

INDIREG

FINAL REPORT – ANNEX

Indicators for independence and efficient functioning of audiovisual media services regulatory bodies for the purpose of enforcing the rules in the AVMS Directive” (SMART 2009/0001)

Annex II – Country Tables – Lithuania

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I. GENERAL INFORMATION

Table 1 - Market data

This table is aimed at gathering information on the number of audiovisual media services that are supervised in the country.

Country	Number of linear commercial services	Number of non-linear commercial services	Number of public service channels (PSBs)
Lithuania	51 channels (59 cable, 14 broadband, 2 mobile operators)	The legal framework does not distinguish between linear and non-linear commercial services.	3

Table 2 - Audiovisual laws and regulatory bodies

This table lists the regulatory bodies in charge of overseeing the areas covered by the Audiovisual Media Services (AVMS) Directive, in relation to commercial linear television, non-linear audiovisual media services and public service broadcasters (PSBs). It also lists the relevant laws.

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
Lithuania	Information requirements (art. 5 AVMS Directive)	Not yet implemented	N/A	N/A	N/A
	Audiovisual commercial communication, sponsorship, product placement (Art. 9 – 11 AVMS Directive)	Not yet implemented Rules for television broadcasters and re-broadcasters: PIP Art 40 (Note: only sponsorship is regulated for both commercial TV and PSB)	Lithuanian Radio and Television Commission (Lietuvos radijo ir televizijos komisija, herein LRTK)	N/A	LRTK
	Accessibility to people with a disability (Art. 7 AVMS Directive)	Not transposed yet. Rules for television broadcasters and re-broadcasters: PIP Art 34 Part 1 provides that “[i]nformation which is being disseminated must be accessible to the disabled.” NRT Art 5 Part 9 states that the national PSB “creates” programs accessible to people with sight and hearing disabilities.	No enforcement mechanism for compliance is foreseen	N/A	No enforcement mechanism for compliance is foreseen

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
	Broadcasting of major events (Art. 14 AVMS Directive)	Not transposed yet. Rules for television broadcasters and re-broadcasters: PIP Art 38 Part 2	LRTK	N/A	LRTK
	Access to short news reports (Article 15 AVMS Directive)	Not transposed yet.	N/A	N/A	N/A
	Promotion of European works (Art. 13, 16, 17 AVMS Directive)	Not transposed yet. Rules for television broadcasters and re-broadcasters: PIP Art 38 Parts 3 and 4.	LRTK	N/A	LRTK
	Hate speech (Art. 12 and 6 AVMS Directive)	Not transposed yet. Rules for television broadcasters and re-broadcasters: PIP Art 19 Part 1 Para 3 PIP Art 50 Part 1 Para 8	LRTK Journalists` Ethics Inspector (<i>Žurnalistų etikos inspektorius</i> , herein, ZEI)	N/A	LRTK ZEI
	Television advertising and teleshopping, (Art. 19 – 26 AVMS Directive)	PIP Art 39 (advertising, teleshopping, teleshopping window) (Commercial TV) NRT Art 6 (PSB)	LRTK	N/A	LRTK
	Protection of minors (Art. 27 AVMS Directive)	Partly transposed under the Law on the Protection of Minors against the Detrimental Effect of Public Information (herein, Law on Protection of Minors). Suggestions made under the Draft. Rules for television broadcasters and re-broadcasters: PIP Art 17	LRTK ZEI	N/A	LRTK ZEI
	Right of reply (Art. 28 AVMS Directive)	Not transposed yet. Rules for television broadcasters and re-broadcasters: PIP Art 15 and Art 44	No regulatory mechanism exists. The legal framework provides only for individual enforcement of right of reply.	N/A	No regulatory mechanism exists. The legal framework provides only for individual enforcement of right of reply.
	Communication and cooperation with other European regulation bodies and the Commission (Art. 30)	Not transposed yet. Rules for television broadcasters and re-broadcasters: PIP Art 48 Part 1 Para 17	LRTK (LRTK “shall cooperate with the institutions of the European Union and other foreign countries which perform equivalent functions, also	N/A	LRTK (LRTK “shall cooperate with the institutions of the European Union and other foreign countries which perform equivalent functions, also

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
	AVMS Directive)		represent, within the sphere of its competence, the Republic of Lithuania in international organisations,” PIP Art 48 Part 1 Para 17)		represent, within the sphere of its competence, the Republic of Lithuania in international organisations,” PIP Art 48 Part 1 Para 17)

Table 3 - Regulatory bodies – general information

This table provides basic information on the regulatory authority (name, website address, date of establishment and location).

Country	Name of regulatory body	Link to website	Date of establishment	Location
Lithuania	Lithuanian Radio and Television Commission, Lietuvos radijo ir televizijos komisija, LRTK	www.rtk.lt	1996	Vilnius, Lithuania

Table 4 - Sectors covered

This table provides an overview of the areas that are covered by the regulatory authority.

Country	Body	Audiovisual content (radio/TV, on demand media services)	Transmission aspects of audiovisual content (e.g. spectrum)	Distribution aspects of audiovisual content (e.g. must carry, EPG, API)	Spectrum	Electronic communications (networks and services in general)	Others (e.g. energy, post)
Lithuania	LRTK	Yes	No	Yes	No	No	No

Table 5 - Staff and overall budget

This table provides an overview of the staff and overall budget of the regulatory authority. The figures are given for the areas covered by the AVMS directive (where possible) for regulators with a broader area of responsibility.

Country	Body	Total number of staff foreseen in statutes/law	Current staff count	Annual budget (€m) foreseen in statutes/law	Current annual budget	Reference year +source
Lithuania	LRTK	13	15	Not stipulated	1,700,000 Lt (approx. €485,714)	2010 PIP Art 47 Part 4 www.rtk.lt/lt/static.php?strid=31366&&addinf=31366

II. INSTITUTIONAL FRAMEWORK

Table 6 - Legislation establishing and governing the regulatory body

This table shows the legislation setting up and governing the regulatory authority.

Country	Body	Legislation setting-up the regulatory body	Governing legislation
Lithuania	LRTK	PIP Art 47 Law on the Provision of Information to the Public (PIP), <i>Official Gazette</i> , 27 July 2006, No. 82-3254, as last amended on 15 July 2009, available in English at www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=362353 (accessed 4 April 2010)	PIP Art 48 Law on the Provision of Information to the Public (PIP), <i>Official Gazette</i> , 27 July 2006, No. 82-3254, as last amended on 15 July 2009, available in English at www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=362353 (accessed 4 April 2010)

Table 7 - Legal status

This table provides information on the legal status taken by the regulatory authority.

Country	Body	What form does it take?	It is a separate legal entity?	If it is not a separate legal entity, it is part of:	Specific organisational characteristics	Source
Lithuania	LRTK	Independent public legal entity	Yes			PIP Art 47

Table 8 - Independence as a value

This table is intended to capture whether independence of the regulatory body is explicitly or implicitly recognised as a value in the legal framework.

Country	Body	Is independence implicitly or explicitly recognised as a value in the legal framework?		Source (highest formal legal level)
		No	Yes	
Lithuania	LRTK		√	PIP Article 47 establishes that LRTK is an independent institution

III. POWERS OF THE REGULATORY BODIES

Table 9 - Regulatory powers

This table is aimed at understanding the types of decisions that can be taken by the regulatory body.

We have distinguished from a theoretical point of view, between:

- general policy setting powers, i.e. the power to decide on the general orientation of the rules to be followed (for instance the power to decide on the amount of quotas)
- general policy implementing powers, i.e. once the general policy has been adopted, to specify by means of general or abstract rules how this general policy will be implemented (for example to decide in general terms (not connected to a specific case) how the quotas should be applied and monitored)
- third party binding policy application powers, i.e. the power to take in a specific case a decision binding on specific operators

Country	Body		General policy setting	General policy implementing powers	Third party decision making powers
Lithuania	LRTK	Tick boxes	No	√	√
		Areas	LRTK participates in the process of setting national audiovisual policy; it does not adopt general policies itself. For example, it participates in the formation of national audiovisual policy and competence to propose draft legislation concerning broadcasting.	E.g. competence to adopt rules concerning broadcasters' compliance with the statutory requirements related to advertising and sponsorship	E.g. competence to control broadcasters' compliance with statutory requirements concerning protection of minors
		Source	PIP Art 47 Part 1 and PIP Art 48 Part 1 Para 12 (general law)	PIP Art 48 Part 1 Para 7 (general law)	PIP Art 48 Part 1 Para 5 (general law)

Table 10 - Supervision and monitoring power

This table is aimed at understanding the supervision/monitoring/information gathering powers of the regulatory body.

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
Lithuania	LRTK	Quotas	√	√	√ Just a general power “to collect information about broadcasters” PIP Art 48 Part 1 Para 15			PIP Art 48 Part 1 Paras 8 and 15
		Advertising	√	√	√ Just a general power “to collect information about broadcasters” PIP Art 48 Part 1 Para 15			PIP Art 48 Part 1 Paras 8 and 15
		Protection of minors	√	√	√ Just a general power “to collect information about broadcasters” PIP Art 48 Part 1 Para 15			PIP Art 48 Part 1 Paras 5-6 and 15

Table 11 - Powers of sanctions

This table provides an overview of the sanctions that can be adopted by the regulatory body in case of breach of the rules implementing the AVMS Directive on quotas, advertising and protection of minors.

Country	Body	Areas	Warnings/formal objections	Fine (lump sum) If so, list maximum and minimum amounts	Publication of decisions in the media	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)	Others
Lithuania	LRTK	Quotas	√ All sanctions are discretionary, except for the fines which must respect a specific administrative procedure	√ LTL 500-7,000 (approx. €150-2,000) PIP Art 48 Part 1 Para 11 The lump sum of fine is provided under the Lithuanian Code of Administrative Violations (ATPK), Art 214 www3.lrs.lt/pls/inter3/dokpaieska.showdoc_1?p_id=367883	√	√		
		Advertising	√	√ LTL 1,000-10,000 (approx €290-2,900) Same as above for rest.	√	√		
		Protection of minors	√	√ LTL 1,000-10,000 (approx €290-2,900) Same as above for rest.	√	√		

Table 12 - De facto use of formally granted competences and monitoring powers

This table shows whether the regulatory body has made use of its formally granted powers in the areas covered by the AVMS Directive within the past 5 years.

Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
Lithuania	LRTK De facto use of LRTK's powers is established in its annual reports presented to the Seimas, which are available in Lithuanian language at www.rtk.lt	N/A Takes part but does not decide	√	√	√	√	√	√ Although is power does not exist in law, this happens de facto.

Table 13 - De facto use of formally granted sanction powers

This table shows whether the regulatory body has made use of its formally granted sanction powers within the past 5 years.

Country	Body	Warnings	Fine (lump sum)	Publication of decisions in television programmes/on demand services	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)
Lithuania	LRTK	√ 39	√ LTL 42,750 (~€12,214)	N/A	√ Revocation of licences - 67 Suspension of licences – 9 The figures include radio licences. These decisions need to be approved by a court.	LRTK

Table 14 - Complaints handling

This table shows whether there are procedures for dealing with complaints coming from viewers against conduct of audiovisual media service providers. Briefly explain them.

Country	Body	Do complaints handling procedures exist?	Link to website
Lithuania	LRTK	No	

IV. INTERNAL ORGANISATION AND STAFFING

Table 15 - Highest decision-making organ – composition

This table shows whether the highest decision-making organ of the regulatory body/bodies (i.e. the organ responsible for regulatory tasks, namely supervision and enforcement) is an individual or a board/commission and if it is a board/commission, who are its relevant representative components

Representation does not necessarily mean formal representation of that group. It can mean that the board member is expected to emanate from that group, but does not have to formally represent it during the mandate.

Country	Body	Individual or Board	Legal requirements regarding composition of highest decision-making organ							Implicit representation structures?	Source
			Number of Board members	Representatives of civil society	Representatives of government	Representatives of parliament	Representatives of industry	Experts	Others (e.g. regions)		
Lithuania	LRTK	Commission	13	Yes 9 It is unclear if they need to act independently once appointed. It can be argued both ways.	Yes 1 It is unclear if they need to act independently once appointed. It can be argued both ways.	Yes 3 It is unclear if they need to act independently once appointed. It can be argued both ways.	No	No	No	See left columns	PIP Art 47 Part 4

Table 16 - Highest decision-making organ – competences and decision-making process and transparency

This table shows the main fields of responsibility of the highest decision-making organ of the regulatory body as well as its decision-making process (in particular its transparency and whether minutes and agendas are published).

Country	Body	Competences	Decision-making process	Is the decision making process transparent?	Minutes and agendas published?
Lithuania	LRTK (Commission)	LRTK determines the number of employees to be employed by the administration. LRTK determines its own working procedures, organization of meetings and their frequency. (Statute of the LRTK, adopted by LRTK, 27 September 2006, Order No. 97, s32)	Meetings is the main form of LRTK's work (PIP Art 47 Part 10). Meetings are valid upon the presence of at least 2/3 of LRTK's members (PIP Art 47 Part 12). Decisions are made by simple majority vote of all the members of LRTK (PIP Art 47 Part 12). Exception of vote by 2/3 majority of all the members of LRTK apply to the following decisions on: issuing/refusing to issue a licence, penalties, changes in licence conditions, tender conditions and results, suspension/revocation of licence. (PIP Art 47 Part 12) Regulations and decisions making procedures are determined by LRTK (Statute of the LRTK, adopted by LRTK, 27 September 2006, Order No. 97, s32).	Meetings are open to the public (PIP Art 47 Part 11). All decisions are published in the Official Gazette "Lietuvos žinios" or in its Annex "Informaciniai pranešimai" as required by Article 47 Para 13 of the PIP.	Requirement to publish (in printed press or on internet) information about upcoming meetings and their agenda (PIP art 47 Part 10) www.rtk.lt/lt/list2.php?strid=1008& The minutes are available upon request.

Table 17 - Highest decision-making organ – appointment process

This table shows whether there are several stages in the appointment process of the chairman and members of the highest decision-making organ of the regulatory body, for the nomination and appointment phases respectively. It also shows who is involved in each of these two stages (government, minister, parliament, civil society, religious groups, political parties, board members, board chairman, others) and whether the appointer(s) can override the proposals made at the nomination stage.

Country	Body		Nomination stage Yes – No	Nomination stage Specify who is involved in that stage and who has the decisive say	Appointment stage Specify who is involved in that stage and who has the decisive say	If there are two stages, can the appointer ignore the nominations?	Source
Lithuania	LRTK	Chairman	No	n/a	Members of LRTK elect by majority vote	n/a	PIP Art 47 Part 9
		Board members	Yes. Only for the appointment of 3 members by the Seimas, the Lithuanian parliament.	The 3 members, who are to be appointed by the Seimas, are nominated by the parliamentary Committee for Education, Science and Culture as well as the Information Society Development Committee under the Government of Republic of Lithuania. The	1 member – by the President of the Republic 3 members – by the Seimas 1 member is appointed by each of the following organizations: Lithuanian Artists'	Not specified	PIP Art 47 Part 4

Country	Body		Nomination stage Yes – No	Nomination stage Specify who is involved in that stage and who has the decisive say	Appointment stage Specify who is involved in that stage and who has the decisive say	If there are two stages, can the appointer ignore the nominations?	Source
				Seimas has the decisive say in their appointment.	Association Lithuanian Cinematographers' Union Lithuanian Composers' Union Lithuanian Writers' Union Lithuanian Theatres' Union Lithuanian Journalists' Union Lithuanian Journalists' Society Lithuanian Bishops' Conference Lithuanian Periodical Press Publishers' Association		

Table 18 - Term of office and renewal

This table shows the term of office of the chairman and members of the highest decision-making organ of the regulatory body and whether the term is staggered not to coincide with election cycles. It also indicates if appointment is renewable and for how many times.

Country	Body		Term of office	Is the term staggered not to coincide with election cycle?	Renewal possible? If so, state how many times	Source
Lithuania	LRTK	Chairman of the board	2 years	No	No	PIP Art 47 Part 9
		Board members	Terms of office are tied to the terms of office of the appointing government institution or to the terms of power of the appointing organization's management body. In practice this means: 1 member, who is appointed by the President of the Republic, serves for 5 years;	No	Yes. 1 time	PIP Art 47 Part 4

Country	Body		Term of office	Is the term staggered not to coincide with election cycle?	Renewal possible? If so, state how many times	Source
			3 members, who are appointed by the Seimas, serve 4 years. 9 members, who are appointed by civil society organizations, serve the same term as the management body of the respective organization.			

Table 19 - Professional expertise/qualifications

This table illustrates the qualifications and professional expertise required to become a chairman or member of the highest decision making organ of the regulatory body.

Country	Body		Qualifications	Professional expertise	Source
Lithuania	LRTK	Chairman and the Board members	No		PIP Art 47 Part 4
		Administration	The Director of the Administration establishes rules on qualifications and expertise required for the staff.		Statute of the LRTK, adopted by LRTK, 27 September 2006, Order No. 97, s53.2

Table 20 - Rules to guard against conflicts of interest – Appointment process

This table shows whether there are clear rules, in the appointment process of the chairman and members of the highest decision-making organ of the regulatory body, to avoid possible conflicts of interest.

Country	Body		Do such rules exist?		Rules to prevent conflicts of interest with government	Rules to prevent conflicts of interest with political parties	Rules to prevent conflicts of interest with industry	Can other offices be held at the same time?	Others (e.g. obligation to disclose participations in companies)	Source
			Yes	No						
Lithuania	LRTK	Chairman and Board members	Yes		Yes. Cannot be appointed: -Members of the Government - Public servants - MEPS	No but once appointed they have to suspend membership and participation in the activities of political parties	Yes. As members cannot be appointed: - Members of the Council of the National Radio and Television of Lithuania (LRTT) - persons employed by broadcasters and re-broadcasters - persons who themselves or their family members have a participating interest in the broadcasters and re-broadcasters	Yes	- A member of LRTK cannot be an employee of the Administration of LRTK - Obligation to provide private interest declarations	PIP Art 47 Part 8 Decision of the Chief Official Ethics Commission, 28 October 2009, Official Gazette, No. 136-5974 www.rtk.lt/en/static.php?strid=31623&
		Senior staff/Administration		No						Text available in Lithuanian at http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=358046&p_query=&p_tr2=

Table 21 - Rules to guard against conflicts of interest – during term of office

This table shows whether there are rules to avoid conflicts of interest during the term of office.

Country	Body		Do such rules exist?		Rules to prevent conflicts of interest with government	Rules to prevent conflicts of interest with political parties	Rules to prevent conflicts of interest with industry	Source
			Yes	No				
Lithuania	LRTK	Chairman and Board members	Yes		Same as for appointment stage	A member of LRTK, who is also member of political party, has to suspend his membership and participation in the activities of political party.	Same as for appointment stage. Also heads of departments are obliged to make their private interests public	PIP Art 47 Part 8 Also a member of LRTK cannot be an employee of the Administration of LRTK (PIP Art 47 Part 8) Decision of the Chief Official Ethics Commission, 28 October 2009, Official Gazette, No. 136-5974
		Senior staff/Administration		No				

Table 22 - Rules to guard against conflicts of interest – after term of office

This table shows whether there are clear rules to avoid conflicts of interest after the term of office.

Country	Body		Do such rules exist?		Is a cooling-off period foreseen?	Source
			Yes	No		
Lithuania	LRTK	Chairman and Board members		No		
		Senior Staff/Administration		No		

Table 23 - Rules to protect against dismissal

This table shows the rules to protect against dismissal of the whole decision making organ, the chairman and individual members of the highest decision-making organ of the regulatory body. Please add any other comments in the row below.

Country	Body		Do such rules exist?		Who can dismiss? Specify who is involved in that stage and who has the decisive say	Grounds for dismissal listed in legal instrument?	Can the whole body be dismissed or only individual members?	Source
			Yes	No				
Lithuania	LRTK	Chairman	Yes		By majority vote of all Members of LRTK. The dismissed Chairman retains the status as a Member of LRTK.	Yes <ul style="list-style-type: none"> if the chairman resigns if he does not attend the meetings if he is convicted if he loses citizenship if is legally incapable if he cannot perform duties for health reasons if he discredits the status of the Commission 	Only individual members	Statute of the LRTK, adopted by LRTK, 27 September 2006, Order No. 97, s18
		Individual board members	Yes		Respective government institution or organization which appointed the member.	Only for "good cause"		PIP Art 47 Part 5
		Administration		No		Dismissal is possible only under the labour contract		

Table 24 - Dismissal before term

This table shows available statistics on dismissal before term in the last 5 years as well as the reasons for this dismissal.

Country	Body	Year		Dismissal before term		Reasons	Comment
				Yes	No		
Lithuania	LRTK	2005-2009	Chairman		No		In 2008, one person resigned on his own wish.
			Individual board members		No		

V. FINANCIAL RESOURCES

Table 25 - Sources of income

This table shows the sources of income of the regulatory authority.

Country	Body	End-user broadcasting licence fees (max level)	State budget	Spectrum fees	Authorisation/licence fees paid by broadcasters	Fines	Other fees, e.g., 'market surveillance fee' based on % of revenues of broadcasters (or other operators – e.g. in case of converged regulators)	Source
Lithuania	LRTK	No	No	No	Fees received for examining license applications and change of license conditions (PIP Art 47 Part 15). Amount of such fees is determined by LRTK (PIP Art 48 Part 1 Para3)	No	<ul style="list-style-type: none"> • Every month broadcasters and re-broadcasters (except for the LRT) have to transfer to LRTK's account 0.8% of their earnings received from advertising, subscription fees and other activities related to broadcasting and/or re-broadcasting • other fees for provided services • support funds • publishing activities, etc. (PIP Art 47 Part 15) 	PIP Arts 47 and 48

Table 26 - Annual budget

This table shows who decides on the annual budget of the regulatory body and decides on adjustments to it as well as the extent to which the regulatory body is involved in these processes.

Country	Body	Who decides the annual budget?	Is the regulator involved in the process?	Rules on budget adjustment – who is involved in the process (e.g. parliament, government and/or industry) ?	De facto influence of third parties on budget amounts	Source
Lithuania	LRTK	LRTK drafts and approves its annual estimate of planned expenditure	Yes	Only LRTK	No	PIP Art 47 Part 16

Table 27 - Financial accountability – auditing

This table shows if the regulatory authority is subject to periodic financial auditing.

Country	Body	Is the regulatory body subject to periodic external auditing?					Legal basis
		Yes/no	Periodicity	By national (state) audit office, etc.	Private audit firm	Other	
Lithuania	LRTK	No	-	-	-		The Radio and Television Commission's of Lithuania Statutes, point 60

VI. CHECKS AND BALANCES

Table 28 - Formal accountability

This table shows to whom the regulatory body is accountable to and through which means (e.g. reports, parliamentary questions).

Country	Body	Body accountable to		Accountability means	Legal basis
Lithuania	LRTK	Parliament	Yes	Report and analytical survey	PIP Art 47 Part 1 and Part 17 PIP Art 48 Part 1 Para 16
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A

Table 29 - Reporting obligation

This table is aimed at understanding the scope of the reporting obligation.

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved ?	Link
Lithuania	LRTK	the Seimas during its plenary sitting	Annual	General report and a statement on financial activities	No	Not specified in laws, but in practice, approval takes place	<i>No information available</i>	PIP Art 47 Part 1 and Part 17
		the Seimas	Every 2 years	Analytical survey on the implementation of Lithuania's audiovisual policy, the development and prospects for expansion of national audiovisual services` market, statistics and reasoning concerning broadcasters` compliance with requirements on European works, necessary remedies	No, only about performance of broadcasters	Not specified in laws	<i>No information available</i>	PIP Art. 48 Part 1 Para 16

Table 30 - Auditing of work undertaken

This table shows if the regulatory body is subject to periodic external auditing, either by a private or a national audit office.

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
Lithuania	LRTK	No Note: LRTK is subject to non-periodic audit by National Audit Office of Lithuania as specified under the Law on State Control, <i>Official Gazette</i> , No. 112-4070, 30 December 2001, last amended on 14 November 2008, No. X-1827, text available in English at www.vkontrole.lt/en/regulatory_law.shtml (access 2010-04-06)	N/A	N/A	N/A	N/A	N/A

Table 31 - Power to overturn/instruct

This table shows if (regardless of an appeal lodged against a decision) any other body can overturn the decisions of the regulator or give it instructions.

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
Lithuania	LRTK	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Art. 47.13 of the Law on Provision of Information to the Public
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision) ?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A

Table 32 - Number of stages in appeal procedure

The following tables are concerned with the appeal procedure relating to decisions taken in relation to the enforcement of the rules listed in the AVMS directive (eg. non-compliance with quota requirements if binding, advertising, protection of minors, etc.). The stages include the internal stages.

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
Lithuania	LRTK	External	1	Vilnius Regional Administrative Court	No	Those alleging violation of their rights or interests	PIP Art 47 Part 13 Lithuanian Law on Administrative Proceedings, as last amended 22 June 2010, Official Gazette, No. 76-3872, available in Lithuanian at www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=377094 (accessed 06 August 2010) Lithuanian Code of Administrative Violations (ATPK), as last amended on 10 June 2010, Official Gazette, No. 34-1615, available in Lithuanian at www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=376299 (accessed 06 August 2010)
			2	Supreme Administrative Court			

Table 33 - Does the regulator's decision stand pending appeal?

Country	Body	Does regulator decision stand pending appeal body decision?			
		Yes	No	Yes, unless appeal body suspends it	Other
Lithuania	LRTK			√	N/A

Table 34 - Accepted grounds for appeal

Country	Body	Errors of fact	Errors of law (including failure to follow the due process)	Full re-examination	Other
Lithuania	LRTK		√ Law on Administrative Proceedings Art 3		N/A

Table 35 - Does the appeal body have power to replace the original decision with its own?

Country	Body	Appeal stage	Yes	No	Comments
Lithuania	LRTK	1 Vilnius Regional Administrative Court	√		
		2 Supreme Administrative Court	√		

VII. PROCEDURAL LEGITIMACY

Table 36 - External advice regarding regulatory matters

This table shows if the regulatory body is able to take outside advice regarding regulatory questions.

Country	Body	Is a budget foreseen for outside advice?	If so, what is the budget/year?	Must the body respect public tender procedures?	Other requirements	Does the regulatory body de facto take external advice on a regular basis?
Lithuania	LRTK	No		Yes	No	No information available

Table 37 - Public consultations

This table shows if the regulatory authority is required to publish public consultations.

Country	Body	Which decisions require prior public consultation?	Requirements on who must be consulted? (e.g. broadcasters, consumer organisations, academics etc.)	Consultation period	Consultation responses published		Legal basis
					Full responses (if authorised by contributor)	Summaries prepared by regulator	
Lithuania	LRTK	None					No such requirement, but in its annual Report the LRTK admits it has consulted stakeholders

Table 38 - Public consultations – figures

This table shows the number of public consultations that were organised by the regulatory body in the past five years, in the areas covered by the AVMS Directive.

Country	Body	Year	Number of public consultations
Lithuania	LRTK	2008	The fact of holding consultations with market participants is mentioned in the LRTK's annual Report 2008, number of consultations is not specified. Note: LRTK's Annual Report on Activities in 2008, submitted to the Seimas in March, 2009, p. 12, available in Lithuanian at www.rtk.lt/lt/news2.php?strid=1007&id=33242 (accessed 7 April 2010)

Table 39 - Publication of regulator's decisions

This table shows if the regulatory authority is required to publish its decisions, if its decisions need to be motivated and if impact assessments are required.

Country	Body	Which decisions required by law to be published?	Obligation to motivate decisions? Legal basis?	Obligation to include/publish impact assessment? Legal basis?	
				Ex ante	Ex post
Lithuania	LRTK	Normative acts and individual acts (PIP Art 47 Part 13)	Yes (e.g. individual acts – Article 8 of the Law on Public Administration, <i>Official Gazette</i> , 2006, No. 77-2975, as last amended on Jan. 5, 2010, available in Lithuanian at www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=363063 (access April 10, 2010))	Yes Lithuanian Methods for Impact Assessment of Draft Decisions, adopted by the Government of the Republic of Lithuania, No. 276, Feb. 26, 2003, as last amended Jan. 28, 2010, available in Lithuanian at www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=364877&p_daug=2	No

Country	Body	Which decisions required by law to be published?	Obligation to motivate decisions? Legal basis?	Obligation to include/publish impact assessment? Legal basis?	
				Ex ante	Ex post
				(accessed Aug. 6, 2010) and Rules for Lawmaking by the Government of the Republic of Lithuania, adopted by the Government of the Republic of Lithuania, No. 1244, Sep. 30, 2009, as last amended Jan. 12, 2010, available in Lithuanian www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=363927 (accessed Aug. 6, 2010)	

VIII. COOPERATION

Table 40 - Cooperation with other regulatory authorities

Country	Body	Describe the mechanism of cooperation with other bodies	Source and form of cooperation	Can body receive instructions from other bodies? If so, state which and explain	Comments
Lithuania	LRTK	<p>In areas addressed in other tables:</p> <ul style="list-style-type: none"> with the Ministry of Culture. LRTK participates in the process of national audiovisual policy setting (PIP Art 47 Part 1). Together with the Ministry of Culture adopts an order for the procedure of fixing rates of licence fees and determines the fees (PIP Art 48 Part 1 Para 4). with ZEI. LRTK when performing supervision of implementation of the Law on the Protection of Minors against Detrimental Effect of Public Information may request a conclusion from ZEI whether particular information has a detrimental effect on minors. ZEI is obliged to respond to such a request (PIP Art 48 Part 2). <p>Other areas: E.g. with Communications Regulatory Authority (RRT), cooperates in setting the strategic plan for allocation of spectrum (PIP Art 48 Part 1 Para 1)</p>	<p>PIP Art 47 Part 1 PIP Art 48 Part 1 Paras 1 and 4 PIP Art 48 Part 2</p>	No	

Table 41 - International cooperation

Country	Body	Does it cooperate with other national regulatory bodies in EU and international fora?	Source and form of cooperation (legal basis)	Comments
Lithuania	LRTK	Yes	PIP Art 48 Part 1 Para 17	<p>LRTK "shall cooperate with the institutions of the European Union and other foreign countries which perform equivalent functions, also represent, within the sphere of its competence, the Republic of Lithuania in international organisations," PIP Art 48 Part 1 Para 17</p> <p>In addition, LRTK cooperates with European Platform of Regulatory Authorities (EPRA), Council of Europe Standing Committee on Transfrontier Television and EU Commission's Working group for audiovisual media. (LRTK, annual Report to the Parliament for its activities in 2008, available in Lithuanian at www.rtk.lt/lt/news2.php?strid=1007&id=33242)</p>