

Pursuant to Article 83 of the Law on Electronic Media (Official Gazette of the RS, number 92/2023),

at its session held on 7 May 2024, the Council of the Regulatory Authority for Electronic Media adopted a

RULEBOOK on Conducting Prize Competitions in the Area of Media Service Provision

Article 1

This Rulebook regulates in more detail the manner of fulfilling the obligation of media service providers to conduct prize competitions fairly, with the publication of clear rules on such content and publicly promised prize (hereinafter: prize).

Article 2

A prize competition is programme content in which a media service user or other person participates by either being present in the media service provider's studio or another location where such content is produced, or by sending mail or using electronic communications network services (e.g. landline or mobile telephone network, internet, etc.), for the purpose of obtaining a prize in the form of money, goods, services or other.

Programme content referred to in paragraph 1 of this article shall be broadcast as main or secondary content, as a rule, in the form of a quiz or other prize competition in knowledge, abilities or skills, in the form of a prize competition where it is not necessary to demonstrate any special knowledge, ability or skill or in the form of a game of chance.

Content that is, by its nature, exclusively intended for determining the winner of a game of chance (e.g. drawing lottery winners) shall not be considered programme content referred to in paragraph 1 of this article, unless the media service provider is the organiser of the game of chance, participates in the distribution of revenues of the game of chance or the game of chance is organised (calling for participation in the game, participating in the game, presenting the prize or winner, etc.) through the media service provider's programme content.

The terms – game of chance and electronic communications network – used in this Rulebook shall have the meaning stipulated by the law governing the area of games of chance and by the law governing the area of electronic communications, respectively.

Article 3

The media service provider shall conduct prize competitions fairly, and in particular publish in a timely manner the competition rules, information about the prize and other data that is of importance for participation in the competition, as well as act impartially and respect the equality of participants in the competition.

Article 4

Before the start of broadcasting of the prize competition, the media service provider shall publish in a timely, clear, unambiguous and easily accessible manner (e.g. on its website or within interactive service content) the rules of participation in that content, including clear and truthful data about the prize to be awarded, rules relating to the manner of announcing the winner of the prize and the manner of awarding the prize.

If the prize competition is broadcast in the form of a game of chance, the media service provider shall, along with the data referred to in paragraph 1 of this article, also publish the full business name and head office of the person organising the game of chance, their registration number, tax identification number, their website address, and their e-mail address.

At the beginning of the broadcast of the prize competition in which media service users participate, there must be an announcement of:

- 1) the important rules of participation in the prize competition, especially those that could affect the decision of the media service user to participate in the content;
- 2) name and head office of the person organising the game of chance, if the prize competition is broadcast in the form of such a game;
- 3) manner in which media service users can familiarise themselves with other rules of participation that were not disclosed on that occasion.

Article 5

Programme content that invites or encourages participation in a prize competition must include:

- 1) the deadline by which the media service user or other person may apply to participate in the content or until when they may participate in the content, if such deadlines exist;
- 2) important rules of participation in that content, especially if there are certain limitations regarding the possibility of participation (e.g. as regards the age of participants);
- 3) clear and truthful data about the prize to be awarded;
- 4) manner in which the information about the winner of the prize will be published.

Article 6

Data about the prize won by participating in the prize competition shall be published in a clear and truthful manner, and it is especially necessary to note whether the winner of the prize bears any costs for its receipt or use (e.g. costs of paying taxes or plane tickets, etc.).

Article 7

If media service users are invited to participate in the prize competition through the use of the electronic communications network service to which a special price applies (e.g. a premium-rate telephone number) – (hereinafter: premium-rate service), the following data shall be published in a clear and truthful manner:

- 1) total amount of special rate (e.g. the call setup fee, per-unit call price, SMS price) and the amount of tax payable by the service user on that amount;
- 2) whether using the premium-rate service guarantees participation in the programme;

- 3) premium-rate service billing method (e.g. whether charges are applied immediately upon premium-rate service initiation or only after joining the programme).

As part of the audio-visual media service, the data referred to in paragraph 1 of this article must be clearly visible as long as the premium-rate service number is also shown on the screen, and such data must be displayed using characters of identical colour, size and visibility as those used to display the number, while during the verbal announcement such data must be communicated immediately after displaying the premium-rate service number.

As part of the radio media service, the data referred to in paragraph 1 of this article shall be communicated immediately after announcing the premium-rate service number.

If the prize competition is organised in such a way that using the premium-rate service does not guarantee participation in the content, in addition to the data referred to in paragraph 1 of this article, the following data shall be communicated in a clear and truthful manner:

- 1) the circumstances that will occur after the media service user starts using the premium-rate service (e.g. that he or she will be informed about their place in queue and when they will be given an opportunity to participate in the programme or that he or she will be immediately informed that he or she has obtained the opportunity to participate in the programme);
- 2) manner in which the selection of media service users who will be given an opportunity participate in the prize competition is made (e.g. that a computer programme randomly selects, among a certain number of viewers, the viewer that will join the programme).

As part of the audio-visual media service, the data referred to in paragraph 4 of this article shall be communicated verbally at the beginning of the prize competition and must be visible as long as the premium-rate service number is displayed on the screen.

As part of the radio media service, the data referred to in paragraph 4 of this article shall be communicated immediately after announcing the premium-rate service number.

Article 8

With the entry into force of this Rulebook, the Rulebook on Conducting Prize Competitions in the Area of Media Service Provision (Official Gazette of the RS, number 55/2015) shall cease to be valid.

Article 9

This Rulebook shall enter into force on the eighth day from the day of its publication in the Official Gazette of the Republic of Serbia.

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In Belgrade, 7 May 2024
Regulatory Authority for Electronic Media
President of the Council

Olivera Zekić