

**IMC-2017/05**

Pursuant to the Article 18, paragraph 5, of the Law No. Nr. 05 / L-027 on Digitalization of Terrestrial Broadcasting Transmissions and based on the Article 3, paragraph 2, point 6 and 11, of the Law Nr. 04 / L-44 on the Independent Media Commission, IMC approves this:

**REGULATION FOR LOGICAL CHANNEL NUMBERING**

 **ARTICLE 1**

**PURPOSE**

With this Regulation are determined the rules and procedures for listing of TV channels in the multiplex operator, with the aim of providing easier access to public on programs with generalist content and specific categories of program contents provided by audiovisual media service providers.

 **ARTICLE 2**

 **SCOPE**

The provisions of this Regulation apply to all Licensees who operate as multiplex operators.

**ARTICLE 3 DEFINITIONS**

**1.** **Logical Channel Numbering** (LCN) - automatic channel numbering according to program categories defined under this Regulation.

**2.** **Must Carry -** the obligation for must carry of media service providers from multiplex operators.

**3.** **MUX operator** - a legal person that provides the technical infrastructure for terrestrial distribution of digital programs and supplementary services for digital data transmission.

**4.** **Multiplex** - a standardized set of digital signals, expressed in Mbit/s (Mega-bit-per-second), containing several televisions programs and/or radio and/or other data, which are transmitted and broadcasted at the same time and in the interweave way.

**5.** **Media service provider (MSP)** - natural or legal person who has editorial responsibility for the selection of audio or audiovisual media service program content and which determines how they will be organized.

**6.** **Generalist channel** - audiovisual media service provider that offers a wide range of programs and types of programs to different audience.

**7.** **Thematic channel** **-** audiovisual media service provider, the program of which contains 70% of a certain type of program as informative, educational, entertainment, for children, sportive, scientific etc.

**8. License** - a license issued by the IMC for multiplex operator to conduct broadcasting activity in the Republic of Kosovo.

**9. Licensee** - legal person licensed by the IMC to operate as a multiplex operator.

**ARTICLE 4 LOGICAL CHANNELS NUMBERING IN MULTIPLEX**

1. In order to ensure easy access of the public in audiovisual media service providers that offer generalist program contents, and specific category of program contents in the general interest of the public, MUX operator is obliged to make logical TV channel numbering.
2. The Licensee as operator of the MUX-it is obliged to make the ranking of TV channels according to the criteria specified within this regulation.
3. MUX operator is obliged that in its operating center (Head-end) to set LCN function.
4. MUX operator is obliged to make the ranking of two television channels of the public broadcaster (RTK 1 and RTK1) at the beginning of the list of channels through LCN system.
5. After channels of the public broadcaster, operator of the MUX at state-level is obliged to make the ranking of the two national commercial channels with analog terrestrial broadcasting, and also other channels that will be determined by the IMC.
6. MUX operator at the regional level and sub-allotment Prishtina is obliged to make the ranking of regional commercial channels in the area covered according to the criteria determined in this Regulation.
7. Linking groups of channel between national, regional and sub-allotment Prishtina MUXs will be determined by particular list of the IMC.

**ARTICLE 5 CRITERIA FOR LOGICAL TELEVISION CHANNELS NUMBERING**

1. MUX operator is obliged along public broadcaster channels to make the ranking of commercial channels defined by Digitalization Law and other channels that offer programs with generalist and thematic content that will be determined by IMC.
2. IMC, based on legal definitions and determined criteria in this Regulation, will decide for the logical television channel numbering that will be transmitted in the respective multiplex operators.
3. For the channels within generalist content, criteria for their logical numbering will be the level of the amount of public service program (own program/co-produced or domestic productions) by the highest percentage.
4. For thematic channels, logical numbering priority criteria will be the type of program, according to the following division:
	1. Informative programs;
	2. Programs for children;
	3. Documentaries programs,
	4. Entertainment programs like movies, series, music, sport etc.
5. IMC may change the decision for logical channel numbering broadcasted by the MUX operators on the basis of strategic policy and public interest requirements.

**ARTICLE 6 RESTRICTIONS ON CHANGING LOGICAL NUMBERING OF THE CHANNELS**

1. MUX operator cannot change logical channel numbering in MUX without prior approval by the IMC.
2. MUX operator cannot change the channel category, by making the transfer of a channel from one category to another without prior approval by the IMC.

**ARTICLE 7 REPORTING AND INSPECTION**

1. MUX operator should report to IMC related to aspects of work that have to do with the implementation of this Regulation.

2. In order to assess the implementation of this Regulation, MUX operator is obliged to allow access to the IMC on specific aspects of its work.

3. MUX operator is obliged to notify the IMC in writing regarding the logic channel numbering according to the list provided by IMC.

**ARTICLE 8 SANCTIONS**

For violation of this Regulation IMC will take legal measures in accordance with IMC Law No. 04/L-44 and Digitalization Law No. 05/L-027.

**ARTICLE 9 ENTRY INTO FORCE**

This Regulation will enter into force on the signing day.

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 **Adnan MEROVCI Date**

 **Chairman of IMC**

 **The Independent Media Commission**