

CONFERENCE ON ACCESSION

TO THE EUROPEAN UNION

HUNGARY

Brussels, 8 September 1998

CONF-H 10/

NEGOTIATING POSITION OF THE GOVERNMENT

OF THE REPUBLIC OF HUNGARY

ON CHAPTER 20

CULTURE AND AUDIOVISUAL POLICY

Hungary is ready and willing to take on the Community acquis by the time of accession. No transitional period or derogation is needed or requested.

In its Opinion on Hungary's application for membership the European Commission noted: "The Hungarian audio-visual legislation is in large measure compatible with EU requirements." The Commission concluded: "In view of the continuing progress toward legislative alignment, and provided that this is accompanied by the necessary structural adaptations of the industry, Hungary should be able to meet EC requirements in the audio-visual sector in the next few years."

The Act I. of 1996 on Radio and Television has already achieved a relatively high level of conformity with Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities. The Hungarian Government will submit to Parliament an amendment to this Act by the end of the next year. The new Act is intended to realise further alignment with the acquis taken into account, among others, the new rules contained in Directive

97/36/EC of the European Parliament and of the Council of 30 June 1997. It will deal with issues such as: definitions, jurisdiction, applicable law, advertising, sponsoring, teleshopping, gradual elimination of distinction based on the place of manufacturing, right of broadcasting events which are of major importance for society, etc.

The Government will submit the law providing for the promulgation of the Convention of the Council of Europe on Trans-Frontier Television by the end of this year. This Convention was ratified by the Hungarian Parliament in 1996. In a related action, the Government will amend the Government Decree No. 48/1997 of 14 March 1997 which regulates the granting of telecommunication licences in order to require the licensees to conform to the requirements of the Convention of the Council of Europe.

The Hungarian Government undertakes to ensure full conformity with the *acquis* at the time of the accession at the latest. The law providing for full conformity might be adopted earlier but the entry into force of the provisions relating to the promotion of European works would coincide with the entry into force of the Accession Treaty of Hungary.

The Government is convinced that upon accession no international obligation, specifically the commitments undertaken in the accession to OECD, can prevent the country from full alignment with the Community *acquis*. Hungary is ready to provide for earlier compliance with the *acquis* if an interpretation so permitting of certain OECD obligations is accepted by the OECD Member States or at least by a large majority of them, including obviously all the Member States of the European Union.

Based on its policy and progress toward full conformity with the *acquis*, Hungary would like to participate in the Media II programme.

Hungary shares the objectives of the European Union in the field of culture and wishes to join the relevant Community programmes (Ariane, Raphael, Kaleidoscope). In fact, the preparation of the relevant decision of the Association Council is in progress.

The financial and institutional conditions for the Hungarian participation in the Media II programme and in the cultural programmes have already been established.

The Hungarian Government proposes to close the negotiations on this Chapter on the basis of the existing acquis. Should significant new elements of the Community acquis emerge supplementary negotiations may become necessary before the end of the Intergovernmental Conference. The Hungarian Government is ready to provide information to the Intergovernmental Conference on the completion of the envisaged measures before the end of the negotiations.

Budapest, 3 September 1998

