

Table on transposition of Article 4(7) of Directive 2010/13/EU (co and self regulation)

Country	Self-regulation	Co-regulation	Encouragement Provisions
Austria	Austrian Advertising Council		<p>A fund to promote self-monitoring in commercial communications, established by the statutory instrument - recast of BGB1 No 52/2009. The regulatory Authority (KommAustria) should grant, on a request, an annual subsidy to cover the costs of a recognised self-monitoring body. Self- regulation bodies are defined using the criteria of Art. 4.7 (independence etc).</p> <p>Regulatory authorities, in assessing alleged infringements of advertising rules set by legislation must take account of the rulings of generally recognized independent self-regulatory bodies.</p>
Belgium Fr com.		<p>French Community has provided, in a decree, for co-regulatory regime for certain areas such as short extracts, commercial communications, accessibility issues, respect for human dignity and protection of minors; to be exercised by the Advisory Assembly to</p>	

Fl com.	Press Council - self-regulatory body that deals with queries and complaints regarding journalistic practices. It is an initiative of the Flemish journalists' organisations, publishers and media houses.	the CSA (composed of 30 members of different socio-professional backgrounds). To be binding, the regulations by the Assembly require approval by the government.	
Bulgaria	The Ethical Code of the Bulgarian Media (by National Council for Journalistic Ethics) The national ethics rules for advertising and commercial communications of the National Council for Self-regulation.	The Media Act introduces a form of co-regulation between the Electronic Media Council and two self-regulatory bodies. The National Council for Journalistic Ethics set up an Ethics Commission and adopted rules of procedure for the Print Media Ethics Commission and the Electronic Media Ethics Commission in 2006 and since then it has been receiving complaints. Non-compliance with the decision by any of the self-regulatory bodies is liable to a fine.	The Media law requires media service providers to adhere to the Ethical Code of the Bulgarian Media (by the National Council for Journalistic Ethics) and to the national ethics rules for advertising and commercial communications of the National Council for Self-regulation.
Cyprus	Two self-regulatory bodies: the Commission of Journalistic Code of Conduct – dealing with electronic and printed media; and the Body for Advertising Regulation		
Czech Republic	Self-regulatory bodies	Cooperation between self-regulatory organisations and the regulator established by law. Opinions and recommendations issued by self-regulatory authorities binding on all the members. Most of those documents discussed and drawn up in cooperation with the Regulator. Self-regulatory authority may submit its opinion within 10 days upon which the proceedings relating to the	

		administrative offence were initiated. The Regulator should take this opinion into account while establishing the seriousness of the case and the amount of penalty.	
Denmark	<p>Guidelines for the Marketing of alcoholic beverages enforced by the Board of Alcohol Advertising</p> <p>Guidelines for food marketing to children issued by Forum for Responsible Food Marketing Communication</p>		
Estonia	Media services providers have drawn up and approved a self regulatory code of conduct on responsible advertising policy in children programme in order to protect children and their health. It will enter into force January 1, 2012.		Media Services Act encourages media operators to set up codes of conduct and define the arrangements for compliance with the rules as well as members' responsibility.
Finland	Self-regulation by main Finish television companies (Yleisradio Oy, MTV Oy and Sanoma Oyj/Nelonen signed in 1999 extended in 2007 to cover more areas (watershed, advance advertising).	Finish Regulator decided to apply the self-regulatory provisions by the main Finish broadcasters to the broadcasting of all Finish television companies.	An obligation to adhere to the Guidelines for the Journalists stemming from the broadcasting Licences on DTT network.
France		<p>Amended Law of 30 September 1986 establishes that the CSA, while exercising the supervisory powers in respect of advertising emissions, may take into account recommendations issued by the self-regulatory bodies in the field of advertising.</p> <p>Nutrition Charter</p>	Encouragement provisions included in the CSA decision of 14 December 2010 regarding self-regulation in the area of protection of minors in on-demand media services.
Germany	German Advertising Association - members include advertising companies and audiovisual		

	<p>media service providers. Self-regulatory body - Advertising Council.</p> <p>Two self-regulatory bodies in the area of protection of minors: FSF – self-regulatory body of private broadcasters accredited on 1 August 2003. FSM- self-regulatory body of well-known Internet service providers and Internet companies, accredited on 23 November 2004</p>	<p>Self-regulation in the area of Protection of Minors is supervised and accredited by the Commission for the Protection of Minors in the Media (KJM) – of the media authorities of the Länder.</p> <p>The enforcement procedure: KJM may object the decision by the self-regulatory body. The possible sanctions include: limitation of transmission time, transmission ban, initiation of a penalty procedure (administrative); submission to the public prosecutor's office (criminal offence).</p>	
Greece	<p>The Greek Code of Advertising Communication enforced by the Council of Communications Standards : checks on the application of the code ensured by two committees.</p> <p>Law 2863/2000, published in the Hellenic government official gazette A, 262/29 November 2000, provides for self-regulation mechanisms by instituting self-regulatory bodies in respect of radio and television services.</p>	<p>Under Law 2863/2000, holders of authorisations (both encrypted and unencrypted broadcasting channels) must conclude multi-lateral contracts in which their parties define the rules and ethical principles governing the programmes broadcast.</p> <p>There must be at least two parties to the contract; other radio and television bodies may be invited to sign subsequently. Failure to conclude or sign a self-regulation contract would constitute a violation of the legislation in force and result in the national council for radio and television(NCRTV) withdrawing or suspending the corresponding authorisation.</p> <p>The ethical rules provided for in the self-regulation contracts may under no circumstances be contrary to the legislation in force."</p>	<p>Encouragement provisions included in Art.28 of the Presidential Decree 109/2010 (addressed to audiovisual media service providers)</p>
Hungary	<p>Advertising self-regulation (the Code of Advertising Ethics adopted by 22 organizations working in the field of</p>	<p>Very detailed rules on the cooperation of Media Council with self-regulatory bodies (articles 190-202 Media Act)</p>	<p>Respect for co-and self-regulation provided for in the Media Act.</p>

	<p>commerce, marketing and media.</p> <p>Self-regulatory measures on content provision on-line (including on-demand media services) adopted by the Association of Hungarian Content Providers</p>	<p>Media Council may conclude an agreement with the self-regulatory body (including Code of Conduct) on cooperation for the administration of cases specified in the Media Act (e.g. with respect to on-demand services) and joint performance of the tasks related to media administration and media policy.</p> <p>Decisions of the self-regulatory body may be appealed to the Media Council.</p>	
Ireland	<p>BAI supports self-regulatory measures to regulate alcohol marketing to children and requires broadcasters to comply with the code developed by advertisers and broadcasters</p>	<p>BAI has co-regulatory role in the Code of Conduct for On-demand services. It is responsible for approving the Code and the BAI Compliance Committee is the appeals body for complaints in respect of content (but not commercial content) carried on on-demand services.</p>	.
Italy			
Latvia			<p>The National Electronic Media Council has called on the electronic media service providers to envisage setting up codes of conduct.</p>
Lithuania			<p>The provisions of Law on Information to Public require all media operators (including audiovisual media services providers) to set up codes of conduct to appoint responsible persons and to define the mechanisms for compliance with the rules.</p> <p>All media providers have to abide by the provisions of</p>

			<p>the Code of Ethics for Journalists and Publishers, set by a conference of all media providers. A Commission for Ethics of Journalists and Publishers acts as supervisor for implementation of the provisions of above mentioned Code. The Commission is composed by representatives of different media branches and NGO's .</p>
Luxembourg	<p>Code of Conduct by the Luxembourg Commission of Ethics in Advertising Code of Conduct by the Press Council</p>		
Malta			<p>Proposals to conduct a study on introducing co-/ self-regulatory structures for linear and non-linear media; were forwarded to the Ministries concerned and to the Broadcasting Authority. The study will also cover the possibility of setting up of different consultative committees representing the Authority, civil society, industry, interested government entities, and</p>

			NGOs so as to assist them, among other things, in better regulating children's programmes; better protecting minors and vulnerable persons; and regulating the quality of advertising and guarding audiences from deceitful advertising.
Netherlands		Co-regulatory system for protection of minors against harmful media images (since 2001). NICAM – a government approved body, may impose penalties on broadcasters that do not comply with its rules (ranging from a warning to fines and termination of membership). Media Commissariat carries out annual monitoring.	
Poland	Polish Advertising Council established a Code of Advertising Ethics which is enforced by the Commission of Advertising Ethics.		Media law encourages media service providers to set and adhere to the codes of conduct. The Broadcasting Council may issue a decision requiring a media service provider to stop activities incompatible with the co-regulatory acts he adhered to.
Portugal	Agreement on the classification of TV programmes of 13 September 2006 (signed by free-access television operators) Agreement on sponsorship mentions of 1	Agreement about violence in television, signed by free-access television operators and High Authority for the media, in 9 July 1997.	Audiovisual media services law and Media Regulatory Authority Statutes promotes and encourages the adoption of mechanisms for co-

	<p>February 2008 (between the Civil Institute of Advertising Self-regulation (ICAP) and three television operators)</p> <p>Agreement on product placement and production grids/grants signed on 6 February 2009 between Portuguese Media Confederation, ICAP and three TV operators. Three kinds of penalties provided for non-compliance: written warning, obligation to conceal the image of the product or service in any future broadcast of the same series or programme, suspension for three days of the programme's usual timetable. + 2 codes on HFSS foods</p>	<p>Protocol signed by the three operators, on 21 August 2003, approved by the Minister of the Presidency of the Council of Ministers, regarding commercial communications in public broadcaster and the correspondent obligations of private broadcasters (support and funding for independent production; content for the international channels; cultural programming and support to the public with hearing difficulties</p>	<p>regulation, self-regulation and cooperation between the various broadcasters operators and on-demand audiovisual services.</p>
Romania	<p>Romanian Journalists' Association, Romanian Advertising Council, the Romanian Audiovisual Communication Association (no mention of a code of conduct)</p>		<p>National Audiovisual Council cooperates with International Advertising Association, Romanian Journalists' Association, Romanian Advertising Council, the Romanian Audiovisual Communication Association and other self-regulatory organisations.</p>
Slovakia			<p>Encouragement provisions included in the Act on Broadcasting and Retransmission.</p>
Slovenia			<p>No specific rules/codes</p>
Spain	<p>An agreement of 13 June 2002 between the main TV operators (both national and</p>	<p>According to the General Law on the Audiovisual Communication, since 1 May 2010, the non-</p>	<p>The General Law on the Audiovisual Communication</p>

	<p>regional), AUTOCONTROL (Association for Advertising Self-regulation) and the Association of Spanish Advertisers – copy advice objective</p> <p>Self-regulatory Code on TV Contents and Children – signed up on 9 December 2004 by the main Spanish TV operators, in 2006 joined by regional TV operators</p> <p>Two level monitoring and control of compliance: first by Self-regulation Committee composed of TV operators –signatories of the Code; and the second one by the Mixed Monitoring Commission, composed of the Members of the Committee and social organizations (e.g. consumer organisations).</p> <p>+ PAOS code and a number of other sectoral codes of conduct</p>	<p>compliance with the Self-regulatory codes constitutes an administrative infringement and may be sanctioned.</p>	<p>establishes a right for audiovisual media service providers to set up codes of conduct in the area of audiovisual communications. The codes should provide for complaints solving mechanisms.</p> <p>The Audiovisual Authorities should monitor the compliance with the codes.</p>
<p>Sweden</p>	<p>The Public Press Ombudsman and the Swedish Press Council (PON). If the PON finds a breach of the <u>Ethics Code</u> the newspaper is under the obligation to publish the Committee's statement and liable to pay administrative fee.</p> <p>The Advertising Ombudsman and the Advertising Ombudsman's Press Council - the decisions on the breaches of the Ethics Code are published</p> <p>Association of Content and Service Providers</p>		<p>The Media Council is a government agency with the aims to reduce the risk of harmful media influences among minors and to empower minors as conscious media users. The media council is entrusted with promoting self-regulation by the media industries with respect to promotion of children.</p>

	<p>on the Swedish On-line Market – a majority of leading internet providers are members of that organisation. It has drawn up ethics guidelines. The infringing firm is asked to remedy the situation. If it fails to comply or has repeatedly infringed the guidelines it is excluded from the association.</p>		
<p>UK</p>		<p>Under a statutory scheme, Ofcom has designated self-regulatory organisations to act on its behalf. ATVOD has been designated in respect of content of on-demand programme services while ASA is formally designated in respect of advertising for both broadcasting and on-demand services. Wide range of enforcement mechanism are exercised by Ofcom , from directing a broadcast licensee to taking remedial action, imposing financial penalties and revocation of the broadcasting license. For on-demand services Ofcom may impose financial penalty or suspend or restrict on-demand service. It is a criminal offence to provide an on-demand service in contravention of a restriction or suspension.</p>	