

**IMC-2017/03**

Based on Article 3, paragraph 2.5 and 2.6 and Article 26 of the Law No. 04/L-44 on the Independent Media Commission, IMC approves this:

**REGULATION FOR THE ANNUAL LICENSE FEES**

**ARTICLE 1**

**PURPOSE**

1. Determination of the level of the fee for applying for the IMC license for all categories of IMC Licensees.
2. Determination of the level and manner of payment of the annual license fee for all categories of IMC Licensees.
3. Determination of the level of fee concerning the change or extension of the IMC license for all categories of IMC Licensees.

**ARTICLE 2 LICENSE APPLICATION FEE**

Applicant upon submission of the application for a license for MSP and distribution operator must pay an administrative fee in the irreversible amount of one hundred Euros (100 €) to the bank account of the IMC.

**ARTICLE 3 CATEGORIZATION OF AUDIO MEDIA SERVICE PROVIDERS (AMSP) WITH ANALOG TERRESTRIAL BROADCASTING**

1. **Category of AMSP with national coverage** – belongs to Audio Media Service Providers, which cover with radio signal, through frequency, at least 95% of the territory of the Republic of Kosovo.
2. **Category of AMSP with regional coverage** – belongs to Audio Media Service Providers, which cover with radio signal, through a frequency, from 30% to 60% of the territory of the Republic of Kosovo.
3. **Category of AMSP with local coverage** – belongs to Audio Media Service Providers, which provide radio signal coverage, through a frequency, up to three municipalities (up to 30% of the territory of the Republic of Kosovo).
4. **Category of AMSP with low power transmission** – belongs to Audio Media Service Providers, which through a frequency, broadcast with less than 50 W transmitting power.

**ARTICLE 4 CATEGORIZATION OF AUDIOVISUAL MEDIA SERVICE PROVIDERS (AVMSP) WITH DISTRIBUTION THROUGH DIGITAL TERRESTRIAL BROADCASTING**

1. **Category of AVMSP with national coverage** - includes the Audiovisual Media Service Providers which are distributed through national multiplex operator.
2. **Category of AVMSP with regional coverage** - includes the Audiovisual Media Service Providers which are distributed through regional multiplex operator.
3. **Category of AVMSP with coverage of sub-allotment Prishtina** - includes the Audiovisual Media Service Providers which are distributed through operator of multiplex of sub-allotment of the capital city.

**ARTICLE 5 CATEGORIZATION OF AUDIOVISUAL MEDIA SERVICE PROVIDERS (AVMSP) WITH DISTRIBUTION THROUGH DISTIBUTION OPERATORS**

Category of AVMSP with distribution through distribution operators includes all AVMSPs distributed through electronic communications networks, which are not in the radio-diffusive band.

**ARTICLE 6 CATEGORIZATION OF MULTIPLEX OPERATORS**

1. **Multiplex with national coverage** - belongs to multiplex operator licensed by the IMC, which through the Frequency Plan for Digital Television Terrestrial Broadcasting in the Republic of Kosovo covers the whole territory of Republic of Kosovo.
2. **Multiplex with regional coverage** - belongs to multiplex operator licensed by the IMC, which through the Frequency Plan for Digital Television Terrestrial Broadcasting in the Republic of Kosovo covers the entire territory of the relevant area.
3. **Multiplex with coverage of the sub-allotment Prishtina** - belongs to multiplex operator licensed by the IMC, which through the Frequency Plan for Digital Television Terrestrial Broadcasting in the Republic of Kosovo covers the entire territory of the relevant sub-allotment.

**ARTICLE 7 ANNUAL LICENSE FEES FOR AUDIO MEDIA SERVICE PROVIDERS WITH TERRESTRIAL ANALOG BROADCASTING**

The level of the annual fee for audio media service providers that operate through analog terrestrial broadcasting is defined as follows:

|  |  |
| --- | --- |
| **Type of audiovisual media service providers** | **Annual fee (Euro)** |
| Low-power radio | 140.00 (€) |
| Local radio | 350.00 (€) |
| Regional radio | 700.00 (€) |
| National radio | 5,600.00 (€) |

**ARTICLE 8 ANNUAL LICENSE FEES FOR AUDIOVISUAL MEDIA SERVICE PROVIDERS WITH TERRESTRIAL ANALOG BROADCASTING**

The level of annual fee for audiovisual media service providers that operate through analog terrestrial broadcasting is defined as follows:

|  |  |
| --- | --- |
| **Type of audiovisual media service providers** | **Annual fee (Euro)** |
| Low-power TV | 210.00 (€) |
| Local TV | 560.00 (€) |
| Regional TV | 1,050.00 (€) |
| National TV | 7,000.00 (€) |

**ARTICLE 9 CATEGORIZATION OF AUDIOVISUAL MEDIA SERVICE PROVIDERS (AMSP) WITH DISTRIBUTION THROUGH TERRESTRIAL DIGITAL BROADCASTING**

The level of annual fee for audiovisual media service providers with distribution through the multiplex operator is defined as follows:

|  |  |
| --- | --- |
| **MSP Category** | **Annual fee (Euro)** |
| MSP with broadcasting in national MUX | 2,500.00 (€) |
| MSP with broadcasting in regional MUX and sub-allotment Prishtina | 500.00 (€) |

**ARTICLE 10 ANNUAL LICENSE FEES FOR MEDIA SERVICE PROVIDERS WHICH OPERATE THROUGH DISTRIBUTION OPERATORS**

The level of annual fee for audio and audiovisual media services providers which operate through distribution operators is defined as follows:

|  |  |
| --- | --- |
| **Audio and audiovisual media services providers through distribution operators** | **Annual fee (Euro)** |
| TV | 500.00 (€) |
| Radio | 200.00 (€) |

**ARTICLE 11 ANNUAL LICENSE FEES FOR DISTRIBUTION OPERATORS**

I. The amount of the annual license fee for cable distribution operators and IPTV distribution operators will be calculated according to the population in areas of service:

|  |  |
| --- | --- |
| **Distribution operators (cable, IPTV)** | **Annual fee (Euro)** |
| Up to 1.000 residents | 150.00 (€) |
| From 1.000 – 10.000 residents | 300.00 (€) |
| From 10.000 – 50.000 residents | 500.00 (€) |
| From 50.000 – 100.000 residents | 1,500.00 (€) |
| From 100.000 – 200.000 residents | 2,500.00(€) |
| From 200.000 – 250.000 residents | 5,000.00 (€) |
| Over 250.000 residents | 20,000.00 (€) |

II. The amount of the annual fee for OTT distribution operators is defined as follows:

|  |  |
| --- | --- |
| **Distribution operators** | **Annual fee (Euro)** |
| OTT | 5.000,00 (€) |

III. The amount of the annual fee for distribution operators through satellite broadcasting is defined as follows:

|  |  |
| --- | --- |
| **Distribution operators** | **Annual fee (Euro)** |
| Distribution operators through satellite broadcasting | 1,500.00 (€) |

**ARTICLE 12 ANNUAL LICENSE FEES FOR MULTIPLEX OPERATORS**

1. The annual fee for multiplex operators at the state level will be determined in the tender material for the licensing of two multiplexes according to the Annex of the Digitalization Law.
2. The annual fee for multiplex operators at the regional level will be determined in accordance with public material announcement for licensing.

**ARTICLE 13 MANNER OF PAYMENT OF ANNUAL FEE**

1. The annual license fee, for all categories of IMC Licensees, should be deposited totally in the bank account of the Independent Media Commission until 30th June of the respective year.
2. In the case of licensing, the first annual license fee should be paid not later than 14 days from receipt of the decision for licensing, while the calculation of the annual license fee will be made from the month in which the licensing decision is taken.
3. If the Licensees does not inform the Independent Media Commission that do not plan to continue to exercise their activity further, financial responsibilities arising from the license will be valid until the moment of delivery of a written notice to IMC that Licensee resigns from the license.
4. Even if the Licensee ceases the activity before the expiration of the time for which time the fee is paid, the amount of the remaining fee will not be refunded.

**ARTICLE 14 FEE FOR AMENDMENT AND EXTENSION OF THE LICENSE**

Upon submission of the application for license amendment or renewal of the license, the applicant must pay an administrative fee in the amount of one hundred Euro (100.00 €) to the bank account of the IMC. Despite the decision of the IMC, the administrative fee is not refunded to the applicant.

**ARTICLE 15 SANCTIONS**

In case of non-payment of license fee in time, the IMC will take measures in accordance with the Law on the IMC.

**ARTICLE 16 TRANSITIONAL PROVISIONS**

1. Article 8 of this Regulation will be applicable until the switch-off of analogue terrestrial TV broadcasting.

2. With the entry into force of this Regulation is abrogated the Regulation IMC-2014/03.

**ARTICLE 17 ENTRY INTO FORCE**

This Regulation will enter into force on the signing day.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Adnan MEROVCI Data**

**Chairman of IMC**

**The Independent Media Commission**