the guarantees of their participation in the definition of the principles of the production, ordering and editing of programmes

Public media service providers extend all support to the clients and producers of programmes who are employed by or cooperating with them in the interest of producing and ordering the various programmes independently and exclusively according to the professional requirements of public service activities. Subject to the Public Service Code, Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content (the Press Freedom Act) and the Media Act, programme producers participating in the work of public media service providers perform their tasks independently, according to their professional expertise and conscience.

In the interest of the maintenance of their independence, programme producers serving the objectives of public media service cannot be instructed by persons other than the executives responsible for their work, especially not by persons outside the system of public media service. If, during the course of programme production, ordering or editing, a programme producer working within the public media service system notes that a person other than their work superior intends to influence them, they are to notify their work superior forthwith, and he/she will immediately investigate the case.

The producers and clients of public media service programmes perform their duties with the due care reasonably expectable from them. It is the task of the executives of public media service providers to ensure the prevalence of the principles of impartiality, truthfulness, objectivity, timeliness, accuracy, diversity and balance in both the programme schedule and the programme flow. They are also responsible for ensuring that the entirety of the programme schedule and the programme flow offers adequate information to citizens in order to provide the opportunity to exercise their freedom of opinion within the boundaries of the law.

The specified producer of the produced and edited programme is also responsible for its content. The programme producers are directly responsible for ensuring that their

programmes do not violate any legal provisions, generally accepted ethical norms or public morals.

P) The principles of formulating basic rules of conflicts of interest, other than those provided for by law, applying to staff members, with special regard to those employed in relation to news and political programmes.

From among the ethical rules applicable to public media service providers and the employees of the public media system, the provisions on conflicts of interest are of special importance. There are three types of conflict of interest relating to the employees of media service providers: political, employment-related and financial conflicts of interest.

The Media Act provides for the main cases of conflict of interest; however, public media service providers – in keeping with the relevant provisions of labour law – may establish conflict of interest rules additional to those provided for by law.

Public media service providers'

- employees may not assume public roles on behalf of political parties or organisations in political affairs and may not voice their political opinions in public. Persons regularly contributing to political and other information programmes as presenters, newsreaders or correspondents may not comment on or add evaluations to political news items, irrespective of their legal relationship of employment,
- the internal or regularly employed external programme clients or programme producers of public media services, if they stand for parliamentary, European, local government or mayor's elections, cannot participate in the ordering or production of programmes from the time of candidature until the results of the election are announced. Political office is incompatible with programme ordering and programme production,
- no party political activities may be conducted (with the obvious exception of programmes serving that end) and no party political events or gatherings may be held at the headquarters and places of business of public media services,
- in programmes other than political information and news service programmes, the position of the producers may be presented; however, this may not create the impression that the producer's approach to the subject is biased. Whenever programme presenters voice their opinions the impartial presentation of all the different positions is even more strictly required than otherwise,
- the programmes are required to reflect thorough grounding and care. The employees of public media service providers are required to perform their work according to the provisions of the law to the best of their knowledge and conscience. Programme producers are required to produce their programmes according to the highest technical standards,
- the editors are required to take special care when publishing information with regard to news and information programmes.

Q) The principles relating to ethical norms governing the broadcasting of commercial communications and advertising activities

The commercial communications published by public media service providers must adhere to the relevant legal provisions, media ethical norms and the generally accepted requirements of public morals. When examining the conformity of commercial communications, they must be reviewed as a whole, including the imagery, the sound effects and the associative content obviously related to such.

Commercial communications published by public media service providers may not violate human dignity, may not support discrimination on grounds of gender, racial or ethnic origin, nationality, religion or ideological conviction, physical or mental disability, age or sexual orientation and may not express religious, conscientious or ideological convictions or violate religious convictions or the dignity of national symbols.

When publishing commercial communications targeting children, public media service providers must take into account the special sensitivities of children and must avoid the publication of any content detrimental to the interests of the child.

In respect of the publication of commercial communications related to alcoholic drinks, public media service providers are required to pay special attention to adhering to the provisions of Paragraph (2) of Article 24 of the Media Act.

R) The principles of the publication of public service announcements and political advertisements

In keeping with the provisions of the Media Act, public service announcement means any announcement released without consideration, originating from an organisation or a natural person fulfilling state or local governmental responsibilities, which provides specific information of public interest for the purpose of attracting the attention of the viewers or the audience, and does not qualify as political advertising. Public media service providers are required to differentiate between communications aimed at achieving the goals of society and political advertisements. On the basis of their public service nature, especially significant of those among the former are those forms of communication that call upon the audience to provide help or to support an objective of public interest and are intended to arouse the attention of the population.

Public media service providers take care to broadcast public service announcements in a manner that leaves their essence and main content intact. Public media service providers will not publish public service announcements that contain elements infringing upon any ideology, national or ethnic identity, human dignity or any other personality right.

According to the provisions of the Media Act, public media service providers are required to publish the public service announcements of the professional disaster management agency, if it provides information on any potential danger to the safety of life or property, on the mitigation of the consequences of an event that has already occurred or on the tasks to be carried out.

During an election campaign period, political advertisements are published under equal conditions. Public media service providers may not comment on such advertisements. Public media service providers clearly announce the fact of political advertising immediately prior to and after broadcasting the given advertisement, and distinguish such advertisements clearly from all other programmes by easily noticeable optical or acoustic means.

Public media service providers are not responsible for the content of the political advertisement; if the request for the publication of the political advertisement is in compliance with the provisions of the Act on election procedures, the media service provider is obliged to publish the advertisement without any financial consideration.

S) Communications with viewers and listeners

Public media service providers pay special attention to maintaining regular connections with their audiences. Public media service providers treat correspondence and telephone calls received from members of the audience with due diligence and reply to them whenever possible. Public media service providers always try to manage complaints related to their programmes in such a manner as to ensure the resolution of the problem.

Public media service providers strive to maintain diverse connections with all significant Hungarian social groups and non-governmental organisations both within and outside of the borders in the interest of following the public service principle. In the interest of providing comprehensive information to their audiences, public media service providers regularly publish any changes to their programme structures.

PUBLIC SERVICE MEDIA ASSETS AND THE ARCHIVE OF PUBLIC MEDIA SERVICE PROVIDERS

According to the resolution adopted by the Parliament, as of 1st January 2011 the archives of public media service providers were transferred to the ownership of the Hungarian state, free of expenses and licences. The ownership rights over the thus created uniform Archive are exercised by the Media Service Support and Asset Management Fund (MTVA). The most important element of the Archive consists of the public service media assets. Those works and programmes as well as their media and the attached copyrights and neighbouring rights that had inured to the benefit of the public media service providers at the time of the entry into force of the Media Act as well as those that were established to the benefit of the public media service providers or MTVA following the entry into force of the Media Act belong here.

The primary task of the Archive of the Media Service Support and Asset Management Fund is to collect, record, preserve, restore and make accessible the works and documents constituting the public service media assets and to perform the other tasks provided for by the Archiving Policy. A further priority task is the salvaging, discovery and digitalisation of artefacts that are part of the national culture and the performance of public service duties.

As the custodian of the national audio-visual heritage, the Archive devotes special attention to the preservation of audio-visual, visual and textual materials generated within the framework of public media service, the collection of cultural assets and the provision of access to such for educational or research purposes. In the interest of ensuring the preservation of the national textual, photographic and cinematographic heritage for future generations, it is necessary to collect, catalogue, preserve, protect and restore the elements of that heritage methodically.

The Archive performs its tasks of collection, storing, safeguarding, processing (documentation), protection, renovation, restoration, etc. in a manner best suited for the requirements of digitalisation and the future information society and digital programming.

All citizens are entitled to get to know the artefacts of the cultural heritage and may use the textual, audio and video materials of the Archive for educational, scientific or research purposes against a fee according to the rules on copyright.

During its operations and activities, the Archive proceeds according to the effective Hungarian legal provisions; therefore, it takes into account the provisions of the act on copyright, especially in respect of the use and the issue of permission to use the content recorded on storage media. Also bearing in mind the rights of the authors and the holders of neighbouring rights, the Media Service Support and Asset Management Fund strives to provide the broadest possible access to the works stored in the Archive, especially those of cultural, historical or scientific value within the limitations of the provisions of the act on copyright.

THE ACCEPTANCE AND AMENDMENT OF THE CODE

Also taking into account the feedback received from the chief executives of public media service providers, the Media Council sends the first draft of the Code that is intended to be the final version to the Board of Trustees of the Public Service Foundation (hereinafter: Board) for approval. The Board notifies the Media Council about any recommendations for amendments. The Media Council discusses and decides upon such recommendations. Following this the Media Council once again sends the Code adopted by it to the Board of Trustees.

Following the elapse of six months after the initial adoption of the Code the Board of Public Services may amend the Code a maximum of once a year with the agreement of the Board of Trustees. Besides the Board of Public Services, the Board of Trustees and the chief executives of public media service providers may also initiate the amendment of the Code.

When initiating amendments to the Code the opinions and recommendations received by the Board of Public Services must be taken into account. Anyone concerned by public media service may submit written recommendations for the amendment of the Code. The Board of Public Services must examine such recommendations on the merits.

The Institute for Media Studies, operating alongside the Media Council, has provided professional assistance for the drafting of the Code. In the interest of the protection of constitutionality and the editorial freedom and independence of public media services, on the basis of Paragraph (4) of Article 95 of the Media Act the Board of Public Services also makes use of the professional support of the Institute during the preparation of any amendments to the Code.

Enforcement of the rules defined by the Code is supervised by the Board of Public Services.

The tasks of the Media Service Support and Asset Management Fund and the external advisory bodies are provided for by the Media Act and separate regulations.

THE BOARD OF PUBLIC SERVICES

The Board of Public Services consists of fourteen members; its chairperson is elected from among the members according to the relevant policy adopted by the majority vote of the members. Unless otherwise provided for by the Media Act, the Board passes its decisions by simple majority. In the event of a tied vote, the vote of the Chairperson is decisive.

The following nominating organisations may delegate members to the Board of Public Services:

- a) the Hungarian Academy of Sciences,
- b) the Hungarian Catholic Church,
- c) the Hungarian Reformed Church,
- d) the Hungarian Evangelical Church,
- e) the Alliance of the Jewish Communities of Hungary,
- f) the Hungarian Olympic Committee,
- g) the Hungarian Rectors' Conference,
- h) the Hungarian Chamber of Commerce and Industry,
- i) the alliances and organisations of the local governments of Hungary,
- j) the national self-governments of the Hungarian national and ethnic minorities,
- k) the Hungarian cultural organisations with more than one hundred members registered in the neighbouring countries of Hungary,
- l) advocacy groups registered in Hungary falling under the scope of the Act of the Right of Association, the mission of which is to protect and represent the interests of families, the by-laws of which reflect the national scope of their operations,
- m) advocacy groups registered in Hungary falling under the scope of the Act of the Right of Association the mission of which is to protect and represent the interests of persons living with disabilities, the by-laws of which reflect the national scope of their operations,
- n) professional organisations active in the fields of literature, theatre, film, performing arts, music, dance, fine or applied arts registered in Hungary, falling under the scope of the Act on the Right of Association, the by-laws of which reflect the national scope of their operations, and the members of which are primarily persons and organisations active in the above listed fields.

The organisations listed under Points (a)-(h) may delegate one member each. The organisations listed under Points (i)-(n) may participate in the delegation process if they register with the Office of the National Media and Infocommunications Authority at least thirty days prior to the delegation. The Office decides on the registration in a regulatory decision, against which decision no appeal may be lodged; however, its judicial review can be requested. The organisations listed under Points (i)-(n) may delegate one member each in such a manner that the organisations listed under the same Point may delegate only one member. The organisations listed and registered under the same Point may come to an agreement regarding the delegated person. If no such agreement is reached, the Office draws lots to determine the organisation wherefrom a candidate may be delegated.

Members of the Board of Public Services are delegated at least thirty days prior to the expiry of the previous members' mandate. Members may be delegated several times. Failure by any of these organisations to exercise their delegation right does not impede the operation of the Board of Public Services.

The secretarial duties of the Board of Public Services are provided by the Public Foundation's Office; the costs of such tasks – including the honorarium of the Chairperson and the members – are borne by the Public Service Foundation.

The Chairperson of the Board of Public Services is entitled to a honorarium equal to forty percent of the remuneration of state secretaries, whereas its members are entitled to twenty-five percent of the remuneration of state secretaries. In addition to this, the Chairperson and members may require reimbursement of their travel expenses related to performing their tasks relating to the Board. The rules on conflicts of interest provided for in Article 118 of the Media Act apply to the chairperson and the members.

The Board of Public Services ensures society's control over the public media service providers.

The Board of Public Services constantly monitors how public service orientation is manifested in respect of public media service providers, and exercises control in according to the following over the public media service providers in relation to the enforcement of the provisions of the Media Act.

- Once every year, by 28th February of the year following the calendar year of reference, the CEOs of the public media service providers prepare a detailed written report on whether the media service provider under their management, according to their own assessment, has fulfilled the requirements outlined in the Media Act and the Public Service Code regarding the objectives and fundamental principles of public media service.
- The Board of Public Services discusses the report and decides on the acceptance thereof by a simple majority vote within thirty days from the date of its receipt.
- If the Board of Public Services, after the personal hearing of the CEO, decides to reject the report, it may consider submitting a proposal to the Board of Trustees for the termination of the CEO's employment. Adopting such a proposal requires the two-thirds majority of the members of the Board of Public Services.
- The Board of Trustees puts on its agenda and discusses the proposal for the termination of the CEO's employment within eight days. The CEO and the Chairperson of the Board of Public Services are to be invited to the meeting of the Board of Trustees.
- The Board of Trustees shall decide on the proposal to terminate the employment by a simple majority vote of the members present. The grounds for the decision must be provided.
- If the Board of Trustees does not terminate the CEO's employment relationship despite the proposal, within three months from the date of the decision, the Board of Public Services shall put a new hearing of the CEO on its agenda.
- If the CEO's employment was terminated due to his/her failure to ensure implementation of public service objectives and principles in respect of the public media service provider under their management, then he/she may not be re-nominated for the CEO's position of a public media service provider for a period of ten years.

CLOSING PROVISIONS

The Code was first adopted by the Media Council with the consent of the Board of Trustees (resolution no. 91/2011) and with a view to the opinion of the CEOs of the public media service providers on 22nd June 2011 by resolution no. 791/2011.

Following the adoption of the Public Service Code by the Media Council, the Public Service Code enters into force on the day following the date of the consenting resolution of the Board of Trustees of the Public Service Foundation.

Budapest, 28 June 2011

Annamária Szalai
The Media Council
of the National Media and Infocommunications Authority
President

László Balogh
Public Service Foundation
Chairperson of the Board of Trustees