



CIMC – 2007/05

Pursuant to the Article 16 of the Law No. 02/L-15 on the Independent Media Commission and Broadcasting and Article 10 of the Regulation of cable distribution of radio and television programs in Kosovo the Council of the Independent Media Commission adopted

Decision

on Level, Manner of Determination and Payment of Fees for Licences for Cable Operators and Cable Program Service Providers

Article 1

Content of the Decision

1.1 This Decision shall regulate:

- a) level of a license fee for cable operators
- b) level of a single fee for activities related to registration of an applicant for issuing, change or renewal of licences for cable operators;
- c) level of a license fee for cable program service providers
- d) level of a single fee for activities related to registration of an applicant for issuing, change or renewal of licenses for cable program service providers

Article 2

Level of a single fee for processing of registration

- 2.1 A flat fee of 100 Euros shall be assessed for each application for registering, issuing, changing or renewing licences.
- 2.2 This fee shall be paid to the Independent Media Commission during the submission of the application, without the possibility of refunding.

Article 3

Level of annual license fee for Cable Operators

- 3.1 Each cable operator shall pay an annual fee for each municipality according to the following schedule:

A- the municipality of Prishtina	7,258.06 Euros
B- the municipality of Prizren	3,120.97 Euros
C- the municipalities of Ferizaj/Urosevac, Peja/Pec, Mitrovica/Mitrovica, Gjilan/Gnjilane, Gjakove/Djakovica, Podujeva	1,596.78 Euros
D- the municipalities set out in 3.1.A, B, and C, without including the central cadastral zone of the respective municipalities	423.39 Euros
E- all other municipalities	423.39 Euros

- 3.2 Cable operators, more than 20% of whose program package consists of channels which broadcast primarily in languages in use in Kosovo, excluding the English language, which are not the majority language of the municipality being covered, shall pay an annual fee of 50% of the amounts set out in Article 3.1.

Article 4

Registration of cable program service providers

- 4.1 In accordance with Article 16 of the Regulation of cable distribution of radio and television programs in Kosovo all cable program service providers shall be regulated as broadcasters.
- 4.2 Cable operators shall only carry programs which are licensed as broadcasters by their respective broadcast regulatory authority.
- 4.3 Cable program service providers which are not otherwise licensed as broadcasters may apply to the IMC for a cable program service provider license in accordance with article 16.4 of the Regulation of cable distribution of radio and television programs in Kosovo.

4.4 The office of the IMC shall provide applicants with the application form which will require the applicant to demonstrable connection to Kosovo and provide relevant information about:

- a) the proposed format and program schedule, taking into account the demand for that service;
- b) the amount of locally produced programming; presentation of a clear and practical plan for organizing and maintaining cable program service provider; and
- c) full compliance with the IMC's generally-applicable rule on qualifications for a license.

Article 6

Level of fee for cable program service provider license

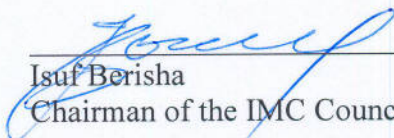
- 5.1 A flat fee of 100 Euros shall be assessed for each application for registering, issuing, changing or renewing cable program service provider licence.
- 5.2 Annual fee for the licence for cable program service provider shall be per station 1.260 Euros for radio and 3.780 Euro for television. The License shall be valid for being broadcast via cable anywhere within the territory of Kosovo.
- 5.3 The following deductions of the license fee in percent for cable program service providers which broadcast specific programming in minority languages and/or explicit public service programming (e.g. news, informative, cultural, educational programming) apply:
 - a) 20% for cable program service providers whose primary language is a language in use in Kosovo other than Albanian.
 - b) 5% for at least 20 percent / 10% for at least 30 percent of local and/or self produced programming with public service character (news, informative, cultural, educational programming, excluding music)
- 5.4 All license fee deductions for which a cable program service providers qualifies shall be additive.

Article 6
Manner of payment of fees

- 6.1 The annual fee for licenses shall be deposited in its entirety to the designated IMC account.
- 6.2 The first annual fee shall be paid not later than 14 days after the receipt of the License.
- 6.3 For subsequent years the fee shall be paid not later than 30 days after the start of the calendar year.
- 6.4 If the licence holder discontinues service prior to the expiry of time for which the fee has been paid, no portion of the fee shall be refunded.
- 6.5 If it is determined that a licensee has extended coverage outside the area set out in its license, the IMC may retroactively assess on the licensee double the amount of the fee it would have paid for its unlicensed coverage area if that coverage area had been set out in its license. This payment is in addition to any sanctions that the IMC might impose.
- 6.6 In case of late payment of the annual fee, the licensee shall pay the interest on arrears.
- 6.7 The level of interest will be determined according to the level of interest that is applied by the Kosovo Tax Administration regarding arrears.
- 6.8 Failure to pay the License fee will have as a consequence the sanctioning of the cable operator and cable program service provider in accordance with the Law and Regulations of the IMC.

Article 7
Entry into force

This decision enters into force on the day of signature.


Isuf Berisha
Chairman of the IMC Council



06.07.'07
Date