

**Position of the Republic of Bulgaria
for amendment of the Communication from the Commission on the application of
state aid rules to public service broadcasting**

The Republic of Bulgaria highly appreciates the efforts of the European Commission to amend the Communication from the Commission on the application of State aid rules to public service broadcasting, OJ C 320/15.11.2001.

The reviewing of the Communication would allow a more precise impact assessment of public financing over the market with regard to maintaining competition and more efficient public control.

Bulgaria takes account of the need for a clearer definition of broadcasters' public service remit in a new digital environment which should meet democratic, social and cultural needs of each society. The forthcoming introduction of new services and media digitalization requires of the Communication to be a sufficiently flexible instrument which is to remain valid despite the fast changes of both classical and new services without making any differentiation between old and new services in the public service remit.

We would like to submit the considerations of the public broadcasters, who emphasize that based on the case law of the Court of Justice and on Commission practice, Member States should be authorized to define the public mission themselves in broad and quality terms in order to provide "quality, versatility and diversity" of contents. Due to the fact that the organization, funding and programme content of European public media cannot be unified, then the modification of the Communication should comprise only certain basic and flexible principles, but it should not set strict and detailed rules when defining the conditions for conferring services of general economic interest. Another important condition that should remain within the competence of Member States is the way of use of the additional income by the operators and what should be the maximum period for maintaining a reserve which is to serve as a financial cushion between the changing differences in incomes and expenditures. In this respect the modification, based on a precise and cautious approach to the conditions of the present Communication regarding the implementation of the subsidiarity and proportionality principles, would correspond to the highest extent to the nature of public broadcasters in EU Member States that have different traditions, cultural and social needs.