QUESTIONNAIRE

I. RESPONDENT INFORMATION

The first part of this questionnaire collects information about you on the basis of whether you reply in an individual capacity or on behalf of an entity such as an organisation, institution or association. If your work for such an entity, but do not formally represent its views, please complete the survey as an **individual respondent** (go to section I.1 below). If you represent the views of multiple persons or entities - for example, several members of a research group in one Member State or an international consortium spanning multiple Member States - please select the **representative option** (go to section I.2 below) and clearly indicate the name of the entity/ies on whose behalf you respond.

I.1 Personal information

In what capacity are you responding? (please choose one of the below)

- ☐ Citizen
- ☐ Researcher
- ☐ Other

Please state your name: _____

Please indicate your gender:

- ☐ Male
- ☐ Female

How old are you?

- ☐ below 18 years
- ☐ 18-29 years
- ☐ 30-39 years
- ☐ 40-49 years
- ☐ 50-59 years
- ☐ 60-69 years
- ☐ 70 years and older

What is your nationality? (multiple selections possible)

☐ Austrian	☐ Belgian	☐ British	☐ Bulgarian
☐ Cypriot	☐ Czech	☐ Danish	☐ Dutch
☐ Estonian	☐ Finnish	☐ French	☐ German
☐ Greek	☐ Hungarian	☐ Irish	☐ Italian
☐ Latvian	☐ Lithuanian	☐ Luxembourgian	☐ Maltese
☐ Polish	☐ Portuguese	☐ Romanian	☐ Slovak
☐ Slovene	☐ Spanish	☐ Swedish	☐ other

Where do you currently reside? (one selection only)

☐ Austria	☐ Belgium	☐ Bulgaria	☐ Cyprus
☐ Czech Republic	☐ Denmark	☐ Estonia	☐ Finland
☐ France	☐ Germany	☐ Greece	☐ Hungary
☐ Ireland	☐ Italy	☐ Latvia	☐ Lithuania
☐ Luxembourg	☐ Maltese	☐ Netherlands	☐ Poland
☐ Portugal	☐ Romania	☐ Slovakia	☐ Slovenia
☐ Spain	☐ Sweden	☐ UK	☐ outside the EU

What is the highest formal level of education that you have attained?

- ☐ Secondary school
- ☐ High school
- ☐ Undergraduate degree
- ☐ Postgraduate degree
- ☐ Doctorate
- ☐ Other

How would you describe your current professional status?

- ☐ In training (including apprenticeships)
- ☐ Self-employed
- ☐ Employee
- ☐ Middle management
- ☐ Executive management
- ☐ Other

Do you have, or have you previously had, by way of your employment a direct relationship with the media industry?

- ☐ Yes
- ☐ No

2.

If you responded 'yes' to the last question, please specify your past and/or present direct professional link with the media industry:

_____

_____

_____

_____

_____

_____

Please continue with section II, at p. 12 below.

I.2 Representational information

What type of entity do you represent?

- ☐ Party group
- ☑ Public authority
- ☐ Regulatory body
- ☐ Industry
- ☐ Trade association
- ☐ Non-governmental organisation
- ☐ Research body
- ☐ Other

Please indicate the name of the entity you represent:

General Secretariat for Mass Media - General Secretariat for Information and Communication

What do you consider the nationality of the entity you represent? (one selection only)

☐ Austrian	☐ Belgian	☐ British	☐ Bulgarian
☐ Cypriot	☐ Czech	☐ Danish	☐ Dutch
☐ Estonian	☐ Finnish	☐ French	☐ German
☑ Greek	☐ Hungarian	☐ Irish	☐ Italian
☐ Latvian	☐ Lithuanian	☐ Luxembourgian	☐ Maltese
☐ Polish	☐ Portuguese	☐ Romanian	☐ Slovak
☐ Slovene	☐ Spanish	☐ Swedish	☐ other

3

Within the EU, what is the primary place of establishment of the entity you represent?

☐ Austria	☐ Belgium	☐ Bulgaria	☐ Cyprus
☐ Czech Republic	☐ Denmark	☐ Estonia	☐ Finland
☐ France	☐ Germany	☑ Greece	☐ Hungary
☐ Ireland	☐ Italy	☐ Latvia	☐ Lithuania
☐ Luxembourg	☐ Maltese	☐ Netherlands	☐ Poland
☐ Portugal	☐ Romania	☐ Slovakia	☐ Slovenia
☐ Spain	☐ Sweden	☐ UK	☐ outside the EU

Please characterise the involvement of the entity you represent in the media industry:

- ☑ Exclusively active in the media industry
- ☐ Mainly active in the media industry
- ☐ Substantially active in the media industry
- ☐ Somewhat active in the media industry
- ☐ No direct involvement in the media industry
- ☐ No involvement in the media industry

Please continue with section II overleaf.

4.

II. QUESTIONS REGARDING THE INDEPENDENCE OF AUDIOVISUAL REGULATORY BODIES

II.1 MEDIA FREEDOM, PLURALISM AND THE ROLE OF REGULATORY INDEPENDENCE

1. In your view, how relevant is the independence of audiovisual regulatory bodies for the preservation of free and pluralistic media when applying the Audiovisual Media Services Directive?

- ☐ Very relevant
- ☑ Relevant
- ☐ Not very relevant
- ☐ Not relevant
- ☐ No opinion

2. How relevant do you consider the independence of audiovisual regulatory bodies for the effective transposition and application of the Audiovisual Media Services Directive?

- ☐ Very relevant
- ☑ Relevant
- ☐ Not very relevant
- ☐ Not relevant
- ☐ No opinion

3. In your view does a lack of independence of audiovisual media regulatory bodies cause problems for the application of the Audiovisual Media Services Directive in any of the following areas:

	Very relevant	Relevant	Not very relevant	Not relevant	No opinion
Jurisdiction		✓			
Audiovisual commercial communication (including television advertising, teleshopping etc.)		✓			
Promotion of European works		✓			
Protection of minors		✓			
Right of reply		✓			

4. In your view, how does convergence of the media affect the necessity of regulatory independence for the application of the AVMSD?

- [x] Greatly reinforces the need for independence
- [ ] Reinforces the need for independence
- [ ] Slightly reinforces the need for independence
- [ ] Does not affect the need for independence
- [ ] Reduces the need for independence
- [ ] No opinion

5. Overall, what relevance do you attach to the following elements for the independence of regulatory bodies?

	Very relevant	Relevant	Not very relevant	Not relevant	No opinion
Status and powers	✓				
Financial autonomy	✓				
Autonomy of decision-makers	✓				
Not being subject to instructions	✓				
Dismissal conditions	✓				
Length of term	✓				
Knowledge		✓			
Transparency	✓				
Accountability mechanisms	✓				

6. Do you think that it is relevant in the convergent environment for audiovisual regulatory bodies to cooperate with their counterparts within the EU when acting within the scope of the AVMSD?

- ☑ Very relevant
- ☐ Relevant
- ☐ Not very relevant
- ☐ Not relevant
- ☐ No opinion

7. If you considered cooperation between regulatory bodies in question 6 either as 'relevant' or 'very relevant', do you consider cooperation in the following fields:

	Very relevant	Relevant	Not very relevant	Not relevant	No opinion
Jurisdiction	✓				
Protection of minors	✓				
Hate speech	✓				
Commercial communications	✓				
Media pluralism	✓				
Media ownership	✓				

8. If you considered cooperation between regulatory bodies in question 6 either as 'relevant' or 'very relevant', how appropriate would you consider the following arrangements to enable cooperation between regulatory bodies?

		Very appropriate	Appropriate	Not very appropriate	Not appropriate	No opinion
A voluntary gathering of competent regulatory bodies	At EU level					
	At pan-European level	✓				
	At international level	✓				

		Very appropriate	Appropriate	Not very appropriate	Not appropriate	No opinion
A legally mandated gathering of competent regulatory bodies	At EU level	✓				
	At pan-European level					
	At international level					
An agency	At EU level				✓	
	At pan-European level				✓	
	At international level				✓	

If you envision another form of cooperation not listed in the above table, please specify it here, including its geographical reach (EU, pan-European, international), and express its relevance in terms of the above scale.

- No Further comments

8.

II.2 IMPACT OF REGULATORY INDEPENDENCE

9. In your view, what is the impact of a lack of independence of regulatory bodies when acting within the scope of the AVMSD on the freedom and pluralism of the media and the markets in which they operate?

	Significantly improve	Moderately improve	No impact	Moderately worsen	Significantly worsen	No opinion
Media freedom						
Media pluralism						
Market conditions						

Please, see observation page 11

10. In economic terms, the independence of regulatory bodies may produce specific benefits and costs linked to the direct execution of their tasks and to the results that this produces. In your view, what economic implications does the independence of regulatory bodies have on the dimensions listed in the left-hand column when acting within the scope of the AVMSD?

	Significantly increase	Moderately increase	No implications	Moderately decrease	Significantly decrease	No opinion
Staffing costs						
Administrative costs						
Costs of enforcement activity						
Private litigation costs						
Industrial growth						
Market concentration						
Welfare gains						

Please, see observation page 11

If you consider there to be other significant economic consequences of regulatory independence not listed in the above table, please specify them here and express how they are shaped by independence in terms of the above scale.

11. In your view, what administrative implications does the independence of regulatory bodies have when acting within the scope of the AVMSD on:

	Significantly increase	Moderately increase	No implications	Moderately decrease	Significantly decrease	No opinion
Average procedural duration					✓	
Effective application of the law	✓					
Impartiality	✓					
Responsiveness to external pressures	✓					
Public-private collaboration (between regulatory bodies, industry and other stakeholders)		✓				

If you consider there to be other significant administrative consequences of regulatory independence not listed in the above table, please specify them here and express how they are shaped by independence in terms of the above scale.

Please, see observation page 11

10.

Observations :

The question II 2. 9, page 16 is not well understood.

Nevertheless, in our view the impact of a lack of independence of regulatory bodies when acting within the scope of AVMSD is significantly important on media freedom as well as on media pluralism.

On the other hand, the impact of a lack of independence of regulatory bodies on market conditions is moderately important.

The question II.2 , 10, page 16 is not very clear.

Staff costs, administrative costs, costs of enforcement activity, private litigation costs refer to administrative and internal operation of regulatory bodies.

We consider that the next 3 dimensions , namely industrial growth, market concentration, and welfare gains, are mentioned here as areas of supervision of regulatory bodies.

For both categories, that is to say internal operation and areas of supervision, the regulatory bodies are in better position to estimate the economic implications their independence has on these dimensions within the scope of AVMSD Directive.

From our part, we would just like to remind that efficient operation requires adequate personal/staff, means and resources.

General observation for Question II.2 , 11 page 17 :

The regulatory bodies are in a better position to estimate the administrative implications their independence has on the issues featured in question 11, p. 17, when acting within the scope of AVMSD Directive.

II.3 EXERCISE OF REGULATORY TASKS

12. In your view, how relevant is it for audiovisual regulatory bodies to exercise their powers without any political or other external influence when acting within the scope of the AVMSD?

- [x] Very relevant
- [ ] Relevant
- [ ] Not very relevant
- [ ] Not relevant
- [ ] No opinion

13. Do you consider that reserving the power to overturn the decisions to a court rather than to the government is essential to the independence of an audiovisual regulatory body?

- [x] Yes
- [ ] No
- [ ] No opinion

14. In your view, are sanctioning powers to enforce decisions applying rules addressed to the audiovisual media a defining element of the regulator's independence?

- [x] Yes
- [ ] No
- [ ] No opinion

II.4 RESOURCES

15. In your view, how relevant are adequate financial resources for a regulator's independence?

- [ ] Very relevant
- [x] Relevant
- [ ] Not very relevant
- [ ] Not relevant
- [ ] No opinion

16. How relevant are adequate human resources for a regulator's independence?

- [ ] Very relevant
- [x] Relevant
- [ ] Not very relevant
- [ ] Not relevant
- [ ] No opinion

17. In your view, what is the relevance of the sources of revenue for the regulator's independence?

	Very relevant	Relevant	Not very relevant	Not relevant	No opinion
State funding	Y				
Operator licence fees				Y	
Operator turnover levy				Y	
Other commercial revenue sources (such as an advertising tax)				Y	

If, in your view, there are other sources of revenue that have a bearing on regulatory independence, please specify them here and express their relevance for the latter in terms of the above scale.

_____
_____
_____
_____
_____
_____

II.5 NOMINATION, APPOINTMENT & DISMISSAL OF KEY STAFF

18. In your view, how relevant is the nomination process of the head of a regulatory body for its independence?

- ☒ Very relevant
- ☐ Relevant
- ☐ Not very relevant
- ☐ Not relevant
- ☐ No opinion

13

19. In your view, how relevant is the nomination procedure of the members of the decision-making body of a regulatory body for its independence?

- [x] Very relevant
- [ ] Relevant
- [ ] Not very relevant
- [ ] Not relevant
- [ ] No opinion

20. In your view, how relevant is the appointment procedure of the head of a regulatory body for its independence?

- [x] Very relevant
- [ ] Relevant
- [ ] Not very relevant
- [ ] Not relevant
- [ ] No opinion

21. In your view, how relevant is the appointment procedure of the decision-making body of a regulatory body for its independence?

- [x] Very relevant
- [ ] Relevant
- [ ] Not very relevant
- [ ] Not relevant
- [ ] No opinion

22. In your view, how relevant for the independence of a regulatory body is the expertise of its head and decision-making bodies?

- [ ] Very relevant
- [x] Relevant
- [ ] Not very relevant
- [ ] Not relevant
- [ ] No opinion

23. Where nominations and/or appointments of members of regulatory bodies are made by Parliament, do you consider that all political groups should participate in those processes?

- [x] Yes
- [ ] No
- [ ] No opinion

24. In your view, how relevant for a regulator's independence is following applicable rules on conflicts of interest in the appointment and nomination procedures?

- ☑ Very relevant
- ☐ Relevant
- ☐ Not very relevant
- ☐ Not relevant
- ☐ No opinion

25. How relevant do you consider non-renewability of the term of office of the head and members of the decision-making body to the independence of a regulatory body?

- ☑ Very relevant
- ☐ Relevant
- ☐ Not very relevant
- ☐ Not relevant
- ☐ No opinion

26. How relevant do you consider spreading the appointment of the members of the regulatory body over several time periods (rather than exchanging all of them at once) for the independence of a regulatory body?

- ☑ Very relevant
- ☐ Relevant
- ☐ Not very relevant
- ☐ Not relevant
- ☐ No opinion

27. In your opinion, who should have the right to dismiss the head of a regulatory body?

- ☑ Parliament
- ☐ Minister
- ☐ Court
- ☐ Citizens

28. In your opinion, who should have the right to dismiss the (members of the) decision-making body of a regulatory body?

- ☑ Parliament
- ☐ Minister
- ☐ Court
- ☐ Citizens

29. In your opinion, should the grounds of dismissal applicable to the head of a regulatory body and the members of its decision-making body be limited to non-fulfilment of the conditions defined in advance by law for the performance of professional duties?

- [x] Yes
- [ ] No
- [ ] No opinion

II.6 RESPONSIBILITY

30. In your view is transparency of the exercise of its tasks an essential condition for a regulator's independence?

- [x] Yes
- [ ] No
- [ ] No opinion

31. In your view is accountability for the exercise of its tasks, for example through a recurrent reporting obligation, an essential condition for a regulator's independence?

- [x] Yes
- [ ] No
- [ ] No opinion

II.7 CLOSING OBSERVATIONS

If you have any further observations on the subject matter of this consultation that you would like to share (such as examples of best practices), please enter them here:

Regarding question II. 5, page 13,

We consider that although "not being subject to instructions" is a very relevant element for the independence of regulatory bodies, receiving reminders or remarks, with a view to optimizing the efficiency of their operation, is an element which doesn't affect the independence of regulatory bodies.

III. SUBMISSION OF YOUR CONTRIBUTION

Do you consent to the publication of your submission?

✓ **Yes**

☐ No

Participation in follow-up

The European Commission will, after reviewing the submissions to this consultation, decide on further steps to be taken. We may wish to contact respondents for further clarification of their replies or to involve them in follow-up activities.

If you would like to indicate your availability towards these ends, please state your coordinates here:

Hellenic Republic
General Secretariat for Mass Media
General Secretariat for Information & Communications
Directorate for Mass Media
Department for Audiovisual Affairs

Address: 11, Fragoudi Str. & Al. Pantou Str, GR - 101 63, Athens
☎ (+0030) 210 90 98 384
✉ mediadpt@minpress.gr

Please submit your completed response to:

Public consultation on the independent report from the High Level Group on Media Freedom and Pluralism

European Commission

Directorate- General for Communications Networks, Content and Technology

Unit G1

Office BU25 05/181

B - 1049 Brussels

Thank you for your participation.