

# INDIREG

## FINAL REPORT – ANNEX

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

Annex II – Country Tables – Cyprus

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## I. GENERAL INFORMATION

**Table 1 - Market data**

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

Country	Number of linear commercial services	Number of non-linear commercial services	Number of public service channels (PSBs)
Cyprus	7	0	2

**Table 2 - Audiovisual laws and regulatory bodies**

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

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
Cyprus	Information requirements (art. 5 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I)/1998) as amended Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.crtatv.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crtatv.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>	Cyprus Radio-Television Authority (CRTA)	Not decided	CRTA
	Audiovisual commercial communication, sponsorship, product placement (Art. 9 – 11 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.crtatv.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crtatv.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>			
	Accessibility to people with a disability (Art. 7 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.crtatv.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crtatv.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>			

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
	Broadcasting of major events (Art. 14 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended Radio and Television Stations (Major Importance Events) Regulations of 2004. Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>			
	Access to short news reports (Article 15 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 1998 N. 7(I)/1998) as amended Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>			
	Promotion of European works (Art. 13, 16, 17 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>			
	Hate speech (Art. 12 and 6 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>			
	Television advertising and teleshopping, (Art. 19 – 26 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>			
	Protection of minors (Art. 27 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>			

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
		<a href="#">20mas%202009.pdf</a>			
	Right of reply (Art. 28 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended Cyprus Broadcasting Corporation Law Cap 300A (as amended) <a href="http://www.cрта.org.cy/documents/cрта_new/nomos%20mas%202009.pdf">www.cрта.org.cy/documents/cрта_new/nomos%20mas%202009.pdf</a>			
	Communication and cooperation with other European regulation bodies and the Commission (Art. 30 AVMS Directive)	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended AVMS Directive not implemented yet. All above answers relate to the TWF Directive			

**Table 3 - Regulatory bodies – general information**

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

Country	Name of regulatory body	Link to website	Date of establishment	Location
Cyprus	Cyprus Radio-Television Authority	<a href="http://www.cрта.org.cy">www.cрта.org.cy</a>	1998	32 Nikis Avenue P.O.Box 23377 1682 Nicosia Cyprus

**Table 4 - Sectors covered**

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

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

**Table 5 - Staff and overall budget**

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

Country	Body	Total number of staff foreseen in statutes/law	Current staff count	Annual budget (€m) foreseen in statutes/law	Current annual budget	Reference year +source
Cyprus	Cyprus Radio-Television Authority Cyprus Radio-Television Authority	Not specified (composed of the Chairman, Vice-Chairman and five members. It also has additional staff but their number is not available on line or from other public sources)	Information not available	Not specified	Depends on Parliament's approval every year	N/A

## II. INSTITUTIONAL FRAMEWORK

**Table 6 - Legislation establishing and governing the regulatory body**

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

Country	Body	Legislation setting-up the regulatory body	Governing legislation
Cyprus	Cyprus Radio-Television Authority	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended by: N. 88(I)/1998, N. 13(I)/1999, N. 159(I)/1999, N. 23(I)/2000, N. 55(I)/2000, N. 134(I)/2000, N. 18(I)/2001, N. 53(I)/2001, N. 65(I)/2001, N. 78(I)/2001, N. 126(I)/2001, N. 102(I)/2002, N. 186(I)/2002, N. 24(I)/2003, N. 97(I)/2004, N. 84(I)/2006, N. 85(I)/2006, N. 170(I)/2006, N. 117(I)/2008, N. 17(I)/2009, N. 136(I)/2009  Radio-Television Authority (Terms of Hiring and Service) Regulations of 1999	Radio and Television Stations Law of 1998, Law N. 7(I) of 1998 as amended by: N. 88(I)/1998, N. 13(I)/1999, N. 159(I)/1999, N. 23(I)/2000, N. 55(I)/2000, N. 134(I)/2000, N. 18(I)/2001, N. 53(I)/2001, N. 65(I)/2001, N. 78(I)/2001, N. 126(I)/2001, N. 102(I)/2002, N. 186(I)/2002, N. 24(I)/2003, N. 97(I)/2004, N. 84(I)/2006, N. 85(I)/2006, N. 170(I)/2006, N. 117(I)/2008, N. 17(I)/2009, N. 136(I)/2009  Radio-Television Authority (Terms of Hiring and Service) Regulations of 1999  <a href="http://www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf">www.crt.a.org.cy/documents/crta_new/nomos%20mas%202009.pdf</a>

**Table 7 - Legal status**

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

Country	Body	What form does it take?	It is a separate legal entity?	If it is not a separate legal entity, it is part of:	Specific organisational characteristics	Source
Cyprus	Cyprus Radio-Television Authority	The Cyprus Radio-Television Authority is an independent regulatory body.	Yes			Act 7(I)/98 <a href="http://www.crt.a.org.cy">www.crt.a.org.cy</a>

**Table 8 - Independence as a value**

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

Country	Body	Is independence implicitly or explicitly recognised as a value in the legal framework?		Source (highest formal legal level)
		No	Yes	
Cyprus	Cyprus Radio-Television Authority		√	Legislation: s.3 of the Radio and Television Stations Law of 1998

### III. POWERS OF THE REGULATORY BODIES

#### Table 9 - Regulatory powers

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

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

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

Country	Body		General policy setting	General policy implementing powers	Third party decision making powers
Cyprus	Cyprus Radio-Television Authority	Tick boxes	No	√	√
		Areas	But authority: <ul style="list-style-type: none"> <li>• issue orders and recommendations on code of practice of press and advertising, etc</li> <li>• ensure press independence</li> </ul>	<ul style="list-style-type: none"> <li>• Examine the actual status of radio stations</li> </ul>	<ul style="list-style-type: none"> <li>• Follow international developments and make recommendations to the Council of Ministers for modernising legislation</li> <li>• Grant or recall or amend licenses in the event of violation of the provisions of the law and the relevant codes of practice.</li> <li>• Examine complaints regarding offending content in media programs, unfair treatment and violation of privacy by stations, broadcasting excessive violence in informational type programs, problems regarding the level of quality of the program and radio frequency interruptions, violations of media legislation and codes of practice, such as the Advertising code of practice.</li> <li>• Impose administrative fines to stations</li> </ul>

Country	Body		General policy setting	General policy implementing powers	Third party decision making powers
					for violation of the provisions of the Law
		Source		s.3 of the Radio and Television Stations Law of 1998	General act Act 7(I)/98

**Table 10 - Supervision and monitoring power**

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

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
Cyprus	Cyprus Radio-Television Authority	Quotas	√		√			Act 7(I)/98
		Advertising	√	√	√			Act 7(I)/98
		Protection of minors	√	√	√			Act 7(I)/98

**Table 11 - Powers of sanctions**

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

Country	Body	Areas	Warnings/formal objections	Fine (lump sum) If so, list maximum and minimum amounts	Publication of decisions in the media	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)	Others
Cyprus	Cyprus Radio-Television Authority	Quotas	√	√ €8,000 max. Administrative fine (sanction is discretionary)	√ (if ordered by a court)	√ (if ordered by a court)	√ €35,000 penalty or imprisonment up to 2 years (sanction is discretionary)	<ul style="list-style-type: none"> <li>Impose obligation on a station to give Copies of broadcasts to offended persons</li> <li>€35,000 penalty or imprisonment up to 3 years for violation of the law as penalty</li> </ul>

Country	Body	Areas	Warnings/formal objections	Fine (lump sum) If so, list maximum and minimum amounts	Publication of decisions in the media	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)	Others
								(sanction is discretionary)
		Advertising	√	√ €8,540 max. Administrative fine sanction is discretionary	√ (if ordered by a court)	√	√ €35,000 penalty or imprisonment up to 2 years (sanction is discretionary)	<ul style="list-style-type: none"> <li>• Impose obligation on a station to give Copies of broadcasts to offended persons</li> <li>• €35,000 penalty or imprisonment up to 3 years for violation of the law as penalty (sanction is discretionary)</li> </ul>
		Protection of minors	√	√ €8,540 max. Administrative fine sanction is discretionary	√ (if ordered by a court)	√	√ €35,000 penalty or imprisonment up to 2 years (sanction is discretionary)	<ul style="list-style-type: none"> <li>• Impose obligation on a station to give Copies of broadcasts to offended persons</li> <li>• €35,000 penalty or imprisonment up to 3 years for violation of the law as penalty (sanction is discretionary)</li> </ul>

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

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

Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
Cyprus	Cyprus Radio-Television Authority	N/A	√	√ (non-binding)	√	√	√	√

**Table 13 - De facto use of formally granted sanction powers**

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

Country	Body	Warnings	Fine (lump sum)	Publication of decisions in television programmes/on demand services	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)
Cyprus	Cyprus Radio-Television Authority	√	√	√ (ordered by a court)	The authority has imposed administrative fines and has given warnings instead of suspending or revoking a license	No data available Data available only until 2005 <a href="http://www.cрта.org.cy/documents/Apologismos2005.pdf">www.cрта.org.cy/documents/Apologismos2005.pdf</a>

**Table 14 - Complaints handling**

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

Country	Body	Do complaints handling procedures exist?	Link to website
Cyprus	Cyprus Radio-Television Authority	Yes According to s.41F of the Radio-Television Stations Law, any person affected by a violation of the Law may file a complaint before the Authority and request same to take measures for compliance with the Law. Otherwise, according to this section, any person may file an application before the Courts.	This is not available on the CTRA website but in the law.

#### IV. INTERNAL ORGANISATION AND STAFFING

**Table 15 - Highest decision-making organ – composition**

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

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

Country	Body	Individual or Board	Legal requirements regarding composition of highest decision-making organ						Implicit representation structures?	Source	
			Number of Board members	Representatives of civil society	Representatives of government	Representatives of parliament	Representatives of industry	Experts			Others (e.g. regions)
Cyprus	Cyprus Radio-Television Authority	Board	7	Yes 7 100%	No	No	No	Yes 7	Representatives from the fields of education, art, science, technology and with expertise in mass media matters	No	Act. 7(l)/98

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

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

Country	Body	Competences	Decision-making process	Is the decision making process transparent?	Minutes and agendas published?
Cyprus	Cyprus Radio-Television Authority	<ul style="list-style-type: none"> <li>Grant, revoke or amend licences</li> <li>Issue orders and recommendations on code of practice for press and advertising, etc.</li> <li>Examine violations of the law</li> <li>Follow international developments and make</li> </ul>	Majority. The chairing person's vote has a casting vote There must be a presence quorum of 4 members	No	No

Country	Body	Competences	Decision-making process	Is the decision making process transparent?	Minutes and agendas published?
		recommendations to the Council of Ministers for modernising legislation <ul style="list-style-type: none"> <li>• Ensure press independence</li> <li>• Impose administrative fines for violation of the provisions of the Law.</li> </ul>			

**Table 17 - Highest decision-making organ – appointment process**

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

Country	Body		Nomination stage Yes – No	Nomination stage Specify who is involved in that stage and who has the decisive say	Appointment stage Specify who is involved in that stage and who has the decisive say	If there are two stages, can the appointer ignore the nominations?	Source
Cyprus	Cyprus Radio-Television Authority	Chairman	No		Council of Ministers	n/a	Act 7(l)/98
		Board members	No		Council of Ministers	n/a	Act 7(l)/98

**Table 18 - Term of office and renewal**

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

Country	Body		Term of office	Is the term staggered not to coincide with election cycle?	Renewal possible? If so, state how many times	Source
Cyprus	Cyprus Radio-Television Authority	Chairman of the board	6 years	Not related	Not covered in the law but is possible.	Act 7(I)/98
		Board members	6 years	Not related	Not covered in the law but is possible	Act 7(I)/98

**Table 19 - Professional expertise/qualifications**

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

Country	Body		Qualifications	Professional expertise	Source
Cyprus	Cyprus Radio-Television Authority	Chairman of the board	Must originate from the sectors of arts and humanities, science or technology. Or must be a person with special recognised experience in mass media having high professional and moral level.		Act 7(I)/98
		Board members	Must originate from the sectors of arts and humanities, science or technology. Or must be a person with special recognised experience in mass media having high professional and moral level.		Act 7(I)/98

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

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

Country	Body		Do such rules exist?		Rules to prevent conflicts of interest with government	Rules to prevent conflicts of interest with political parties	Rules to prevent conflicts of interest with industry	Can other offices be held at the same time?	Others (e.g. obligation to disclose participations in companies)	Source
			Yes	No						
Cyprus	Cyprus Radio-Television Authority	Chairman		No	No	No but can be removed from office if he takes up a position in a political party	No	n/a	No	Act 7(I)/98
		Board members		No	No	Same as above	No	n/a	No	Reply CRTA: Act 7(I)/98
		Senior staff		No	No	No	No	No	No	Legislation

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

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

Country	Body		Do such rules exist?		Rules to prevent conflicts of interest with government	Rules to prevent conflicts of interest with political parties	Rules to prevent conflicts of interest with industry	Source
			Yes	No				
Cyprus	Cyprus Radio-Television Authority	Chairman	Yes		No	Yes A board member including the Chairman may be removed from office in the event of taking up a position within a	No	Act 7(I)/98 section 5 of the Radio and Television Stations Law

Country	Body		Do such rules exist?		Rules to prevent conflicts of interest with government	Rules to prevent conflicts of interest with political parties	Rules to prevent conflicts of interest with industry	Source
			Yes	No				
						political party.		
		Board members	Yes		No	Yes A board member may be removed from office in the event of taking up a position within a political party.	No	Act 7(I)/98 section 5 of the Radio and Television Stations Law
		Senior staff	Yes		No	No	Public service legislation	Legislation

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

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

Country	Body		Do such rules exist?		Is a cooling-off period foreseen?	Source
			Yes	No		
Cyprus	Cyprus Radio-Television Authority	Chairman		No		
		Board members		No		
		Senior Staff		No		

**Table 23 - Rules to protect against dismissal**

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

Country	Body		Do such rules exist?		Who can dismiss? Specify who is involved in that stage and who has the decisive say	Grounds for dismissal listed in legal instrument?	Can the whole body be dismissed or only individual members?	Source
			Yes	No				
Cyprus	Cyprus Radio-Television Authority	Chairman	Yes		Council of Ministers	Taking up position within a political party or improper behaviour	Only individual members	Legislation Reply CRTA: Act 7(I)/98
		Individual board members	Yes		Council of Ministers	Taking up position within a political party or improper behaviour		Legislation Reply CRTA: Act 7(I)/98

**Table 24 - Dismissal before term**

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

Country	Body	Year		Dismissal before term		Reasons	Comment
				Yes	No		
Cyprus	Cyprus Radio-Television Authority	2005-2009	Chairman		No		
			Individual board members		No		

## V. FINANCIAL RESOURCES

**Table 25 - Sources of income**

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

Country	Body	End-user broadcasting licence fees (max level)	State budget	Spectrum fees	Authorisation/licence fees paid by broadcasters	Fines	Other fees, e.g., 'market surveillance fee' based on % of revenues of broadcasters (or other operators – e.g. in case of converged regulators)	Source
Cyprus	Cyprus Radio-Television Authority	No	State funding: grants or other income (not specified)	No	Yes Licence fees start at €7,500 for stations covering the whole of Cyprus. Lower fees apply for local stations.	Yes, different levels of fines apply depending on the flagrancy of the violation	Funds from using own property.	s.38 of the Radio and Television Law Act 7(I)/98 Radio and Television Regulations of 2000 as amended

**Table 26 - Annual budget**

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

Country	Body	Who decides the annual budget?	Is the regulator involved in the process?	Rules on budget adjustment – who is involved in the process (e.g. parliament, government and/or industry) ?	De facto influence of third parties on budget amounts	Source
Cyprus	CRTA	The Auditor General provides the budget and Parliament approves same every year.	Yes it makes proposals	Regulator, ministry of finance and parliament	No	Act 7(I)/98

**Table 27 - Financial accountability – auditing**

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

Country	Body	Is the regulatory body subject to periodic external auditing?					
		Yes/no	Periodicity	By national (state) audit office, etc.	Private audit firm	Other	Legal basis
Cyprus	Cyprus Radio-Television Authority	Yes	Annual	Yes By the Auditor General of the Republic	No	No	Constitution Act 7(I)/98

## VI. CHECKS AND BALANCES

**Table 28 - Formal accountability**

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

Country	Body	Body accountable to		Accountability means	Legal basis
Cyprus	Cyprus Radio-Television Authority	Parliament	Yes	Audit report	Act 7(I)/98
		Government as a whole	Yes	Audit report	Act 7(I)/98
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	Yes	Supreme Court	Article 146 of the Constitution of Cyprus
		Other	Yes	Audit report of the Auditor General of the Republic	

**Table 29 - Reporting obligation**

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

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved ?	Link
Cyprus	Cyprus Radio-Television Authority	Parliament/ and Auditor General of the Republic and Cabinet of ministers	Annual	<i>No information available</i>	Not provided in the Law	Yes	<i>No information available</i>	<i>No information available</i>

**Table 30 - Auditing of work undertaken**

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

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
Cyprus	Cyprus Radio-Television Authority	Yes	Annual	Yes Auditor General of the Republic	No	No	Constitution Reply CRTA: Act 7(I)/98

**Table 31 - Power to overturn/instruct**

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

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
Cyprus	Cyprus Radio-	Does	No	No	No	No	No	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
	Television Authority	anybody have the power to overturn decisions of the regulator?						
		Does anybody have the power to give instructions to the regulatory body?	Yes	Yes. The Minister of Interior may give instructions of general nature to the authority in relation to the exercise of its competence which are necessary for the general interest of the Republic. The Minister of Education and Culture also has power to give instructions in the field of the protection of the quality of language used in programs in accordance with the language policy of the Republic.	Yes. The Minister of Interior is the head of the Ministry of Interior which is part of the Government. The Council of Ministers may by order define the issues which pertain to the exercise of public authority and the preservation of general state interests.	Yes, in the sense that the Parliament approves legislation delineating the competence of the authority.	No	Section 10, 32, Radio and Television Law Act 7(I)/98
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude	N/A	N/A	N/A	N/A	N/A	N/A

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

**Table 32 - Number of stages in appeal procedure**

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

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
Cyprus	Cyprus Radio-Television Authority	External	1	Supreme Court	No	Party affected by a violation	Art. 146 of the Constitution

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

Country	Body	Does regulator decision stand pending appeal body decision?			
		Yes	No	Yes, unless appeal body suspends it	Other
Cyprus	Cyprus Radio-Television Authority			√	N/A

**Table 34 - Accepted grounds for appeal**

Country	Body	Errors of fact	Errors of law (including failure to follow the due process)	Full re-examination	Other
Cyprus	Cyprus Radio-Television Authority	√	√		N/A

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

Country	Body	Appeal stage	Yes	No	Comments
Cyprus	Cyprus Radio-Television Authority	1 Supreme Court		√	N/A

## VII. PROCEDURAL LEGITIMACY

**Table 36 - External advice regarding regulatory matters**

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

Country	Body	Is a budget foreseen for outside advice?	If so, what is the budget/year?	Must the body respect public tender procedures?	Other requirements	Does the regulatory body de facto take external advice on a regular basis?
Cyprus	Cyprus Radio-Television Authority	Yes	Not specified	Not specified in the law, but administrative bodies may employ outside persons without undertaking a public tender, if a certain budget is not exceeded	-	No

**Table 37 - Public consultations**

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

Country	Body	Which decisions require prior public consultation?	Requirements on who must be consulted? (e.g. broadcasters, consumer organisations, academics etc.)	Consultation period	Consultation responses published		Legal basis
					Full responses (if authorised by contributor)	Summaries prepared by regulator	
Cyprus	Cyprus Radio-Television Authority	N/A The law does not include any provisions on direct public consultation but the authority may establish a consultative committee (the Radio and Television Consultative Committee) which reflects public opinion and includes various organisations such as consumer associations, the chamber of commerce, publishers union, the church and more.	The law provides that the authority may establish a Radio and Television Consultative Committee in order to advise on the exercise of its competence.	Not specified in the law	No		Section 11, Radio and Television Law, 7(I)/98

**Table 38 - Public consultations – figures**

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

Country	Body	Year	Number of public consultations
Cyprus	Cyprus Radio-Television Authority	2005-2009	0

**Table 39 - Publication of regulator's decisions**

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

Country	Body	Which decisions required by law to be published?	Obligation to motivate decisions? Legal basis?	Obligation to include/publish impact assessment? Legal basis?	
				Ex ante	Ex post
Cyprus	Cyprus Radio-Television Authority	Not required in general. However, the authority may issue a decision regarding a violation of the applicable legislation and at the same time imposing an obligation on a respondent to broadcast or make known the decision of the authority.	Yes. According to the General Rules of Administrative Law, Law of 1991 Law N. 158(I)/1999. This is also required by the Radio and Television Regulations of 2000 as amended.	Not specified in the law	Not specified in the law

## VIII. COOPERATION

**Table 40 - Cooperation with other regulatory authorities**

Country	Body	Describe the mechanism of cooperation with other bodies	Source and form of cooperation	Can body receive instructions from other bodies? If so, state which and explain	Comments
Cyprus	Cyprus Radio-Television Authority	Information not available	Information not available	Information not available	There is no provision in the Radio and Televisions Law

**Table 41 - International cooperation**

Country	Body	Does it cooperate with other national regulatory bodies in EU and international fora?	Source and form of cooperation (legal basis)	Comments
Cyprus	Cyprus Radio-Television Authority	Information not available but it would seem that it does cooperate in practice at the EU level.		There is no provision in the Radio and Televisions Law