
From: Gunilla Asp [mailto:gunilla.asp@svt.se]
Sent: Friday, May 08, 2009 1:41 PM
To: COMP BROADCASTING REVIEW
Subject: reply from public authority

Kindly find here enclosed the comment of the three Swedish Public Service Companies on the second Draft Communication from the Commission on the Application of State Aid Rules to Public Service Broadcasting.

On behalf of Sveriges Radio AB, Sveriges Television AB, Sveriges Utbildningsradio AB,

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Sveriges Radio AB, SR
Sveriges Television AB, SVT
Sveriges Utbildningsradio AB, UR

The Swedish PSB Comments on:
Draft Communication from the Commission on the Application of State Aid Rules to Public Service Broadcasting

Although there have been technical developments, changes in the market and further developments in the case law, the Swedish PSB consider the principles set out in the 2001 Broadcasting Communication still adequate. While recognizing the specificities of the public service broadcasting and the competence of the Member States to define and provide for the funding of such broadcasting, the Communication adequately defines the task of the Commission to check for manifest errors in the conduct of the member state.

The public service remit in Sweden is reviewed and defined in a thoroughly transparent process in which all parties and stakeholders are invited to participate. The fulfillment of the remit and the conduct of the public service broadcasters are effectively supervised by the Broadcasting Commission, while the government retains the power to decide on measures to be taken in case of need for correction.

The Swedish PSB support the comments on the second Draft Communication put forward by the EBU. The Swedish PSB further consider the pp. 41 and 86 pivotal and welcome the considerations concerning smaller member states in p. 42.

In the view of the Swedish PSB the Communication would gain in clarity and consequence if references to mechanisms, such as "prior evaluation" in p. 84 and the hypothetical comparison ("by comparing the situation in the presence and in the absence of the planned new service") in p. 88 were avoided.

The Swedish PSB see no ground for introducing a new technical term such as "added value" in pp 48 and 88. Member States are responsible to assess and evaluate the overall impact of the public service media on the market in order to determine whether they "affect trading conditions and competition in the Community to an extent which would be contrary to the common interest, while the realisation of the remit of that public service shall be taken into account". No more, no less. The way in which this is to be done is a matter for the Member State to decide.

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