

Abstract – Judicial Review of Administrative Decisions in the Area of Television and Radio Broadcasting

The aim of the thesis is firstly analyzing the system of radio and television broadcasting in the Czech Republic and the legal environment in which this system exists. In the beginning the thesis describes historical development of broadcasting in our country since monopoly state broadcasting system to the present dual system, which enables private subjects to run their own broadcasting.

Furthermore, the thesis analyzes the role of the Czech Broadcasting Council as a central administrative body in the scope of media market. The Council grants broadcasting licences and registrations but primarily supervises whether broadcasters fulfil their duties established in the Broadcasting Act. In case they do not, the Council releases an administrative decision and may impose sanctions against broadcasters.

The crucial part of this thesis deals with judicial review of the above mentioned administrative decisions. It describes legal regulation of the judicial review and deals with basic questions regarding the content of broadcasting.

Firstly, it aims at judicial decisions regarding the legal requirement to present objective, impartial and unbiased information under section 31 of the Broadcasting Act. Moreover, it touches the form of access of political parties to the television and radio broadcasting.

Secondly, the thesis is concerned with the basic obligations based in section 32 of the Broadcasting Act. This section prohibits broadcasting of programmes which might jeopardize physical, mental or moral development of children and juveniles. This prohibition relates to the issue of television violence and the phenomenon of reality show, which frequently breached the legal obligations under the Broadcasting Act.

Finally, the thesis concentrates on the judicial review of administrative decision in the area of advertising. In case of regulation under the Broadcasting Act the key issues are hidden advertising, teleshopping and sponsoring. The thesis examines also decisions of the Council under the Advertising Regulation Act. In this case it emphasizes decisions concerning the liability of broadcasters for broadcasting advertisements on illegal products and services, advertisements against good morals and advertisements jeopardizing physical, mental or moral development of children and juveniles.

Keywords: media, broadcasting, judicial review