



## **Annex 3: Questionnaires**

# **Study on Co-Regulation Measures in the Media Sector**

Study for the European Commission, Directorate Information Society and Media  
Unit A1 Audiovisual and Media Policies

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## Table of Contents

- 1. Questionnaire: General part.....3
  
- 2. Questionnaire : Special part .....10
  - 2.1. Austria: Protection of minors in movies .....10
  - 2.2. France: Advertising regulation .....15
  - 2.3. Germany: Advertising regulation in broadcasting.....19
  - 2.4. Germany: Protection of minors in broadcasting .....22
  - 2.5. Germany: Protection of minors in internet services.....27
  - 2.6. Germany: Protection of minors in movies.....31
  - 2.7. Germany: Protection of minors in video games .....36
  - 2.8. Greece: Advertising regulation in broadcasting.....42
  - 2.9. Italy: Pharmaceutical advertising regulation .....45
  - 2.10. Italy: Protection of minors in internet services .....49
  - 2.11. Italy: Protection of minors in mobile services .....52
  - 2.12. Italy: Protection of minors in television .....55
  - 2.13. Italy: TV sales regulation.....63
  - 2.14. Netherlands: Advertising regulation in broadcasting .....67
  - 2.15. Netherlands: Protection of minors .....70
  - 2.16. Portugal: Broadcasting protocol (including advertising rules) .....75
  - 2.17. Slovenia: Advertising Regulation .....78
  - 2.18. Slovenia: Protection of minors in broadcasting .....83
  - 2.19. United Kingdom: Advertising regulation .....87
  - 2.20. United Kingdom: Protection of minors in mobile services .....90

## 1. QUESTIONNAIRE: GENERAL PART

	Questions	Answers	Remarks
1.	<p>It is a characteristic of co-regulation that there is a kind of a division of work between the state or state based regulators and private entities (e.g. media companies).</p> <p>↳ Please describe in short how this division works within the system in place.</p>		
	<p>↳ Do you think this division is sufficiently clear for the state regulators and the private entities?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
2.	<p>Which organisations are involved (formally as well as informally)?</p>	<p><input type="checkbox"/> enterprises of the following industries:</p> <p><input type="checkbox"/> trade associations:</p> <p><input type="checkbox"/> industry organisations:</p> <p><input type="checkbox"/> consumer organisations:</p>	

		<input type="checkbox"/> other interest groups:  <input type="checkbox"/> state organisations (including regulators):  <input type="checkbox"/> other:  <input type="checkbox"/> other:  <input type="checkbox"/> other:	
<p>☞ Do you think that all relevant organisations are represented in the system?</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN		
<p>☞ If not, please name institutions/organisations, etc lacking.</p>			
<p><b>3.</b> Co-regulatory systems rely on voluntary participation of the industry. Please estimate the percentage of participation of the industry in the system in place.</p>	<input type="checkbox"/> % <input type="checkbox"/> UNCERTAIN		
<p><b>4.</b> Does the system offer enough incentives to persuade the industry to participate?</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN		
<p>☞ Please give reasons for your assessment.</p>			

	<p>☞ If not, which further incentives are necessary?</p>		
<p><b>5.</b></p>	<p>Please name advantages and specific strengths of the system in place in general.</p>		
<p><b>6.</b></p>	<p>Please name disadvantages and specific weaknesses of the system in place in general.</p>		
	<p>☞ If you have named weaknesses, please tell us for each whether you regard them as correctable or inherent in the system.</p>		
<p><b>7.</b></p>	<p>Are there fair procedural guarantees within the system (e.g. hearings, complaint procedures, publication of the decisions)?</p>		

		<p>3) 4) more <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
	<p>⤵ Please give reasons for your assessment.</p>		
<p><b>8.</b></p>	<p>Does the system in place provide for an adequate consideration of all interests involved?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
<p><b>9.</b></p>	<p>Are there sufficient safeguards and resources to ensure compliance with the rules within the system in place, e.g. sanctions?</p> <p>⤵ If sanctions are part of the system in place, do you think they are - effective,</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN</p>	

	<p>- proportionate and</p>	<p><input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>- deterrent/dissuasive?</p>	<p><input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>10.</b></p>	<p>Do you think the system as a whole is sufficiently transparent for the public?</p> <p>For those subjects to the co-regulatory regime?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>11.</b></p>	<p>⚡ Please give reasons for your assessment.</p> <p>If there has been a change from one system to another system you have witnessed (either from state regulatory system to a</p>	<p><input type="checkbox"/> MORE</p>	

	<p>co-regulatory system or from a non-state regulatory system to co-regulation) is the system in place more or less satisfactory in fulfilling the target which it was designed for?</p> <p>↳ Please give reasons for your assessment.</p>	<p><input type="checkbox"/> LESS  <input type="checkbox"/> DOES NOT APPLY FOR THIS SYSTEM  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>12.</b></p>	<p>Have there been relevant adjustments since the co-regulatory system is in place?</p> <p>↳ If yes, please name these adjustments.</p> <p>↳ If yes, does it now serve the pursuit of its targets better?</p> <p>↳ Please give reasons for your appraisal.</p>	<p><input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>13.</b></p>	<p>How do you estimate the pace of problem-solving (problems with regard to the achievement of the goals of the systems), is it sufficient?</p> <p>↳ If no, please indicate the weak points.</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>14.</b></p>	<p>Is the system sufficiently open to new market entries, pressure groups etc.?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	



	<p>☞ Please give reasons for your assessment.</p>		
<p><b>15.</b></p>	<p>How do you regard the sustainability of the system? Does it have potential for changing processes, decisions in a medium or even long time range positively relating to the target which it was designed to fulfil?</p>	<p><input type="checkbox"/> RATHER SUSTAINABLE  <input type="checkbox"/> RATHER NOT SUSTAINABLE  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>16.</b></p>	<p>Are all relevant rules laid down in a clear and precise manner?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Please give reasons for your assessment.</p>		
<p><b>17.</b></p>	<p>Do you think – all things considered – the system in place is sufficiently capable of fulfilling the (public policy) target which it was designed for?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>18.</b></p>	<p>Is there an adequate evaluation-and-correction process in place to ensure that when problems arise, they are properly addressed?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Are there any problems that have not been addressed?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ If yes, please name these problems.</p>		

## 2. QUESTIONNAIRE : SPECIAL PART

### 2.1. Austria: Protection of minors in movies

	Questions	Answers	Remarks
19.	<p>The established system intends that films which might impair the development of minors should not be accessible for them. How often do you believe films get ratings by the Jugendmedienkommission that lead to the risk that minors get in touch with material that might impair them?</p>	<p> <input type="checkbox"/> NEVER  <input type="checkbox"/> EXTREMELY SELDOM  <input type="checkbox"/> SELDOM  <input type="checkbox"/> FROM TIME TO TIME  <input type="checkbox"/> OFTEN  <input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> ALWAYS  <input type="checkbox"/> UNCERTAIN                 </p>	
	<p>↗ Do you think this is too often for the system to work properly?</p>	<p> <input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN                 </p>	

	<p>Do you think minors would be better protected if the state authorities in the provinces rated films without following recommendations of the Jugendmedienkommission?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<b>20.</b>	<p>Recommendations of the panels of the Jugendmedienkommission can be reviewed by an Appellate Body. In your opinion, does this have an impact on the level of protection of minors?</p>	<p><input type="checkbox"/> POSITIVE  <input type="checkbox"/> NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
<b>21.</b>	<p>Films might be shown or sold not in accordance with ratings given by the Jugendmedienkommission.</p> <p>Do you judge the frequencies in which this occurs?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
	<p>Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN</p>	
<b>22.</b>	<p>Films might be shown to persons under 16 without prior application for a rating by the Jugendmedienkommission.</p>		
	<p>Do you judge the frequencies in which this occurs?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
	<p>Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO</p>	

		<input type="checkbox"/> UNCERTAIN	
<b>23.</b>	<p>How do you judge the frequencies in which the state authorities in the provinces diverged from ratings made by the Jugendmedienkommission?</p> <p>☞ Do you think this is too often or too seldom for the system to work properly?</p>	<p>%</p> <input type="checkbox"/> UNCERTAIN <input type="checkbox"/> TOO OFTEN <input type="checkbox"/> TOO SELDOM <input type="checkbox"/> NEITHER TOO OFTEN NOR TOO SELDOM <input type="checkbox"/> UNCERTAIN	
<b>24.</b>	<p>Do you think the classification is done in a consistent and reliable way?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>25.</b>	<p>Do you know of cases in which the Jugendmedienkommission or the state authorities have changed a rating by the Jugendmedienkommission after public outcry?</p> <p>☞ If YES: Do you think this speaks against ratings made by the Jugendmedienkommission in general?</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN <input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>26.</b>	<p>Do you think that the members of the Jugendmedienkommission that are officials delegated by the Federal Ministry have a significant influence on the ratings?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	

	<p>☞ Do you rate this as positive, negative or neutral with regard to the protection of minors?</p>	<p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Until 2001, churches, interest groups of parents, youth organisations and trade associations could propose members. Do you rate this as positive, negative or neutral with regard to the protection of minors that this right to submit proposals has been abolished?</p>	<p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>27.</b></p>	<p>Do you think that the Federal Ministry has a significant influence on ratings by appointing members (that are not officials delegated by the Ministry) of the Jugendmedienkommission?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Do you rate this as positive, negative or neutral with regard to the protection of minors?</p>	<p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>28.</b></p>	<p>Do you think that the Federal Ministry has a significant influence on ratings by partly funding the Jugendmedienkommission?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	<p>☞ If YES: Do you rate this as positive, negative or neutral with regard to the protection of minors?</p> <p><input type="checkbox"/> RATHER POSITIVE</p>

		<input type="checkbox"/> RATHER NEGATIVE <input type="checkbox"/> NEUTRAL <input type="checkbox"/> UNCERTAIN	
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## 2.2. France: Advertising regulation

	Questions	Answers	Remarks
19.	The system established by BVP intends that advertisements that do not comply with the approximately 60 rules set out by BVP shall not be broadcast. How often do you believe is an advertisement broadcast that does not comply with the rules?	<input type="checkbox"/> NEVER <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> SELDOM <input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> ALWAYS <input type="checkbox"/> UNCERTAIN	
20.	The system established by the BVP requires that advertisements are submitted to the BVP <i>before</i> they are broadcast. ↗ How do you estimate the amount of advertisements submitted in relation to the advertisements which could be submitted before broadcast?	% <input type="checkbox"/> UNCERTAIN	
	↗ Do you think this quota is sufficient for the system to work properly?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO	

		<input type="checkbox"/> UNCERTAIN	
<p><b>21.</b> The BVP may ask broadcasters not to broadcast an advertisement in case of non-compliance with BVP rules.</p> <p>↳ How often do you believe does the BVP request the abort of the broadcast of an advertisement?</p>	<input type="checkbox"/> ALWAYS		
	<p>↳ Do you believe the BVP's power to enforce compliance is sufficient?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<p><b>22.</b> There might be cases in which the CSA decides after an ex-post control that an advertisement which had been submitted to BVP before does not comply with CSA rules or acts.</p> <p>↳ How do you estimate the frequencies in which this occurs?</p>	<p style="text-align: right;">%</p> <input type="checkbox"/> UNCERTAIN		



	<p>⚡ Do you think this is too often/too seldom for the system to work properly?</p>	<p><input type="checkbox"/> TOO OFTEN  <input type="checkbox"/> TOO SELDOM  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>There might be cases in which the CSA acted against a broadcaster after an advertisement was broadcast (e.g. declaring an infringement, imposing sanctions).</p> <p>⚡ How do you judge the frequencies in which there are sanctions in such cases?</p> <p>⚡ The CSA has the competence for ex-post control and may overrule BVP's decisions.          In your opinion, do BVP's decisions create a legal certainty though?</p>	<p>%  <input type="checkbox"/> UNCERTAIN  <input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>24.</b></p>	<p>How do the participating parties find out that there might have been infringements?</p>	<p><input type="checkbox"/> COMPLAINTS  <input type="checkbox"/> REGULAR MONITORING  <input type="checkbox"/> SERENDIPITY  <input type="checkbox"/> OTHER  <input type="checkbox"/> OTHER  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>25.</b></p>	<p>There might be cases brought before BVP due to complaints.          ⚡ How do you judge the role of complaints, what is the</p>	<p>%</p>	

	amount compared with other triggers of BVP actions?	<input type="checkbox"/> UNCERTAIN	
	<p>☞ Do you think this is sufficient for the system to work properly?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>26.</b>	<p>Do you think that it would be a good idea to include further rules by BVP as well?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	<p>☞ Please give reasons for your assessment.</p>		
<b>27.</b>	<p>Do you think that the public policy goals of the system might be better fulfilled if rules were implemented by law?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	<p>☞ Please give reasons for your assessment.</p>		

### 2.3. Germany: Advertising regulation in broadcasting

Questions	Answers	Remarks
<p><b>19.</b> According to the state media authorities's joint guidelines on Advertising, the Separation of Advertising and Content, and on Sponsoring, the state media authorities do apply the rules of the Deutsche Werberat about advertising for alcoholic beverages. Do you think that these rules are sufficient to protect consumers against improper advertising for alcoholic beverages?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p>⇒ Do you think protection would be better if these rules were laid down by the state media authorities themselves or by the lawmakers in the Rundfunkstaatsvertrag?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p>⇒ Do you think protection would be better if these rules were applied only by the Deutsche Werberat, without any participation of the state media authorities?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>20.</b> How often do you believe broadcasters infringe these rules laid down by the Deutsche Werberat?</p>	<p><input type="checkbox"/> NEVER  <input type="checkbox"/> EXTREMELY SELDOM  <input type="checkbox"/> SELDOM  <input type="checkbox"/> FROM TIME TO TIME</p>	

		<input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> ALWAYS <input type="checkbox"/> UNCERTAIN	
	<p>☞ Do you think this is too often for the system to work properly?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>21.</b>	<p>Do you think that the state media authorities enforce these rules in the same way as they do with regard to the rules laid down by them?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>22.</b>	<p>In case of the Deutsche Werberat amends its rules the state media authorities apply these new rules.</p> <p>☞ Do you think this affects the achievement of the goal of protection of consumers/minors in a positive or negative way?</p>	<input type="checkbox"/> RATHER POSITIVE <input type="checkbox"/> RATHER NEGATIVE <input type="checkbox"/> NEUTRAL <input type="checkbox"/> UNCERTAIN	
<b>23.</b>	<p>Is there any cooperation between the state media authorities and the Deutsche Werberat when it comes to amendments of the rules?</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN	

	<p>☞ Do you think this affects the achievement of the goal of protection of consumers/minors?</p>	<p><input type="checkbox"/> RATHER YES</p>	
<p><b>24.</b></p>	<p>In your opinion, is this system basing on the incorporation of non-state rule in administrative guidelines, flexible enough to attain the policy objective pursued?</p>	<p><input type="checkbox"/> RATHER YES</p>	
<p><b>25.</b></p>	<p>Do you know of diverging decisions, made by the Deutsche Werberat and the state media authorities in application of the same rules?</p>	<p><input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ If so, do you think this affects the achievement of the goal of protection of consumers/minors in a negative or positive way?</p>	<p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	

**2.4. Germany: Protection of minors in broadcasting**

	Questions	Answers	Remarks
19.	Self-regulatory bodies like FSF and FSM need classification under the Jugendmedienschutzstaatsvertrag. How do you judge the process of certification (pace, emerging problems) carried out with regard to FSF/FSM, was it satisfactory?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	↗ If not, please indicate where the process lacked.		
20.	The system established by the JMStV intends that programmes which might impair the development of minors should not be accessible for them. How often do you believe is a program broadcast at the wrong time since the Jugendmedienschutzstaatsvertrag came in force?	<input type="checkbox"/> NEVER <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> SELDOM <input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> ALWAYS <input type="checkbox"/> UNCERTAIN	
↗	Do you think this is too often for the system to work properly?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	

	<p>Do you think that FSF's classifications of programmes are appropriate in most cases?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>Do you think that most programs that were submitted to FSF are broadcast in accordance with prior FSF ratings?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>21.</b></p>	<p>The system established by the JMStV requires that programs are submitted by the broadcaster to the FSF.</p> <p>How do you estimate the amount of programs submitted in relation to the programs which could be submitted before broadcast</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
	<p>Do you think this quota is sufficient for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>There might be cases in which the KJM decided regardless of whether or not there has been a previous decision by FSF.</p> <p>How do you estimate the frequencies in which this occurs?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	

	<p>☞ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<b>23.</b>	<p>There might be cases in which the FSF acted against a broadcaster after a program was broadcast (e.g. declaring an infringement, imposing sanctions)</p>		
	<p>☞ How do you estimate the frequencies with which there are sanctions in cases where the broadcaster acted not in line with a FSF ruling?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
<b>24.</b>	<p>How do the participating parties become aware that there might have been infringements?</p>	<p><input type="checkbox"/> COMPLAINTS  <input type="checkbox"/> REGULAR MONITORING  <input type="checkbox"/> SERENDIPITY  <input type="checkbox"/> OTHER  <input type="checkbox"/> OTHER  <input type="checkbox"/> UNCERTAIN</p>	
<b>25.</b>	<p>There might be cases brought before FSF due to complaints/monitoring by FSF.          ☞ How do you judge the role of complaints, what is there amount compared with other triggers of FSF actions?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	



	<p>➤ Do you think this is sufficient for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>26.</b></p>	<p>Complaints of users or interested parties can indicate the satisfaction with the system in place. Compared against the system before the enacting of the JMStV how has the number of complaints developed?</p>	<p><input type="checkbox"/> MORE  <input type="checkbox"/> SAME  <input type="checkbox"/> LESS  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>27.</b></p>	<p>DVDs are rated by FSK, films and series that are shown on television are rated by FSF. Do you think that decisions of FSK are consistent with decisions of FSF?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>➤ If RATHER NO: Do you rate this as negative with regard to the protection of minors?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>28.</b></p>	<p>As far as films are concerned that have been rated by FSK as suitable only for children over 12 years of age, the JMStV contains no provision as to the exact watershed to be applied. However, it is stated that the welfare of younger children shall be taken into account when determining the time of transmission. If a broadcaster submits a program to the FSF the FSF decides on the time of transmission. Do you think that the discretionary power given to the FSF in this regard is proportionate?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	

<p><b>29.</b></p>	<p>Do you know of cases where KJM decided that FSF has acted beyond its discretionary power?</p>	<p> <input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN                 </p>	
	<p>↪ Do you think that speaks in favour of or against the system in place?</p>	<p> <input type="checkbox"/> THIS SPEAKS IN FAVOUR OF THE SYSTEM  <input type="checkbox"/> THIS SPEAKS AGAINST THE SYSTEM  <input type="checkbox"/> UNCERTAIN                 </p>	

## 2.5. Germany: Protection of minors in internet services

	Questions	Answers	Remarks
19.	Self-regulatory bodies like FSF and FSM need classification under the Jugendmedienschutzstaatsvertrag. How do you judge the process of certification (pace, emerging problems) carried out with regard to FSF/FSM, was it satisfactory?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	☞ If not, please indicate where the process lacked.		
20.	There might be cases in which the FSM acted against a provider (e.g. declaring an infringement, imposing sanctions)? ☞ How do you estimate the frequencies in which there are sanctions in cases where the provider acted out of line with a FSM ruling?	% <input type="checkbox"/> UNCERTAIN	
	☞ Do you think this is sufficient for the system to work properly?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
21.	In order to avoid infringements of the Jugendmedienschutzstaatsvertrag FSM has set up corresponding rules in a code of conduct which is binding to FSM's members. How often do you believe do actors not act in line with these rules of the code?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	

<p><b>22.</b></p>	<p>There might be cases in which the KJM decided regardless of whether or not there has been a previous decision of FSM although there should have been a previous decision by FSM according to the Jugendmedienschutzstaatsvertrag.</p>		
	<p>☞ How do you estimate the frequencies in which this occurs?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>How do the participating parties become aware that there might have been infringements?</p>	<p><input type="checkbox"/> COMPLAINTS  <input type="checkbox"/> REGULAR MONITORING  <input type="checkbox"/> SERENDIPITY  <input type="checkbox"/> OTHER  <input type="checkbox"/> OTHER  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>24.</b></p>	<p>There might be cases brought before FSM due to complaints/monitoring by FSM</p>		

		%	
	<p>➤ How do you estimate the role of complaints, what is their amount compared with other triggers of FSM actions?</p>		
	<p>➤ Do you think this is too often for the system to work properly?</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN	
	<p>➤ If FSM receives complaints in cases which do not fall within the remit of FSM it forwards these complaints to the responsible national and European bodies (e.g. EASA). Do you think that this is satisfactory to the complainants?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>25.</b>	<p>If jugendschutz.net finds breaches of the Jugendmedienschutzstaatsvertrag it gets in contact with the providers. Only if the providers do not change their websites in order to determine the infringements jugendschutz.net forwards the case to KJM/FSM.</p>		
	<p>➤ Do you rate this as effective?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	<p>➤ Please give reasons for your assessment.</p>		

<p><b>26.</b></p>	<p>Complaints by users or interested parties can indicate the satisfaction with the system in place. Compared against the system before the enacting of the JMStV how has the number of complaints developed?</p>	<p> <input type="checkbox"/> MORE  <input type="checkbox"/> SAME  <input type="checkbox"/> LESS  <input type="checkbox"/> UNCERTAIN                 </p>	
<p><b>27.</b></p>	<p>Do you know of cases where KJM decided that FSM has acted beyond its discretionary power?</p>	<p> <input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN                 </p>	
	<p>↵ Do you think that speaks in favour of or against the system in place?</p>	<p> <input type="checkbox"/> THIS SPEAKS IN FAVOUR OF THE SYSTEM  <input type="checkbox"/> THIS SPEAKS AGAINST THE SYSTEM  <input type="checkbox"/> UNCERTAIN                 </p>	

**2.6. Germany: Protection of minors in movies**

	<b>Questions</b>	<b>Answers</b>	<b>Remarks</b>
<b>19.</b>	The state authorities responsible for the protection of minors have agreed on a joint procedure including decisions of FSK. How do you judge this agreement in practice (pace, emerging problems), was it satisfactory?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	☞ If not, please indicate where the process that led to this agreement lacked.		
<b>20.</b>	The system established by the Jugendschutzgesetz intends that films which might impair the development of minors should not be accessible for them. How often do you believe films get ratings that lead to the risk that minors get in touch with material that might impair them?	<input type="checkbox"/> NEVER <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> SELDOM <input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> ALWAYS <input type="checkbox"/> UNCERTAIN	
	☞ Do you think this is too often for the system to work properly?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	

	<p>☞ Do you think minors would be better protected if the state authorities rated films themselves?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>21.</b></p>	<p>Films might be shown or sold not in accordance with FSK rating</p> <p>☞ How do you judge the frequencies in which this occurs?</p> <p>☞ Do you think this is too often for the system to work properly?</p> <p>☞ Do you think that FSK's classifications of films are appropriate in most cases?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>Do you know of cases in which the state authorities diverged from ratings made by FSK?</p> <p>☞ If yes: Do you think this is too often/too seldom for the system to work properly?</p>	<p><input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> TOO OFTEN  <input type="checkbox"/> TOO SELDOM  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>Do you think the rating is done in a consistent and reliable</p>	<p><input type="checkbox"/> RATHER YES</p>	



	way?		<input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>24.</b>	Do you know of cases in which FSK has changed a rating after public outcry and the respective film was withdrawn from the market?		<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN	
	☞ If yes: Do you think this speaks against FSK ratings in general?		<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	☞ If yes: Do you think this speaks against or in favour of the system as such?		<input type="checkbox"/> RATHER AGAINST <input type="checkbox"/> RATHER IN FAVOUR <input type="checkbox"/> NEUTRAL <input type="checkbox"/> UNCERTAIN	
<b>25.</b>	DVDs are rated by FSK, films that are shown on television are rated by FSF. Do you think that decisions of FSF are consistent with decisions of FSK?		<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	☞ If RATHER NO: Do you rate this as, negative with regard to the protection of minors?		<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>26.</b>	Do you think that the members of FSK nominated by state authorities have a significant influence on FSK ratings?		<input type="checkbox"/> RATHER YES	

	<input type="checkbox"/> RATHER NO	
	<input type="checkbox"/> UNCERTAIN	

	<p>↗ Do you rate this as positive, negative or neutral with regard to the protection of minors?</p>	<p><input type="checkbox"/> RATHER POSITIVE</p>	
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**2.7. Germany: Protection of minors in video games**

	Questions	Answers	Remarks
19.	The state authorities responsible for the protection of minors have agreed on a joint procedure including decisions of USK. How do you judge this agreement in practice (pace, emerging problems), was it satisfactory?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	☞ If RATHER NO, please indicate where the process that led to this agreement lacked.		
20.	The system established by the Jugendschutzgesetz intends that games which might impair the development of minors should not be accessible for them. How often do you believe games get ratings that lead to the risk that minors get in touch with material that might impair them?	<input type="checkbox"/> NEVER <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> SELDOM <input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> ALWAYS <input type="checkbox"/> UNCERTAIN	

	<p>☞ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES</p>	
	<p>☞ Do you think minors would be better protected if the state authorities rated films themselves?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<b>21.</b>	<p>Games might be sold not in accordance with USK rating.</p>		
	<p>☞ How do you judge the frequencies in which this occurs?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<b>22.</b>	<p>Do you know of cases in which the state authorities diverged from ratings made by USK?</p>	<p><input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ If YES: Do you think this is too often/too seldom for the system to work properly?</p>	<p><input type="checkbox"/> TOO OFTEN  <input type="checkbox"/> TOO SELDOM  <input type="checkbox"/> UNCERTAIN</p>	
<b>23.</b>	<p>Do you think the rating is done in a consistent and reliable way?</p>	<p><input type="checkbox"/> RATHER YES</p>	

	<input type="checkbox"/> RATHER NO	
	<input type="checkbox"/> UNCERTAIN	

<p><b>24.</b></p>	<p>Do you know of cases in which USK has changed a rating after public outcry and the respective game was withdrawn from the market?</p> <p>↗ If YES: Do you think this speaks against USK ratings in general?</p> <p>↗ If NO: Do you think this speaks against or in favour of the system as such?</p>	<p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER AGAINST  <input type="checkbox"/> RATHER IN FAVOUR  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>25.</b></p>	<p>Do you think that the members of USK nominated by state authorities have a significant influence on USK ratings?</p> <p>↗ Do you rate this as positive, negative or neutral with regard to the protection of minors?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>26.</b></p>	<p>Germany is not participating in the PEGI-System.</p> <p>↗ In your opinion, does the different USK- and PEGI-rating, especially the different labelling of the games,</p>	<p><input type="checkbox"/> RATHER YES</p>	

affect the achievement of the policy objective pursued, the protection of minors?

- RATHER NO
- UNCERTAIN



	<p>☞ If RATHER YES: Is such different labelling rather positive or rather negative for achievement of the policy objective pursued?</p>	<p><input type="checkbox"/> RATHER POSITIVE</p>	
	<p>☞ Please name the reasons for your opinion.</p>		
<p><b>27.</b></p>	<p>In your opinion, does the different USK- and PEGI-rating affect the marketing of the games?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ If RATHER YES: Is such different labelling rather positive or rather negative for the marketing of the games</p>	<p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Please name the reasons for your opinion.</p>		

**2.8. Greece: Advertising regulation in broadcasting**

	Questions	Answers	Remarks
19.	The system that established SEE intends that advertisements that do not comply with the rules set out in the Hellenic Advertising Code shall not be published or broadcasted. How often do you believe is an advertisement broadcasted that does not comply with the rules?	<input type="checkbox"/> NEVER <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> SELDOM <input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> ALWAYS <input type="checkbox"/> UNCERTAIN	
20.	The SEE/Committee for the Control of Advertisement may impose moral sanctions (obligation to broadcast messages or special programmes etc.).		
	↪ How do you estimate the frequencies in which this occurs?	% <input type="checkbox"/> UNCERTAIN	
	↪ Do you think this is sufficient for the system to work properly?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	

<p><b>21.</b></p>	<p>Do you believe SEE's power to enforce compliance is sufficient?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>The state regulator NCRTV keeps supervision of the system. The non-compliance to moral penalties imposed by SEE constitutes a violation of the legislation in force. NCRTV may subsequently impose a penalty provided by law.          ↳ How do you judge the frequencies in which this occurs?</p>	<p><input type="checkbox"/> %  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>Please judge the amount of cases in which NCRTV decided to impose a legal penalty though SEE had not imposed a moral penalty before.</p>	<p><input type="checkbox"/> %  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>24.</b></p>	<p>How do the participating parties get to know that there might have been infringements?</p>	<p><input type="checkbox"/> COMPLAINTS  <input type="checkbox"/> REGULAR MONITORING  <input type="checkbox"/> SERENDIPITY  <input type="checkbox"/> OTHER  <input type="checkbox"/> OTHER  <input type="checkbox"/> UNCERTAIN</p>	

<p><b>25.</b></p>	<p>There might be cases brought before SEE due to complaints.                  ↳ How do you judge the role of complaints, what is the amount compared with other triggers of SEE actions?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
	<p>↳ Do you believe additional means of control like regular monitoring would be advantageous or disadvantageous?</p>	<p><input type="checkbox"/> RATHER ADVANTAGEOUS  <input type="checkbox"/> RATHER DISADVANTAGEOUS  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>26.</b></p>	<p>Companies have to pay a fee to SEE in order to be able to submit complaints for investigation.                  Do you think the bondage to pay a fee may prevent companies from submitting complaints for investigation?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>27.</b></p>	<p>Do you think that it would be a good idea to include further rules in the Code, as well?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>↳ Please give reasons for your assessment.</p>		
<p><b>28.</b></p>	<p>Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>↳ Please give reasons for your assessment.</p>		

**2.9. Italy: Pharmaceutical advertising regulation**

	Questions	Answers	Remarks
<b>19.</b>	<p>The legislative decree n° 541 of 30 December 1992 mandates rules for all advertisements of over-the-counter pharmaceutical products.</p> <p>How often do you believe are advertisements broadcast that do not comply with these rules?</p>	<p><input type="checkbox"/> NEVER</p> <p><input type="checkbox"/> EXTREMELY SELDOM</p> <p><input type="checkbox"/> SELDOM</p> <p><input type="checkbox"/> FROM TIME TO TIME</p> <p><input type="checkbox"/> OFTEN</p> <p><input type="checkbox"/> VERY OFTEN</p> <p><input type="checkbox"/> ALWAYS</p> <p><input type="checkbox"/> UNCERTAIN</p>	

<p><b>20.</b></p>	<p>The legislative decree n° 541 of 30 December 1992 mandates that all advertisement of over-the-counter pharmaceutical products shall be submitted to the ministry of Health for prior authorisation or, alternatively, to a self-regulation institution.</p>	<p><input type="checkbox"/> NEVER</p>	
<p><b>21.</b></p>	<p>Please estimate the percentage of pharmaceutical advertisements that are submitted to the Institute for Advertising Self-Regulation and to the Ministry of Health..</p>	<p>% of ads are submitted to the Institute for Advertising Self-Regulation.          % of ads are submitted to the Ministry of Health  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>In your opinion, what is more advantageous for the industry – submitting pharmaceutical advertisements to the Ministry of Health or to the Institute for Advertising Self-Regulation in prior?</p> <p>⇒ Please give reasons for your assessment.</p>	<p><input type="checkbox"/> MINISTRY OF HEALTH  <input type="checkbox"/> INSTITUTE FOR ADVERTISING SELF-REGULATION  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>Only the decision of the Ministry of Health constitutes an act of public law. Do you think that submitting pharmaceutical advertisements to the Institute for Advertising Self-</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO</p>	

	Regulation creates enough legal certainty?	<input type="checkbox"/> UNCERTAIN	
	⇒ Please give reasons for your assessment.		

24.	Do you think that the competencies of the Institute and AGCom are clearly enough defined?	<input type="checkbox"/> RATHER YES	
25.	As to the Code of Self-Regulation, would you prefer if such a document had a legal basis?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
26.	Do you think that it would be a good idea to include further rules in the Code, as well?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	⚡ Please give reasons for your assessment.		
27.	Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	⚡ Please give reasons for your assessment.		



**2.10. Italy: Protection of minors in internet services**

	Questions	Answers	Remarks
<b>19.</b>	<p>The system established by the Code “Internet and Children” shall protect children from the hazards of the internet.</p> <p>How often do you believe there are of the Code by signatories of the Code?</p>	<p><input type="checkbox"/> NEVER</p> <p><input type="checkbox"/> EXTREMELY SELDOM</p> <p><input type="checkbox"/> SELDOM</p> <p><input type="checkbox"/> FROM TIME TO TIME</p> <p><input type="checkbox"/> OFTEN</p> <p><input type="checkbox"/> VERY OFTEN</p> <p><input type="checkbox"/> ALWAYS</p> <p><input type="checkbox"/> UNCERTAIN</p>	
<b>20.</b>	<p>There might be cases in which the “Guarantee Committee” acted against signatories (e.g. disciplinary measures after breaches).</p> <p>How do you estimate the frequencies with which there are sanctions in cases where signatories breached the Code?</p> <p>↗ Do you believe the Committee’s power to enforce compliance is sufficient?</p> <p>↗ Please, give reasons for your assessment.</p>	<p><input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p> <p style="text-align: center;">%</p>	

<p><b>21.</b></p>	<p>How does the Guarantee Committee become aware that there might have been infringements?</p>	<p><input type="checkbox"/> COMPLAINTS  <input type="checkbox"/> REGULAR MONITORING  <input type="checkbox"/> SERENDIPITY  <input type="checkbox"/> OTHER  <input type="checkbox"/> OTHER  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>Signatories of the Code are allowed to display the symbol “Internet and Children”. The effect of such a symbol relies to some extent on the understanding of the users. Please estimate how many internet users know what the symbol stands for.</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>Do you think that the Ministry for Communication has a significant influence on the Surveillance Committee’s activities by partly appointing its members?</p> <p>↘ Do you rate this as positive, negative or neutral with regard to the public policy goals of the Code?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>24.</b></p>	<p>Do you think that it would be a good idea to include further rules in the Code, as well?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	

	<p>☞ Please give reasons for your assessment.</p>	
<p><b>25.</b></p>	<p>Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?</p>	<p> <input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN                 </p>
	<p>☞ Please give reasons for your assessment.</p>	

**2.11. Italy: Protection of minors in mobile services**

	Questions	Answers	Remarks
<p><b>19.</b></p>	<p>The system established by the “Code of Conduct for the Provision of Premium Services and the Protection of children” shall ensure that mobile services provide the protection of children, the safeguarding of human dignity and the consumers’ rights to be informed.</p> <p>Do you believe the Code helps to reach these aims effectively?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
	<p>↘ How often do you believe content is offered without sufficient access protection?</p>	<p><input type="checkbox"/> NEVER</p> <p><input type="checkbox"/> EXTREMELY SELDOM</p> <p><input type="checkbox"/> SELDOM</p> <p><input type="checkbox"/> FROM TIME TO TIME</p> <p><input type="checkbox"/> OFTEN</p> <p><input type="checkbox"/> VERY OFTEN</p> <p><input type="checkbox"/> ALWAYS</p> <p><input type="checkbox"/> UNCERTAIN</p>	

<p><b>20.</b></p>	<p>The Code obligates the signatories to include a proviso that third-party service contracts face suspension if the Code is not respected. How often do you believe is this contract clause implemented into new or existing relevant service contracts?</p>	<p><input type="checkbox"/> NEVER <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> SELDOM <input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> ALWAYS <input type="checkbox"/> UNCERTAIN</p>	
<p><b>21.</b></p>	<p>The Code provides self-disciplinary measures if there are breaches. Do you believe this self-disciplinary measures are sufficient for the system to work properly?</p> <p>⇒ Please name reasons for your assessment.</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>The Guarantee Committee's task is to coordinate the updating and revising of the Code's provisions. Do you believe giving the Committee a competence of control on the implementation of the Code into the service contracts would be helpful for reaching the public policy goals?</p> <p>⇒ Please name reasons for your assessment.</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	

23.	<p>Do you think that the Ministry for Communication has a significant influence on the Guarantee Committee's activities by partly delegating members?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Do you rate this as positive, negative or neutral with regard to the public policy goals of the Code?</p>	<p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
24.	<p>The Legislative Decree 30 July 1999, n° 286 mandates the inclusion of the Code into Service Charters. Do you believe this Decree strengthens the acceptance of the Code?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Please name reasons for your assessment.</p>		
25.	<p>Do you think that it would be a good idea to include further rules in the Code, as well?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Please give reasons for your assessment.</p>		
26.	<p>Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Please give reasons for your assessment.</p>		

**2.12. Italy: Protection of minors in television**

	Questions	Answers	Remarks
<p><b>19.</b></p>	<p>The system established by the “Self-regulation Code for TV and Children” concerns the participation of children at TV broadcasts and TV contents and aims at the protection of the mental and moral integrity of them.</p> <p>How often do you believe is a program broadcast with contents that do not comply with the code?</p>	<p><input type="checkbox"/> NEVER</p> <p><input type="checkbox"/> EXTREMELY SELDOM</p> <p><input type="checkbox"/> SELDOM</p> <p><input type="checkbox"/> FROM TIME TO TIME</p> <p><input type="checkbox"/> OFTEN</p> <p><input type="checkbox"/> VERY OFTEN</p> <p><input type="checkbox"/> UNCERTAIN</p>	
	<p>↗ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	

<p><b>20.</b></p>	<p>The code's rules can be divided into the group of general rules that apply to all TV programs (prohibition to display children which were perpetrators, witnesses or victims of a crime etc.) and the group of special rules that apply to a certain time frame (e.g. "TV for children" 16.00-19.00).</p> <p>↗ How often do you believe is a program broadcast with contents that do not comply with the group of general rules?</p> <p>↗ Do you think this quota is sufficient for the system to work properly?</p> <p>↗ How often do you believe is a program broadcast with contents that do not comply with the group of rules that apply to a certain time frame?</p> <p>↗ Do you think this quota is sufficient for the system to work properly?</p>	<p style="text-align: center;">%</p> <p><input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p> <p style="text-align: center;">%</p> <p><input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
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<p><b>21.</b></p>	<p>How do the participating parties become aware that there might have been infringements?</p>	<p><input type="checkbox"/> COMPLAINTS  <input type="checkbox"/> REGULAR MONITORING  <input type="checkbox"/> SERENDIPITY  <input type="checkbox"/> OTHER  <input type="checkbox"/> OTHER  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>The “Surveillance Committee” is responsible for checking the compliance of the broadcast TV programmes with the Code.          ➤ How often do you believe does the “Surveillance Committee” detect infringements?          ➤ Do you think this is too often for the system to work properly?</p>	<p>%  <input type="checkbox"/> UNCERTAIN  <input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>The “Surveillance Committee” may adopt a resolution determining how an infringement must be publicised or may request broadcasters to discontinue certain programmes.          ➤ How often do you believe does the “Surveillance Committee” adopt a resolution?</p>	<p><input type="checkbox"/> ALWAYS  <input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> OFTEN</p>	

	<input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> SELDOM <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> NEVER <input type="checkbox"/> UNCERTAIN	
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	<p>↗ How often do you believe does the “Surveillance Committee” request the abort of a programme?</p>	<p><input type="checkbox"/> ALWAYS</p>
<p><b>24.</b></p>	<p>AGCom is responsible for the supervision of the broadcasters.</p>	
	<p>↗ How often do you believe detects AGCom infringements against the code?</p>	<p>% <input type="checkbox"/> UNCERTAIN</p>
	<p>↗ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN</p>
<p><b>25.</b></p>	<p>AGCom may impose penalties against the broadcasters if an infringement against the code was detected.</p>	

	<p>↳ How often do you believe does AGCom impose financial penalties?</p>	<p><input type="checkbox"/> ALWAYS  <input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> OFTEN  <input type="checkbox"/> FROM TIME TO TIME  <input type="checkbox"/> SELDOM  <input type="checkbox"/> EXTREMELY SELDOM  <input type="checkbox"/> NEVER  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>26.</b></p>	<p>There is the obligation that both institutions – AGCom and the “Surveillance Committee” – shall cooperate.  How often does AGCom impose a penalty after the Surveillance Committee has detected an infringement?</p>	<p><input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> OFTEN  <input type="checkbox"/> FROM TIME TO TIME  <input type="checkbox"/> SELDOM  <input type="checkbox"/> EXTREMELY SELDOM  <input type="checkbox"/> NEVER  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>27.</b></p>	<p>Have there been cases when AGCom’s decision differed from a decision the Surveillance Committee had made before? Please estimate the frequency at which this happens.</p>	<p><input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> OFTEN  <input type="checkbox"/> FROM TIME TO TIME  <input type="checkbox"/> SELDOM  <input type="checkbox"/> EXTREMELY SELDOM</p>	

		<input type="checkbox"/> NEVER <input type="checkbox"/> UNCERTAIN	
<b>28.</b>	Complaints of users or interested parties can indicate the satisfaction with the system in place. Compared against the system before the enacting of the Code, how has the number of complaints developed?	<input type="checkbox"/> MORE <input type="checkbox"/> SAME <input type="checkbox"/> LESS <input type="checkbox"/> UNCERTAIN	
<b>29.</b>	The Code was formally acknowledged by law in 2004. Do you think that the establishment of the code helped to achieve public policy goals better?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	↳ Please name reasons for your judgement.		
<b>30.</b>	Do you think that the Ministry for Communication has a significant influence on the Surveillance Committee's activities by partly appointing its members?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	↳ Do you rate this as positive, negative or neutral with regard to the public policy goals of the Code?	<input type="checkbox"/> RATHER POSITIVE <input type="checkbox"/> RATHER NEGATIVE <input type="checkbox"/> NEUTRAL <input type="checkbox"/> UNCERTAIN	

<p><b>31.</b></p>	<p>Do you think that it would be a good idea to include further rules in the Code, as well?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>↳ Please give reasons for your assessment.</p>		
<p><b>32.</b></p>	<p>Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>↳ Please give reasons for your assessment.</p>		

**2.13. Italy: TV sales regulation**

	<b>Questions</b>	<b>Answers</b>	<b>Remarks</b>
<p><b>19.</b></p>	<p>The system established by the “Code of Self-Regulation for TV Sales” regulates TV sales and TV sale advertisements of goods and services such as astrology, cartomancy and similar services (e.g. lottery number prediction etc.). The code binds broadcasters that signed the code.</p> <p>How often do you believe is a program broadcast with contents that do not comply with the code by broadcasters who signed the code?</p>	<p><input type="checkbox"/> NEVER</p> <p><input type="checkbox"/> EXTREMELY SELDOM</p> <p><input type="checkbox"/> SELDOM</p> <p><input type="checkbox"/> FROM TIME TO TIME</p> <p><input type="checkbox"/> OFTEN</p> <p><input type="checkbox"/> VERY OFTEN</p> <p><input type="checkbox"/> ALWAYS</p> <p><input type="checkbox"/> UNCERTAIN</p>	
	<p>↗ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	

<p><b>20.</b></p>	<p>How does the Surveillance Committee become aware that there might have been infringements?</p>	<p><input type="checkbox"/> COMPLAINTS  <input type="checkbox"/> REGULAR MONITORING  <input type="checkbox"/> SERENDIPITY  <input type="checkbox"/> OTHER:  <input type="checkbox"/> OTHER:  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>21.</b></p>	<p>The “Surveillance Committee” is responsible for the enforcement of the code. Please estimate the percentage of cases submitted to the Committee.</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22. T</b></p>	<p>In case of immediate necessity or of clear and gross infringement, the “Surveillance Committee” may ask a company to discontinue broadcasting a program.  How do you estimate the frequencies with which the “Surveillance Committee” asks for discontinuing a programme?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
	<p>↘ Do you believe the Committee’s power to enforce compliance is sufficient?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23. T</b></p>	<p>Do you think that the Ministry for Communication has a significant influence on the Surveillance Committee’s activities by appointing its members?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	



	<p>☞ Do you rate this as positive, negative or neutral with regard to the public policy goals of the Code?</p>	<p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>24.</b></p>	<p>Do you think that the Ministry for Communication has a significant influence on the Surveillance Committee's activities by funding the Committee?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>25.</b></p>	<p>Art. 1.3 of the Decree of the Ministry of Communication n° 292/2004 requires the adherence to the Code on TV sales to be eligible for the concession of state aids.  Do you believe this is a feasible means to enhance the achievement of the public policy goals the code aims at?</p>	<p><input type="checkbox"/> RATHER POSITIVE  <input type="checkbox"/> RATHER NEGATIVE  <input type="checkbox"/> NEUTRAL  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>26.</b></p>	<p>☞ Please give reasons for your assessment</p> <p>Do you think that it would be a good idea to include further rules in the Code, as well?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	

		<input type="checkbox"/> UNCERTAIN	
	↳ Please give reasons for your assessment.		
<b>27.</b>	Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	↳ Please give reasons for your assessment.		

**2.14. Netherlands: Advertising regulation in broadcasting**

	Questions	Answers	Remarks
<b>19.</b>	The Advertising regulation intends that only advertisements complying with the Dutch Advertising Code are published. How often do you believe advertisements are published which do not comply with the Code?	<input type="checkbox"/> NEVER <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> SELDOM <input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> UNCERTAIN	
<b>20.</b>	<p>The system is complaint-based.</p> <p>☞ Do you rate this system as effective and appropriate?</p> <p>☞ Do you believe the complaint management is sufficient for the system to work properly?</p> <p>☞ Do you believe additional means of control like regular monitoring would be advantageous or disadvantageous?</p>	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN <input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN <input type="checkbox"/> RATHER ADVANTAGEOUS <input type="checkbox"/> RATHER DISADVANTAGEOUS	

		<input type="checkbox"/> UNCERTAIN	
<p><b>21.</b> The Advertising Code Committee can issue recommendations in case of infringements of the Code. How do you estimate the percentage of cases in which an infringement provokes such a recommendation.</p> <p>☞ Do you think this is sufficient for the system to work properly?</p> <p>☞ In case of repeated or serious infringements the Committee can order to stop publication of the respective advertising. How do you estimate the percentage of cases in which a repeated or serious infringement provokes such an order.</p> <p>☞ Do you think this is sufficient for the system to work properly?</p> <p>☞ Do you believe the Committee's power to enforce compliance is sufficient?</p>	<p style="text-align: center;">%</p> <input type="checkbox"/> UNCERTAIN <input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	<p style="text-align: center;">%</p> <input type="checkbox"/> UNCERTAIN <input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	<input type="checkbox"/> UNCERTAIN <input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN

<p><b>22.</b></p>	<p>Do you think that it would be a good idea to include further rules in the Code as well?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>⚡ Please give reasons for your assessment.</p>		

**2.15. Netherlands: Protection of minors**

	Questions	Answers	Remarks
19.	<p>The NICAM system intends that content which might impair the development of minors should not be accessible for them. How often do you believe distributed content is classified in a way that there might be an impairment of the development of minors...</p>		
	<p>...by TV programmes?</p>	<p> <input type="checkbox"/> NEVER  <input type="checkbox"/> EXTREMELY SELDOM  <input type="checkbox"/> SELDOM  <input type="checkbox"/> FROM TIME TO TIME  <input type="checkbox"/> OFTEN  <input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> ALWAYS  <input type="checkbox"/> UNCERTAIN                 </p>	

<p>☞ ...by video and DVDs?</p>	<p><input type="checkbox"/> NEVER  <input type="checkbox"/> EXTREMELY SELDOM  <input type="checkbox"/> SELDOM  <input type="checkbox"/> FROM TIME TO TIME  <input type="checkbox"/> OFTEN  <input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> ALWAYS  <input type="checkbox"/> UNCERTAIN</p>	
<p>☞ ...by films?</p>	<p><input type="checkbox"/> NEVER  <input type="checkbox"/> EXTREMELY SELDOM  <input type="checkbox"/> SELDOM  <input type="checkbox"/> FROM TIME TO TIME  <input type="checkbox"/> OFTEN  <input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> ALWAYS  <input type="checkbox"/> UNCERTAIN</p>	
<p>☞ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	

<p><b>20.</b></p>	<p>The NICAM system is based on self classification by coders in the respective enterprises. Do you believe the classification is – all things considered – done in accordance with the NICAM coding forms... ... regarding broadcasting</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
	<p>...regarding video and DVDs</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
	<p>... regarding films</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
	<p>↗ Do you think this is sufficient for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
	<p>↗ Do you think that the classification system Kijwijzer is appropriate?</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	



<p><b>21.</b></p>	<p>There might be cases in which the Commissariat voor de Media disagrees with the classification under the NICAM system.                  ➤ How do you judge the frequencies in which this occurs?                  ➤ Do you think this is too often/too seldom for the system to work properly?</p>	<p style="text-align: center;">%</p> <p><input type="checkbox"/> UNCERTAIN  <input type="checkbox"/> TOO OFTEN  <input type="checkbox"/> TOO SELDOM  <input type="checkbox"/> NEITHER TOO OFTEN NOR TOO SELDOM  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>Do you think the classification is done in a consistent and reliable way...                  ...regarding broadcasting                  ...regarding video and DVDs                  ...regarding films</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN  <input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN  <input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	

<p><b>23.</b></p>	<p>How do the participating parties become aware that there might have been infringements?</p>	<p><input type="checkbox"/> COMPLAINTS  <input type="checkbox"/> REGULAR MONITORING  <input type="checkbox"/> SERENDIPITY  <input type="checkbox"/> OTHER  <input type="checkbox"/> OTHER  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>24.</b></p>	<p>Complaints of users or interested parties can indicate the satisfaction with the system in place. Compared against the system before the enacting of the NICAM system, how has the number of complaints developed?</p>	<p><input type="checkbox"/> MORE  <input type="checkbox"/> SAME  <input type="checkbox"/> LESS  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>25.</b></p>	<p>NICAM can issue warnings and fine members who infringe the rules.  How do you estimate the frequencies with which an infringement provokes one of those sanctions.  ↳ Do you believe NICAM's power to enforce compliance is sufficient?</p>	<p><input type="checkbox"/> %  <input type="checkbox"/> UNCERTAIN  <input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>26.</b></p>	<p>The effect of classification of content relies to some extent on the understanding of the meaning by consumers.</p>		

	<p>Do you think that the symbols of Kijkwijzer are understandable for the consumers?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p>27.</p>	<p>Do you think – all things considered – the cross-media approach of the NICAM system is rather advantageous or rather disadvantageous for the protection of minors in the media?</p>	<p><input type="checkbox"/> RATHER ADVANTAGEOUS  <input type="checkbox"/> RATHER DISADVANTAGEOUS  <input type="checkbox"/> UNCERTAIN</p>	

**2.16. Portugal: Broadcasting protocol (including advertising rules)**

	Questions	Answers	Remarks
<p><b>19.</b></p>	<p>Public and private TV operators signed a Protocol establishing different levels of cooperation. The Protocol was adopted and implemented on the assumption of a fixation of certain advertising time limits for specific programme services of RTP.</p> <p>⇒ Do you think that such a protocol is the right means for specific advertising rules?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
<p><b>20.</b></p>	<p>The Protocol was homologated by the Government. Do you think that this has a positive influence on the fulfilment of the protocol?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
<p><b>21.</b></p>	<p>For the evaluation of the obligations of the Protocol broadcasters have to send reports to the authorities. The Instituto da Comunicação Social (ICS) receives these reports on a regular basis.</p> <p>⇒ Do you judge evaluation by ICS as effective?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
	<p>⇒ Do you believe the power of the ICS to enforce compliance is sufficient?</p>	<p><input type="checkbox"/> RATHER YES</p>	

		<input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>22.</b>	Do you think that the private broadcasters involved satisfactorily fulfil the obligation (e.g. investments in independent production, transmission of cultural programming and support to people with hearing disabilities) they have agreed on in return for the advertising restrictions on RTP's programmes?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>23.</b>	Do you think that it would be a good idea to include further rules (e.g. further advertising rules) in the protocol as well?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	↳ Please give reasons for your assessment.		
<b>24.</b>	Do you think that the goal of the protocol might be better fulfilled if the terms were implemented by law	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
	↳ Please give reasons for your assessment.		

## 2.17. Slovenia: Advertising Regulation

	Questions	Answers	Remarks
19.	<p>According to the Act on Protection of Consumers from 2003 the advertising chamber shall provide an opinion as to whether a certain advertisement is indecent or misleading. Therefore the Slovenian Code of Advertising Practice enacted by the chamber becomes relevant for interpretation of the Act.</p> <p>⇒ Do you think protection would be better if the rules of the code (e.g. on advertisements aimed at young people) were laid down by the legislation in the Act on Protection of Consumers?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
	<p>⇒ Do you think protection would be better if these rules were applied only by the Advertising Chamber and there were no rules on indecent or misleading advertising in the Act?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	

	<p>➤ The Advertising Chamber provides its opinion at the request of a state body, a consumer organisation, a consumer or on its own initiative. How do you judge the frequencies with which the Chamber provides its opinion at the request of a state body, a consumer organisation, a consumer or on its own initiative?</p>	<p>REQUEST OF A STATE BODY: %          REQUEST OF A CONSUMER ORGANISATION: %          REQUEST OF A CONSUMER: %          OWN INITIATIVE: %</p> <p><input type="checkbox"/> UNCERTAIN</p>	
<p><b>20.</b></p>	<p>How often do you believe the rules laid down in the Code are infringed?</p>	<p><input type="checkbox"/> NEVER  <input type="checkbox"/> EXTREMELY SELDOM  <input type="checkbox"/> SELDOM  <input type="checkbox"/> FROM TIME TO TIME  <input type="checkbox"/> OFTEN  <input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> ALWAYS  <input type="checkbox"/> UNCERTAIN</p>	
	<p>➤ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>21.</b></p>	<p>The Advertising Arbitration Court interprets the Code, decides on complaints regarding advertising practices, and on requests for opinions and on own initiative whether certain advertising is improper or misleading.</p>		

	<p>☞ How do you estimate proportion of actions in cases where the rules on advertisements are infringed?</p>	<p>% <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>One possible action of the Arbitration Court is an initiative to the Market Inspectorate or other state bodies.</p> <p>☞ Do you think that the Arbitration Court asks too often/too seldom for actions of the Market Inspectorate or other state bodies?</p>	<p><input type="checkbox"/> TOO OFTEN <input type="checkbox"/> TOO SELDOM <input type="checkbox"/> NEITHER TOO OFTEN NOR TOO SELDOM <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>The chamber can initiate court proceedings or criminal charges against its members for infringing advertising rules.</p> <p>☞ Do you think this happens too often/too seldom?</p>	<p><input type="checkbox"/> TOO OFTEN <input type="checkbox"/> TOO SELDOM <input type="checkbox"/> NEITHER TOO OFTEN NOR TOO SELDOM <input type="checkbox"/> UNCERTAIN</p>	
<p><b>24.</b></p>	<p>There are only a few complaints to the Arbitration Court. Do you think that complaints are a good indicator for infringements of advertising rules?</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	



<p><b>25.</b></p>	<p>When the Market Inspectorate decides whether a certain advertisement is indecent or misleading it requests an opinion from the Advertising Chamber. There is no legal obligation for the Market Inspectorate to respect the opinion of the Advertising Chamber.</p>		
<p>↳ How often do you think the Market Inspectorate follows the opinion of the chamber?</p>		<p><input type="checkbox"/> EXTREMELY SELDOM  <input type="checkbox"/> SELDOM  <input type="checkbox"/> FROM TIME TO TIME  <input type="checkbox"/> OFTEN  <input type="checkbox"/> VERY OFTEN  <input type="checkbox"/> ALWAYS  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>26.</b></p>	<p>↳ Does the Market Inspectorate follow more positive (= no infringement) or more negative (=infringement) opinions of the chamber?</p>	<p><input type="checkbox"/> MORE POSITIVE DECISIONS (= NO INFRINGEMENT)  <input type="checkbox"/> MORE NEGATIVE DECISIONS (= INFRINGEMENT)  <input type="checkbox"/> UNCERTAIN</p>	
<p>↳ Please give reasons for your assessment.</p>			

<p><b>27.</b></p>	<p>Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?</p>	<p> <input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN         </p>	
<p>↪ Please give reasons for your assessment.</p>			

**2.18. Slovenia: Protection of minors in broadcasting**

	Questions	Answers	Remarks
<b>19.</b>	<p>In 2003, an agreement between the Broadcasting Council and the broadcasters of TV programmes was signed regarding the television programming unsuitable for children and other minors. According to this agreement, classification of the programmes is done by the editors. The agreement introduces two symbols (for violence and erotic programmes) and contains provisions on the usage of these symbols.</p> <p>This system intends that programmes which might impair the development of minors should not be accessible for them. How often do you believe is a program broadcast at the wrong time?</p>	<p><input type="checkbox"/> NEVER</p> <p><input type="checkbox"/> EXTREMELY SELDOM</p> <p><input type="checkbox"/> SELDOM</p> <p><input type="checkbox"/> FROM TIME TO TIME</p> <p><input type="checkbox"/> OFTEN</p> <p><input type="checkbox"/> VERY OFTEN</p> <p><input type="checkbox"/> ALWAYS</p> <p><input type="checkbox"/> UNCERTAIN</p>	
	<p>↪ Do you think this is too often for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	

<b>20.</b>	Do you judge it as adequate for the protection of minors that the editors of the programmes classify their programmes themselves?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>21.</b>	Do you think that broadcasters are more likely to follow the provisions of the Mass Media Act because of the Agreement?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>22.</b>	The Broadcasting Council and the broadcasters agreed on when and how the symbols have to appear on screen. Do you judge these provisions as sufficient?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>23.</b>	The effect of classification of contents relies to some extent on the understanding of the meaning by consumers. Do you think that the symbols the broadcasters and the Broadcasting Council agreed on are understandable for the consumers?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
<b>24.</b>	Do you know of any case in which the Media Inspector of the Ministry of Culture imposed sanctions on broadcasters with regard to violent or erotic programmes after the Agreement was signed? ↳ If NO: Do you think that the Media Inspector refrains from imposing sanctions on broadcasters because of the agreement?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNCERTAIN <input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	

	<p>☞ Do you think this speaks in favour of the Agreement?</p> <p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
<b>25.</b>	<p>Do you think that monitoring of the programmes is sufficient?</p> <p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ If RATHER NO: Would you prefer the Media Inspector or the Broadcasting Council to monitor programs regularly?</p> <p><input type="checkbox"/> BROADCASTING COUNCIL</p> <p><input type="checkbox"/> MEDIA INSPECTOR</p> <p><input type="checkbox"/> UNCERTAIN</p>	
<b>26.</b>	<p>Would you prefer to integrate the Media Inspector more closely by him signing the agreement as well?</p> <p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
<b>27.</b>	<p>Complaints of users or interested parties can indicate the satisfaction with the system in place.</p> <p>Do you think that complaints are a good indicator for infringements of the rules for the protection of minors?</p> <p><input type="checkbox"/> RATHER YES</p> <p><input type="checkbox"/> RATHER NO</p> <p><input type="checkbox"/> UNCERTAIN</p>	
	<p>☞ Compared against the system before the Agreement was signed, how has the number of complaints developed?</p> <p><input type="checkbox"/> MORE</p> <p><input type="checkbox"/> SAME</p> <p><input type="checkbox"/> LESS</p> <p><input type="checkbox"/> UNCERTAIN</p>	

<p><b>28.</b></p>	<p>Do you think that it would be a good idea to include further rules (e.g. on advertising) in the Agreement as well?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p>↳ Please give reasons for your assessment.</p>			
<p><b>29.</b></p>	<p>Do you think that the goals of the agreement might be better fulfilled if the terms were implemented by law?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
	<p>↳ Please give reasons for your assessment.</p>		

## 2.19. United Kingdom: Advertising regulation

	Questions	Answers	Remarks
19.	The system established intends that advertisements that do not comply with the codes of conduct shall not be broadcasted. How often do you believe is an advertisement broadcasted that does not comply with the codes?	<input type="checkbox"/> NEVER <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> SELDOM <input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> ALWAYS <input type="checkbox"/> UNCERTAIN	
20.	<p>The system is complaint-based.</p> <p>Do you believe additional means of control like regular monitoring would be advantageous or disadvantageous?</p> <p>Please estimate the amount of advertisements which violate the codes and which are subject of a complaint in relation to the total quantity of advertisements which violate the codes.</p>	<input type="checkbox"/> RATHER ADVANTAGEOUS <input type="checkbox"/> RATHER DISADVANTAGEOUS <input type="checkbox"/> UNCERTAIN  % <input type="checkbox"/> UNCERTAIN	

	<p>☞ Do you think this quota is sufficient for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<b>21.</b>	<p>OFCOM remains responsible for regulation of broadcasting acts and has the right to interfere.</p> <p>☞ How do you estimate the frequency in which this occurs?</p> <p>☞ Do you think this is too often / too seldom for the system to work properly?</p>	<p><input type="checkbox"/> UNCERTAIN  <input type="checkbox"/> TOO OFTEN  <input type="checkbox"/> TOO SELDOM  <input type="checkbox"/> UNCERTAIN</p> <p>%  <input type="checkbox"/> UNCERTAIN</p>	
<b>22.</b>	<p>There might be cases in which OFCOM acted against a broadcaster after an advertisement was broadcasted (e.g. declaring an infringement, imposing sanctions)</p> <p>☞ How do you judge the frequencies with which this happens?</p>	<p><input type="checkbox"/> UNCERTAIN</p> <p>%  <input type="checkbox"/> UNCERTAIN</p>	



<p><b>23.</b></p>	<p>According to the memorandum of understanding the response time to complaints is vital. The benchmarks are as follows: Benchmarks for average complaints turnaround times to be achieved 5 working days for straightforward complaints requiring no investigation; 10 working days for complaints where the advertisement must be viewed; 8 weeks for cases requiring standard investigations and contact with licensees; 3 months for complex cases, requiring high level and extended investigations. Please estimate the percentage of cases in which ASA meets these benchmarks</p>	<p style="text-align: right;">%</p> <p><input type="checkbox"/> UNCERTAIN</p>	
<p><b>24.</b></p>	<p>Do you think that it would be a good idea to include further rules in the Code, as well?</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
<p><b>25.</b></p>	<p>⤴ Please give reasons for your assessment. Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?</p>	<p><input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN</p>	
	<p>⤴ Please give reasons for your assessment.</p>		

## 2.20. United Kingdom: Protection of minors in mobile services

	Questions	Answers	Remarks
19.	Regulation of mobile services including the Independent Mobile Classification Body (IMCB) intends to protect children from unsuitable content. How often do you believe content is offered without sufficient access protection?	<input type="checkbox"/> NEVER <input type="checkbox"/> EXTREMELY SELDOM <input type="checkbox"/> SELDOM <input type="checkbox"/> FROM TIME TO TIME <input type="checkbox"/> OFTEN <input type="checkbox"/> VERY OFTEN <input type="checkbox"/> ALWAYS <input type="checkbox"/> UNCERTAIN	
	Do you think this is too often for the system to work properly?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	
20.	Do you judge it as adequate for attaining the system's public policy goals that providers classify their programmes themselves (while following the ICSTIS code if content is provided by premium rate service)?	<input type="checkbox"/> RATHER YES <input type="checkbox"/> RATHER NO <input type="checkbox"/> UNCERTAIN	

<p><b>21.</b></p>	<p>IMCB has the function of investigating complaints about misclassification. However, complaints in the first instance should be made to the mobile operators.</p> <p>☞ Do you rate this complaining system as effective and appropriate?</p> <p>☞ If RATHER NO, please give reasons for your assessment.</p> <p>☞ Do you believe additional means of control like regular monitoring would be advantageous or disadvantageous?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>22.</b></p>	<p>The IMCB Framework also introduces the Classification Framework Appeals Body ("CFAB"), which is a body appointed to hear appeals against decisions made by IMCB.</p> <p>☞ Do you think that this body can help to make the regulatory system effective and satisfactory?</p> <p>☞ Please give reasons for your assessment.</p> <p>☞ How do you judge the frequency of appeals?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p> <p>%</p>	

	<p>☞ Do you think this is too often seldom for the system to work properly?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>23.</b></p>	<p>Compliance with the ICSTIS code is a specific condition imposed by OFCOM on premium rate operators.  Do you think that there are fewer infringements due to the fact that OFCOM imposed this condition on the operators?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>24.</b></p>	<p>ICSTIS may impose sanctions on operators that act not in line with the rules of the Code.</p>		
	<p>☞ How do you judge the frequencies with which there are sanctions in cases where operators acted not in line with the rules stated in the Code?</p>	<p>%  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>25.</b></p>	<p>Do you know of cases in which OFCOM (or formerly OFTEL) differed from decisions made by ICSTIS when it came to sanctions?</p>	<p><input type="checkbox"/> YES  <input type="checkbox"/> NO  <input type="checkbox"/> UNCERTAIN</p>	

<p><b>26.</b></p>	<p>According to the Memorandum of Understanding between ICSTIS and OFCOM, enforcement of the code is primarily a matter for ICSTIS, although OFCOM will provide ‘backstop powers’ for enforcement via the condition. Do you judge this agreement as effective to avoid parallel competence of ICSTIS and OFCOM to impose sanctions?</p> <p>☞ If RATHER NO, please give reasons for your assessment.</p> <p>☞ Do you think that the ICMB Board and the CFAB do need more legal rules? (e.g. a right to a hearing instead of only the right to request an oral hearing)</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p> <p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>27.</b></p>	<p>Do you think that it would be a good idea to include further rules in the Code, as well?</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	
<p><b>28.</b></p>	<p>☞ Please give reasons for your assessment.</p> <p>Do you think that the goals of the Code might be better fulfilled if the terms were implemented by law?</p> <p>☞ Please give reasons for your assessment.</p>	<p><input type="checkbox"/> RATHER YES  <input type="checkbox"/> RATHER NO  <input type="checkbox"/> UNCERTAIN</p>	