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Asocijacija nezavisnih elektronskih medija  
Association of Independent Electronic Media

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**Jun 2015. godine**

## **NOVOSTI iz ANEM-a – br. 31**

U proteklih nekoliko meseci ANEM je realizovao niz aktivnosti, a ovde izdvajamo najvažnije od njih. O aktivnostima naše asocijacije možete naći više detalja na ANEM-ovom web sajtu [www.anem.org.rs](http://www.anem.org.rs), u rubrici *Aktivnosti ANEM-a*.

### **ANEMOVI SEMINARI O IMPLEMENTACIJI NOVIH MEDIJSKIH ZAKONA**

U periodu od decembra 2014. do maja 2015. godine ANEM je sproveo seriju seminara za medije i novinare, kao i druge zainteresovane strane, o implementaciji novih medijskih zakona. Seminari su održani u 6 gradova širom Srbije i to: u Beogradu (25.12.2014.), Novom Sadu (27.1.2015.), Kragujevcu (25.2.2015.), Nišu (31.3.2015.), Subotici (7.5.2015.) i Novom Pazaru (20.5.2015.). Predavači na seminarima su bili predstavnici najvažnijih nadležnih institucija koje su izradile navedene zakone/implementiraju njihova rešenja/vrše nadzor nad njihovom primenom - Ministarstva kulture i informisanja, Regulatornog tela za elektronske medije i Agencije za privatizaciju, kao i eksperti - medijski i pravni. Cilj seminara je bio da omogući svim medijima i novinarima, kao i ostalim zainteresovanim stranama, da od kompetentnih predavača dobiju stručna razjašnjenja i objašnjenja prava i obaveza koje propisuju Zakon o javnom informisanju i medijima i Zakon o elektronskim medijima, kako bi ih bolje razumeli i adekvatno implementirali. ANEM je seminare najavio 27. novembra 2014, na press konferenciji u Beogradu, a izveštaj sa tog događaja je dostupan na web sajtu ANEM-a [ovde](#). Na seminarima je bilo 247 učesnika, najviše iz medijskog sektora (oko 60%) i lokalnih samouprava (oko 30%). Nakon svakog seminara, ANEM je uradio izveštaj koji je dostupan na sajtu ANEM-a - izveštaj sa seminara u [Beogradu](#), u [Novom Sadu](#), u [Kragujevcu](#), u [Nišu](#), u [Subotici](#) i u [Novom Pazaru](#).



Realizaciju seminara o implementaciji novih medijskih zakona podržala je ambasada Kraljevine Holandije.



Tehničku asistenciju u organizaciji seminara pružila je Misija OEBS-a u Srbiji.

### **PUBLIKACIJA - VODIČ KROZ NOVE MEDIJSKE ZAKONE**

ANEM je, krajem maja 2015, u saradnji sa svojim pravnim timom iz advokatske kancelarije „Živković&Samarđžić“, za medije i novinare uradio stručnu elektronsku publikaciju „Vodič kroz nove medijske zakone“ koja može da doprinese boljem razumevanju njihovih prava i obaveza propisanih Zakonom o javnom informisanju i medijima i Zakonom o elektronskim medijima, i pomogne im u pravilnoj implementaciji tih zakona. U Vodiču su naročito razrađena pitanja/oblasti u kojima je došlo do najvećih promena u odnosu na prethodne zakone, kao i pravila koja su potpuno nova. Objašnjenja zakonskih odredaba su dopunjena i osnovnim informacijama iz/o podzakonskim aktima koji detaljnije razrađuju pojedine odredbe tih zakona. Vodič je dostupan na sajtu ANEM-a [ovde](#).



Ovu aktivnost podržala je ambasada Kraljevine Holandije.

### **ANEKS SPORAZUMA O JEDINSTVENOJ TARIFI NAKNADA I PROTOKOL SA OFPS I PI**

ANEM je u maju 2015. godine zaključio sa OFPS i PI Aneks Sporazuma o jedinstvenoj tarifi naknada za emitovanje fonograma i na njima zabeleženih interpretacija, kao i Protokol. Cilj Aneksa je bio terminološko usklađivanje sa medijskim zakonima i upodobljavanje sa propisima koji uređuju oblast računovodstva i revizije, a Protokolom su se sve tri strane sporazumele da se vrednost boda za 2015. godinu ne menja. Aneks Sporazuma i Protokol su dostupni na sajtu ANEM-a [ovde](#).

## **PRILOG ANEM-A JAVNOJ RASPRAVI O PODZAKONSKIM AKTIMA U NADLEŽNOSTI REM-A**

Regulatorno telo za elektronske medije (REM) je, u periodu od 20. marta do 6. aprila 2015. godine, sprovedo objedinjenu javnu raspravu o nacrtima sledećih pravilnika: o audio-vizuelnim komercijalnim komunikacijama; o postupku izdavanja dozvole za pružanje medijske usluge na osnovu sprovedenog javnog konkursa; o postupku izdavanja dozvole za pružanje medijske usluge na osnovu zahteva; o zaštiti ljudskih prava u oblasti pružanja medijskih usluga; o sprovođenju nagradnih takmičenja u oblasti pružanja medijskih usluga; i o obavezama pružalaca medijskih usluga tokom predizborne kampanje. ANEM je, učestvujući u javnoj raspravi, Regulatornom telu dostavio svoje sugestije u vezi sa nacrtima navedenih pravilnika, koje su dostupne [ovde](#).

## **PRILOG ANEMA ZA JAVNU RASPRAVU O NACRTU ZAKONA O OGLAŠAVANJU**

ANEM smatra da je Zakon o oglašavanju, iako nije medijski, jedan od ključnih zakona koji čine medijski regulatorni okvir, jer u značajnoj meri utiče na rad i održivost medija. Stoga je u toku javne rasprave o Nacrtu zakona o oglašavanju, početkom februara 2015, dostavio nadležnom ministarstvu svoje pisane primedbe i preporuke za poboljšanje tog nacarta. Možete ih videti [ovde](#).

## **PREPORUKE ANEMA ZA IZRADU PRAVILNIKA O OGLAŠAVANJU U ELEKTRONSKIM MEDIJIMA**

Jedan od podzakonskih akata koji Regulatorno telo za elektronske medije (REM) treba da donese nakon stupanja na snagu Zakona o elektronskim medijima jeste i pravilnik kojim će bliže regulisati pravila o audio-vizuelnim komercijalnim komunikacijama, odnosno o oglašavanju u elektronskim medijima. Savet Regulatora je u međuvremenu objavio Interpretativno saopštenje kojim je ukazao svim zainteresovanim stranama na koji način će Regulator do donošenja podzakonskog akta primenjivati odredbe Zakona koje uređuju emitovanje komercijalnih sadržaja, kao i na to u kom smeru bi mogao biti formulisan i podzakonski akt. Polazeći od relevantnih odredaba Zakona i Interpretativnog saopštenja, ANEM je, u decembru 2014. godine, pripremio [preporuke](#) koje će nadalje zastupati u procesu donošenja pravilnika kojim će REM bliže regulisati oblast audio-vizuelnih komercijalnih komunikacija.



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## **PUBLIKACIJA - PREGLED NAJVAŽNIJIH NOVIH REŠENJA U NOVIM MEDIJSKIM ZAKONIMA**

Elektronska publikacija ANEM-a „Pregled najvažnijih novih rešenja u Zakonu o javnom informisanju i medijima i Zakonu o elektronskim medijima" realizovana je u saradnji sa ANEM-ovim pravnim timom iz advokatske kancelarije Živković&Samardžić" početkom decembra 2014. Nastala je na osnovu rezultata prethodno sprovedene stručne analize navedenih medijskih zakona. ANEM je tom Publikacijom želeo da olakša medijima, novinarima i drugim zainteresovanim stranama prepoznavanje tih novina. Koje novine donose Zakon o javnom informisanju i medijima i Zakon o elektronskim medijima, potražite u Publikaciji [ovde](#).



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## **PRILOG ANEMA ZA IZRADU ZAKONA O OGLAŠAVANJU**

Imajući u vidu da je u avgustu 2014. godine usvojen Zakon o elektronskim medijima koji je regulisao pitanje audiovizuelne komercijalne komunikacije, odnosno pravila oglašavanja u elektronskim medijima, a da je istovremeno na snazi Zakon o oglašavanju, te da u određenim rešenjima postoje značajna odstupanja između ta dva zakona, ANEM je Radnoj grupi za izradu novog Zakona o oglašavanju Ministarstva trgovine, turizma i telekomunikacija 30.11.2014. dostavio svoje sugestije za izradu tog zakona. ANEM smatra da je neophodno da se ta dva zakona usaglase i da Zakon o oglašavanju mora da uspostavi opšti zakonski režim za oglašavanje, propisujući opšta načela, opšte zabrane, te opšti postupak nadzora koji će se primenjivati na sve vidove oglašavanja, bez obzira na platformu koja se koristi za distribuciju oglasne poruke. Sugestije su dostupne [ovde](#).



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## SUGESTIJE ANEMA ZA IZRADU PRAVILNIKA O SUFINANSIRANJU PROJEKATA

ANEM smatra da jedan od ključnih delova Zakona o javnom informisanju i medijima čine upravo one njegove odredbe koje insistiraju na kontroli i transparentnosti državne pomoći i poštovanju pravila konkurencije, te da je zbog toga pitanje uređivanja sistema sufinansiranja projekata za ostvarivanje javnog interesa u oblasti javnog informisanja izuzetno važno. Stoga je početkom novembra 2014. nadležnom ministarstvu dostavio svoje sugestije o tome šta bi trebalo imati u vidu prilikom rada na Pravilniku o sufinansiranju projekata kojima se ostvaruje javni interes u oblasti javnog informisanja. Više o tome [ovde](#).



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## SAOPŠTENJA ANEM-a

U ovom periodu ANEM je objavio veliki broj saopštenja kojim je individualno ili u saradnji sa partnerskim organizacijama iz Koalicije medijskih i novinarskih udruženja – UNS, NUNS, Lokal pres i NDNV, blagovremeno i adekvatno reagovao na događaje na medijskoj sceni koji su direktno ili indirektno negativno uticali ili mogli da utiču na medije, novinare ili funkcionisanje medijskog sistema. Najveći broj saopštenja se odnosio na uočene nepravilnosti u sprovođenju javnih konkursa za sufinansiranje medijskih projekata od javnog interesa u oblasti javnog informisanja. Sva saopštenja ANEM-a dostupna su na sajtu ANEM-a [ovde](#).

***Podsećamo da se u rubrici [Aktivnosti ANEM-a](#) na našem sajtu [www.anem.org.rs](http://www.anem.org.rs) možete redovno informisati o svim aktivnostima Asocijacije.***

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**June 2015**

### **ANEM Newsletter No. 31**

In the past few months ANEM conducted various activities. In this issue we highlight the most important ones. You can find out more on activities of our association on ANEM's website [www.anem.org.rs/en](http://www.anem.org.rs/en), in the section ANEM Activities.

### **ANEM SEMINARS ON THE IMPLEMENTATION OF NEW MEDIA LAWS**

In the period from December 2014 to May 2015 ANEM conducted a series of the seminars on the implementation of new media laws for the media, journalists and other interested parties. The seminars were held in 6 cities across Serbia: Belgrade (25 December 2014), Novi Sad (27 January 2015), Kragujevac (25 February 2015), Niš (31 March 2015), Subotica (7 May 2015), and Novi Pazar (20 May 2015). Lecturers were representatives of the key responsible institutions - Ministry of Culture and Information, Regulatory Body of Electronic Media and Privatization Agency, that created the said laws/ implement them/monitor their implementation as well as media and legal experts. The goal of the seminars was to enable all the media and journalists and other interested parties to obtain from competent lecturers expert clarifications and explanations of their rights and obligations stipulated by the said laws, so that they can better understand these laws and adequately implement them. ANEM announced the seminars at the press conference in Belgrade on 27 November 2014; the report on this conference is available on ANEM website [here](#). The seminars gathered a total of 247 participants, majority from the media sector (app.60%), followed by those from the local self-governments (app.30%). After each seminar ANEM prepared the report on it; all reports are available on ANEM website – report on seminar in [Belgrade](#); seminar in [Novi Sad](#); seminar in [Kragujevac](#); seminar in [Niš](#); seminar in [Subotica](#); seminar in [Novi Pazar](#).



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The organization of the seminar on the implementation of new media laws is supported by the Embassy of the Kingdom of the Netherlands.



Organizacija za evropsku  
bezbednost i saradnju

Technical assistance was provided by the OSCE Mission to Serbia.

### **PUBLICATION - GUIDE THROUGH NEW MEDIA LAWS**

ANEM produced, in the end of May 2015, in cooperation with its legal team from the law office „Živković&Samardžić“, an expert e-publication "Guide through new media laws" intended for media and journalists. The Guide can contribute to a better understanding of their rights and obligations stipulated by the Law on public information and media and the Law on electronic media, and thus help them to adequately implement these laws. This Guide especially treats the issues/areas where major changes have been made comparing to the previous laws as well as the rules that are completely new. Explanations of the legal provisions are complemented by the basic information from/on the bylaws that regulate in more detail certain provisions of these laws. The Guide is available on ANEM website [here](#).



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This activity was supported by the Embassy of the Kingdom of the Netherlands.

### **ANNEX TO THE AGREEMENT ON A SINGLE TARIFF OF FEES, AND PROTOCOL WITH OFPS & PI**

In May 2015 ANEM concluded with OFPS and PI the Annex to the Agreement on a single tariff of fees for broadcasting phonograms and interpretations recorded on them as well as the Protocol. The aim of this Annex was to harmonize terminology with media laws as well as to ensure compliance with the regulations governing the accounting and auditing. In Protocol, all three sides agreed that the value of point would not be changed in 2015. Annex to the Agreement on a single tariff of fees and Protocol are available on ANEM website [here](#).

## **ANEM CONTRIBUTION TO PUBLIC DEBATE ON BYLAWS WITHIN COMPETENCE OF REM**

Between 20 March and 6 April 2015 the Regulatory Authority of Electronic Media (REM) conducted an integrated public debate on the drafts of the following rulebooks: on audio-visual commercial communication; on the procedure of license issuance for media service provision based on a public competition; on the procedure of license issuance for media service provision based on a request; on the protection of human rights in the media service provision sector; on conducting award contests in the media service provision sector; and on the obligations of media service providers during election campaigns. Participating in the public debate, ANEM submitted its suggestions to REM pertaining to the drafts of the above listed rulebooks, which are available on ANEM website [here](#).

## **ANEM CONTRIBUTION TO PUBLIC DEBATE ON DRAFT ADVERTISING LAW**

ANEM considers the Advertising Law as one of the key laws of the media regulatory framework, although it is not media law, as it significantly influences the work and sustainability of media. Therefore, during public debate on the Draft Advertising Law, at the beginning of February 2015, it submitted to the competent Ministry its written comments and recommendations for improving the said Draft Law. These comments and recommendations are available [here](#).

## **ANEM RECOMMENDATIONS FOR THE CREATION OF THE RULEBOOK ON ADVERTISING IN ELECTRONIC MEDIA**

One of the by-laws that Regulatory body for the electronic media (REM) should adopt after the Law on electronic media entering into force is the Rulebook regulating more detailed rules on audiovisual commercial communications, namely rules on advertising in electronic media. Meanwhile, The Council of the Regulatory body published on 9 October 2015 Interpretative statement indicating the manner in which the Regulator, until the adoption of the by-law, shall implement the provisions of the Law relating to the broadcasting of the commercial contents, as well as the manner in which it shall formulate the by-law. Having in mind the relevant provisions of the Law on electronic media and the said Interpretative statement, ANEM prepared the recommendations that it will further advocate for in the process of adoption of the Rulebook regulating more closely the field of audiovisual commercial communications. See more [here](#).



This activity was supported by the Embassy of the Kingdom of the Netherlands.

## **PUBLICATION – SUMMARY OF KEY NOVELTIES IN NEW MEDIA LAWS**

ANEM electronic publication "Summary of Key Novelities in the Law on Public Information and Media and the Law on Electronic Media" was produced in cooperation with the ANEM legal team of the law office "Živković and Samardžić", at the beginning of December 2014, based on the results of expert analysis of the said laws. With this publication ANEM intends to enable media, journalists and other interested parties to recognize the novelties in the new laws. Which are the key novelties of these laws, find in the Publication [here](#).



This activity was supported by the Embassy of the Kingdom of the Netherlands.

## **ANEM CONTRIBUTION TO ADVERTISING LAW DRAFTING**

Having in mind that the Law on Electronic Media, adopted in August 2014, regulates the issue of audio-visual commercial communication, namely the advertising rules pertaining to electronic media, while the Advertising Law has been in force simultaneously, and that there are significant discrepancies in certain solutions between the two laws, ANEM submitted its recommendations for drafting the Advertising Law to the Working Group for drafting the new Advertising Law of the Ministry of Trade, Tourism and Telecommunications, on 30 November 2014. ANEM finds it necessary that the two laws be harmonized and that the Advertising Law establishes general legal regime for advertising by prescribing general principles and bans, as well as that it establishes general monitoring procedure to be implemented to all forms of advertising, regardless of the platform used for distribution of advertising messages. Recommendations are available [here](#).



This activity was supported by the Embassy of the Kingdom of the Netherlands.

## **ANEM SUGGESTIONS FOR DRAFTING RULEBOOK ON CO-FINANCING OF PROJECTS**

ANEM is of opinion that one of the key segments of the Law on Public Information and Media is comprised of the provisions that insist on the control and transparency of the state aid and the adherence to competition rules, and that the issue of regulating the system of co-financing projects for the realisation of public interest in the area of public information is thus exceptionally important. Therefore, at the beginning of November 2014, ANEM submitted its suggestions to the competent ministry on what should be taken into account while drafting the rulebook on co-financing of projects for the realisation of public interest in the area of public information. Read more about it [here](#).



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## **ANEM PUBLIC STATEMENTS**

In this period ANEM released numerous public statements, individually or jointly with its partners from the Coalition of media and journalists associations – JAS, IJAS, Local Press and NDNV, to react timely and adequately to important events and developments in the media sector, which had or could have negative effects on the work of media and journalists or functioning of the media system. Most of the statements were related to the identified shortcomings in conducting public competitions for co-financing of the media projects of public interest in the area of public information. All ANEM statements are available on ANEM website [here](#).

**Please note that the section *ANEM Activities* on the ANEM website [www.anem.org.rs/en](http://www.anem.org.rs/en) contains all information on the activities of the Association.**