

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 – Estonia

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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)
Estonia	3	1	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
Estonia	Information requirements (art. 5 AVMS Directive)	The Broadcasting Act Estonian Public Broadcasting Act	Ministry of Culture	Ministry of Culture	The Public Broadcasting Council
	Audiovisual commercial communication, sponsorship, product placement (Art. 9 – 11 AVMS Directive)	The Broadcasting Act Estonian Public Broadcasting Act	Ministry of Culture	Ministry of Culture	Ministry of Culture
	Accessibility to people with a disability (Art. 7 AVMS Directive)	Estonian Public Broadcasting Act	No requirement	No requirement	The Public Broadcasting Council
	Broadcasting of major events (Art. 14 AVMS Directive)	The Broadcasting Act	Ministry of Culture	Ministry of Culture	Ministry of Culture
	Access to short news reports (Article 15 AVMS Directive)	No requirement	N/A	N/A	N/A
	Promotion of European works (Art. 13, 16, 17 AVMS Directive)	The Broadcasting Act	Ministry of Culture	Ministry of Culture	-

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
	Hate speech (Art. 12 and 6 AVMS Directive)	The Broadcasting Act	Ministry of Culture	Ministry of Culture	-
	Television advertising and teleshopping, (Art. 19 – 26 AVMS Directive)	The Broadcasting Act	Ministry of Culture	Ministry of Culture	-
	Protection of minors (Art. 27 AVMS Directive)	The Broadcasting Act	Ministry of Culture	Ministry of Culture	-
	Right of reply (Art. 28 AVMS Directive)	The Broadcasting Act	Ministry of Culture	Ministry of Culture	-
	Communication and cooperation with other European regulation bodies and the Commission (Art. 30 AVMS Directive)	-	Ministry of Culture	Ministry of Culture	The Estonian Public Broadcasting Council

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
Estonia	Ministry of Culture of the Republic of Estonia (Department of media and copyright and neighbouring rights)	www.kul.ee/index.php?path=0x1377x1037		Suur-Karja Street 23 15076 Tallinn Estonia
	The Estonian Public Broadcasting Council	www.err.ee/default-en.aspx?s=31&a=77	1994 (renamed in 2007)	Gonsiori 27 15029 Tallinn Estonia

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)
Estonia	Ministry of Culture of the Republic of Estonia	Yes	Yes	Yes	No	No	No
	The Estonian Public Broadcasting Council	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
Estonia	Ministry of Culture of the Republic of Estonia	Not foreseen Internal statute of the Department of media and copyright and neighbouring rights states that there are five appointments. Today from these five four are filled, one is vacant.	69 (4 persons in Department of media and copyright and neighbouring rights)	EEK 1 522,114,962 (€97,259,742) figures cover the overall situation	EEK 1,522,114,962 (€97,259m) figures cover the overall situation (Source: research of the consortium)	2010 www.riigiteataja.ee/ert/act.jsp?id=13252314

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
	The Estonian Public Broadcasting Council	Depends on number of parliamentary fractions. One member from each fraction plus 4 experts. At present moment there are 10 members. (6 MPs and 4 experts)	10 members + 0.25 adviser. No full time employees	Not foreseen in law	EEK 1,558,000 (€94,424)	2010 http://err.ee/files/ERR%20eelarve%202010%20(kinnit%20RRHN%2015.12.2009).pdf

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
Estonia	(There is no independent regulatory body as foreseen in AVMS Directive Article 30)		
	Estonian Public Broadcasting Council	Parliament Decree	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
	Ministry of Culture	The Decree of The Government of the Republic of Estonia www.riigiteataja.ee/ert/act.jsp?id=12891729	Constitution of the Republic of Estonia www.president.ee/en/estonia/constitution.php

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
Estonia	Department of media and copyright and neighbouring rights	Part of Ministry	No	Ministry of Culture	State	www.kul.ee
	Estonian Public Broadcasting Council	PSB	No	Estonian Public Broadcasting	PSB	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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	
Estonia	Public Broadcasting Council	√		Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
	Ministry of Culture	√		

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
Estonia	Ministry of Culture	Tick boxes	√	√	√
		Areas	Terms of private broadcasters licenses	Quotas, advertising, protection of minors	No information available
		Source	Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=831359	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323 Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=831359 Broadcasting Act EN translation from 2006 (has been amended after 2006) www.legaltext.ee/et/andmebaas/tekst.asp?loc=text&dok=X30069K9&keel=en&pg=1&ptyyp=RT&tyyp=X&query=ringh%E4%E4lingu	

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)
Estonia	Ministry of Culture	Quotas	√	√	√	√		Practice described at www.kul.ee Estonian Public Broadcasting Act
		Advertising	√	√	√	√		

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
		Protection of minors	√	√	√	√		www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323 Broadcasting Act https://www.riigiteataja.ee/ert/act.jsp?id=831359

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
Estonia	Ministry of Culture	Quotas	√ discretionary	√ Up to €2.556 (EEK 40,000)		√		
		Advertising	√ discretionary	√ Same as above		√		
		Protection of minors	√ discretionary	√ Same as above		√		

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
Estonia	Ministry of Culture	√	√	√	√	√	√	√

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)
Estonia	Ministry of Culture	√	√ Up to €2,556 (40,000 EEK)	N/A	There has not been any violation that Ministry of Culture had considered to be worth of such retribution	N/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
Estonia	Ministry of Culture	Yes Citizens can send their complaints to the MoC (letter, e-mail, phone call, via MoC home pages). All complaints are handled by Media Department. Reply is given in proper time (max 30 days)	www.kul.ee/index.php?path=0x6x108
	Estonian Public Broadcasting Council	Yes Citizens can send their complaints to the BC (letter, e-mail, phone call, via ERR home pages). Council looks into all complaints and responds in written form.	www.err.ee/sisu.aspx?s=18&a=44

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)		
Estonia	Ministry of Culture	There is no special independent body	No	No	No	No	No	No	No	No	No information available
	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Board	10	No	No	Yes	No	Yes	No	No	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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?
Estonia	Ministry of Culture	Licensing of commercial broadcasters	Consultation with representatives of industry and civil society	No	Yes
	Ministry of Culture	AVMS fulfilment control	Decisions are adopted by the Media Department. In some cases higher authorisation is foreseen and approval/signature by the minister is required.	No	No
	Estonian Public Broadcasting Council	Only responsible for Estonian Public Broadcasting	By majority vote, at least 50% members must be present Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323	Yes	Yes

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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Chairman	Yes	Any member of the board can apply for the position of chairman. In practice, members of Broadcasting Council nominate a candidate for the position. Then the board votes. The candidate who gets majority of votes is elected (appointed) for the position.	Estonian Public Broadcasting Council	Yes	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Board members	Yes	The Parliament's Committee of Cultural Affairs	The Parliament	Yes	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Chairman of the board	If expert, then for five years. If MEP, then until the end of their Parliament membership period.	Four independent experts are appointed for 5 years period. Parliament members until the end of their Parliament membership period.	Yes, not limited	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

Country	Body		Term of office	Is the term staggered not to coincide with election cycle?	Renewal possible? If so, state how many times	Source
		Board members	If expert, then for five years. If MEP, then until the end of their Parliament membership period.	Four independent experts are appointed for 5 years period. Parliament members until the end of their Parliament membership period.	Yes, not limited	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Chairman of the board	No information available	For MEPs, no specific criteria. If expert, then he must be expert in areas of public broadcasting	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Board members	No information available	For MEPs, no specific criteria. If expert, then he must be expert in areas of public broadcasting	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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						
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Chairman	Yes		Yes	No	Yes	Yes	No	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Board members	Yes		Yes	No	Yes	Yes	No	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Senior staff	No information available							

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				
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Chairman	Yes		Yes	No	Yes	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Board members	Yes		Yes Council members cannot be members of	No	Yes Council members cannot be the owner of a broadcaster, have	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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				
					the government		contractual relationships with broadcasters, be a shareholder, partner or member of a broadcaster , a member of the management body of a broadcaster.	
		Senior staff	n/a					There is no 'senior staff' from legal point of view

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		
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Chairman		No		Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Board members		No		Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Senior Staff		No		Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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				
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Chairman		No	Parliament , Council itself	No	Only individual members	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Individual board members		No	Parliament	No		Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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		
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	No	State funding 100%	No	No	No	No	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Parliament	Yes	Ministry of Culture, Ministry of Finances, Parliament	No	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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?					Legal basis
		Yes/no	Periodicity	By national (state) audit office, etc.	Private audit firm	Other	
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Yes	Annual	No	Yes	No	Estonian Public Broadcasting Act

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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Parliament	No	N/A	N/A
		The Parliament's Committee of Cultural Affairs.	Yes	Yearly report	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	Yearly report	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323

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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	The Parliament's Committee of Cultural Affairs.	Annual	Fulfilment of PsB remit	No	No	No	

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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Yes	Annual	No	Yes	No	Estonian Public Broadcasting Act

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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>

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
Estonia	Ministry of Culture	No appeal procedure In relation to the enforcement of the rules listed in the AVMS, there is no appeal procedure	N/A	N/A	N/A	N/A

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
Estonia	Ministry of Culture No appeal procedure in place	N/A	N/A	N/A	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
Estonia	Ministry of Culture No appeal procedure in place	N/A	N/A	N/A	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
Estonia	Ministry of Culture No appeal procedure in place	N/A	N/A	N/A	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?
Estonia	Ministry of Culture	No	N/A		-	-

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	
Estonia	Ministry of Culture	No	No	No	No	No	No

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
Estonia	Ministry of Culture	2009	Several consultations have taken place with broadcasters and media specialists from academic circles to launch a functioning self-regulation system in media sector. Broadcasters have been encouraged to adopt common guidelines among themselves and for themselves in certain areas (disabled people, protection of minors (fatty food ads) etc

Country	Body	Year	Number of public consultations
		2008	In 2008 Ministry of Culture had consultations with representatives of research company to carry out monitoring over broadcasters in more efficient way to ensure compliance with requirements of AVMSD.
		2007	In drafting process of AVMSD the main stakeholders and media experts were involved
		2006	In drafting process of AVMSD the main stakeholders and media experts were involved
		2005	In 2005 Ministry of Culture had consultation with representatives of Consumer Organisations regarding violence in media.

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
Estonia	Ministry of Culture	All Decrees of the Ministry, including licensing tenders.	No	No	No

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
Estonia	Ministry of Culture	Ad-hoc	Meetings and Consultation in written forms	No	
	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Ad-hoc	Meetings and Consultation in written forms	No	

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
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Yes	European Platform of Regulatory Authorities	
	Ministry of Culture	Yes	European Commission, European Council	