

**CYPRUS BAR ASSOCIATION****CYLaw****The Law on the Cyprus Broadcasting Corporation (KEF.300A)****Modification History**

**KEF.300A** 46/1959 20/1960 A21 / 1960 27/1961 69/1961 26/1962 39/1963 61/1972 52/1977 21/1979  
 68/1985 212/1987 284/1987 9/1988 204/1991 238/1991 38 (I) / 1995 ANAK.307 8 (I) / 1998 24 (I) / 2000  
 7 (I) / 2001 10 (I) / 2001 60 (I) / 2001 83 (I) / 2001 136 (I) / 2002 23 (I) / 2003 116 (I) / 2003 96 (I) / 2004  
 83 (I) / 2006 172 (I) / 2006 18 (I) / 2009 117 (I) / 2010

**PART I INTRODUCTION****Short title**

1. This Law may be cited as the Cyprus Broadcasting Law Foundation.

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**Interpretation**

2. (1) In this Act, unless the context requires different;

"Immovable property" has the same meaning as in section 2 of the Immovable Property (Tenure, Registration and Valuation) Law .

"Negative advertising" means any communication or message format transmitted in return for payment or for similar consideration and aimed at undocumented unfavorable viewing party opponent;

"Broadcasting Authority" means the Independent Television Authority, established and operating under the Radio and Television Stations Law of 1998-2003;

"Wireless telegraphy" means any communication system with telegraph as defined by the Wireless Telegraphy Act, without the help of any wires connecting points of which and in which messages or other matter includes matter sent through television, sent and received .

"General Manager" means the person appointed to that office under Article 9 .

"Auditor General" means the Auditor General of the Republic;

"Public service broadcasting" means public service broadcasting for radio and television broadcasting, which is a service of general economic interest directly meet the democratic, social and cultural needs of Cypriot society and the need to ensure pluralism, including cultural and linguistic diversity in the media, and includes the provision of a balanced package of services consisting of information, cultural and entertainment programs, community service programs, broadcasts aimed at expatriates and emissions in emergencies and civil defense, as the beam defined in Regulations issued under this Law and such extended or otherwise differentiated under such Regulations in the light of technological developments in the field of audiovisual or new circumstances and data;

"Arbitral Tribunal" means the Compensation Determination Court which was established pursuant to the Special for Determining Compensation Tribunal Act, or any law amending or replacing it .

"Advertising" means any form of an announcement broadcast in return for payment or for similar consideration or for self-promotional purposes by a public or private undertaking in connection with a

trade, business, craft or profession in order to promote the supply of goods or services, including immovable property, rights and liabilities payment .

"Commission" means the Referees Committee established under subsection (2) of section 14 .

"Ownership transfer date" means the date specified by the Cabinet by notification in the Gazette to be the date of ownership transfer .

"Foundation" means the Cyprus Broadcasting Corporation, which is a broadcaster;

"On-demand audiovisual media service" (ie a linear audiovisual media service) means audiovisual media service provided by a media service provider for the viewing of programs at the moment chosen by the user and at his own request, from a list of programs selected by the media service provider;

"Functions" includes powers and duties .

"Member" means a member of the Foundation appointed as such under paragraph (b) of subsection (1) of section 5 .

"Transmission" means the wired or not, directly or via satellite, in code or not, and in general in any way transmitting radio or television signals intended for reception by the public;

"Directive 2010/13 / EC" means Directive 2010/13 / EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain laws, regulations and administrative provisions of the Member States concerning the provision of audiovisual media services, and as may be amended or replaced .

"Financial year" means a year beginning on the first day of January:

Provided that the period between the ownership transfer date and the first day of January of each year considered financial year .

"Audiovisual commercial communication" means images with or without sound which are intended for direct or indirect promotion of goods, services or image of a natural or legal entity pursuing an economic activity and that picture accompanies or is included in a program in return for payment or for similar consideration or promotional purposes. Forms of audiovisual commercial communication include television advertising, sponsorship, teleshopping and product placement;

"Pancyprian radio organization" means radio organization designed to cover more than 75% of the population of the regions of the Republic where the government exercises effective control;

"Media service provider" means a natural or legal person who has editorial responsibility for the choice of the audiovisual content of the audiovisual media service and determines the manner in which it is organized;

"Political advertising" means any communication or message format transmitted in return for payment or for similar consideration by a candidate within the meaning of Article 17B in presidential or parliamentary elections or elections to the European Parliament;

"Program" means a set of moving images with or without sound constituting an individual item within a schedule or a catalog established by a media service provider and whose form and content is comparable to the form and content of television broadcasting. The programs include feature-length films, sports events, situation comedies, documentaries, children's programs and original drama;

"President" means the President of the Foundation appointed under paragraph (a) of subsection (1) of section 5 .

"Broadcasting service" means radio and television broadcasting service;

"Broadcaster" means the legal person who has editorial responsibility for the composition of radio and / or television broadcasting programs, which are programs or transmits the same either instructs the transmission to third parties, and includes radio and / or television station;

"Radio services" [Deleted]

"Radio advertising" means any form of radio announcement broadcast in return for payment or for similar consideration or for self-promotional purposes by a public or private undertaking or natural person in connection with a trade, business, craft or profession in order to promote the supply of goods or services, including immovable property, rights and obligations, in return for payment .

"Radio broadcast" (ie a linear audiovisual media service) means radio broadcast media provided by a media service provider for simultaneous viewing of programs on the basis of a program schedule .

"Broadcast" means the transmission of radio issues, intended for public programs and broadcasts;

"Radio station" [Deleted]

"Receiver" [Deleted]

"Broadcasting station" [Deleted]

"Surreptitious advertising" means the representation in words or pictures of goods, services, the name, the trade mark or the activities of a producer of goods or a provider of services in programs when such representation is intended by the station to serve advertising and might mislead the public as to the nature of this presentation. Such representation is considered to be intentional, when in return for payment or for similar pay ·

"Surreptitious audiovisual commercial communication" means the oral or visual presentation of goods, services, the name, the trade mark or the activities of a producer or provider when such representation is intended by the media service provider to serve advertising and might mislead the public as to the nature of this presentation. Such representation is considered to be intentional in particular if it is done in return for payment or for similar consideration;

"Editorial responsibility" means the exercise of effective control both over the selection of the programs and over their organization either in a chronological schedule, in the case of television broadcasts, or in a catalog, in the case of on-demand audiovisual media services;

"Teleshopping" means direct offers broadcast to the public for the provision of goods or services, for payment, including immovable property, rights and obligations;

"Tiltemporia" [Deleted]

"Television advertising" means any form of announcement broadcast in return for payment or for similar consideration or for self-promotional purposes by a public or private undertaking or natural person in connection with a trade, business, craft or profession in order to promote the supply of goods or services, including immovable property, rights and obligations, in return for payment;

"Television broadcast" (ie a linear audiovisual media service) means TV audiovisual media service provided by a media service provider for simultaneous viewing of programs on the basis of a program schedule;

"Television broadcasting" means the transmission of television themes, intended for public programs and broadcasts and includes the communication of programs between undertakings with a view to their being relayed to the public, but does not include communication services providing personal call, information or other as the telecopying, electronic data banks and other similar services;

"Broadcaster" means a media service provider that provides television broadcasts;

"Broadcaster" [Deleted]

"Local radio organization" means radio body that covers a relatively small area, no more than the province, and which operates with reduced power and at a specified frequency range, no significant proportion of programs covering topics of local interest;

"Local broadcaster" means a broadcaster, which covers a relatively small area, no more than the province, and which operates with reduced power and at a specified frequency range, no important programs percentage of covering local issues;

"Product placement" means any form of audiovisual commercial communication consisting of the inclusion of or reference to a product, a service or the trademark to appear in a program, in return for payment or for similar consideration;

"Audiovisual media service" means a service as defined in Article 57 of the Treaty on the Functioning of the European Union, which is under the editorial responsibility of a media service provider and the principal purpose of which is the provision of programs in order to inform, entertain or education of the general public by electronic communications networks. Such audiovisual media services including television shows and / or on-demand audiovisual media services and / or audiovisual commercial communication and / or radio broadcasting;

"Minister" means the Minister of Interior ·

"Sponsorship" [Deleted]

"Slot" [Deleted]

"Slot or teleshopping window" means a transmission time interval of television advertising or teleshopping spots defined by optical and acoustic opening and closing means.

(2) In this Act, unless the context otherwise requires, the terms "public aid", "Registrar", "new public aid" and "existing public aid" shall have the meaning assigned to them in the Control of public Aid Laws of 2001-2003.

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### The Foundation functions may be performed by employees of

3. When powers are granted or duties imposed by or under this Law to these powers Foundation or tasks may be performed or carried out by or through any employee or representative of the Institution authorized for this purpose by the Foundation.

KEF.300A 212/1987

### Interpretation

2. "House" means the House of Representatives ~

"Press News" means the newscasts of Radio and Television ~

"Second period" means the last three months of the period ~

"Republic" means the Republic of Cyprus ~

"Elections" shall mean elections which are conducted to highlight President ~

"Foundation" means the Cyprus Broadcasting Corporation ~

"Political party" means a party represented in parliament or Agency or EU persons or group which, in the eyes of the average prudent citizen who knows the inner political situation of Cyprus and looks forward to the organization, structure, institutions, objectives and impact It is considered as a political party ~

"President" means the President of the Republic ~

"First Period" means the first three months of the period ~

"Candidate President" means a person that announcement publicly intention to candidature for election as president in the next elections of that declaration, provided that it has, under the Constitution, the ability of a candidate to the office of President and fulfills one or more of the following conditions, namely:

(A) holds at the time of this announcement the office of President,

(B) is the leader of a political party,

(C) enjoys the support of one or more parties,

(D) is a person who, in the eyes of the prudent average citizen, has played or plays a role in the political or economic or social life of Cyprus or personality who enjoys prestige and / or respect between the part of the electorate:

Provided that the candidate president ceases to be a presidential candidate once any state that has ceased to be interested in promotion to the post of President.

"Period" means the period beginning six months before the expiry in accordance with the Constitution of the term of current President and ending on the day of election day by which it has become a new President.

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### fair treatment

3. Notwithstanding any provision of the Basic Law, the Foundation is obliged during the entire time period of time ensures the fair treatment of each candidate Presidents.

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### Obligations of the Foundation during the First Period

4. Without prejudice to the generality of the provision of Article 3 of this Law under the Institution during the first period the following obligations:

(A) broadcast by the news so concision the campaign activities of each candidate president.

(B) To convey by the main news bulletins regularly as such the respective declarations or announcements by each prospective Presidents provided that normal reading these will not exceed two minutes:

Provided that if the normal reading of statements or candidate President bulletin will exceed two minutes, then the Foundation without the obligation of influence according to the above with respect to the statements or statements of others or any of the other candidates presidents, will be required to transmit a summary of the statements or announcements lasting about two minutes.

(C) To transfer one weekly time period of five minutes at each presidential candidate in order as he or the candidate or representative addressed to the Cyprus people both for radio and for television.

(D) To be granted once a month to each candidate time fifteen minutes President with purpose as he speak in person or by representative to the Cypriot people both for radio and for television.

(E) fully covers both for radio and for television one press conference every candidate President:

Provided, however, that the time allowed under this provision may not exceed sixty minutes:

Provided further, that time is granted on the same day on which any will make the relevant press conference:

Provided still further that it is for each presidential candidate to determine the time of his own press conference, which according to the above mandatory broadcast by the Foundation.

[KEF.300A](#)

### Obligations of the Foundation during the Second Period

5. Without prejudice to the generality of Article 3 of this Law during the Foundation Second period ypochreoutai-

(A) To cover news six speeches each candidate the President, namely one in the city of Nicosia, one in Limassol, one in the city of Larnaca, one in Paphos town, one to the inhabitants of Famagusta and one to the inhabitants Kerineias. The meeting will be televised. The duration of coverage each talk will be 10 minutes.

(B) To cover news and in about five minutes for each concentration other five concentrations of each candidate President or representative of each candidate as President concerned indicates to the Foundation.

(C) To meet at least one press conference every candidate the President, the applied mutatis mutandis in paragraph (e) of Article 4 above.

(D) To communicate daily special program preannounce campaign meetings in the same or next day each candidate President or concentrations are due to or in support of presidential candidate:

Provided that the number of individual concentrations broadcast each day will not exceed five.

(E) During the last 45 days of the second period to broadcast daily at 1.45 pm time through radio announcements in full each candidate President or party that supports him, provided that the notice period should not exceed five minutes.

(F) To invite presidential candidate in "Syntantisi program type," or similar TV program. The journalists who will ask the questions in the program will not exceed three (the same number will be valid for all purposes). The program lasts 90 minutes and will be broadcast immediately after the main television news bulletin.

(G) To broadcast an interview of each candidate President or representatives for their policy on key issues (Cyprus problem, economy, social policy, education, etc.). The questions are in all cases the same, and the time is also the same, lasting about 20 minutes. The interviews will be transmitted both by radio and by television. The obligation of the Foundation under this subparagraph shall be fulfilled within the second month of the second period.

(H) By the end of the campaign, the Foundation is required to sequentially vacate the same day candidates Presidents year both on radio and television in order to speak to the people. This time will be up to 15 minutes.

(I) To transfer one weekly time period of five minutes at each presidential candidate for transmission of radio and television of any of the proposed activities, as he wanted select and designate or as the candidate or representative he shall be addressed to the Cypriot people.

(J) To convey by the main news bulletins regularly as such the individual statements or announcements each candidate the President, provided that the normal reading these will not exceed two minutes:

Provided that if the normal reading of statements or candidate President bulletin exceed two minutes, then the Foundation without the obligation of influence according to the above with respect to the statements or statements of others or any of the other candidates presidents, will be required to transmit a summary of the statements or announcements lasting about two minutes.

(K) In the event of repeat election as provided by Article 39.2 of the Constitution and in the period between the end of the first election to such election, the Foundation will provide as-

(Aa) Cover news both for radio and for television at least one concentration of each of the candidates, who are entitled to claim the repeat election under that provision of the Constitution. The coverage time will be 20 minutes long.

(B) Transmits daily by the major news as such statements and communications, provided that if the normal reading of the announcements or statements one day a candidate may not be performed within a period of five minutes, without the above requirement influence in relation to another presidential candidate, the Foundation will broadcast a summary lasting five minutes of such statements or announcements on the day.

(C) The provisions of paragraphs (d), (e) and (h) of this section shall apply accordingly.

[KEF.300A](#)

### interpretive provision

6. Nothing contained in this Law shall be construed as conferring rights or imposing an obligation on the institution to transmit anything which constitutes defamation under the Civil Wrongs Law, Kef.148.

[KEF.300A](#)

### display order of the candidates Presidents

7. The order to be followed in cases of paragraphs (a), (b) and (c) of Article 4 of this Law and the order to be followed in cases of paragraphs (d), (e) and subparagraph (a) (bb) of Article 5, shall be commensurate with the political power of the party whose candidate President receives chief or by whom or (which) is supported, trailing independent candidates in alphabetical order, while in the case of paragraphs (f) and (g) of Article 5 will precede the emergence of the independent candidate Presidents - series including fixed alphabetical - and will be followed by the appearance of the other candidate, the order of which is determined in a manner inversely proportional to the number , which according to the above is set for the cases specified in paragraphs (a), (b) and (c) of Article 4 and of paragraphs (d), (e) and subparagraph (a) (bb) of Article 5 of this Law:

Provided that the programs of each of paragraphs (f) and (g) of Article 5 of this Law will be broadcast on consecutive days - except Saturday and Sunday.

The completion of the programs of this paragraph (g) should precede the beginning of the transmission of programs in paragraph (f) of Article 5 of this Law.

[KEF.300A](#)    [284/1987](#)    [9/1988](#)

### Show poll

7A .- (1) The display or transmission of the Foundation poll results related to elections, seven days before the holding of any elections.

(2) Company conducted a survey whose results were made public during an election period required before publication, to testify at the Foundation Members note on methodology and sampling has been used for the poll, breakdown of the sample population used for this, and a sample of the survey questionnaire:

Provided that all the above mentioned elements of the survey submitted to Foundation members are protected as strictly confidential and are in the custody of the President of the Foundation. No other person has access to it, unless decided to conduct a special investigation.

For the purposes of this subsection election period means a period of three months before the holding of any elections.

KEF.300A 60 (I) / 2001 [83 \(I\) / 2001](#)

## **PART II ESTABLISHMENT AND STRUCTURE OF RADIO FOUNDATION CYPRUS**

### **Establishment and composition of the Cyprus Broadcasting Corporation**

4. Hereby establishes a body called the Cyprus Broadcasting Corporation, which is a legal person with perpetual succession and a common seal with power to acquire, have and dispose of property, to contract, to sue and be sued in such name and to take all necessary acts for the purposes of this Law:

Provided that, if it is guaranteed by Article 25, the Foundation does not alienate, mortgage, charge or transfer any of the immovable property without the approval of the Cabinet:

Provided further that until given stamp may be used as a common seal, a stamp bearing the inscription "Cyprus Broadcasting" Foundation.

[KEF.300A](#)

### **Formation Foundation**

5 .- (1) The Foundation is composed of not more than seven members appointed by the Council of Ministers (hereinafter referred to as "members"), one of which is appointed by the Cabinet as President:

Provided that the members need not be persons whose services are acquired on a full basis.

(2) The President and the other members of the Foundation serving for three years:

Provided that the Governor may, at any time, dismiss the President or any other member of the Foundation without giving any reason for it.

(3) The Governor may, at any time, to accept the resignation of the President or any other member of the Foundation.

(4) The Foundation may operate independently of any vacancy to its members.

KEF.300A [A21 / 1960](#)

### **temporary appointments**

6 .- (1) In the case of incapacity of the President due to illness or any other cause temporary or temporary absence from the Republic, the Governor may appoint another person to act as President, at the time of incapacity or absence thereof, and person while lasts the appointment exercise and perform all the duties of the President.

(2) In case of incapacity of any member other than the Executive Director due to illness or other temporary cause or temporary absence from the Republic, the Governor may appoint another person to act as a member during the time where the disability continues or lack this and that person takes while the appointment exercise and perform all the duties of that member.

[KEF.300A](#)

### **Quorum**

7 .- (1) The quorum at all meetings of the Foundation are three members present in addition to the President.

(2) The President shall preside at all meetings.

(3) Where the votes of the persons present at the meeting in respect of any matter is divided equally, the Chairman will have a casting vote except his own.

KEF.300A [A21 / 1960](#)

### permanently Decrees

8. Subject to the provisions of this Law, the Foundation may issue permanent regulations to regulate its own procedure generally, and, in particular, but without prejudice to the generality of the foregoing, with respect to the convening of meetings, the notice given for such meetings, procedures to, the minutes and the opening, keeping, closing and audit of accounts.

[KEF.300A](#)

### Director-General

9 .- (1) The Foundation Officer known as the General Manager is the chief executive officer of the Foundation and is responsible for the implementation of the Foundation's policy and administration of daily work.

(2) The Foundation shall delegate to the Director General such of its functions under this Act that are necessary to make him capable of effectively directing all kinds daily work of the Foundation.

(3) The post of Director-General made by the Board of the Foundation or permanent appointment to that position or appointment contract the duration of which may not exceed four years at a time.

(4) The decision of the Board is submitted to the Cabinet for approval.

(5) If the Cabinet does not approve the above nomination should be specific reasons for the decision.

KEF.300A 39/1963 [238/1991](#)

## PART IIA POWERS OF MINISTER

### Powers of Minister regarding the Foundation

9A .- (1) The Minister may, wake advisory opinion of the Foundation, issue for this generic guidance as to the exercise of his powers, which are necessary for the general interest of the Republic, and the foundation must apply any such Directive.

(2) The Foundation shall provide to the Minister, on demand of reports, accounts and other information related to the ownership and activities of ~ the Foundation shall also provide every facility to check this information at any time and way he wanted reasonably require.

(3) The Minister of Education and Culture, for the convenience of the language policy, may, when it deems it necessary, with instructions to the Foundation to determine, as regards some or all of the Foundation's emissions, general or specific criteria governing the quality of the language used and compliance with the language policy of the Republic.

KEF.300A 39/1963 [8 \(I\) / 1998](#)

## PART III THE FOUNDATION STAFF

### Employees of the Foundation

10. The Foundation appoints employees as it considers necessary to perform its functions under this Act to such conditions of service as may be decided.

[KEF.300A](#)

### Some persons are civil servants



11 .- (1) The President, General Manager, all members and employees of the Foundation are considered employed in the public service within the meaning of the Criminal Code or any law amending or replacing it.

(2) The Foundation is considered as a public body for the purposes of the Public Bodies and Public Positions (Appointments) Act or any law amending or replacing it and the President, General Manager, members and employees of the Foundation are considered to hold public office for purposes of that Act.

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### Power to issue regulations relating to employees

12 .- (1) The Foundation may, with the approval of the Cabinet, make regulations generally refer to the terms of the Foundation staff service and in particular, but without prejudice to the generality of the foregoing, may make regulations relating to-

(A) the appointment, promotion, dismissal, discipline, pay and leave, and the security given by these officials ~

(B) appeals from those employees against dismissal or other disciplinary action ~

(C) the granting of pensions, gratuities and other retirement benefits to these employees and their dependents and to grant bonuses to property or dependents of deceased employees of Foundation ~

(D) the establishment and maintenance of health care funds, pension funds or provident funds and contributions payable to them and the benefits derived therefrom.

(2) Regulations made under this section, in which regulated staff matters, including the terms of service and evaluation of personnel, may have retroactive effect:

Provided that the Regulations with retroactive effect will not apply to decisions, acts and / or omissions in the sense of Article 146.1 of the Constitution in relation to which on the day of publication of the regulations in the Gazette not the deadline has passed Article 146.3 of the Constitution or cancellation request pending before the Supreme Court, or if it has already been taken for such a cancellation request will not have passed the appeal deadline or pending appeal affecting such decision.

KEF.300A 7 (I) / 2001

### Officials seconded from the Government service

13 .- (1) The Foundation, subject to the provisions of the article, that employs employees those who are employees of the permanent staff of the Government or serving under contract to the Cyprus Government which the Cabinet may distract from the Government service at the date of ownership transfer.

(2) The Governor may at any time terminate the secondment of staff who is seconded to the service of the Foundation under the provisions of this article, but no request made by the Foundation to the Cabinet to stop the posting of any such employee unless the Foundation first give the employee a written notice of intention to make such request.

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### Job Offers from the Foundation

14 .- (1) three years Entos year and four months from the date of ownership transfer, the Foundation offers each employee seconded to the Institute by the department of the Cyprus Government work with such terms and conditions as may be exposed to this offer.

(2) For the purposes of subsection (1) of this established Commission Arbitrators composed of three members, appointed by the Cabinet, one of which is legally qualified to be president, and anyone seconded employee receives job offer from Foundation under subsection (1) may submit an appeal to the Commission if it considers that the terms and conditions contained in this offer are less favorable than those enjoyed at the time of the offer.

(3) The Commission hears and decides on any appeal under the provisions of subsection (2) of this section and may dismiss the appeal or may return to said supply to the Foundation to further review or may convert the terms and conditions of any such supply and when any supply conditions converted as mentioned above, this offer is made then to the official, the type was converted.

(4) The Commission does not change the terms and conditions contained in any offer simply because it is in every respect the same or better than the conditions enjoyed that person on the date of the offer if the

terms and conditions in their entirety, in the Commission's opinion, offer substantially equivalent or greater benefits.

(5) (a) For purposes of hearing appeals and settlement, the Commission has quorum if present a member other than the President.

(B) The Chairman shall preside at all appeals to the Commission:

Provided that when the votes of the members present in respect of any appeal or matter to them is equally divided, the President shall have a casting vote except his own.

KEF.300A 20/1960 27/1961 69/1961 [26/1962](#)

### **Result refusal labor supply with the Foundation**

15 .- (1) An employee who fails within a year to accept written offer made to him by the Foundation pursuant to Article 14 shall be deemed refused this offer.

(2) If an employee refuses job offer made to him by the Foundation in accordance with this Part, the obligation imposed by subsection (1) of section 13 the Foundation to employ the employee is terminated by the end of the six months period immediately after the date of such refusal.

[KEF.300A](#)

### **Acceptance by the Foundation offer**

16. When an employee accepts job offer made in accordance with Article 14 of the service of the Foundation considered that began service in the Cypriot Government considered terminated on the date specified in that offer.

[KEF.300A](#)

## **PART IV FUNCTIONS OF THE FOUNDATION**

### **Public service broadcasting and commercial or other activities**

16A .- (1) The Foundation is hereby set as the public service broadcasting provider in the Republic.

(2) The Foundation fulfills its mission to undertake under subsection (1) to operate as a provider of audiovisual services, both radio and television programs, ie linear services and non-linear services, including on-demand services, according with the provisions of this Law and on the Cyprus Broadcasting Corporation (Public Broadcasting Service) Regulations 2003, subject to the terms, conditions or restrictions of licenses or authorizations granted to the Foundation under the Radiocommunications Act 2002, as may be amended or replaced or the Regulation of Electronic Communications and Postal Services Law of 2004, as may be amended or replaced.

(3) The Foundation may be engaged in trade or business, if they do not affect the fulfillment of this mission entrusted to it under subsection (1).

(4) For purposes of the mission of funding assigned to it under subsection (1), the Foundation may use all of the following instruments:

- (A) public aid in accordance with Article 24A
- (B) to collect revenues from commercial or other activities that may be exercised under this Act,
- (C) receive sponsorship in accordance with Article 17B, and
- (D) borrow in accordance with Article 23 or issue securities in accordance with Article 24.

[116 \(I\) / 2003](#) [117 \(I\) / 2010](#)

### **Obligations of the Foundation in connection with the conduct of trade or other activities**

16B. Subject to the provisions of Article 16A, the Foundation must conduct commercial or other activities so as to ensure that-

- (A) provide additional choice to the listener and the viewer, without degrading the overall level of the Foundation's programs;
- (B) comply with the relevant laws and regulations in force in the Republic;
- (C) ensure resources for reinvestment in programs broadcast by the Foundation, including programs broadcast in the provision of public service broadcasting;
- (D) are carried out in general terms and conditions that do not affect competition to an extent contrary to the common interest free and, provided on a fair basis for pricing reflecting the principle of cost orientation and transparency;
- (E) kept in a transparent manner in separate accounts in accordance with the provisions of Article 24B, data in relation to, inter alia, costs and revenues from them.

116 (I) / 2003    96 (I) / 2004

## general operation

17 .- (1) Subject to the provisions of Article 16A, the task of the Foundation's

- (A) to work with audio and / or image of public service broadcasting for reception by the public;
- (B) to control and operate the plant and the machinery acquired or to be acquired by the Foundation pursuant to the provisions of this Law;
- (C) to monitor and operate the assets of the Foundation in a way that may be deemed appropriate;
- (D) promote the development of the broadcasting service either in Cyprus or abroad according to the extent possible, consistent with recognized international practice;
- (E) to advise the Minister on all matters relating to the broadcasting service and issues that belong to the general Foundation.

(2) For the purposes of subsection (1) of this section, the Foundation may, either by his name or by any representation agreement

- (A) erect, maintain and operate transmission and receiving stations;
- (B) install and operate wired broadcasting service to the public;
- (C) to make arrangements with the Government for the purpose of obtaining licenses, rights, privileges and concessions;
- (D) to produce, manufacture, purchase or otherwise acquire, and sell or otherwise has gramophone records and other mechanical drives and materials and instruments for use in relation to films and records and to use regarding broadcasting service;
- (E) supplies and receives from other persons subject to transmission;
- (Ee) to adopt under the Wireless Telegraphy Act and the Regulations issued thereunder, required installation licenses, radio ownership and operation or televisions and sellers permits radios or televisions and collect the credit sanctioning fees for the issuance or renewal of such licenses in whatever way he deems appropriate, and to this end to make any other authority or person in those arrangements that would be necessary for the purpose of the collection;
- (F) organize, equip and subsidizes public entertainment for broadcast purposes;
- (G) to collect news and information anywhere in the world and in any manner he may deem proper and to establish and subscribe to news agencies;
- (H) to establish offices or agencies in any part of the country;
- (I) acquire or sell copyrights;
- (J) to publish and circulate with or without end forms possible to contribute to the fulfillment of any of the functions of the Foundation;
- (K) take any action that may be deemed appropriate for the purposes of improving people skills employed by the Foundation or the Foundation equipment performance, or the way in which this equipment is operated, including the provision of Foundation and assistance from other facilities for learning, education and research;

(L) accept with or without end advertisements for broadcast provided they do not conflict with the general policy of the Foundation;

(L) the approval of the Cabinet to enter into arrangements with commercial radio interests with the lease of the Foundation of the use of sound and television transmitters and radio studios for some specific time:

Provided that any transmissions carried out by any such commercial organization will be conducted in accordance with the provisions of this Law and the policy established by the Foundation;

(N) to take all actions that the Foundation may deem necessary ca promote his duties.

KEF.300A	39/1963	61/1972	204/1991	8 (I) / 1998	116 (I) / 2003
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## Television advertising and teleshopping

17A .- (1) To Foundation may broadcast advertising and teleshopping spots, with or without pay, if not in conflict with the general policy of:

Provided that for the purposes of this Article, the term 'television advertising' does not include-

(I) communication made by the Foundation for its own programs and ancillary products directly derived from those programs, or

(Ii) sponsorship announcements and product placements.

(2) The broadcasting of television advertising and teleshopping spots by the Foundation is subject to the following conditions:

(A) Television advertising and teleshopping shall be readily recognizable and distinguishable from editorial content. Without prejudice to the use of new advertising techniques, the Foundation must ensure that television advertising and teleshopping quite separate from other parts of the program service by optical and / or acoustic and / or spatial means:

Provided that the individual television advertising and teleshopping spots, other than in sports events transmissions, exempt from the provisions of paragraph (a) .

(B) where during the programs inserted television advertising or teleshopping Foundation must ensure that there is integrity of the programs affected, taking into account natural breaks in and the duration and nature of the program, and the rights of beneficiaries.

(C) the transmission of films made for television (excluding series of independent broadcasting, serials and documentaries), cinematographic works and news programs may be interrupted by television advertising and / or teleshopping once for each scheduled period of at least 30 minutes;

(D) the transmission of children's programs may be interrupted by television advertising and / or teleshopping once for each scheduled period of at least 30 minutes, provided the scheduled duration of the program is greater than 30 minutes.

(3) It is prohibited:

(a) The insertion of television advertising or teleshopping during religious ceremonies .

(b) Television advertising for medicinal products and medical treatment available only on prescription under the respective effect on Medicinal Products for Human Use (Quality Control, Supply and Prices) . laws

(C) teleshopping medicinal products for which a marketing authorization under the current effect on Medicinal Products for Human Use (Quality Control, Supply and Prices) Law.

(4) For the television advertising and / or teleshopping Foundation spirits must ensure that -

(A) are not aimed specifically at minors or depict minors consuming these beverages;

(B) does not link the consumption of alcohol to enhanced physical performance or to driving;

(C) does not create the impression that the consumption of alcohol contributes towards social or sexual success;

(D) does not allow to claim that alcohol has therapeutic qualities or that it is a stimulant, a sedative or;

(E) does not encourage immoderate consumption of alcohol and does not give a negative image of abstinence or consumption of the metered consumption;

(F) does not stress as being a beverage of their high alcohol content.

(5) The proportion of transmission time television advertising spots and teleshopping spots within a given clock hour shall not exceed 20%.

(6) The television advertising of children's toys are prohibited:

(A) From 06.00 to 22.00 daily

(B) from 06.00 to 23.00 during -

Of (i) school holidays as defined in the applicable Regulations on Operation of Public Schools Secondary and Primary Education,

(ii) Saturday and Sunday,

(iii) the days preceding the above.

(7) H television advertising betting offices and gambling is prohibited from 06.00 until 23.00 daily.

KEF.300A	8 (I) / 1998	<a href="#">24 (I) / 2000</a>	<a href="#">96 (I) / 2004</a>	<a href="#">172 (I) / 2006</a>	<a href="#">117 (I) / 2010</a>
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### **Special provisions relating to political advertising during the election campaign of presidential or parliamentary elections or the European Parliament elections**

17B .- (1) Notwithstanding the provisions of the Basic Law or any Regulations made thereunder, the political advertising broadcast during the election campaign of presidential or parliamentary elections or the European Parliament elections permitted by the Foundation, provided they meet the following conditions:

(A) Prior to the transmission of political advertising should be used optical and acoustic means of labeling as paid political advertising, so as to be clearly distinguished from other programs and other advertising;

(B) in the case of presidential elections, the spread of political advertising is allowed only for the candidates, and will be determined in this clearly, the candidate to whom the political advertising broadcast;

(C) in the case of elections or the European Parliament elections, the spread of political advertising is permitted only in favor of the candidates and will be determined in this clearly, the candidate to whom the political advertising broadcast;

(D) the political advertising is not negative advertising within the meaning attributed to it by this Article .

(E) the Foundation imparts political advertising under the same economic or other conditions for all candidates in case of presidential elections for all candidates if elections or the European Parliament elections, as appropriate.

(F) the Foundation ensures as far as possible the conditions equal percentage of time the ad policy between the candidates in case of presidential elections between candidates if elections or the European Parliament elections, as appropriate, both within the area and outside this, as well as when it is transmitted during prime time or prime.

(2) Regarding the political advertising time broadcast the Foundation, the provisions of Article 34D of the Radio and Television Stations Law.

(3) Notwithstanding the provisions of subsection (2) of section 34D of the Radio and Television Stations Law prohibits the advertising policy transmission fifty-five hours before the start time of the vote during the day of the presidential or parliamentary elections or election the European Parliament, as appropriate.

(4) Candidates in the case of the presidential elections and the candidates in the case of elections or the European Parliament elections or independent candidate, as applicable, shall, five days prior to transmitting the first political ad, submit to broadcasting authority the agreed with the foundation of their political advertising recording and transmission program.

(5) The Foundation before the transmission of any political advertising is obliged to immediately notify the Broadcasting Authority agreement for its transmission, its content and the time of transmission.

(6) (a) Where the Broadcasting Authority found that any political advertising has covered the specified under subsection (2) of this section time, give instructions to the Foundation not to transmit any other such political advertising, and the Foundation has to refrain from any further such advertising broadcast.

(B) Where the Foundation violates the provisions of this Article, the provisions of paragraph (c) of subsection (1) of section 22B.

(7) For the purposes of this Article;

"Negative advertising" means any communication or message format transmitted in return for payment or for similar consideration and aimed at undocumented unfavorable view opponent or party .

"Election period" means the period of forty days preceding the date of holding of presidential or parliamentary elections or the European Parliament elections, as appropriate, and if the presidential elections at the date of which is not elected president, any candidates presidents, and a new vote will be held at a later date, include the period from the date of the first vote until the new vote to be held .

"Candidate" means:

(A) in the case of the presidential election presidential candidate in the meaning of the Elections (President and Vice President of the Republic) Law.

(B) in the case of elections:

(I) a person submitting an application based on the Election of Members of House of Representatives Act if the person is exposed to the election individually; or

(Ii) the combination of a party or coalition combining several collaborating parties or combining independent when candidates based on the Election of Members of the House of Representatives Law exposed or will be exposed to the election in association and

(C) in the case of European Parliament elections:

(I) a person submitting an application based on the Law on Election of Members of Parliament Act if the person is exposed to the election individually, or

(Ii) the combination of a party or coalition combining several collaborating parties or combining independent when candidates based on the Law on Election of Members of Parliament Act exposed or will be exposed to the election in combination:

Provided that, where necessary for the purposes of this Article, this action by the candidate, for the case of a combination, by this act a person legally authorized to represent him.

"Prime time" means the time broadcaster broadcast period between the hours of 19:00 to 22: 00 .

"High Rate" means the period of radio emission agency period between the hours of 6:00 to 9:00 and 12:00 to 14:00.

23 (I) / 2003    83 (I) / 2006    18 (I) / 2009    117 (I) / 2010

## Sponsorship

17C .- (1) The audiovisual media services transmitted by the Foundation and the programs that are sponsored shall meet the following requirements:

(A) their content and, with regard to television broadcasting, their scheduling, may in no circumstances be influenced in such a way as to affect the responsibility and editorial independence of the Foundation;

(B) they must not directly encourage the purchase or rental of goods or services, in particular by making special promotional references to those goods or services;

(C) viewers must be clearly informed of the existence of a sponsorship agreement. Programs that are sponsored must be clearly marked with the name, logo and / or any other symbol of the sponsor such as a reference to the product or product or service or services with distinctive signal in an appropriate way for programs at the beginning, during and / or the end of programs.

(2) Audiovisual media services transmitted by the Foundation or the programs may not be sponsored by undertakings whose principal activity is the manufacture or sale of cigarettes and other tobacco products.

(3) The sponsorship of audiovisual media services transmitted by the Foundation or programs by undertakings whose activities include the manufacture or sale of medicinal products and medical treatment may promote the name or image of the undertaking, but not specific medicinal products or medical treatments available only prescription in the Republic.

(4) The Foundation may not accept sponsorship for news and current affairs programs such as news and current affairs programs:

Provided that the above prohibition excludes weather forecasts, stock market reports and the exchange notes, and sports news.

(5) The appearance of a sponsorship logo during children's programs, documentaries and religious programs allowed only three minutes at the beginning of the program and three minutes before the program ends.

KEF.300A [8 \(I\) / 1998](#) [23 \(I\) / 2003](#) [116 \(I\) / 2003](#) [117 \(I\) / 2010](#)

## right of reply

17D .- (1) Without affecting other applicable civil, administrative or criminal law, any natural or legal person, regardless of nationality or the country of registration, whose legitimate interests, in particular the price and reputation because of incorrect or inaccurate information during the program are, for the Foundation, the right to reply or to resort to equivalent remedies.

(2) The Broadcasting Authority shall ensure that the actual exercise of the right of reply or the right to equivalent remedies is not hindered by the imposition of unjustified terms or conditions.

(3) The Foundation may reject the request for reply or action equivalent remedies in the following situations:

(A) Unless the conditions of subsection (1) · or

(B) the fulfillment of this request involves the commission of an offense or gives rise to civil liability by the broadcaster or contrary to morality.

(4) In case of rejection by the Foundation of the request to reply or in cases you do not respond within fifteen days, the applicant may apply to the Broadcasting Authority to review the request. If the Broadcasting Authority considers justified request, asking the Foundation to implement this Article.

(5) The answer displayed or announced within seven days from its receipt, or from the day the Broadcasting Authority asks the Foundation to implement this Article. The answer is displayed or communicated, preferably in the same program that was mentioned. This obligation exists independently from each other any liability, civil or criminal, and the right to compensation of the victim.

(6) If the Foundation is entitled to limit its extent reply transmission wherever disproportionately lengthy compared with the reference that caused it, without prejudice, however, in any case, the essence of.

KEF.300A [8 \(I\) / 1998](#) [23 \(I\) / 2003](#) [96 \(I\) / 2004](#) [117 \(I\) / 2010](#)

## Free cover general interest events

17E .- (1) The Foundation has the right to free coverage of events of general interest for which it has been given an exclusive right.



- (2) The copyright and the right to life protection and other rights are not affected in any way by subsection (1).
- (3) The right coverage limited to preprogrammed news. The duration of coverage will be such as to the type of the news broadcast, but should not exceed three minutes. Especially on sporting events during the coverage will not exceed three minutes per match day.
- (4) The right cover must be made so as to not affect the fact. There is no right coverage in cases where the public interest is affected or jeopardized the safety of the public or the state or where the transmission or sound or video may affect the event.
- (5) Event Organizer may require payment of a ticket for the Foundation entering the room where the event takes place and additionally may claim damages for any loss incurred due to the coverage.
- (6) Prior to the exercise of the right cover, the Foundation must give reasonable notice to the organizer. The organizer is obliged to inform the Institute as soon as possible if they are special technical arrangements for cover.
- (7) If the technical arrangements may not be satisfactory for all licensed stations and Foundation warned about coverage, preference is given to those who have made contractual obligations with the organizer or sponsors. The organizer can give preference to licensed stations or the Foundation that can better reflect the nature and content of the event for which you will be covering.
- (8) If the Foundation contracted event transmission or preference for coverage is liable to the signal available to other licensed stations to which the live coverage was denied, against payment of a reasonable price.
- (9) The organizer of the event or sponsor who has a contract with the Foundation for exclusive coverage of the event is obliged to allow another licensed station to make a coverage, which may, in accordance with subsection (8) use the signal and all licensees stations interested.
- (10) The material was not used for cover must be scrapped in a month at the latest after receipt and to inform the organizer about. The material used for the cover may be stored as an archive. Archive material can be used again only when there is a direct correlation with other event.
- (11) The cover can not precede the completion of the event.
- (12) When the cover is made of a material made available by licensed station had exclusive right, this plant licensee logo must appear at short cover.
- (13) For the purposes of this section the term "licensed station" has the meaning assigned to it by the Radio and Television Law of 1997 stations.

KEF.300A 8 (I) / 1998 23 (I) / 2003

### **Transmission of short excerpts of great interest events**

17F .- (1) The Foundation, when it carries out exclusive broadcasting rights of events of high interest to the public, it must offer other broadcasters established in the Republic or in another member state, short extracts of events of high interest to the public, solely for the purposes of general news programs, namely news and current affairs programs on fair, reasonable and non-discriminatory, economic or other, conditions. These terms are announced well in advance of the event by the Foundation when it holds the exclusive broadcasting rights, in order to allow sufficient time to interested parties for the right of access.

(2) The Foundation, if it holds exclusive events broadcasting rights of high interest to the public, must take care to ensure that reported in subsection (1) access, giving interested broadcasters to freely choose, subject to the conditions referred to in subsection (3), short extracts from the Foundation's signal.

(3) The transmission of extracts from a broadcaster obtains access to these excerpts from the Foundation in accordance with the provisions of this article is subject to the following conditions:

(A) Excerpts may be used solely for general news programs, namely news and current affairs programs:

Provided that the reporting extracts may be used in on-demand services only if the same program is offered on a deferred basis by the same media service provider .

(B) the transmission of passages may be made after the end of the event for a period not exceeding 24 hours from the end of the event .

(C) the duration of transmission of excerpts of the event may not exceed 180 seconds and can not be repeated more than three (3) times a day by the end of the event .



(D) where compensation is required, it may not exceed the costs directly incurred in providing access ·

(E) throughout the display duration of these passages, the broadcaster who alleges must maintain the display of the Foundation logo, if it is secured that access to these clips:

Provided that if the Foundation gets access to short extracts from another broadcaster then subject to the provisions of paragraphs (a) to (e) of this subsection.

[117 \(I\) / 2010](#)

## Regulations

17F. [Deleted]

Modification History [KEF.300A](#) [23 \(I\) / 2003](#) [116 \(I\) / 2003](#)

## Exception

18. [Deleted]

Modification History [KEF.300A](#) [117 \(I\) / 2010](#)

## Transparency

18A .- (1) The Foundation shall make available to the recipients of the easy, direct and permanent access to the following information:

(A) The name of the service provider as media;

(B) the geographic address at which the Foundation established;

(C) details of the Foundation, including his electronic mail address or website, to enable a rapid, direct and effective contact with him;

(D) where applicable, the competent regulatory or supervisory bodies.

(2) In applying the provisions of subsection (1), the Foundation shall make public those mentioned in the above paragraphs (a) to (d) information as follows:

(A) the daily view relevant "card" or rolling strip, so as to be readable by the public, at least once between the hours of 09.00 and 12.00 and at least two times between the hours of 19.00 and 22.00;

(B) permanently, in the service of the electronic program guide (EPG) and tilekeimenografisis (teletext) and prominently on the official website of the Foundation.

[117 \(I\) / 2010](#)

## hatred

18B. The Foundation is forbidden to broadcast programs which contain any incitement to hatred based on race, sex, religion or nationality.

[117 \(I\) / 2010](#)

## Services for people with disabilities

18C. (1) The Institute shall ensure that the services become gradually made accessible to people with visual or hearing disability.

(2) The Foundation has an obligation to transmit between the hours of 18.00 and 22.00 special newscast comprehensible deaf, lasting at least five minutes of the hour:

Provided that, in the view of the above mentioned special news bulletin carried out at least half of the TV screen.

(3) Foundation, in consultation with the Broadcasting Authority must submit to this timetable regarding the implementation of the obligation referred to in subsection (1) within one year from the date of entry on Broadcasting Foundation Cyprus (Amendment) Law of 2010, which define specific ways to gradually increase rates for their programs, at least 5% in excess vouchers news, which will become accessible to people with visual or hearing disability.

[117 \(I\) / 2010](#)

### **Education for Media**

18D. The Foundation participates in action Education for Media, coordinated by the Broadcasting Authority, particularly in the dissemination to citizens clear and user-friendly information and support awareness campaigns, including on the production, promotion and distribution of information and creative content in digital environment, responsible use of the internet in general and how search engines work and their optimal use:

Provided that for the purposes of this Article, the term "media literacy" means the ability to access, understand and critically evaluate different aspects of the media and their content, and the possibility of expression in different forms of communication, mainly through by new technologies.

[117 \(I\) / 2010](#)

### **cinematographic works**

18E. The Foundation may not transmit cinematographic works outside agreed with the holders of periods rights.

[117 \(I\) / 2010](#)

### **Audiovisual commercial communications**

18F .- (1) The Foundation shall ensure that audiovisual commercial communications shall comply with the conditions and / or limitations specified in subsections (2) to (6).

(2) Audiovisual commercial communications must be readily recognizable as such. Surreptitious audiovisual commercial communication shall be prohibited.

(3) audiovisual commercial communications must not:

(A) prejudice respect for human dignity

(B) include or promote any discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation

(C) encourage behavior prejudicial to health or safety

(D) encourage behavior grossly prejudicial to the protection of the environment

(E) use techniques subliminal.

(4) prohibited all forms of audiovisual commercial communications for cigarettes and other tobacco products.

(5) Audiovisual commercial communications for alcoholic beverages must not be aimed specifically at minors and may not encourage immoderate consumption of such beverages.

(6) audiovisual commercial communications for medicinal products and medical treatment available only on prescription in the Republic.

[117 \(I\) / 2010](#)

### **unhealthy Food**

18G. (1) The Foundation will develop with other audiovisual media service providers are subject to provisions of the Radio and Television Act of 1998, as may be amended or replaced joint code of conduct regarding inappropriate audiovisual commercial communications, which accompanying or included in children's programs, of foods and beverages containing food or other substances with a nutritional or organic effects, in particular ingredients and substances such as fat, saturated fat, trans-fatty acids

(hydrogenated fats), salt / sodium and sugars whose excessive intakes in the overall diet are not recommended.

(2) For purposes of compliance with the obligation referred to in subsection (1), the Foundation together with the others mentioned in subsection (1) Media service providers shall submit for approval to the Authority no later than one year from the implementation of this Law, and after consultations among themselves, a common code of conduct regarding inappropriate audiovisual commercial communications, the unhealthy food catalog base, drawn up and periodically reviewed by the competent services of the Ministry of Health of the Republic.

117 (I) / 2010

## Placement of products

18H .- (1) Product placement is prohibited.

(2) Notwithstanding the prohibition referred to in subsection (1), product placement is permitted in the following cases:

(A) in cinematographic works, films and series made for audiovisual media services, sports programs and light entertainment programs;

(B) where there is no payment but only the free supply of certain goods or services, such as production props and prizes, with a view to inclusion in a program:

Provided that, programs for children do not fall within the exceptions referred to in this paragraph.

(3) The programs that contain product placement of all of the following requirements must be met cumulatively:

(A) their content and, in the case of television broadcasting, their scheduling shall in no way be affected so as to affect the responsibility and editorial independence of the Foundation;

(B) they must not directly encourage the purchase or rental of goods or services, in particular by making special promotional references to those goods or services;

(C) shall not give undue prominence to the product, including the near and / or prolonged projection .

(D) viewers shall be clearly informed of the existence of product placement as follows:

(I) Programmes containing product placement must be clearly identified, visually and acoustically, with its name at the beginning and end of the program, and when a program resumes after an advertising break, or any other interruption to avoid any confusion on the part spectator;

(Ii) the total time display and or references to products / services in product placement messages should minimize the total time of the program in which they are installed and, in any event, in any case may not exceed three (3) minutes , where films and TV films and one (1) minute, where series episodes, sports and light entertainment programs:

Provided that the provisions of this subsection excludes programs that are not producing or commissioning of the Foundation or a company affiliated with the Foundation, provided that this does not benefit financially or otherwise from product placement.

(4) The installation of the following products:

(A) tobacco products or cigarettes, or products from undertakings whose manufacture and sale of cigarettes and other tobacco products .

(B) specific medicinal products or medical treatments available in the Republic only on prescription .

(C) children's toys, according to the provisions of this Law .

(D) any other product or service for which advertising is not permitted under this Act and the regulations thereunder.

(5) expressly prohibited the inclusion of product placement message at each step after completion of the audiovisual production.

(6) The free provision of goods or services where no sponsorship allowed.

(7) The closer focus and / or prolonged product visibility.

(8) The provisions of the above paragraphs (2) to (7) shall apply only to programs produced after the date of entry into force of the Cyprus Broadcasting Corporation (Amendment) Act 2010.

[117 \(I\) / 2010](#)

### Custom services

18I .- (1) The Foundation, when providing audiovisual media services on demand, which might seriously impair the physical, mental or moral development of minors, must ensure that these are provided in a way that ensures that minors will not see or not normally listen to such on-demand services.

(2) In compliance with the provisions of subsection (1), the Foundation must have and update to that the Broadcasting Authority, in addition to the marking, additional technical means - especially easy to use content filtering system and passwords in it - with which to obtain parents / guardians of minors when they wish to receive on demand services by the Foundation, so they can ensure the blocking of access of minors to services which might seriously impair the physical, mental or moral development.

(3) (a) The Foundation ensures that on-demand services promote, where practicable and by appropriate means, production of European works and the access to them.

(B) For the implementation of the said paragraph (a) liability, the Foundation shall comprise, at any time to the list of projects that are accessible to consumers, European works titles at least 20%:

Provided that the above percentage may be reviewed periodically by the Broadcasting Authority after consultation with the Foundation.

[117 \(I\) / 2010](#)

### Qualitative characteristics of public service broadcasting

19 .- (1) The Foundation provide public service broadcasting with unbiased attention and respect the interests and sensitivities of the Greek Cypriot and Turkish Cypriot communities, religious groups and the various minorities present in the Republic.

(2) The Foundation provides public service broadcasting in Greek, Turkish and English and any other at the discretion of languages and ensure compliance with fair balance in the distribution of the total radio and television time on projects, programs and issues that are connected to these languages.

(3) The Foundation ensures that the public broadcasting service that provides not induces feelings of hatred because of differences in race, sex, religion or nationality.

(4) The Foundation shall, following a decision of the Cabinet, the public service broadcasting for reception outside the Republic, in accordance with the decision of the Cabinet:

Provided that, in the provision of public service broadcasting, the Foundation ensures bidirectional direct video link with the Republic of the Greek Republic, according to its effect on interstate agreement.

(5) (a) The Foundation has an obligation to ensure that television broadcasts not include programs which might seriously impair the physical, mental or moral development of minors, in particular programs that involve pornography or gratuitous violence.

(b) under paragraph (a) an obligation also extends to other programs which are likely to impair the physical, mental or moral development of minors, except where it is ensured, by selecting the appropriate program broadcast time or other technical measures that minors can not see or hear normally and systematically these emissions.

(c) referred to in paragraphs (a) and (b) programs broadcast in uncoded form, the Foundation has an obligation to ensure that precedes an acoustic warning or identified by the presence of a visual symbol throughout their duration.

(6) The Foundation ensures compliance fair balance in the distribution of the total radio and television broadcasting time or political in emissions between political parties.

(7) For the better implementation of the provisions of subsection (5), the Institute shall issue Regulations under this Law governing, inter alia, the development of optical program classification code, identical with that applicable to private broadcasters.

[KEF.300A](#) [68/1985](#) [8 \(I\) / 1998](#) [116 \(I\) / 2003](#) [117 \(I\) / 2010](#)

## European works

19A .- (1) The Foundation dedicates to European works a majority proportion of his transmission time excluding the time appointed to news, sports events, games, advertising, teletext and teleshopping services. The proportion of European works in view of the Foundation's responsibilities towards the public regarding the informational, educational, educational, cultural and entertainment, must be achieved progressively based on appropriate criteria determined by the Broadcasting Authority.

(2) The Foundation devotes where practicable and by appropriate means, at least 10% of the transmission time, excluding news, sports events, games, advertising or teletext services and teleshopping or alternately at the choice of at least 10% of their programming budget to European works by independent producers by the Foundation. The figure, taking account of the Foundation's responsibilities towards the audience, regarding the information, education, educational, cultural and entertainment, should be achieved progressively, on the basis of appropriate criteria, earmarking an adequate proportion for recent works, ie works transmitted within five years of its production.

(3) (a) For the purposes of this Article, the term "European works" means:

(I) 'home Member States projects ·

(ii) works originating in European third countries which are parties to the European Convention on Transfrontier Television, which satisfy the requirements of paragraph (b) ·

(iii) works co-produced within the framework of agreements related to the audiovisual sector concluded between the European Community and third countries and fulfilling the conditions defined within each of these agreements:

Provided that the implementation of the provisions of subparagraph (ii) and (iii) requires that the Member State of origin works not subject to discriminatory measures in the third countries.

(B) The works referred to in subparagraphs (i) and (ii) of paragraph (a) are works mainly made with authors and workers residing in one or more States referred to in subparagraphs (i) and (ii) paragraph (a) provided that they meet one of the following three conditions:

(I) carried by one or more producers established in one or more of those States, or

(ii) production of the works is supervised and actually controlled by one or more producers established in one or more of those States, or

(iii) the co-producers of those States contributing to the total co-production costs and cogeneration not controlled by one or more producers established outside those States.

(C) Projects which are not European works within the meaning of paragraph (a), but are produced under bilateral co-production treaties concluded between Member States and third countries shall be deemed to be European producers from the Union supply a majority share of total production costs and the production is not controlled by one or more producers established outside the territory of Member States.

KEF.300A	8 (I) / 1998	<a href="#">24 (I) / 2000</a>	<a href="#">96 (I) / 2004</a>	<a href="#">117 (I) / 2010</a>
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## Transmission of events of major importance for society

19B .- (1) The Foundation is not able to transmit events, which are considered by the Republic of major importance for society, and identified as such by the Broadcasting Authority under the provisions of the respective valid the Radio and Television Stations Law and Regulations issued thereunder, so significant proportion of the public in the Republic prevented from following such events via live or deferred coverage on free television.

(2) (a) The Foundation is not able to exercise the exclusive rights acquired, so as to prevent a significant proportion of the public in another Member State to attend events which are designated by that Member State as being of major importance for society and published as such by the European Commission in the Official Journal of the European Union, in accordance with Article 3a (2) of EU Directive 89/552 / EEC, as may be amended or replaced by whole or partial live coverage or, where necessary or appropriate for objective reasons of public interest, as that Member State may determine, whole or partial deferred coverage on free television.

(B) This subparagraph shall take effect on a date to be determined by the Cabinet in a notification will be published in the Gazette.

(3) In applying the provisions of this Article, the Foundation shall apply mutatis mutandis to the relevant provisions of the respective valid the Radio and Television Stations Law and Regulations issued thereunder.

KEF.300A [24 \(I\) / 2000](#) [96 \(I\) / 2004](#)

### teleshopping windows

19C .- (1) Teleshopping windows must be clearly identified as such by optical and acoustic means and be of a minimum uninterrupted duration of 15 minutes.

(2) The maximum number of teleshopping windows per day is eight, their total duration does not exceed three hours per day and clearly identified as teleshopping windows by optical and acoustic means.

KEF.300A [24 \(I\) / 2000](#) [117 \(I\) / 2010](#)

### Application of certain provisions in television broadcasting exclusively devoted to advertising and teleshopping

19D. Articles 17A to 18I and Article 19B of this Act shall apply mutatis mutandis to television broadcasts of the Foundation exclusively devoted to advertising and teleshopping. Articles 17 (1) (b), 17 (2) (a), 19A and 19C of this Ordinance shall not apply in these telecasts.

[96 \(I\) / 2004](#) [117 \(I\) / 2010](#)

### Application of certain provisions in television broadcasting exclusively devoted to self-promotion

19E. Articles 17A to 18I and Article 19B of this Act shall apply mutatis mutandis to television broadcasts of the Foundation exclusively devoted to self-promotion. Articles 17 (1) (b), 17 (2) (a), 19A and 19C of this Ordinance shall not apply in these telecasts.

[96 \(I\) / 2004](#) [117 \(I\) / 2010](#)

### advisory Committees

20 .- (1) The Foundation appoint advisory committees known as the Advisory Committee of the Greek program and the Advisory Committee of the Turkish Programme to advise the Foundation on issues related to the content of programs broadcast in the Greek or the Turkish language respectively.

(2) The Foundation may appoint one or more other advisory committees to advise the Foundation on any other matter relating to radio services and other work of the Foundation.

(3) Commission appointed under the provisions of subsection (1) or subsection (2) is composed of such persons, whether or not Members, officers or employees of the Foundation as the Foundation may deem appropriate.

(4) The Foundation provides for president or other presiding member of any such committee and for this a quorum, and may issue regulations on the frequency of meetings, convening meetings, the procedure at meetings and the way in which matters are referred to the Commission for advice on the Centre and the advice of the Committee shall be forwarded to the Foundation, and subject to any such regulations the commission regulates its own procedure.

(5) The Foundation provides such secretarial and other assistance to the committee as he may deem appropriate.

(6) The Foundation may pay to committee members who are not members, officers or employees of the Foundation such allowances and expenses as the Foundation may be designated:

Provided that they are paid allowances, except allowances for expenses that may be expressly authorized by the Cabinet, to any person holding public office or officer or employee of the Foundation.

[KEF.300A](#)

### The news

21. The Foundation includes the programs of basic news service broadcast daily as often as the Foundation may designate in Greek, Turkish and English languages and may at its discretion to include additional news

bulletins in Greek and Turkish languages dedicated to news of interest for the listed communities.

[KEF.300A](#)

### **Certain subject transmitted or sent**

22 .- (1) When requested by an authorized officer in the public service or the Foundation authorized officer transmits the expense of any statement or other matter (with visual display any image or object referred to in the notice or other matter if sent by any TV station handles the Foundation) that the employee wanted ask the Foundation to spread:

Provided that the Foundation when transmitting or sending such notice or other matter may at his discretion to release or avoid to announce that it sent at the request of an authorized officer in the public service or an authorized officer.

(2) In subsection (1) of this section the expression "authorized officer in the public service" means any employee declared as such by the Council of Ministers by written notice to the Foundation and the expression "authorized officer" means any police officer of the Police Force in Cyprus grade not lower the grade of Assistant Chief of Police.

(3) The Governor may from time to time by notice in writing require the Foundation is at any given time or times of the transmission of any matter or issue of any class specified in such notice and the Cabinet may at any time to vary or cancels any such notice:

It is understood that the Foundation may at its discretion disclose or avoid announces that the notice was given or changed or revoked.

[KEF.300A](#)

### **Regulations**

22A .- (1) The Foundation may, with the approval of the Cabinet, make regulations for the better implementation of provisions of this Part.

(2) Without prejudice to the generality of subsection (1), the reference in subsection (1) Regulations may regulate the following issues:

(A) In determining the composition of a balanced set of services for the purposes of the Foundation's obligation to provide public service broadcasting;

(B) determining the informational, cultural, entertainment and other emissions, issues or programs that fall within the concept of public service broadcasting.

[116 \(I\) / 2003](#)

## **PART IV-A FOUNDATION OF SUPERVISION**

### **Supervision by the Broadcasting Authority**

22B .- (1) For the purposes of this Law, the Broadcasting Authority shall exercise the following powers and perform the following:

(A) annual quality control exercise concerning the fulfillment of the mission of the Foundation to undertake under Article 16A;

(B) automatically examines or after performances issues on the application of Articles 17A to 17E, 18A to 18I and 19A to 19E .

(C) (i) impose sanctions, after hearing the parties, infringement of Articles 17A to 17E, 18A to 18I and 19A to 19E .

(ii) The penalties, which the Broadcasting Authority may impose under this paragraph, consist in formulating a recommendation or warning, or the imposition of an administrative fine in accordance with the provisions of Article 22C;

(D) in case of violation of any provision of Articles 17A to 17E, 18A to 18I and 19A to 19E, it may request the Court to issue interim orders in accordance with Article 22E .



(E) submit recommendations to the Foundation on the best application of Articles 16A, 17A to 17E, 18A to 18I and 19A to 19E ·

(F) to follow the international developments in the field of public broadcasting and submits proposals to the Cabinet for the modernization of this Law.

(2) In the context of the power conferred by paragraph (a) of subsection (1), the Broadcasting Authority elenchei-

(A) whether the Institute truly provides a balanced set of services pursuant to the Cyprus Broadcasting Corporation (Public Broadcasting Service) Regulations of 2003;

(B) whether the foundation actually broadcast programs that fall within the concept of public service broadcasting pursuant to the Cyprus Broadcasting Corporation (Public Broadcasting Service) Regulations of 2003; and

(C) whether the content of the programs broadcast by the Foundation in the framework of public service broadcasting really meets the qualitative characteristics of public service broadcasting laid down in Article 19:

Provided that the Foundation shall, at the request of the Broadcasting Authority and upon reasonable notice, to provide the Broadcasting Authority all the facilities and / or information which are necessary and / or essential for the control carried out under this subparagraph.

(3) The Broadcasting Authority will prepare an annual report, which lists the results of the annual quality control carried out in accordance with subsection (2), and submit it to the Minister, not later than the end of January:

Provided that in the year for which the quality control is carried out coincides with the financial year.

(4) (a) The Broadcasting Authority shall prepare every two years a report on the application of subsections (1) and (5) of section 19A. The report shall in particular include statistical statement regarding the achievement of the Foundation of the percentages referred to in those paragraphs, the reasons why these rates could not be achieved, and the measures taken or planned to be taken to achieve them.

(B) The Broadcasting Authority shall communicate the report referred to in paragraph (a) -

(I) the Cabinet and the House of Representatives;

(Ii) a date to be determined by the Cabinet in a notification to be published in the Official Gazette of the European Communities.

[96 \(I\) / 2004](#)   [83 \(I\) / 2006](#)   [117 \(I\) / 2010](#)

### **administrative fine**

22C. (1) an administrative fine, the Broadcasting Authority may impose under the provisions of paragraph (c) of subsection (1) of section 22B shall not exceed, for each day of violation by the Foundation, the following amount:

(A) EUR 8500 in the case of violation by telecast Foundation ·

(B) EUR 3400 in the case of violation by a radio broadcast of the Foundation.

(2) an administrative fine imposed by the Broadcasting Authority taking into account the nature, gravity and duration of the infringement, while respecting the principle of proportionality.

(3) In case of payment by this Law omission imposed by the Authority of administrative fines, the Authority shall take judicial measures and collect the due amount as a civil debt owed to the Republic.

[96 \(I\) / 2004](#)   [117 \(I\) / 2010](#)

### **Preliminary injunction**

22D .- (1) The Broadcasting Authority may, in case of violation of any provision referred to in paragraph (d) of subsection (1) of section 22B and regardless of the imposition of any sanction, to receive on request to the Court for a prohibitive or peremptory order, including an interim order against the Foundation, if, in the opinion of the Foundation is involved or offending.

(2) The Court before which any application under subsection (1) shall have power, subject to the provisions of the Civil Procedure Law, Courts Laws of 1960 (No. 4) of 2002 and the Civil Litigation Procedural



regulations, issue prohibitive or imperative decree, including an interim order, by which to order -

(A) the immediate cessation and / or repetition of said violation, and / or

(B) within the specified period to take such corrective against the judgment of the Court measures to rectify the illegal situation created by the infringement, and / or

(C) publication of all or part of the decision of the Court or the publication of a corrective notice in order to eliminate any continuing effects of the infringement, and / or

(D) any other act or measure that may be deemed necessary or reasonable in the circumstances of the particular case.

[96 \(I\) / 2004](#)

## PART V FINANCIAL PROVISIONS

### **borrowing power**

23. In order to be enabled the Foundation to fulfill its functions under this Act, the Foundation may, with the consent of the Cabinet or of any general authority given by the Cabinet to borrow money in such manner and subject such conditions that the Cabinet may deem appropriate:

Provided that, subject to the provisions of Article 24A, the Foundation may borrow money from the government concessional.

[KEF.300A](#) [116 \(I\) / 2003](#)

### **Power to issue securities**

24 .- (1) The Foundation may, in order to find money that is authorized to borrow under Article 23 to issue shares or other securities (hereinafter in this Act referred to as "securities").

(2) All of these securities and the interest in them affect the company and all the Foundation's revenue.

(3) Subject to the provisions of this Law, any securities issued by the Foundation pursuant to the powers of this Law shall be issued, transferred, manipulated and paid in accordance with regulations issued by the Foundation with the approval of the Cabinet.

[KEF.300A](#)

### **Public aid to the Foundation**

24A. Subject to the provisions of the Public Aid Control Laws of 2001-2003 and Regulations issued thereunder, the Foundation may receive public aid. In particular, the Foundation may receive public aid for financing purposes of the mission entrusted to the Foundation under subsection (1) of section 16A, provided that they do not distort competition to an extent contrary to the common interest:

Provided that new public aid granted to the mission financing purposes entrusted to the Foundation under subsection (1) of section 16 does not distort competition to an extent contrary to the common interest, since, in applying the criterion of proportionality and taking into account existing public aid received by the Foundation compensates but does not exceed the net additional costs resulting from the provision by the Foundation of public service broadcasting.

[116 \(I\) / 2003](#)

### **Review by the Auditor General**

24B .- (1) Subject to the provisions of Article 116 of the Constitution, the Auditor General carries out annual audit of the Foundation's accounts, to check whether any public aid received by the Foundation during the previous year, was used in a manner to be incompatible with Article 24A:

It is understood that the Foundation may delegate control of the accounts, for purposes of this Article, the owners approved auditor, provided that the award, the appointment and remuneration of the appointee controller receives the approval of the Auditor General and the audited it accounts, as well as the

report prepared by him, submitted to the Auditor General not later than April 30 for approval and inclusion in the annual report prepared pursuant to subsection (3).

(2) Without prejudice to Article 30 and for purposes of this article, the foundation required to maintain separate accounts for public service broadcasting and for commercial or other activities, so as to properly reflect the financial and organizational structure and ensures that -

(A) The accounts are in line with current commercial practice and generally accepted accounting principles,

(B) all costs and revenues are correctly assigned or allocated in the separate accounts on the basis of cost accounting principles:

Provided that where joint resources are used, such as, for example, the same staff, the same equipment or the same fixed installations for the purpose of providing public service broadcasting and for purposes other activities, the costs should be allocated on the basis of the difference would result in the total cost of the Foundation with or without the activities of non-public service broadcasting,

(C) the cost accounting principles applied are clearly defined and consistently applied and objectively.

(3) The Auditor General shall prepare an annual report records the results of the monitoring exercise under this Article, indicating the existence of any financial flows, as evidenced by the bills held by the Foundation under subsection (2), between activities Foundation constituting public broadcasting service and those which are not public service broadcasting. The Auditor General shall submit the report to the Foundation and to the Registrar not later than the end of May.

(4) The Ministry of Interior is responsible for providing the Auditor General no later than two months after the end of each financial year, -

(A) The annual report prepared by the Cyprus Radio Television Authority under this Act with respect to the fulfillment of the Foundation of the task entrusted under Article 16A, and

(B) breakdown of public aid granted to the Foundation for the previous year in accordance with the provisions of Article 24A and, if practicable, with special reference to State aid granted to the Foundation in relation to each program separately, or by category programs that fall within the concept of public service broadcasting.

[116 \(I\) / 2003](#)

### **The Government may guarantee loans**

25. Subject to the provisions of Article 24A, the Government may guarantee in the manner and on the terms that he deems appropriate, payment of interest and principal, or both, of any loan proposed to be concluded by the Foundation.

[KEF.300A](#) [116 \(I\) / 2003](#)

### **Removed**

26. [Repealed by Article 3 of N.61 / 72] Article 3 of N.61 / 72 contains the following reservation:

"Provided that any amount received from the Postal Department under this section on the day of entry into force of this Law will be paid in Cyprus Broadcasting Corporation as if the article is not abolished and any amounts still owed by licensees radios or televisions in said the day would be collected from debtors from the Cyprus Broadcasting Corporation accelerated as civil debts owed to the Foundation in the same way as debts owed to the Social Insurance Fund under the applied the Social Insurance Law. "

[KEF.300A](#) [61/1972](#)

### **Money received**

27. All money received by the Foundation paid into a separate fund, and the fund paid all monies legally owed by the Foundation:

Provided that any money not immediately required to be spent to repay any obligation or performance of any function may be invested in such securities as may be approved by the Cabinet.

[KEF.300A](#)

**disposal proceeds**

28. The Institute's income during any year available for the payment of all fees, allowances, salaries, pension contributions, bonuses, labor costs and all other expenses of the Foundation normally charged to income in that year including payments due under year by the Foundation on the interest on any money borrowed by the Foundation and those amounts that the institution that he deems appropriate to allocate the year the reserve fund, extensions, renewals, depreciation, loans and other similar purposes.

[KEF.300A](#)

**budgets**

29. The Foundation shall prepare and submit to the Cabinet every year the budgets of income and expenditure for the following year.

[KEF.300A](#)

**accounts**

30 .- (1) The Foundation shall ensure that all appropriate records and accounts relating to its operations and prepares annual statement of accounts of the Foundation.

(2) The Foundation's accounts are audited by auditors appointed annually by the Foundation with the approval of the Minister.

(3) Once the Foundation's accounts checked, the Foundation gives a copy of the statement of accounts to the Minister for approval together with a copy of any report made by the auditors on that statement or on the accounts of the Foundation and publishes the state accounts and the report in the manner that the Minister may prescribe.

[KEF.300A](#) [39/1963](#) [116 \(I\) / 2003](#)

**Annual report**

31 .- (1) The Foundation as soon as possible after the end of each financial year, obtain and be forwarded to the Minister a report which generally refers to the activities of the Foundation during the previous financial year and contains information relating to procedures and Foundation policy.

(2) If in the opinion of the Minister, the report can be made public without damage to the interests of the Foundation or the Government, this report may be published by the Foundation after its submission to the Minister.

(3) The Minister shall as soon as a copy of the report submitted to him under subsection (1) tabled in the House of Representatives to update.

[KEF.300A](#) [39/1963](#) [52/1977](#)

**Exemption from tax and stamp duty**

32. [Deleted]

Modification History [KEF.300A](#) [116 \(I\) / 2003](#)

## **PART VI ACQUISITION OF REAL PROPERTY AND POWERS OF ENTRY AND RELATED MATTERS**

**property acquisition power**

33 .- (1) The Foundation may acquire immovable property for the purposes of any of its functions under this Act and, if any such immovable property may not be acquired by agreement, the Foundation shall ensure that published in the Gazette notice in the form set out in the First Schedule and also posted in a conspicuous place in the town or village in which the real property to be acquired.

(2) At the end of the period stated in the notice, the Foundation sent to the Cabinet a draft of real property to be acquired together with details on owners, valuation, description and other matter as may be necessary for this purpose together with any objection or statement made on the proposed acquisition.

(3) If the Cabinet approves the plan submitted and consider appropriate, taking into account all the circumstances, such as allowing the institution to acquire immovable property, may, by notice published in the Official Gazette of the Republic to ratify the acquisition real this property ~ and, after that, the real property devolves entirely to the Foundation free of any encumbrance and the Director of Lands and Surveys ensure that carried out amendments to registration in accordance with the plan and the arrangements adopted in this way by the Cabinet and, if the property owner does not agree with the Foundation as to the amount, subject to Cabinet approval, will be paid as compensation for this, the amount determined in accordance with the provisions of any law in force each , which provides for the acquisition of land for public purposes.

KEF.300A

### **Powers of entry etc.**

34 .- (1) The President or any person authorized by him in writing for that purpose, may, at any reasonable time enter upon any land and carry out acts or things as may be reasonably necessary for the purposes of construction, preservation or inspection of any premises belonging to the Foundation or the repair, alteration or movement of any such facilities and may during this to cut or prune trees, move plantation, fences, stone walls or other things that may be involved or likely to interfere construction or proper operation of any installation.

(2) Before entering any land for any of the purposes specified in subsection (1), the Foundation gives at least twenty-four hours prior written notice to the holder of such notice may be served either personally or by delivery thereof to the place of residence person to be served:

Provided that when any installation situation is such as to endanger life or property, the Foundation may enter the land which is for any of the purposes specified in subsection (1) without notice.

(3) Where any property is damaged or prejudiced in the exercise of the powers conferred by subsection (1) of this Article, paid compensation to the owner of which, unless otherwise agreed between the parties, decided by two referees, one of the which is appointed by the Foundation and the other from the owner.

(4) If the arbitrators appointed under subsection (3) of this Article fail to agree on the amount of compensation to be paid to the owner of the matter is referred to the Arbitration Tribunal for a final decision.

KEF.300A

### **Agreements for rights of way**

35. Nothing in Article 33-

(A) shall not affect the right of the Foundation to agree with the owner or holder of any land grant of passage for placement purposes, installation, transport or erection of any installation and machine in this land ~

(B) does not affect any contract that gives right of way in the government that existed at the date of ownership transfer and transferred to the Foundation under this Law.

KEF.300A

## **PART VII TRANSFER OF ASSETS AND LIABILITIES**

### **transfer of assets**

36 .- (1) Prior to the date of ownership transfer, the Foundation concludes an agreement with the Cabinet for the acquisition of the assets of the Foundation of the Government radio business as described in the agreement and subject to the terms and conditions contained in the Agreement.

(2) Notwithstanding anything contained in the Immovable Property (Tenure, Registration and Valuation) Law or on Expropriation of Lands Act or any other law, at the date of transfer of ownership of the assets of the radio business to be acquired by the Foundation pursuant the agreement made under subsection (1) of

this Article, property of the Foundation under and subject to the terms and conditions of this Agreement without further confirmation.

(3) Foundation as soon as possible after the date of ownership transfer paid to the Government for the assets of the radio company acquired under the aforementioned agreement the consideration provided in this agreement.

(4) Any assets transferred to the Foundation under this article purchased with funds provided by the Foundation for Development and Welfare of the Republic is not sold or otherwise supplied by the Foundation without the consent of the Cabinet has been secured.

[KEF.300A](#)

#### **advances account**

37 .- (1) As soon as possible after the date of ownership transfer, the Foundation, in respect of any money received as a loan from the Government of the Foundation to provide working capital generates advance account to the credit of the Government equivalent to the total amount of advances them.

(2) The advance account established under subsection (1) subject to such terms as to interest and repayment as the Council of Ministers may from time to time determine.

[KEF.300A](#)

#### **Transfer of rights and obligations under contracts**

38. The contracts to which the provisions of the Second Schedule shall apply in favor and against the Foundation referred to it and the area referred to therein as if instead of the Government naming the Foundation or were part of them.

[KEF.300A](#)

#### **Pending proceedings and cause of action**

39. Any proceedings or cause of action was pending or existed immediately prior to the date of ownership transfer by or against the Government on assets transferred under the provisions of this Law may be pursued or executed by or against the Government as if the Law shall be not been established.

[KEF.300A](#)

## **PART VIII NOMIKES PROCEDURES**

#### **Lawsuits against the Foundation and persons associated with it**

40 .- (1) No action against the Foundation, the President or members, the General Director or any staff of the Foundation for any act done under or for execution or intended execution of any law or any public duty or authority, or in respect of any alleged neglect or default in the execution of this Law, duty or power, it is not possible or raised in any Court unless begun within six months immediately after the contested act, neglect or default, or in the event of sustained loss or damage within twelve months immediately after the end.

(2) No proceedings have started against the Foundation until at least one month after the communication to the written notice Foundation on its intention to open it from the intended claimant the representative of ~ and the notice shall state clearly and prominently the basis of the action, the details of the claim, the name and place of residence of the prospective applicant and the treatment required.

[KEF.300A](#)

#### **Alert service**

41. The notice referred to immediately above article and any summons, notice or other document required or authorized to be served at the Institute under the provisions of this Law or any other law shall, unless in any case no explicit provision for otherwise, be served by delivery to the President or Director General of the

Foundation or by sending it by registered mail addressed to the Foundation's Director General in the main office of the Foundation.

KEF.300A

### Satisfaction of judgments against the Foundation

42. In any action against the Foundation does not issue any execution or confiscation of such nature or proceedings against the Foundation, but any funds which may be awarded by a court decision against the Foundation, subject to any directions given by the court where it is notice of appeal from the Foundation on that decision, made by the Foundation from its funds.

KEF.300A

### Representation of the Foundation

43 .- (1) In any action the Foundation if they wish may be represented in court at any stage of the proceedings by the Director General or any officer of the Foundation that satisfies the court that he is duly authorized in writing by the Foundation for this purpose .

(2) For the purposes of this Part "treatment" means the political process initiated by writ or in such other manner as may be prescribed by procedural rules but does not include criminal proceedings.

KEF.300A

## PART IX POWERS OF EMERGENCY

### Provisions applicable in the event of emergency

44 .- (1) If at any time during the Cabinet opinion has arisen emergency situation where it is appropriate in the public interest as the Council of Ministers has control over the transmission of messages or any other matter with the help of broadcast stations owned or operated by the Foundation, the Cabinet may declare that the provisions of this article shall be implemented and therefore the Cabinet or any person authorized by it may:

(A) take possession of any broadcasting station owned or operated by the Foundation or any device in this station and to use this device for official purposes or ~

(B) place any person in control of any such plant or equipment or ~

(C) order the Foundation to submit all or any notices given to or Transmission ~

(D) to stop or delay or order the Foundation to stop or delay the transmission or delivery of any such communications or to surrender to ~ or

(E) order the Foundation to comply with all such orders as may be considered appropriate to give a reference to broadcast announcements.

(2) If and whenever the Council of Ministers shall exercise the powers conferred by subsection (1), the Foundation is entitled to receive from the Government contends

(A) compensation for any damage done to the assets of the Foundation, which directly harmed due to the exercise of those powers and ~

(B) such sums required to cover any costs incurred due to the nature of the emergency, the Foundation was normal and required regarding this.

(3) In case of dispute as to the amount of compensation to be paid under this section, the amount of compensation determined by the Arbitral Tribunal.

KEF.300A

## ANNEXES

### PANEL

(Article 33)

Cyprus Broadcasting Corporation

Hereby given notice that the following real property (immovable property Describe, giving dimensions and showing boundaries where possible) is required by the Cyprus Broadcasting Corporation for operating purposes.

A person who claims to have any right or interest in the above mentioned immovable property, which objects to the acquisition, required that within six weeks from the date of that notice send me state right and interest and their evidence, and the objection and the grounds on which it is based.

The Foundation is willing to negotiate on the acquisition of the above mentioned property.

Plan showing the real property described above are available for inspection at .....

On the day of ..... 19

President of the Cyprus Broadcasting Corporation

### SECOND TABLE

(Article 38)

TRANSFER CONTRACTS

1. The provisions of this table shall apply to contracts in which the Government is a party, which are presented in a list prepared and agreed between the Government and the Foundation before the date of ownership transfer.

2 .- (1) The list of contracts agreed in this way between the Government and the Foundation signed by the Cabinet.

(2) The Foundation, as soon as possible after the signing of the contract list by the Cabinet under subparagraph (1), notify in writing the parties except the Government, any contract that appears signed in this way the list of contracts that under the provisions of the Law the contract applies for and against the Foundation to the extent that the execution of imposed under the contract on or after the date of ownership transfer as if the Foundation were part of the contract instead of the Government.

(3) The contract provisions are provisions to which a Table is valid for and against the Foundation to the extent that their execution is imposed under the contract on or after the ownership transfer date as if the Foundation were part of the contract instead of government.

#### Note

#### **2 N38 (I) / 95Eidikes provisions**

2 N.38 (I) / 95. Notwithstanding any provisions of the Basic Law or the regulations thereunder, the Foundation may appoint on a permanent basis a person who is not a Cypriot citizen, if the spouse or child of a citizen of the Republic, has his habitual residence in Cyprus meets all other requirements of this Law.

#### Note

#### **16 N.117 (I) / 2010Katargisi**

Decree disclosure list of major events, the issued under subsection (2) of section 19B of the on Cyprus Broadcasting Law Foundation, as amended by Article 5 of the Cyprus Broadcasting Corporation (Amendment) Law, 2000, the date of force of the Cyprus Broadcasting Corporation (Amendment) Act 2010 is repealed.