

## BELGIAN INSTITUTE FOR POSTAL SERVICES AND TELECOMMUNICATIONS

Registration No. 2019/02

### **SNI/SI Networks L.LC - provision of audiovisual media services pursuant to chapter 2 of the Act of 5 May 2017 regarding audiovisual media services in the bilingual Brussels-Capital Region**

On 15 May 2019, the BIPT confirmed the registration of SNI/SI Networks L.LC as a provider of audiovisual media services in the bilingual Brussels-Capital Region (via Smithsonian Channel Europe) (reference: "registration 2019/02").

This registration was done taking into account the prior declaration submitted on 9 May 2019 by SNI/SI Networks L.LC - Representative office - Belgium.

According to the declaration, the SNI/SI Networks L.LC representative office in Belgium and the place where editorial decisions concerning the programming are adopted are located at Chaussée de Charleroi 112, 1060 Brussels.

That address was modified and the new address was communicated to the BIPT on 26 May 2020: Rond-Point Schuman 6 Box 5, 1040 Brussels.

On 17 March 2020, the BIPT requested further information from SNI/SI Networks L.LC concerning the representative office in Brussels. Concerning the registration, it was recalled that (given the declaration made by SNI/SI Networks)

*"For this registration, two criteria needed to be fulfilled within a 6 month period:*

- *The establishment of an office in Brussels;*
- *The recruitment of a 'Manager European Channels', who would be responsible for the editorial decisions of Smithsonian Channel Europe."*

By e-mail dated 11 June 2020, SNI/SI Networks L.LC informed the BIPT that editorial decisions were adopted at that time in London (United Kingdom): *"Editorial decisions are made by our representative in London currently. Now that our company is part of Viacom CBS Viacom's locally based European team will be taking on editorial responsibility also. This is still in process and it is unclear at this time what the final structure will look like."*

On 17 September 2020, the BIPT requested again further information from SNI/SI Networks L.LC concerning the representative office in Brussels (via registered mail and e-mail) and informed it as follows:

*"Can you please give us an update on the current situation about the editorial decision making in Brussels? Has there been made any progress in the meantime on this aspect?"*

*Can you please confirm that the representative office in Brussels is now based in Rond Point Schuman 6 Box 5, 1040 Brussels?"*

*Please send us a response by 30/09/2020. If we do not receive a written and documented response within the deadline, or if the answer is not satisfactory (e.g. the*

*editorial decisions are not made from the representative office in Brussels), we will have to consider withdrawing your registration in Brussels as it would not meet the conditions of art. 4, § 2, Alinea 2, 3°, of the Brussels Media Act (5<sup>th</sup> of July 2017).*

*If the registration is cancelled, your company will still be free to submit a new request for registration (via SNI/SI Networks L.LC, ViacomCBS or another company)."*

After being informed on 11 June 2020 of the fact that editorial decisions concerning SMITHSONIAN CHANNEL were adopted in London (United Kingdom) and having received no reply to the information request of 17 September 2020, the Council

- notes that SNI/SI Networks L.LC, due to that fact that it cannot be deemed to be established in the Brussels-Capital Region, does not fulfil the conditions imposed by the Act of 5 May 2017 to be registered as a provider of audiovisual media services in the Brussels-Capital Region;
- has decided to terminate the registration No. 2021/01.

Without registration complying with the Act of 5 May 2017 regarding audiovisual media services in the bilingual Brussels-Capital Region, SNI/SI Networks L.LC cannot benefit from the broadcasting freedom granted by Article 6 of said Act.

SNI/SI Networks L.LC retains the right to submit a new declaration for registration in accordance with the Act of 5 May 2017 regarding audiovisual media services in the bilingual Brussels-Capital Region.

Axel Desmedt  
Member of the Council

Jack Hamande  
Member of the Council

Luc Vanfleteren  
Member of the Council

Michel Van Bellinghen  
Chairman of the Council