

LEGAL ALERT

AMENDMENT TO THE PORTUGUESE RADIO ACT

[Law no. 16/2024, of February 5](#), enters into force today, amending Articles 4, 41, 43, 44, 45 and 47 of the Radio Act approved by [Law no. 54/2010, of December 24](#).

Essentially, a mandatory monthly percentage of 30% is set as the minimum quota for Portuguese music on the radio. This percentage is based on the minimum quota of 60% that the European legislator imposed on radio broadcasts of music performed by citizens of European Union Member States.

It should be noted that the monthly fulfilment of these percentages must also be complied with for programming broadcast between 7am and 8pm from Monday to Friday, and weekends are not currently included in this calculation.

Exceptionally, the Portuguese Media Supervisory Authority (ERC) may, upon a reasoned request from the radio organization, recognize an (total or partial) exemption from the obligation to comply with these quotas.

To do so, it will be necessary to demonstrate that the programming model of a thematic program service is unequivocally based on a genre with insufficient representation on the Portuguese music production scene.

Therefore, to monitor compliance with this rule, collective management entities are also required to communicate at ERC the musical compositions data published in Portugal in the previous year until 31 January of each year, classified by genre. It is also emphasized that radio stations are required to

provide the ERC with all the necessary information (including the number of compositions broadcast by each service) monthly via an electronic platform to monitor these obligations.

In short, since 2009 the law has required the broadcasting of a minimum quota of Portuguese music which could vary between 25% and 40% and the specific percentage was defined annually by decree of the member of the government with competence for the matter. **Following the entry into force of the changes in Law no. 16/2024, the mandatory minimum percentage of Portuguese music on the radio will no longer fluctuate every year.**

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