

# 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 III – Issue Tables

Powers of the regulatory bodies

(Tables 09–14)

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### 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
Austria	Austrian Communications Authority (KommAustria)	Tick boxes	No	√ KommAustria regulates by means of "ordinances"	√ i.e., by means of individual/concrete 'Decisions' (Entscheidungen)
		Areas		In a number of areas, including on frequency usage fees, broadcasting market definition; Broadcasting Threshold Value; Multiplex Operator Selection Principles	e.g., authorization of technical equipment; awarding of broadcasting licenses; allocation of frequencies; decisions regarding infringements of program regulations (advertising, protection of minors, etc.)
	Source		<a href="http://www.rtr.at/en/rf/rfVerordnungen">www.rtr.at/en/rf/rfVerordnungen</a>	See KommAustria 'Decisions' overview	
	Federal Communications Board (BKS)	Tick boxes	No	No	√ i.e. by means of individual/concrete 'Decisions' (Entscheidungen)
		Areas			e.g., licenses, program standards, advertising, protection of minors, etc.
		Source			See BKS 'Decisions' overview
	<b>Note:</b> KommAustria inter alia regulates by means of general/abstract "Ordinances" (Verordnungen). E.g., by Ordinances on Frequency Usage Fees; Broadcasting Market Definition; Broadcasting Threshold Value; Multiplex Operator Selection Principles. This may be referred to as "General policy implementing" or "Specific rule making" (see also Table 11). Demarcation between both is not completely clear. For an overview on KommAustria 'Ordinances' see: <a href="http://www.rtr.at/en/rf/rfVerordnungen">http://www.rtr.at/en/rf/rfVerordnungen</a> .				
Belgium	BE-VL: VRM		N/A (constitutional concerns); however, VRM can advise government on appropriateness of regulatory framework	√ (VL-media-act, 218) General act	√
			N/A (constitutional concerns); however, Bureau can advise government on appropriateness of regulatory framework (141 FR-media-act)	√ (FR-media-act, 135) General act	√ Separate college competent for advising on media policy issues (CAV)

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
	BE-DE : MRat	N/A (constitutional concerns)	√ (DE-media-act, 86, 89, 97, 98, 114) General act	√ Separate chamber competent for advising on media policy issues (MRat-ADV)
<b>Bulgaria</b>	CEM	No	√ Supervision and monitoring of the activities of the operators Organizes surveys and research in regard to public assessment of electronic media services Keeps public register of all linear and non-linear services and providers of media services Publishes a list with all the events of major importance to guarantee. Coordinates activities between public institutions and NGOs in regard to electronic media related policies Safeguards the protection of minors and of people with disabilities Safeguards consumers rights Supervises providers of media services in regard to advertising and product placement policies	√ Appointment of DG of the PSB (Bulgarian National Radio, BNR and Bulgarian National Television, BNT) Approves the Governing Bodies of BNR and BNT Decides on licensing of operators (issuing, transferring, revoking, cancelling) Appeals to state institutions in cases of breaching of media law (and its subsequent regulations) on behalf of the electronic media
			General act Law on Radio and TV	General act Law on Radio and TV, Art.32 and art.33
<b>Cyprus</b>		No	√	√
	Cyprus Radio-Television Authority	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</li> </ul>

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
				of the program and radio frequency interruptions, violations of media legislation and codes of practice, such as the Advertising code of practice. <ul style="list-style-type: none"> <li>Impose administrative fines to stations for violation of the provisions of the Law</li> </ul>
			s.3 of the Radio and Television Stations Law of 1998	General act Act 7(1)/98
Czech Republic		No	√	√
	RRTV	-	Under art. 5 of the Broadcasting Act, powers and duties of the Council include <ul style="list-style-type: none"> <li>preparing opinions and proposals, thus contributing to the development of principles of the government policy of the Czech Republic with regard to broadcasting and to the concepts of its future development.</li> <li>supervising compliance with legal regulations in the area of broadcasting</li> </ul>	licensing of radio and TV operators, setting of licence conditions
		-	Act No. 231/2001 Coll.	General act Act No. 231/2001 Coll.
Denmark		No	√	√
	RTB	-	In all areas linked to linear and non-linear audiovisual services	Linear and non-linear audiovisual services Licensing, Registration, monitoring compliance with Radio and Television Broadcasting Act and Executive Orders laid down according to the Act. Please see explanatory note about PSB
		-	General act and specific legislation The Radio and Television Broadcasting Act <a href="http://www.retsinformation.dk/Forms/R0710.aspx?id=126149">www.retsinformation.dk/Forms/R0710.aspx?id=126149</a> (link to promulgation of the Act 827 of 26 August 2009 – not available in English) , changed by Act 1269 of 16 December 2009 (implementation of the AVMS Directive) <a href="http://www.retsinformation.dk/Forms/R0710.aspx?id=129087">www.retsinformation.dk/Forms/R0710.aspx?id=129087</a> A number of Executive Orders concerning different types of television :non commercial (mostly regional), satellite and cable-stations and PSB (not available in English)	

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers	
Estonia	Ministry of Culture	Tick boxes Areas	√	√	
		Source	Terms of private broadcasters licenses Broadcasting Act <a href="http://www.riigiteataja.ee/ert/act.jsp?id=831359">www.riigiteataja.ee/ert/act.jsp?id=831359</a>	Quotas, advertising, protection of minors Estonian Public Broadcasting Act <a href="http://www.riigiteataja.ee/ert/act.jsp?id=12786086">www.riigiteataja.ee/ert/act.jsp?id=12786086</a> English: <a href="http://www.kul.ee/index.php?path=0x296x323">www.kul.ee/index.php?path=0x296x323</a> Broadcasting Act <a href="http://www.riigiteataja.ee/ert/act.jsp?id=831359">www.riigiteataja.ee/ert/act.jsp?id=831359</a> Broadcasting Act EN translation from 2006 (has been amended after 2006) <a href="http://www.legaltext.ee/et/andmebaas/tekst.asp?loc=text&amp;dok=X30069K9&amp;keel=en&amp;pg=1&amp;ptyyp=RT&amp;tyyp=X&amp;query=ringn%E4%E4lingu">www.legaltext.ee/et/andmebaas/tekst.asp?loc=text&amp;dok=X30069K9&amp;keel=en&amp;pg=1&amp;ptyyp=RT&amp;tyyp=X&amp;query=ringn%E4%E4lingu</a>	No information available
		Tick boxes Areas	No	√	
Finland	FICORA	Tick boxes Areas	For example: <ul style="list-style-type: none"> <li>deciding on the use of radio spectrum based on a frequency plan accepted by the Council of State</li> <li>setting the definition of what is sponsoring and what is advertising in radio</li> </ul>	In areas under FICORA's supervision based on the audiovisual media legislation (e.g. advertising insertion and quotas, promotion of European works etc.).	
		Source	Legislation governing the fields under FICORA's responsibility collected on its website: <a href="http://www.ficora.fi/index/saadokset/lait.html">www.ficora.fi/index/saadokset/lait.html</a> (in Finnish, extensive list) <a href="http://www.ficora.fi/en/index/saadokset/lait.html">www.ficora.fi/en/index/saadokset/lait.html</a> (in English, limited list)	General act See previous column. The main piece of legislation is the Act on Television and Radio Operations 9.10.1998/744 <a href="http://www.ficora.fi/index/saadokset/lait/tvjaradiotoiminta.html">www.ficora.fi/index/saadokset/lait/tvjaradiotoiminta.html</a> (in Finnish)	
France	CSA	Tick boxes General policy is defined by law and application decrees, but official advice from the CSA is required on any issue, project or decree affecting audiovisual issues.	√	√	

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
	<p data-bbox="225 1588 304 1792"><u>Areas</u> Content/distribution policy</p> <p data-bbox="472 1534 552 1792">Pluralism, diversity, protections of minors and human integrity</p> <p data-bbox="560 1561 639 1792">Regulation of relations between channels and bouquet operators</p> <p data-bbox="647 1534 699 1792">Advertising/Sponsorship/Product placement</p>	<p data-bbox="225 1368 260 1505">Law 86-1067</p>	<p data-bbox="225 647 459 1093">Specific rules governing the application of quota (production and programming) over the years, the coverage areas, the absolute and relative amounts of production spending committed by major broadcasters and cab/sat broadcasters based in France</p> <p data-bbox="467 696 502 1093">Definition of categories of programming (such as genres, formats, etc) for the purpose of law enforcement</p> <p data-bbox="510 835 545 1093">Law 86-1067, article 17-1</p> <p data-bbox="553 824 588 1093">Definition of practical rules</p>	<p data-bbox="225 165 352 609">Decision power on all issues where the CSA is endowed with a regulation and monitoring issue, including quotas, advertising breaches, license infringements, relations between channels and distributors.</p>
<b>Germany</b>	LMA	<p data-bbox="715 1368 750 1505">Law 86-1067</p> <p data-bbox="758 1473 793 1505">No</p>	<p data-bbox="715 958 750 1093">Law 86-1067</p> <p data-bbox="758 647 869 1093">√ (Legally binding guidelines issued by the State Media Authorities, very narrow and specific)</p> <p data-bbox="877 647 1005 1093">Directives for Advertising, for the Implementation of the Separation of Advertising and Programme and for Sponsoring, for Protection of Human Dignity and the Protection of Minors</p>	<p data-bbox="715 472 750 609">Law 86-1067</p> <p data-bbox="758 589 793 609">√</p> <p data-bbox="877 165 1069 609">If the competent state media authority finds that a provider has violated the provisions of the RStV or respective state media law, it shall take the measures required. Measures include in particular admonition, prohibition, withdrawal and revocation. They are legally effective administrative acts.</p> <p data-bbox="1077 286 1112 609">§ 38 RStV; e. g. § 32 LMMedienG</p>

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
	Broadcasting Councils	Tick boxes	√ (Internal binding guidelines decided by the board, issued by the "intendant", again very specific)	√
		Areas	The Broadcasting Councils possess advisory and supervisory powers. They may focus on both individual programmes as well as the general structure of programming (decisions on guidelines for programming).	Take part in programming-related decisions on personnel, organization and budgetary matters are therefore endowed with considerable powers of intervention.
		Source	Article 6 Abs. 1 and article 7 Abs. 3 BayRG; § 20 Abs. 4 S. 2 MDR-interstate treaty	Article 6 Abs. 1 and article 7 Abs. 3 BayRG; § 20 Abs. 4 S. 2 MDR-interstate treaty
		Tick boxes	√	√
<b>Greece</b>	NCRTV	Areas	1.Regulation of television and radio sectors 2.Supervision of the implementation of media ownership regulations by the Competition Commission	Anti-trust regulation in communications sector
		Source	Laws 3592/2007, 2863/2000	Law 3592/2007, Articles 3 and 5 (specific media ownership regulation). Until today the Competition Commission is inactive in the implementation of the media ownership rules and the NCRTV is inactive in the supervision of the implementation of media ownership rules
		Tick boxes	√	√
<b>Hungary</b>	National Radio and Television Board (ORTT)	Tick boxes	√	√
		Areas	Protection of minors, advertising, sponsored programmes	Protection of minors, advertising, broadcasting public events, sponsored programmes
		Source	Act I of 1996 on Radio and Television Broadcasting section 41 (1)	Act I of 1996 on Radio and Television Broadcasting
		Tick boxes	√	√
<b>Ireland</b>	Broadcasting Authority of Ireland	Areas	Licensing Editorial codes Advertising Codes Right of Reply	Licensing Editorial codes Advertising Codes Right of Reply
		Sources	Powers derived from Broadcasting Act 2009, which consolidates powers granted to previous regulators in 1988, 2001 and 2007)	Powers derived from Broadcasting Act 2009, which consolidates powers granted to previous regulators in 1988, 2001 and 2007)
		Tick boxes	√	√



Country	Body		General policy setting	General policy implementing powers	Third party decision making powers
Italy	AGCOM	Tick boxes	No	√	√
		Areas	N/A	Broadcasting, electronic communications, publishing	Broadcasting, electronic communications, publishing
		Sources	N/A	General act Legislative Decree July 31, 2005 n. 177, as amended by Legislative Decree 15 march 2010 n. 44 (art. 3 ss.) <a href="http://www.normattiva.it//dispatcher?task=attoCompletto&amp;service=212&amp;datagu=2005-09-07&amp;redaz=005G0206&amp;parControllo=si&amp;connote=false&amp;aggiorn=si&amp;datavalidita=20100615">www.normattiva.it//dispatcher?task=attoCompletto&amp;service=212&amp;datagu=2005-09-07&amp;redaz=005G0206&amp;parControllo=si&amp;connote=false&amp;aggiorn=si&amp;datavalidita=20100615</a> (in Italian)	General act Legislative Decree July 31, 2005 n. 177, as amended by Legislative Decree 15 march 2010 n. 44 (art. 3 ss.) <a href="http://www.normattiva.it//dispatcher?task=attoCompletto&amp;service=212&amp;datagu=2005-09-07&amp;redaz=005G0206&amp;parControllo=si&amp;connote=false&amp;aggiorn=si&amp;datavalidita=20100615">www.normattiva.it//dispatcher?task=attoCompletto&amp;service=212&amp;datagu=2005-09-07&amp;redaz=005G0206&amp;parControllo=si&amp;connote=false&amp;aggiorn=si&amp;datavalidita=20100615</a> (in Italian)
Latvia	National Broadcasting Council	Tick boxes	√	√	√
		Areas	Overall development of the electronic media market; interpretation of advertising & sponsorship rules, European works rules, language quotas. Determination of the public service remit	Licence allocation via tendering process, supervision of compliance with rules and adherence to programme format	Allocation of licences to promote a balanced market and prevention of monopolisation Supervision of compliance with rules, broadcasters to supply information according to regulators' rules i.e. ex-post regulation. As trustees of the PSBs the NBC appoints the directors general and approves appointments to their boards.
		Source	General act Radio and Television Law	Tender rules (conditions of licence), Radio and Television Law	General act Radio and Television Law
Lithuania	LRTK	Tick boxes	No	√	√
		Areas	LRTK participates in the process of setting national audiovisual policy; it does not adopt general policies itself. For example, it participates in the formation of national audiovisual policy and competence to propose draft legislation concerning broadcasting.	E.g. competence to adopt rules concerning broadcasters' compliance with the statutory requirements related to advertising and sponsorship	E.g. competence to control broadcasters' compliance with statutory requirements concerning protection of minors
		Source	PIP Art 47 Part 1 and PIP Art 48 Part 1 Para 12 (general law)	PIP Art 48 Part 1 Para 7 (general law)	PIP Art 48 Part 1 Para 5 (general law)
Luxembourg	CNP	Areas	None	None	None
		Source	<a href="http://www.cnp.lu/documentation/avis">www.cnp.lu/documentation/avis</a>		

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
Malta	Broadcasting Authority	Tick boxes	√	√
		Areas	Regulation of content on TV and radio stations Due impartiality and fair distribution of broadcasting time between parties	Assignment of licences
		Source	Broadcasting Act, 1991 Constitution	General act Broadcasting Act, 1991
Netherlands	CvdM	Tick boxes	√	√
		Areas	Licensing, maintenance provisions and obligations regarding quota, advertising, sponsoring, and specific supervision on PSB issues like control of financing and secondary activities.	Licensing, maintenance provisions and obligations regarding quota, advertising, sponsoring, and specific supervision on PSB issues like control of financing and secondary activities.
		Source	Media Act 2008	General act Media Act 2008
Poland	National Broadcasting Council (KRRiT)	Tick boxes	√	√
		Areas	In all areas relating to radio and television broadcasting	In all areas relating to of radio and television broadcasting
		Source	1992 Broadcasting Act	General act 1992 Broadcasting Act
Portugal	ERC	Tick boxes	√	√
		Areas	Although without any power to set general policies, ERC must be formally consulted before any measures concerning media activity are decided.	Television
		Source	ERC Statute (Art. 24) <a href="http://www.erc.pt/index.php?op=conteudo&amp;lang=pt&amp;id=68&amp;mainLevel=folhaSolita">www.erc.pt/index.php?op=conteudo&amp;lang=pt&amp;id=68&amp;mainLevel=folhaSolita</a> Law 27/2007, of 30 of July (Television Law)	ERC Statute (Art. 24, in particular 24, number 3, paragraph i). <a href="http://www.erc.pt/index.php?op=conteudo&amp;lang=pt&amp;id=68&amp;mainLevel=folhaSolita">www.erc.pt/index.php?op=conteudo&amp;lang=pt&amp;id=68&amp;mainLevel=folhaSolita</a> Article 93 of Law 27/2007, of 30 of July (Television Law)

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Romania	National Audiovisual Council	√ Tick boxes	√	√
	Areas	Designing the strategy for the development of the audiovisual industry	CNA exerts control right upon the content of the programs offered by audiovisual media ensured by service distributors. The control is usually accomplished on a periodical basis and whenever the Council deems it necessary or whenever a complaint is forwarded in regard to a radio-broadcaster's failure to observe the legal provisions, the regulation norms in the field or the liabilities recorded in the audio-visual license. The decisions and the norms issued by the National Audio-visual Council with a view to applying the provisions of the present Law and by observing the legal provisions, as well as the norms on human rights stipulated in the conventions and treaties ratified by Romania are not deemed interference.	Sector Legislation For PSB the Law 41/1994 of the Public Television and Radio Society Other Laws and Decisions of the Govern: 148/2000 regarding the advertising, 196/2003 regarding avoiding of the pornography, 47/2003 regarding the major events, 1213/2009 regarding the strategy for digital television
Slovakia	Source	General act Audiovisual Law <a href="http://www.cna.ro">www.cna.ro</a>	Ch.1, art.6, Audiovisual Law. Audiovisual Regulatory Code <a href="http://www.cna.ro">www.cna.ro</a>	√
	Council for Broadcasting and Retransmission	No Tick boxes Areas	√ • Participating in the creation of laws and other generally binding legislation in the area of broadcasting, AVMS and retransmission • Giving opinion on proposals to sign international treaties in the area of broadcasting. AVMS, and retransmission, on their fulfilment, on proposing signing international treaties, international conventions and other international legal acts or accession to them • Elaborating a list of significant events in	• Deciding on the licences for broadcasting • Registrations of the retransmissions for broadcasting • Deciding on the suspension of retransmission of a programme service • Deciding on granting further frequencies to public service broadcasters • Beginning proceedings on granting licences for terrestrial broadcasting • Granting agreement to a public service broadcaster on broadcasting by satellite

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
			<p>collaboration with the Ministry of Culture and the Ministry of Education, the right holders and the broadcasters.</p> <ul style="list-style-type: none"> <li>Supervision of the fulfilment of duties according to this law and special regulations</li> <li>Imposing sanctions on a broadcaster, operator of retransmission, providers of AVMS on demand and on those who broadcast or operate retransmission without authorization</li> <li>Determining time periods for the regulation of legal relations of broadcasters</li> <li>Keeping a record of requests for granting licence for broadcasting, including AVMS and IPTV, or registration of retransmission, of granted licences, or registrations of retransmission, including their change</li> <li>Right to demand from broadcasters archival recordings</li> <li>dealing with complains with respect to possibly breaking the law</li> <li>Supervision of the compliance with the European Convention on Transfrontier Television</li> <li>Cooperation with the Telecommunication Office in the area of utilisation of frequencies for broadcasting</li> </ul>	<ul style="list-style-type: none"> <li>Deciding on programme types and determining categorisation of supplemental broadcasting selected by the broadcaster</li> <li>Issuing warnings to the Council of Slovak Television and Radio Council on the infringement of duties of public service broadcasters under this law</li> <li>Cooperation with the Ministry of Culture to solve international dispute in the area of broadcasting</li> </ul>
<b>Slovenia</b>			Act 308/2000 as amended by Act 498/2009	Act 308/2000 with 15 amendments, §§ 4 and 5
		Source	√	No
		Tick boxes	No	
		Areas	EU audiovisual works Rules on advertising Protection of minors	
		Source	Mass Media Act	
		Areas	√ EU audiovisual works Rules on advertising Protection of minors	√ EU audiovisual works Rules on advertising Protection of minors
	Ministry of Culture	√ EU audiovisual works Rules on advertising Protection of minors	√ EU audiovisual works Rules on advertising Protection of minors	√ EU audiovisual works Rules on advertising Protection of minors

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
Spain	Source	General act Mass Media Act	General act Mass Media Act	General act Mass Media Act
	CEMA	Tick boxes		√
		Areas		
		Source		
	CMT	√	√	√
		Areas	Pricing policy on interconnection and access, networks costs if there is disagreement between operators	
		Source	General Act. Art. 22. <a href="#">Royal Decree 1994/1996</a> , of the 6th of September	
	CAC	Tick boxes	√	√
		Areas		No information available
		Source		Same as above
	CoAN	Tick boxes	√	√
		Areas		
		Source	Regional Law 18/2001, Arts. 20-32. General policy setting powers are assigned to the government of Navarra Art.55 of Organic Law 13/1982 of 10th August on the reintegration and improvement of the autonomous regime in Navarra	
CAA		No	No	√
	Areas			No information available
	Source			Same as above
Sweden	Tick boxes	No	√	√
	Areas		No information available	No information available
	Source		Same as above	Same as above
	Swedish Broadcasting Commission (until July 31, 2010)	Tick boxes		
		Areas	No information available	No information available
	Source		Same as above	Same as above
Swedish Radio and TV Authority	Tick boxes	No	√	√
	Areas		Supervision	Licensing terrestrial television
	Source		<a href="http://www.rtvv.se/uk/Swedish_Radio_and_TV_Aut_hortiy/">www.rtvv.se/uk/Swedish_Radio_and_TV_Aut_hortiy/</a>	<a href="http://www.rtvv.se/uk/Swedish_Radio_and_TV_Aut_hortiy/">www.rtvv.se/uk/Swedish_Radio_and_TV_Aut_hortiy/</a>

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
UK		√	√	√
	Tick boxes			
	Areas	Audiovisual content (radio/TV, on demand media services Transmission aspects of audiovisual content (e.g. spectrum) Distribution aspects of audiovisual content	<ul style="list-style-type: none"> <li>Television Broadcast licensing regime</li> <li>Content standards – code setting powers</li> <li>Fairness and Privacy – code setting powers</li> <li>Quotas for independent productions and European programming</li> <li>PSB quotas for original productions; regional production; news and current affairs</li> </ul>	<ul style="list-style-type: none"> <li>Enforce the rules in relation to licensed broadcasters</li> <li>Enforcement provisions – on-air announcements, financial penalties, licence revocation</li> <li>Through broadcasting licences – fines through to revocation</li> </ul>
	Source	Communications Act 2003	Broadcasting Act 1990 and 1996; Communications Act 2003	Broadcasting Act 1990 and 1996; Communications Act 2003
	ASA	No	√	√
	Tick boxes			
	Areas		Content standards	Adjudications
	Source		Delegated from OFCOM	Delegated from OFCOM
	ATVOD	No	√	√
	Tick boxes			
Areas		On demand services	Editorial and advertising issues	
Source		Delegated from OFCOM Audiovisual Media Services Regulations 2009 <a href="http://www.opsi.gov.uk/si/si2009/ukSI_20092979_en_1">www.opsi.gov.uk/si/si2009/ukSI_20092979_en_1</a> Audiovisual Media Services Regulations 2010 <a href="http://www.opsi.gov.uk/si/si2010/ukSI_20100419_en_1">www.opsi.gov.uk/si/si2010/ukSI_20100419_en_1</a> Ofcom formal designation <a href="http://stakeholders.ofcom.org.uk/binaries/broadcast/tv-ops/designation180310.pdf">http://stakeholders.ofcom.org.uk/binaries/broadcast/tv-ops/designation180310.pdf</a>	Delegated from OFCOM Audiovisual Media Services Regulations 2009 <a href="http://www.opsi.gov.uk/si/si2009/ukSI_20092979_en_1">www.opsi.gov.uk/si/si2009/ukSI_20092979_en_1</a> Audiovisual Media Services Regulations 2010 <a href="http://www.opsi.gov.uk/si/si2010/ukSI_20100419_en_1">www.opsi.gov.uk/si/si2010/ukSI_20100419_en_1</a> Ofcom formal designation <a href="http://stakeholders.ofcom.org.uk/binaries/broadcast/tv-ops/designation180310.pdf">http://stakeholders.ofcom.org.uk/binaries/broadcast/tv-ops/designation180310.pdf</a>	
Candidate countries				
Croatia	Agency for electronic media	√	√	√
	Tick boxes			
Areas	Co and self regulation for radio and television, approval of Council	Quotas, advertising, protection of minors	All areas covered by the Law on electronic media (e.g. licensing, advertising, protection of minors)	

Country	Body	Source	General policy setting	General policy implementing powers	Third party decision making powers
Former Yugoslav Republic of Macedonia	Broadcasting Council	Source	General act Law on electronic media, Official Gazette 153/09 <a href="http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html">http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html</a>	Law on electronic media, Official Gazette 153/09 <a href="http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html">http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html</a>	General act Law on electronic media, Official Gazette 153/09 <a href="http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html">http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html</a>
		Tick boxes	√	√	√
		Areas	Adopts Strategy for Broadcasting activity (Art. 32) Ensures economic and technological development of broadcasting activity (Art.21) Adopts opinions and participates in the drafting of legislation, regulations and other acts regarding the broadcasting activity, as well as in the conclusion and accession of the Republic of Macedonia to international treaties in the field of broadcasting and provides for their full implementation (Art. 37)	Adopts decisions, rules, conclusions, recommendations, instructions and other acts, adopts views and proposals for implementation of the Law on Broadcasting Activity (Art.37) Adopts Rulebook on equal access to media representation during election campaigns (Art.75 of the Electoral Code) Supervises the work and operations of the entities involved in the pursuit of broadcasting activity in terms of their compliance with the provisions of the Law on Broadcasting Activity, the licence to pursue broadcasting activity, and the by-laws adopted by the Broadcasting Council regarding the programming content (Art.37) Reviews the requests submitted by citizens regarding the radio and TV programmes and programme services retransmitted through the public communication networks, as well as the work of the broadcasters, and informs the public about the measures it has taken (Art.37)	Undertakes legal measures against the broadcasters that fail to fulfill their duties laid out by the Law, the licence to pursue broadcasting activity and the acts of the Broadcasting Council
		Source	General act Law on Broadcasting Activity	Law on Broadcasting Activity Electoral Code	General act Law on Broadcasting Activity
Turkey	RTÜK	Tick boxes	√	√	√
		Areas	Broadcasting standards Advertising Sponsorship Right of Reply Retransmission Protection of minors Media ownership	Monitoring broadcasting standards	Allocation of Channels and Frequency Bands Ownership Sanctions

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
Potential candidate countries	Albania	Source	General act These powers derive from Law No. 3984	General act These powers derive from Law No. 3984
		Tick boxes	√	√
		Areas	Spectrum allocation and optimisation for broadcasting; terms related to content, advertising, and area coverage; broadcasting spectrum monitoring.	Economic legal and technical criteria on licenses and licensed areas
Bosnia and Herzegovina	Communications Regulatory Agency	Source	General act Law 8410, with its changes and additions (amendments)	General act and specific legislation Law 8410 with its changes and additions as well as Rules and Regulations developed in accordance with them
		Tick boxes	No	√
		Areas	<ul style="list-style-type: none"> <li>Regulating broadcasting and public telecommunications networks and services, including licensing, tariffing, interconnection, and establishing the basic conditions for the provision of common and international communications facilities</li> <li>Adopting all rules for regulated sectors</li> </ul>	√ Planning, co-ordinating, allocating and assigning the use of the radio frequency
Montenegro	Broadcasting Agency of Montenegro	Source	The Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03.	General act The Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03.
		Tick boxes	√	√
		Areas	<ul style="list-style-type: none"> <li>Strategy For The Broadcasting Sector Development</li> <li>Quotas (Advertising And Teleshopping, European works, Independent production)</li> </ul>	Same as in first column



Country	Body	Source	General policy setting	General policy implementing powers	Third party decision making powers
			<ul style="list-style-type: none"> <li>• Protection Of Minors Standards</li> <li>• Watershed periods and labelling</li> <li>• Major Events</li> <li>• Short Reporting</li> <li>• Sanctioning</li> <li>• Media Concentration prevention</li> <li>• Licensing</li> <li>• Viewer/listeners Complaints procedure</li> <li>• Fees payable by broadcasters</li> <li>• Copyright legislation enforcement</li> </ul>		
		Source	<p>General act and specific legislation</p> <p>Broadcasting Law</p> <p>Statute of the Agency</p> <p>Copyright and Related Rights' legislation</p> <p>Law on Copyright and Related Rights (Official Gazette of Serbian and Montenegro, No. 61/04), Law on Application of Regulations on the Intellectual Property Protection (Official Gazette of the Republic of Montenegro, No. 45/05).</p>	Same as in first column	Same as in first column
<b>Serbia</b>	Republic Broadcasting Agency	Tick boxes	√	√	√
		Areas	Broadcasting development strategy (with the consent of the Government of the Republic of Serbia)	Overall implantation power on Broadcasting Law provisions, licenses, binding rules for all operators i.e. broadcasters	Supervision of the operators (broadcasters), sanctions against broadcasters
		Source	General act Broadcasting Law (e.g. Art 8(1)(1))	Broadcasting Law (e.g. Art 8(1)(2-5))	Broadcasting Law (e.g. Art 8(1)(6-9))
<b>Kosovo</b>	IMC	Tick boxes	√	√	√
		Areas	IMC Rules, Regulations, Guidelines, Licence Conditions	Monitoring, Sanctioning	Selection of the RTK Board, setting amount of advertising on RTK
		Source	Law on IMC <a href="http://www.kpm-ks.org/index.php?option=com_content&amp;view=article&amp;id=191&amp;Itemid=56&amp;lang=en">www.kpm-ks.org/index.php?option=com_content &amp;view=article&amp;id=191&amp;Itemid=56&amp;lang=en</a>	Law on IMC <a href="http://www.assembly-kosova.org/common/docs/ligjet/2005_02-L-15_en.pdf">www.assembly-kosova.org/common/docs/ligjet/2005_02-L-15_en.pdf</a>	<a href="http://www.assembly-kosova.org/?cid=2,191,172">www.assembly-kosova.org/?cid=2,191,172</a>

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
<b>EFTA countries</b>				
<b>Iceland</b>	Broadcast Licensing Committee	No	√ All areas in national rules implementing the TWF Directive (except Arts. 4-6)* The Broadcasting Act 2000	No
<b>Liechtenstein</b>	Media commission	No	√ The Media commission is assigned to the following concerning issues specifically on or relevant to media: <ul style="list-style-type: none"> <li>• give recommendations to the government</li> <li>• report to questions on behalf of the government.</li> </ul> Media Law of October 19, 2005, LGBl. 2005 Nr. 250	√ The Media commission is assigned to <ul style="list-style-type: none"> <li>• control the application of the law</li> <li>• decide upon infringements of the law</li> <li>• function as a mediation body</li> </ul> General act Law on Liechtenstein Broadcasting of October 23, 2003 (LRFG), LGBl. 2003 Nr. 229]
<b>Norway</b>	Ministry of culture	√ All areas linked to broadcasting policy	√ All areas linked to broadcasting policy	√ All areas linked to broadcasting policy
		General act The Constitution	The Broadcasting Act	General act The Broadcasting Act (but these decisions are in general taken by the Media Authority
	The Media Authority	No	No	√
				Broadcasting (e.g. licensing of local radio and television; penalizing violations of the broadcasting act)
				General act The Broadcasting Act and Administrative regulation FOR 1997-02-28 No. 153

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
Switzerland	Federal Office of Communications	√ Tick boxes	√	√
		Areas Licensing; Supervision (license requirements; advertisement / sponsoring; information requirements; for details see no. 2)	Licensing; Supervision (license requirements; advertisement / sponsoring; information requirements; for details see no. 2)	Licensing; s; for details see no. 2)
		Source Radio and Television Act (RTVA ) Radio and Television Ordinance (RTVO)	Radio and Television Act (RTVA ) Radio and Television Ordinance (RTVO)	Radio and Television Act (RTVA ) Radio and Television Ordinance (RTVO)
Selected third countries	Independent Complaints Authority for Radio and Television	Tick boxes No	No	√
		Areas		No information available
		Source		No information available
Australia	Australian Communications and Media Authority	Tick boxes No	No	√ In interpreting program codes and standards, and enforcing: 1) many provisions of the Broadcasting Services Act; and directions and 2) directions, declarations etc. of the Minister for Communications.
		Areas Except for a few conferred by the Broadcasting Services Act, for example over local TV content quotas and children's TV)		
		Source Broadcasting Services Act		Broadcasting Services Act
USA	Federal Communications Commission	Tick boxes √	√	√
		Areas Media content (broadcasting only), advertising (children's and political only), telephony, wired communications, wireless communications, access, pricing, infrastructure	Media content (broadcasting only), advertising (children's and political only), telephony, wired communications, wireless communications, access, pricing, infrastructure	Media content (broadcasting only), advertising (children's and political only), telephony, wired communications, wireless communications, access, pricing, infrastructure

Country	Body	General policy setting	General policy implementing powers	Third party decision making powers
Japan	Source	General acts Telecommunications Act of 1996, an amendment to Communications Act of 1934	Telecommunications Act of 1996, an amendment to Communications Act of 1934	Telecommunications Act of 1996, an amendment to Communications Act of 1934
	MIC	√	√	√
	Areas	Regulation and promotion of the ICT sector including broadcast Matters related to the PSB Spectrum management and enforcement Monitoring the use of equipment	See left column	Breach
Singapore	Source	Law establishing the Ministry of Internal Affairs and Communications (Law No. 91 of July 16, 1999) <a href="http://law.e-gov.go.jp/htmldata/H11/H11HO091.html">http://law.e-gov.go.jp/htmldata/H11/H11HO091.html</a>	Law establishing the Ministry of Internal Affairs and Communications (Law No. 91 of July 16, 1999) <a href="http://law.e-gov.go.jp/htmldata/H11/H11HO091.html">http://law.e-gov.go.jp/htmldata/H11/H11HO091.html</a>	Penal provisions; Chap 6, BL; Chap 10 .RL, Disqualification; Art 5, RL Revocation; Art 76, RL
	MIC	√	√	√
	Areas	Television broadcasts; films; internet content	Television broadcasts; films; internet content	
	Source	General act and specific legislation Media Development Authority Act; Films Act; Codes of Practice drawn up by the MDA	Media Development Authority Act; Films Act; Codes of Practice drawn up by the MDA	
	Areas	All forms of advertisements on all media	All forms of advertisements on all media although in practice it may be difficult to enforce in some cases of "small media" as opposed to mainstream media.	
	Source	Singapore Code of Advertising Practice	Singapore Code of Advertising Practice	

**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)
Austria	BKS	Quotas			√	√		
		Advertising			√	√		
		Protection of minors			√	√		
	KommAustria	Quotas	√		√			<p><i>Systematic monitoring: Obligation to report for broadcasters (Berichtspflicht) according to § 52 AMD-G (private/ commercial broadcasters); § 7 (1) ORF-G (public service broadcaster).</i></p> <p><i>Information collection powers according to § 36 (4) ORF-G (public service broadcaster); § 47 (1) AMD-G (private/commercial broadcasters); § 29 (1) AMD-G (providers of audiovisual services).</i></p>
	Advertising	√	√ (powers with limited scope in the case of public service)	√ (in some aspects regarding public service, monitoring demands for a external complaint)	√			<p><i>Systematic/periodic monitoring of compliance with advertising regulations by KommAustria according to § 2 (1) 7 KOG (public broadcasters and private/commercial broadcasters).</i></p> <p><i>Ad hoc monitoring ('von Amts wegen') according to § 61 (1) AMD-G (private broadcasting) and § 36 (1) 3 ORF-G (public service broadcasting) with however limited scope regarding public service offers (limited to online offer, special interest programs for culture, information, sports).</i></p> <p><i>Information collection powers according to § 36 (4) ORF-G (public service broadcaster); § 47 (1) AMD-G (private/commercial broadcasters); § 29 (1) AMD-G (providers of audiovisual services).</i></p> <p><i>Monitoring after complaints according to § 61 (1) AMD-G (private broadcasting) and § 36 (1) 1 and § 36 (1) 2 ORF-G (public service)</i></p>
	Protection of minors		√ (powers with limited scope in the case of public service)	√ (in some aspects regarding public service, monitoring demands for a external complaint)	√			<p><i>Ad hoc monitoring ('von Amts wegen') according to § 61 (1) AMD-G (private/commercial broadcasting) and § 36 (1) 3 ORF-G (public service broadcasting) with however limited scope regarding public service offers (limited to online offer; special interest programs for culture, information, sports).</i></p> <p><i>Monitoring after complaints according to § 61 (1) AMD-G (private broadcasting) and § 36 (1) 1 and § 36 (1) 2 ORF-G (public service).</i></p>



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
Czech Republic	RRTV	Quotas	√	√	√			Broadcasting Act
		Advertising	√	√	√			Broadcasting Act
		Protection of minors	√	√	√			Broadcasting Act
Denmark	RTB	Quotas	√	√	√			<a href="http://www.retsinformation.dk/Forms/R0710.aspx?id=126149">www.retsinformation.dk/Forms/R0710.aspx?id=126149</a>
		Advertising	√	√	√			(link to promulgation of the Act 827 of 26 August 2009 – not available in English) , changed by Act 1269 of 16 December 2009 (implementation of the AVMS Directive)
		Protection of minors	√	√	√			<a href="http://www.retsinformation.dk/Forms/R0710.aspx?id=129087">www.retsinformation.dk/Forms/R0710.aspx?id=129087</a> A number of Executive Orders concerning different types of television : non commercial (mostly regional), satellite and cable-stations and PSB (not available in English)
Estonia	Ministry of Culture	Quotas	√	√	√	√		Practice described at <a href="http://www.kul.ee">www.kul.ee</a>
		Advertising	√	√	√	√		Estonian Public Broadcasting Act <a href="http://www.riigiteataja.ee/ert/act.jsp?id=12786086">www.riigiteataja.ee/ert/act.jsp?id=12786086</a>
		Protection of minors	√	√	√	√		English: <a href="http://www.kul.ee/index.php?path=0x296x323">www.kul.ee/index.php?path=0x296x323</a> Broadcasting Act <a href="https://www.riigiteataja.ee/ert/act.jsp?id=831359">https://www.riigiteataja.ee/ert/act.jsp?id=831359</a>
Finland	FICORA	Quotas	√	√	√			§ 35 of the Act on Television and Radio Operations 9.10.1998/744 <a href="http://www.finlex.fi/fi/laki/ajantasa/1998/19980744">www.finlex.fi/fi/laki/ajantasa/1998/19980744</a> (in Finnish) Fore practice, see: <a href="http://www.ficora.fi/index/tutkimukset/tjaradiotoiminta/eurooppalaisuus/jariippumattomuus.html">www.ficora.fi/index/tutkimukset/tjaradiotoiminta/eurooppalaisuus/jariippumattomuus.html</a> (in Finnish)

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
		Advertising	√	√	√			§ 35 of the Act on Television and Radio Operations 9.10.1998/744 <a href="http://www.finlex.fi/fi/laki/ajantasa/1998/19980744">www.finlex.fi/fi/laki/ajantasa/1998/19980744</a> (in Finnish) For practice, see: <a href="http://www.ficora.fi/index/tutkimukset/tvjaradiotoiminta/mainonnankestojasijoittelu.html">www.ficora.fi/index/tutkimukset/tvjaradiotoiminta/mainonnankestojasijoittelu.html</a> (in Finnish)
		Protection of minors	√	√	√			§ 35 of the Act on Television and Radio Operations 9.10.1998/744 <a href="http://www.finlex.fi/fi/laki/ajantasa/1998/19980744">www.finlex.fi/fi/laki/ajantasa/1998/19980744</a> (in Finnish) For practice, see: <a href="http://www.ficora.fi/index/tutkimukset/tvjaradiotoiminta/lapsetjamedia.html">www.ficora.fi/index/tutkimukset/tvjaradiotoiminta/lapsetjamedia.html</a> (in Finnish)
France	CSA	Quotas	√	√	√	√		Legislation Law 86-1067 articles 27,33, 70 and 71
		All channels have to declare their quotas fulfillment on a regular basis and register their broadcast content (15 days logs)	for major channels	Sampling on thematic channels		Also used in practice as a cross check especially on small channels		
		Advertising	for major channels (time length and duration of breaks)	Same as above	√	Same as above		Legislation Law 86-1067 Articles 28,33,43
Germany	LMA	Protection of minors	√	√	√	√		Legislation Law 86-1067 Article 15
		Quotas	√	√	√			§ 31 LMedienG
		Advertising	√	√	√	√		§§ 21-23, 35,36 RSIV; e. g. § 31 LMedienG
			(competent LMA and Regulatory Affairs Commission (ZAK))			Monitoring not only after complaints		



Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
		Protection of minors	√ (competent LMA and KJM)	√	√	√ Monitoring not only after complaints		§§ 35,36 RStV, § 14 JMStV, § 31 LMedienG
	Broadcasting Councils	Protection of minors and separation of advertisement and programme			√	√	Advisory and supervisory powers	§§ 13,14 NDR-Interstate treaty
<b>Greece</b>	NCRTV	Quotas	√	√	√			Art. 4 § 1, law 2328/1995, art. 12, law 2644/1998, art. 4 law 2863/2000
		Advertising	√	√	√			Art. 4 § 1, law 2328/1995, art. 12, law 2644/1998, art. 4 law 2863/2000
		Protection of minors	√	√	√			Art. 4 § 1, law 2328/1995, art. 12 & 15 § 3, law 2644/1998, art. 4 law 2863/2000
<b>Hungary</b>	National Radio and Television Board (ORTT)	Quotas	√ monthly	√	√			Act I of 1996 on Radio and Television Broadcasting
		Advertising	√ monthly	√	√			Act I of 1996 on Radio and Television Broadcasting
		Protection of minors	√ monthly	√	√			Act I of 1996 on Radio and Television Broadcasting
<b>Ireland</b>	Broadcasting Authority of Ireland	Quotas	√	√	√	√		Broadcasting Act 2009
		Advertising	√	√	√	√		Broadcasting Act 2009
		Protection of minors	√	√	√	√		Broadcasting Act 2009
<b>Italy</b>	Agcom	Quotas	√	√	√	Extra monitoring is carried out after complaints		Legislative Decree July 31, 2005 n. 177, as amended by Legislative Decree 15 march 2010 n. 44 (art. 44). <a href="http://www.normattiva.it/dispatcher?task=attoCompleto&amp;service=212&amp;datagu=2005-09-07&amp;redaz=005G0206&amp;parControllo=si&amp;connote=false&amp;aggiorn=si&amp;datavalidita=20100615">www.normattiva.it/dispatcher?task=attoCompleto&amp;service=212&amp;datagu=2005-09-07&amp;redaz=005G0206&amp;parControllo=si&amp;connote=false&amp;aggiorn=si&amp;datavalidita=20100615</a> (in Italian)
		Protection of minors						Art. 1(6) lit. B), n. 13, law no. 249/97 <a href="http://www.normattiva.it/dispatcher?task=attoCompleto&amp;service=212&amp;datagu=1997-07-31&amp;redaz=097G0287&amp;parControllo=si&amp;connote=false&amp;aggiorn=si&amp;datavalidita=20100615">www.normattiva.it/dispatcher?task=attoCompleto&amp;service=212&amp;datagu=1997-07-31&amp;redaz=097G0287&amp;parControllo=si&amp;connote=false&amp;aggiorn=si&amp;datavalidita=20100615</a> (in Italian)

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
		Advertising	√	√	√	Same as above		Legislative Decree July 31, 2005 n. 177, as amended by Legislative Decree 15 march 2010 n. 44 (art. 37 ss.). Art. 1(6) lit. B), n. 13, law no. 249/97 (for URLS, see above)
		Protection of minors	√	√	√	Same as above		Legislative Decree July 31, 2005 n. 177, as amended by Legislative Decree 15 march 2010 n. 44 (art. 34). Art. 1(6) lit. B), n. 13, law no. 249/97 (for URLS, see above)
Latvia	National Broadcasting Council	Quotas	√	√	√			Radio and television law
		Advertising	√	√	√			Radio and television law
		Protection of minors	√	√	√			Radio and television law
Lithuania	LRTK	Quotas	√	√	√ Just a general power "to collect information about broadcasters" PIP Art 48 Part 1 Para 15			PIP Art 48 Part 1 Paras 8 and 15
		Advertising	√	√	√ Just a general power "to collect information about broadcasters" PIP Art 48 Part 1 Para 15			PIP Art 48 Part 1 Paras 8 and 15
		Protection of minors	√	√	√ Just a general			PIP Art 48 Part 1 Paras 5-6 and 15

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
<b>Luxembourg</b>	SMC	Quotas	√	√	power to collect information about broadcasters PIP Art.48 Part 1 Para 15			Art. 27 and 29 Loi 1991
	SMC/CNP	Advertising*	√	√				Art. 7 Loi 1991
	CNP	Protection of minors	√	√				Art. 6 and 31 Loi 1991
* competence of SMC, but if content-related question in advertising CNP acts (cf. Country report)								
<b>Malta</b>	Broadcasting Authority	Quotas	√	√	√		Quotas on Broadcasting (Jurisdiction and European Co-operation) Regulations, [S.L. 350.04]	
		Advertising	√	√	√			Broadcasting Act
		Protection of minors	√	√	√			Broadcasting Act
<b>Netherlands</b>	CvdM	Quotas	√		√			Media Act 2008 General Administrative Law Act (Art. 5:20)
		Advertising	√	√	√			Media Act 2008 General Administrative Law Act (Art. 5:20)
		Protection of minors	Done by NICAM (See Table 2)		√	Done by NICAM (See Table 2)		
<b>Poland</b>	National Broadcasting Council (KRRiT)	Quotas	√	√	√			1992 Broadcasting Act Regulations of KRRiT
		Advertising	√	√	√			1992 Broadcasting Act Regulations of KRRiT
		Protection of minors	√	√	√			1992 Broadcasting Act Regulations of KRRiT

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
Portugal		Quotas	√	√	√			ERC Statute Articles 44 and following, and article 93 of Law 27/2007, of 30 of July (Television Law).
		Advertising	√	√	√			ERC Statute Decree-law 330/90, of 23 October (Advertising Law), Law 27/2007, of 30 of July (Television Law) and ERC's Statutes.
		Protection of minors	√	√	√			ERC Statute Article 27 of Law 27/2007, of 30 of July (Television Law) and article 7, paragraph c) of ERC's Statutes.
		Audiovisual commercial communication, sponsorship, product placement	√	√	√			Decree-Law 330/90, of 23 of October (Advertising Law) and Law 27/2007, of 30 of July (Television Law).
		Accessibility to people with a disability	√	√	√			Law 27/2007, of 30 of July (Television Law).
		Broadcasting of major events	√	√	√			Law 27/2007, of 30 of July (Television Law).
		Television advertising and teleshopping	√	√	√			Decree-Law 330/90 of Oct. 23 (Advertising Law) and Law 27/2007 of July 30 (Television Law).
		Right of Reply				√		Law 27/2007, of 30 of July (Television Law) and ERC's Statutes.
		Quotas			√	√		Audiovisual Law
		Advertising				√	√	Audiovisual Law and Audiovisual Code
Romania		Protection of minors		√	√	√		Audiovisual Law and Audiovisual Code
		Quotas	√	√	√	√		§§ 5, 16, 22-26, 27, 27a (Act 320/2000)
Slovakia	Council for Broadcasting and Retransmission	Quotas	√ \$ 5 k,l and \$ 16, Quotas for European production and European independent production in television and on	√ Only in general terms, \$ 5	√ \$ 5 k,l and \$ 16 l, m and \$ 27, 27a	√		

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
			demand services, and monitoring of various programmes and types of programmes , on monthly basis, § 16, sec. 3 letter m					
		Advertising	√ § 5g	√ § 5g	√ § 5 and § 16 l, m	√ § 5	√ § 5	§§ 5, 16 (§ 32-37a) Act 320/2000
		Protection of minors (it created about a quarter of all complaints in 2009 and 14 % in 2008) Source: <a href="http://www.tasr.sk/4/6997.axd">www.tasr.sk/4/6997.axd</a>	√ § 5g	√ § 5g	√ § 5 and § 16 l, m	√ § 5	√ § 5	§§ 5, 16 (§ 20) Act 320/2000
Slovenia	APEK	Quotas		√	√	√		Mass Media Act + secondary legislation + practice <a href="http://www.apek.si/sl/datoteke/File/2007/osebna%20izkaznica/public_media_act_official_consolidated_version_zmed+zmed-a_unofficial_translation_english.pdf">www.apek.si/sl/datoteke/File/2007/osebna%20izkaznica/public_media_act_official_consolidated_version_zmed+zmed-a_unofficial_translation_english.pdf</a> <a href="http://www.apek.si/sl/zakon_o_medijih_zmed_vejjavni_predpisi_po_zmed">www.apek.si/sl/zakon_o_medijih_zmed_vejjavni_predpisi_po_zmed</a>
		Advertising		√		√		Mass Media Act + secondary legislation + practice Please see the 2 <sup>nd</sup> line
		Protection of minors		√		√		Mass Media Act + secondary legislation + practice Please see the 2 <sup>nd</sup> line
	Broadcasting Council	Protection of minors			√			Mass Media Act (art. 84)

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)	
Spain	Ministry of Culture	Quotas			√			Mass Media Act (Art. 91)	
		Advertising							
		Protection of minors			√			Mass Media Act (Art. 84)	
	Ministry of Culture, Inspectorate for Media and Culture, Media Inspector	Protection of minors					√ With assistance of APEKI!		After receiving a complain the Media Inspector requests from the APEK to exercise a professional supervision ("strokovni nadzor") which includes monitoring (according to its mandate in Mass Media Act, Art. 109) and with its monitoring data support his procedure.
		Advertising				√			Article 5.3 Law 7/2010 of March 31, 2010 <a href="http://www.boe.es/boe/dias/2010/04/01/pdfs/BOE-A-2010-5292.pdf">www.boe.es/boe/dias/2010/04/01/pdfs/BOE-A-2010-5292.pdf</a>
		Quotas				√			Implicit at art 56.6 Law 7/2010 of March 31, 2010 <a href="http://www.boe.es/boe/dias/2010/04/01/pdfs/BOE-A-2010-5292.pdf">www.boe.es/boe/dias/2010/04/01/pdfs/BOE-A-2010-5292.pdf</a>
	CEMA	Protection of minors				√			Implicit at Art. 7.6 and 57.4 Law 7/2010 of March 31, 2010 <a href="http://www.boe.es/boe/dias/2010/04/01/pdfs/BOE-A-2010-5292.pdf">www.boe.es/boe/dias/2010/04/01/pdfs/BOE-A-2010-5292.pdf</a>
		Quotas							
		Advertising							
	CMT	Protection of minors							
		Quotas		NA					
		Advertising		(Telecommunications Regulator)					
CAC	Protection of minors								
	Quotas		√					Art. 127. Law 22/2005, of 29 <sup>th</sup> December 2005, on Audiovisual Communication in Catalonia. Art 13. Instruction on Catalan language and culture presence on media. 28.12.2007	
	Advertising		√					Art. 127. Law 22/2005, of 29 <sup>th</sup> December 2005, on Audiovisual Communication in Catalonia. Art 24. Instruction on protection of minors and teenagers, signalling and freedom of information. 28.12.2007	
	Protection of minors		√					Art. 127. Law 22/2005, of 29 <sup>th</sup> December 2005, on Audiovisual Communication in Catalonia. Art 24. Instruction on protection of minors and teenagers, signalling and freedom of information. 28.12.2007	

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)	
	CoAN	Quotas	√	√	√	√			
		Advertising	√	√	√	√		Art. 18.12 Foral Law 18/2001 of July 5, "Regulation of audiovisual activity in Navarra and creation of Navarra Audiovisual Council" <a href="http://www.consejoaudiovisualdenavarra.es/sobre_coan/documents/Ley_Foral_18-2001_m.pdf">www.consejoaudiovisualdenavarra.es/sobre_coan/documents/Ley_Foral_18-2001_m.pdf</a>	
		Protection of minors	√	√	√	√		Art. 27 Foral Law 18/2001 of July 5, "Regulation of audiovisual activity in Navarra and creation of Navarra Audiovisual Council" <a href="http://www.consejoaudiovisualdenavarra.es/sobre_coan/documents/Ley_Foral_18-2001_m.pdf">www.consejoaudiovisualdenavarra.es/sobre_coan/documents/Ley_Foral_18-2001_m.pdf</a>	
	CAA	Quotas							
		Advertising							
		Protection of minors	√						Art. 26 Decree 219/2006 of December 19, "Reglamento Orgánico y de Funcionamiento del Consejo Audiovisual de Andalucía" <a href="http://www.consejoaudiovisualdeandalucia.es/openscms_export/sites/caa/Galerias/archivos_legislacion/ReglamentoCAA.pdf">www.consejoaudiovisualdeandalucia.es/openscms_export/sites/caa/Galerias/archivos_legislacion/ReglamentoCAA.pdf</a>
Sweden	Swedish Broadcasting Commission (until July 31, 2010) Radio & Television Authority (from August 1, 2010)	Quotas		√	√		Monitoring after complaint (not only after)	Radio & TV Law	
		Advertising		√	√		Monitoring after complaint (not only after)	Radio & TV Law	
		Protection of minors		√	√		Monitoring after complaint (not only after)	Radio & TV Law	
	Radio and Television Authority	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
UK	OFCOM / ATVOD / ASA	Quotas	√	√	√			Communications Act 2003
		Advertising	√	√	√			Communications Act 2003
		Protection of minors	√	√	√			Communications Act 2003
<b>Candidate countries</b>								
Croatia	Agency for electronic media	Quotas	√	√	√	-		Zakon o elektroničkim medijima (Law on electronic media, Official Gazette 153/09 <a href="http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html">http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html</a> )
		Advertising	√	√	√	-		Zakon o elektroničkim medijima (Law on electronic media, Official Gazette 153/09 <a href="http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html">http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html</a> )
		Protection of minors	√	√	√	-		Zakon o elektroničkim medijima (Law on electronic media, Official Gazette 153/09 <a href="http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html">http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html</a> )
Former Yugoslav Republic of Macedonia	Broadcasting Council	Quotas	√	√	√	√		Law on Broadcasting Activity
		Advertising	√	√	√	√		Law on Broadcasting Activity
		Protection of minors	√	√	√	√		Law on Broadcasting Activity
Turkey	RTÜK	Quotas	N/A	N/A	N/A	N/A		Law No. 3984 (Articles 19, 20, 21, 22, 23)
		Advertising	√	√	√	√		Law No. 3984 (Article 4)
		Protection of minors	√	√	√	√		
<b>Potential candidate countries</b>								
Albania		Quotas	√		√			Legal and regulatory provisions
		Advertising	√		√			Legal and regulatory provisions
		Protection of minors	√		√			Legal and regulatory provisions



Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
Bosnia and Herzegovina	Communication's Regulatory Agency	Quotas	Monitoring powers are foreseen in the law but unclear if systematic or ad hoc or after complaints.	Monitoring powers are foreseen in the law but unclear if systematic or ad hoc or after complaints.	√	Monitoring powers are foreseen in the law but unclear if systematic or ad hoc or after complaints.		The Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03.
		Advertising	Same as above	Same as above	√	Same as above		The Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03.
		Protection of minors	Same as above	Same as above	√	Same as above		The Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03.
Montenegro	Broadcasting Agency of Montenegro	Quotas	√	√	√	√		Broadcasting Law
		Advertising	√	√	√	√		Broadcasting Law
		Protection of minors	√	√	√	√		Broadcasting Law
		Media Concentration prevention	√	√	√	√		Broadcasting Law
		Copyright	√	√	√	√		Copyright and Related Rights' legislation Law on Copyright and Related Rights (Official Gazette of Serbian and Montenegro, No. 61/04) Law on Application of Regulations on the Intellectual Property Protection (Official Gazette of the Republic of Montenegro, No. 45/05).
Serbia	Republic Broadcasting Agency	Quotas	N/A					
		Advertising	√ (during election campaigns)	√	√	√		Advertising Law (Art. 103, 107-109)
		Protection of minors	√ (during election campaigns)	√	√	√		Broadcasting Law (Art. 8, 12-18), General Binding Instruction on Conduct of Broadcasters <a href="http://www.rra.org.rs/files/1219931614general-binding-instructions.pdf">www.rra.org.rs/files/1219931614general-binding-instructions.pdf</a> (adopted on 26 June 2007)

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
Kosovo	IMC	Quotas		√	√	√		The IMC Annual reports www.kpm-ks.org/index.php?option=com_content&view=article&id=145&Itemid=49&lang=en  The Law on IMC www.assembly-kosova.org/common/docs/ligjet/2005_02-L15_en.pdf Civil Law Against Defamation and Insult www.assembly-kosova.org/common/docs/ligjet/2006_02-L65_en.pdf Broadcast Code of Conduct www.kpm-ks.org/index.php?option=com_content&view=article&id=20&Itemid=57&lang=en
		Advertising		√	√	√		The IMC Annual reports www.kpm-ks.org/index.php?option=com_content&view=article&id=145&Itemid=49&lang=en The Law on IMC www.assembly-kosova.org/common/docs/ligjet/2005_02-L15_en.pdf
		Protection of minors		√	√	√		The IMC Annual reports www.kpm-ks.org/index.php?option=com_content&view=article&id=145&Itemid=49&lang=en The Law on IMC www.assembly-kosova.org/common/docs/ligjet/2005_02-L15_en.pdf
<b>EFTA countries</b>								
Iceland	Broadcast Licensing Committee	Quotas			√	*		The Broadcasting Act (2000); Regulation on Broadcasting Activities (2002)
		Advertising			√	√		The Broadcasting Act (2000); Regulation on Broadcasting Activities (2002)
		Protection of minors			√	√		The Broadcasting Act (2000); Regulation on Broadcasting Activities (2002)
* In practice, broadcasters have turned in information on a voluntarily basis to the Ministry of Education, Science and Culture, of their fulfilment of Art. 4-6 of the TWF Directive.								
Liechtenstein	Media commission	Quotas				√		Practice
		Advertising				√		Practice

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
Norway	The Media Authority	Protection of minors				✓		Practice
		Quotas	✓	✓	✓	✓		The Broadcasting Act and Administrative regulation FOR 1997-02-28 No. 153
		Advertising	✓	✓	✓	✓		
		Protection of minors	✓	✓	✓	✓		
Switzerland	Ofcom	Quotas	✓	✓	✓			RTVA / RTVO
		Advertising	✓	✓	✓			RTVA / RTVO
		Protection of minors	✓	✓	✓			RTVA / RTVO
		Protection of minors				✓		Art. 5 RTVA and 4 RTVO
Selected third countries								
Australia	ACMA	Quotas	✓	✓	✓			Broadcasting Services Act Broadcasting Services (Additional Television Licence Condition) Notice 8 November 2007 Children's Television Standard 2009 Australian Content Standard 2005 Television Program Standard for Australian Content in Advertising
		Advertising	✓		✓	✓		Broadcasting Services Act Television Program Standard for Australian Content in Advertising Commercial Television Industry Code of Practice 2010
		Protection of minors	✓	✓	✓			Broadcasting Services Act Children's Television Standards 2009 Commercial Television Industry Code of Practice 2010
USA	Federal Communications Commission	Quotas						
		Advertising		✓ (children's and political advertising only)	✓ (children's and political advertising only)	✓ (children's and political advertising only)	✓ (children's and political advertising only)	Telecommunications Act of 1996, an amendment to Communications Act of 1934

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
		Protection of minors		√ (broadcasting content only)	√ (broadcasting content only)	√ (broadcasting content only)		Telecommunications Act of 1996, an amendment to Communications Act of 1934
<b>Japan</b>	MIC	Quotas			√			Legislation
		Advertising			√			Legislation
		Protection of minors			√			Legislation
		Except revocation (Art. 76 RL) and disqualification (Art. 5 RL), there are no serious penal provisions in the law. Nor does the law provide for a specific system about monitoring However, the MIC may require information for the purposes of law enforcement (Art. 53-8 BL, Art. 81 RL). Regulatory action is expected to be taken on an ex-post basis. The same applies below (Table 11 - 13).						
<b>Singapore</b>	Media Development Authority	Quotas	√ (Applies to the two minority language channels)		√			None. Language matters are deemed sensitive so the decision to have the two minority language channels was made through administrative fiat.
		Advertising		√	√	√		Singapore Code of Advertising Practice, which is to be complied with under the Broadcasting Act.
		Protection of minors		√	√	√		Administrative guidelines given to the operator.

**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
Austria	KommAustria*	Quotas (For all sanctions, there is room for discretion as the law does not require the application of the sanctions)	√	No	√	No	No	-
		Advertising	√ For ORF: warnings according to § 37 (2) ORF-G	√ For ORF: fines up to €58,000 according to § 38 (1) 2 ORF-G	√ For ORF: publication requirements according to § 37 (4) ORF-G	No For ORF	No	Power to annul any decision of the institutions of the ORF in case of consequent violation of ORF-G; Power to dismiss the accountable ORF organs according to § 37 (2) ORF-G
			√ For commercial providers: warnings according to § 62 (1) AMD-G	√ For commercial providers: fines up to €8,000 according to § 64 (2) AMD-G	√ For commercial providers: publication requirements according to § 62 (3) AMD-G	√ For commercial providers: revocation of license in case of severe and repeated violations according to § 63 (4) 2 AMD-G (theoretically only, but never used in practice)	No	

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
		Protection of minors	<p>√ For ORF: warnings according to § 37 (2) ORF-G</p> <p>√ For commercial providers: warnings according to § 62 (1) AMD-G</p>	<p>√ For ORF: fines up to €58,000 according to § 38 (1) 1 ORF-G</p> <p>√ For commercial providers: fines up to €8,000 according to § 64 (2) AMD-G</p>	<p>√ For ORF: publication requirements according to § 37 (4) ORF-G</p> <p>√ For commercial providers: publication requirements according to § 62 (3) AMD-G</p>	<p>No For ORF</p> <p>√ For commercial providers: revocation of license in case of severe and repeated violations according to § 63 (4) 2 AMD-G</p>	No	<p>Power to annul any decision of the institutions of the ORF in case of consequent violation of ORF-G; Power to dismiss the accountable ORF organs according to § 37 (2) ORF-G</p>
	<p><u>Sanctions for public service broadcasting (room for discretion):</u>  <u>Warnings/formal objections:</u> According to § 37 (2) ORF-G the regulatory authority <u>may object (annul)</u> a decision of an ORF body, if the decision violates the law.  <u>Fines:</u> According to § 38 (1) 2 ORF-G, the regulatory authority <u>has to impose</u> a fine <u>up to</u> €58,000 if the ORF violates advertising regulations or regulations regarding the protections of minors.  <u>Publication requirements:</u> According to § 37 (4) ORF-G the regulatory authority <u>may require publication</u> of their decisions.  <u>Sanctions for private broadcasting (room for discretion):</u>  <u>Warnings/formal objections:</u> room for discretion not specified by § 62 (1) AMD-G.  <u>Fines:</u> According to § 64 (2) AMD-G the regulatory authority <u>has to impose</u> a fine up to €8,000 if a private broadcaster violates advertising regulations or regulations regarding the protections of minors.  <u>Publication requirements:</u> According to § 62 (3) AMD-G the regulatory authority <u>may require publication</u> of their decisions.</p>							
<b>Belgium</b>	BE-VL: VRM	Quotas	<p>√ In all cases and for all regulators, the regulator decides on a case by case basis on the sanctions, they are therefore discretionary within the limits of the act</p>	√ (up to €125k)	√	√	√	Suspension of distribution

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	
		Advertising	√	√ (up to €125k)	√	√	√		
		Protection of minors	√	√ (up to €125k)	√		√		
		Quotas	√	√ (from €250 to 3% of turnover)	√	√	government collects fines (FR-media-act, 160)	Suspension of distribution (FR-media-act, 159)	
	BE-FR : CSA	Advertising	√	√ (from €250 to 3% of turnover)	√	√	√	government collects fines (FR-media-act, 160)	
		Protection of minors	√	√ (from €250 to 3% of turnover)	√	√	√	government collects fines (FR-media-act, 160)	
		Quotas	√	√ up to €25k DE-media-act (12, 40 & 120)	√	DE-media-act (12, 40 & 120)	√	N/A	Sanctions by MRat – REG only possible after advice by MRat-ADV (120-121)
	Advertising	√	√ up to €100k DE-media-act (120 & 124)	√	DE-media-act (7, 15 & 120)	√	N/A		
	Protection of minors	√	√ up to €25k DE-media-act (4, 6, 6.2 & 120)	√	DE-media-act (4, 6, 6.2 & 120)	√	N/A		
	Quotas	√	discretionary	√	The decision is published on CEM website, CEM's monthly bulletin as well as by the respective media	√	BGN 40,000 or €20,500		
<b>Bulgaria</b>	CEM	Advertising	√	discretionary	√	Same as above	Same as above		

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
		Protection of minors	√ discretionary	√ Same as above	√ Same as above	√ Same as above	√ Same as above	
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 (sanction is discretionary)</li> </ul>
		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>



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
Czech Republic	RRTV	Quotas	✓ discretionary	✓ CZK 10,000-5,000,000 (approx. €390 -195,000)	✓			law as penalty (sanction is discretionary)
		Advertising	✓ discretionary	✓ CZK 5,000-2.5m (approx. €195-€97,000)	✓			
		Protection of minors	✓ discretionary	✓ CZK 20,000-10,000,000 (approx. €780-€390,000)	✓	when the infringement was repeated		
Denmark	RTB	Quotas	✓ all sanctions are discretionary	N/A	✓	✓	N/A	According to RTB it can impose penalties under certain circumstances to TV2, which became a government-owned broadcaster in 2003.
		Advertising	✓	N/A	✓	✓	N/A	
		Protection of minors	✓	N/A	✓	✓	✓	N/A
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		✓	✓	

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
Finland	FICORA	Quotas all sanctions are discretionary	√		√ All decisions are published on the FICORA website		√ § 35 of the Act on Television and Radio Operations 9.10.1998/744 <a href="http://www.finlex.fi/fi/laki/ajantas">www.finlex.fi/fi/laki/ajantas</a> <sup>a</sup> /1998/19980744 (in Finnish) Act on Penalty Payments 1113/1990 <a href="http://www.finlex.fi/fi/laki/ajantas">www.finlex.fi/fi/laki/ajantas</a> <sup>a</sup> /1990/19901113 (in Finnish)	
		Advertising	√		√ Same as above		√	
		Protection of minors	√		√ Same as above		√	
France	CSA Sanction power applying to broadcasters, distributors/, satellite networks operators and on-demand audiovisual media service providers	Quotas	Yes (Mise en demeure: Articles 42 and 48-1 of the <u>86-1067 Law</u> ) Formal objections have to be systematically published by the CSA	Yes (not exceeding 3% of the turnover, 5% in case of second breach) Articles 42-2, 48-2 and 48-6	At the discretion of the CSA but only in the regulatee concerned by the sanction Article 48-3	Yes (Articles 42-1 and 48-2) • for less than one month • between one month and one year • For the remaining time of the licence (revocation)	?	
		Advertising	Same as above	Same as above	Same as above	Same as above	Same as above	
		Protection of minors	Same as above	Same as above	Same as above	Same as above	Same as above	

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
Germany	LMA	Quotas	✓					
		Advertising	✓	✓ €50,000 up to €500,000	✓	✓	✓ Up to €500,000	
		Protection of minors	✓	✓ Up to €500,000	✓	✓	✓ Up to €500,000	
	Broadcasting Councils		N/A	N/A	N/A	N/A	N/A	Broadcasting Councils are entitled by the respective Landesrundfunkgesetze (e.g. Art. 7 Abs. 3 Nr. 8 BayRG, § 20 MDR-interstate treaty) to "advise" the PSB Chairman or to order him to remedy an ascertained breach of the law or the programming principles. While the advice has no binding character (in contrast to an order), past experience has shown that its factual influence can hardly be overestimated. Mostly the Broadcasting Councils together with the Administrative Board select and dismiss the PSB Chairman. Thus, a strong factual pressure is on the head.

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
Greece	NCRTV	Quotas						
		Advertising	√ all sanctions are discretionary	√ €20,000-€50,000 (source: research of the consortium)	√	√	√	According to NCRTV, fines can range from €14,673.51 (5,000,000 drachmas) to €1,467,351.43 (500,000,000 drachmas). See art. 16 § 1 law 2644/1998.
		Protection of minors	√	√ €15,000-€80,000 (source: research of the consortium)	√	√	√	
Hungary	National Radio and Television Board (ORTT)	Quotas	√ The issuance of warnings is an automatic process, when the rules on quotas are not respected.	√ (between HUF 10,000 and HUF 1m) (between €34 and €3,475) (fining is discretionary)	√ (automatic)	Unclear The ORTT has no right to suspend or to revoke the licences, but can suspend the broadcasting rights for a fixed period of maximum thirty days. (discretionary)	No	
		Advertising	√ call upon the broadcaster to terminate the unlawful conduct establish the infringement in a written notice, and shall call upon the broadcaster to terminate the infringement, and to abstain from the infringement in future	√ (between HUF 10,000 and HUF 1m) (between €34 and €3,475) In the event of unauthorized broadcasting, or program distribution or broadcast retransmission operations conducted without or in deviation from the notification as prescribed in Act I. of 1996, the Board may impose a fine upon the offender corresponding to double the proceeds obtained unlawfully, or if this cannot be established, in an	√	Unclear Same as above	No	

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
				amount between ten thousand forints and one million forints, which is payable to the Fund.				
		Protection of minors	√ Same as above	√ Same as above	√	Unclear Same as above	No	
Ireland	BAI	Quotas	√ discretionary	(The Compliance Committee may make a recommendation to the High Court who then determines an appropriate fine – with a maximum €250,000)	√ discretionary	√ (The Compliance Committee may make a recommendation to the main Authority Board to suspend the licences)	√	Broadcasting Act 2009
		Advertising	As above	As above	As above	As above	As above	As above
Italy		Protection of minors	As above	As above	As above	As above	As above	As above
		Quotas	√ discretionary	€10,329 – €258,228		√	No According to information provided by AGCOM, penalties are not foreseen. In case of non-compliance or of late payment, interests are due. This is a general administrative provision.	(Sanctions are not automatic, but can be applied only after the violation has been established at the end of a sanctionary proceeding).
		Advertising	√ discretionary	€10,329 – €258,228		√	No Same as above	(Same as above)
Latvia	National Broadcasting Council	Protection of minors	√ discretionary	€25,000 – €350,000	√	√	No Same as above	(Same as above)
		Quotas	√ discretionary	√ 1.41 – €3,533 discretionary	√ discretionary	√ discretionary		
		Advertising	√ discretionary	√ 1.41 – €14,132 discretionary	√ discretionary	√ discretionary		
		Protection of minors	√ discretionary	√ 1.41 – €3,533 discretionary	√ discretionary	√ discretionary		

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
Lithuania	LRTK	Quotas	√ All sanctions are discretionary, except for the fines which must respect a specific administrative procedure	√ LTL 500-7,000 (approx. €150-2,000) PIP Art 48 Part 1 Para 11 The lump sum of fine is provided under the Lithuanian Code of Administrative Violations (ATPK), Art 214 <a href="http://www3.lrs.lt/plis/inter3/dokpaieska.showdoc_l?p_id=367883">www3.lrs.lt/plis/inter3/dokpaieska.showdoc_l?p_id=367883</a>	√	√		
		Advertising	√	√ LTL 1,000-10,000 (approx €290-2,900) Same as above for rest.	√	√		
		Protection of minors	√	√ LTL 1,000-10,000 (approx €290-2,900) Same as above for rest.	√	√		
Luxembourg	SMC	Quotas	Art. 35(2bis) and Art. 35(2ter) Loi 1991	Art. 35(4) Loi 1991 The decisions to withdraw a license or prohibit the use of the Luxembourgish frequency or satellite capacity are to be published in the Official Journal (Memorial)	Only revocation: Art. 35(3) Loi 1991 If a violation is found repeatedly or if it persists, the government may (discretion) revoke the license or the permission. The government may pronounce the prohibition to use the frequency or satellite capacity for those programmes that fall under its jurisdiction according to Art. 2(4) AVMS.			

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
	SMC / CNP	Advertising	Art. 35(2) and Art. 35(2ter) Loi 1991 If the CNP finds that a programme violates the Loi 1991, it informs the Minister who invites the license holder in writing to submit his observations		Same as above	Same as above		
	CNP	Protection of minors	ditto		Same as above	Same as above		
<b>Malta</b>	Broadcasting Authority	Quotas	✓ all sanctions are discretionary	✓ €34,940 - €23,293	✓	✓	✓	
		Advertising	✓	✓ €34,940 - €1,164	✓	✓	✓	
		Protection of minors	✓	✓ €2,329 - €1,747	✓	✓	✓	
		Quotas	✓ all sanctions are discretionary	✓ Max. €225,000		✓	✓	✓
<b>Netherlands</b>	CvdM	Advertising	✓	✓ Max. €225,000		✓	✓	
		Protection of minors	✓	✓ Max. €225,000		✓	✓	
		Quotas	✓ all sanctions are discretionary	✓ Max. €225,000		✓	✓	✓
<b>Poland</b>	National Broadcasting Council (KRRIT)	Quotas	✓ all sanctions are discretionary	✓ Fines can be imposed on the directors, which cannot exceed 6-month remuneration		✓	✓	
		Advertising	✓	✓ Max. €225,000		✓	✓	

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
	Source for all: 1992 Broadcasting Act, Article 10, 38 Articles 53 - 55	Advertising	√	√		√	√	Same as above
		Protection of minors	√	√		√	√	Same as above
Portugal	ERC	Quotas	√	Min € 20,000 Max € 150,000	√	√	√	
		Advertising	√	Min € 20,000 Max € 150,000	√	√	√	
		Protection of minors	√	Min € 7,500 Max € 37,500	√	√	√	
Romania	CNA	Quotas		√ Min ≈ €1,213 Max ≈ €242,72 <i>interpretation</i>	√		√	≈ €12,130
		Advertising	√	RON 10,000- 200,000 Min ≈ €2,426 Max≈ €48,540	√		√	≈ €12,130
		Protection of minors	√	RON 10,000-200,000 Min ≈ €2,426 Max≈ €48,540	√		√	≈ €12,130
Slovakia	Council for Broadcasting and Retransmission	Quotas	√	The fines are automatic if the offence is committed repeatedly, or if the broadcaster has not complied with an earlier decision.	No	No	√	No other sanctions are foreseen. Fines are automatic for breach of certain types of rules such as human dignity, minors, etc § 19 but



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
				The fines range between €165 and €6,638 for TV broadcasters and between €30 and €1,200 for IPTV providers.				they are optional in other cases. However, interestingly, on demand audiovisual media service providers are excluded from these automatic sanctions (i.e. this means that warnings must be issued first).
		Advertising	√	The fines are automatic if the offence is committed repeatedly, or if the broadcaster has not complied with an earlier decision. From €3,319 to €165,969 for TV broadcasters and between €100-20,000 for IPTV providers (automatic)	No	No		
		Protection of minors	√	The fines are automatic if the offence is committed repeatedly, or if the broadcaster has not complied with an earlier decision. From €663 to 66,387 for TV broadcasters and from €100-20,000/annum €500-40,000/annum	√ discretionary IPTV AVMS	√ Automatic temporary suspension of the programme or its part for maximum 30 days, including IPTV and in the case of AVMS in the case of particular programme		

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
Slovenia	APEK	Quotas	√ *discretion on length of period for elimination of the violations			√ *discretion on length of licence suspension	√ *First penalty payment must not exceed €1,000, every next penalty can be defined in the same amount	
		Advertising	√ *discretion on length of period for elimination of the violations			√ *discretion on length of licence suspension	√ *First penalty payment must not exceed €1,000, every next penalty can be defined in the same amount	
		Protection of minors	√ *discretion on length of period for elimination of the violations			√ *discretion on length of licence suspension	√ *First penalty payment must not exceed €1,000, every next penalty can be defined in the same amount	
		Quotas	√	√ Min €8,333 Max €62,500 (Mass Media Act still use the old currency, therefore we recalculated it in €) The fine is not automatic: the inspector has discretion on the amount.				
		Advertising	√	√ Min €1,040 Max €83,333 (Mass Media Act still use the old currency, therefore we recalculated it in €) The fine is not automatic: the inspector has discretion on the amount.				

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
		Protection of minors	√	√ Min €1,040 Max €83,333 (Mass Media Act still use the old currency, therefore we recalculated it in € as the Media Inspector does also) The fine is not automatic: the inspector has discretion on the amount.				
<b>Spain</b>	CEMA	Quotas	√	√ Qualified as serious infraction if there is more than 10% of non compliance: €500,001 to €1m	√ discretionary	√ Revocation	No But non-compliance with any decision from CEMA is a major infraction (€100,001-500,000).	Fine: automatic but discretionary on the exact amount Discretionary on Revocation of licence
		Advertising	√	√ Qualified as major infraction: €100,001 to €500,000, but if repeated twice in a day by the same channel, it becomes a serious infraction: €500,001 to €1m	√ discretionary	√ Revocation if it's a serious infraction	No Same as above	Fine: automatic but discretionary on the exact amount. Discretionary on Revocation of licence
	CAC	Protection of minors	√	√ Qualified as serious infraction: €500,001 to 1m	√ discretionary	√ Revocation	No Same as above	Fine: automatic but discretionary on the exact amount. Discretionary on Revocation of licence
		Quotas	√	√ Qualified as major infraction: €12,001 to €90,000	√ mandatory	√ If repeated 3 times in a year, CAC can impose a suspension of the licence for 3 months. If another serious infraction is repeated, then a revocation of the		Fine: automatic but discretionary on the exact amount. Discretionary on suspension of licence

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
		Advertising	√	√ Qualified as serious infraction: €90,001 to €300,000	√ mandatory	√ Up to 3 months of suspension. If another serious infraction is repeated, then a revocation of the licence is possible.		Fine: automatic but discretionary on the exact amount. Discretionary on suspension and revocation of licence
		Protection of minors	√	√ Qualified as serious infraction: €90,001 to €300,000	√ mandatory	√ Same as above		Fine: automatic but discretionary on the exact amount. Discretionary on suspension and revocation of licence
	CoAN	Quotas	√	√ €30,050.61 to €90,151.81	√			
		Advertising	√	√ Qualified as major infraction: €30,050 to €90,151 but if repeated it could be a serious infraction	√	√ It is a discretionary power. It could be used if a serious infraction is repeated (no indication on number of times or under which circumstances) Art. 19.6 of Foral Law 18/2001 of July 5, "Regulation of audiovisual activity in Navarra and creation of Navarra Audiovisual Council"		
		Protection of minors	√	√ Qualified as a serious infraction: €90,151 to €300,506		√		Fine: automatic but discretionary on the exact amount. Discretionary on suspension and revocation of licence
	CAA	Quotas						
		Advertising						

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
Sweden		Protection of minors	✓	✓				The CAA has no specific charter of sanctions. It acts in a case-by-case basis, according to Spanish general administrative law.
	Swedish Broadcasting Commission (until July 31, 2010)	Quotas						
		Advertising	✓				✓	(following a decision by an Administrative Court)
		Protection of minors	✓			✓		
UK	Swedish Radio and TV Authority	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		Quotas	✓	Not exceeding 5% of the provider's applicable qualifying revenue or £250,000 (€305,000)	✓	✓	✓	✓
	OFCOM	Advertising	✓	same as above	✓	✓	✓	✓
		Protection of minors	✓	same as above	✓	✓	✓	✓
		On-demand editorial	✓	same as above	✓	✓	✓	
	ASA	Advertising	✓			✓		
		ATVOD	On-demand editorial	✓		✓		
			Protection of minors	✓		✓		
		Candidate countries						
	Croatia		Agency for electronic media	Quotas	✓	all sanctions are discretionary	✓	✓
				(€14,000-140,000)				

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
Former Yugoslav Republic of Macedonia	Broadcasting Council	Advertising	√	√ same as above		√	√	
		Protection of minors	√	√ same as above		√	√	
		Quotas	√	No	√	The licence cannot be revoked on the basis of non-compliance with the program requirements (Art.63 of the Law)	√ Only in the Court procedure	Temporary ban for advertising and teleshopping (see second column). The law does not specify if the sanctions are automatic or discretionary. In practice the council decides each case separately. This comment is valid for all the areas.
Turkey	RTÜK	Advertising	√	No	√	The licence cannot be revoked on the basis of non-compliance with the program requirements (Art. 63 of the Law)	√ Only in the Court procedure	Temporary ban for advertising and teleshopping (see second column)
		Protection of minors	√	No	√	The licence cannot be revoked on the basis of non-compliance with the program requirements (Art. 63 of the Law)	√ Only in the Court procedure	Temporary ban for advertising and teleshopping (see second column)
		<p>There are four measures:</p> <p>(1) First written warning</p> <p>(2) Second written warning with obligation for publishing</p> <p>(3) Temporary ban for advertising</p> <p>(4) Initiation of a Misdemeanour procedure</p> <p>The Law does not specify any possibility for discretion in deciding about the measures. However, in reality, the BC applies discretionary practices.</p>						
		Quotas	N/A (No quota requirements)	N/A	N/A	N/A	N/A	

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
		Advertising	√ all sanctions are discretionary	√ Fines against national broadcasters cannot be less than TRY 250,000 (approx. €130,000), up to TRY 500,000 (approx. €260,000).	√ Publishes its decisions on its website	√	√	
		Protection of minors	√	√ same as above	√ same as above	√		Prison sentences (and fines) can be ordered against directors of televisions/radio broadcasters who broadcast without the required licence. Similar sentences can be ordered against broadcasters who fail to keep records of the programmes that are broadcast and who fail to communicate them, if they are ordered to do so by the prosecutor.
Potential candidate countries								
Albania	KKRT	Quotas	√	√ €150 – 1,500 discretionary	√ Official Gazette	√ (after warnings and fines are given to the licensee)		
		Advertising	√	√ €500 – 7,500 discretionary	√ Official Gazette	√ same as above		
		Protection of minors	√	√ €500 – 7,500 discretionary	√ Official Gazette	√ same as above		

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
Bosnia and Herzegovina	Communications Regulatory Agency	Quotas	√ all sanctions are discretionary but internal guidance is followed	√ Up to BAM 10,000 (approx. €5,000) depending on the type of breach and population coverage.	√ The regulator published press releases with all the decisions it adopts. The full decisions are not published.	√	No This is not an option. All decisions are appealable to Agency's Council. Decisions of the Council of the Agency are final and binding in administrative procedure. Also, legal review can be initiated before the State Court of BiH.	Communications Regulatory Agency
		Advertising	√	√ Up to BAM 100,000 (approx. €50,000) depending on the type of breach and population coverage.	Same as above	√ discretionary	Same as above	
Montenegro	Broadcasting Agency of Montenegro	Protection of minors	√	√ Up to BAM 50,000 (approx €25,000) depending on the type of breach and population coverage.	Same as above	√	Same as above	
		Quotas (all sanctions are discretionary within the boundaries of the law)	√	√ (twenty-fold to fifty-fold minimum salary in the Republic, i.e. (€1,100 – €2,750)	√	√	√	A fine shall be imposed by the Agency upon the broadcaster that: 1) in spite of the warning violates the obligation prescribed by this Law or by the regulation of the Agency based on this Law. 2) violates the obligations related to the terms and quotas for the broadcasting of advertisements, prescribed by the Agency.



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
		Advertising	√	√ (twenty-fold to fifty-fold minimum salary in the Republic, i.e. (€1,100 – €2,750)	√	√	√	
		Protection of minors	√	√ (twenty-fold to fifty-fold minimum salary in the Republic, i.e. (€1,100 – 2,750€)	√	√	√	
		Quotas	N/A	N/A	N/A	N/A	N/A	N/A
<b>Serbia</b>	Republic Broadcasting Agency (Agency Council)	Advertising	√ all sanctions are discretionary	Legal entity (RSD 300,000 – 3,000,000, approx. €3,000-30,000) or (RSD 100,000 – 1,000,000, approx. €1,000 – 10,000)	√	√		
		Protection of minors	√	Legal entity (RSD 300,000 – 1m approx. €3,000 – 10,000) Responsible person (RSD 20,000 – 50,000 approx. €200 – 500)	√	√	No	In case of non-compliance with the suspension/revocation of licence there is a procedure of forced execution of the Agency Council decisions (Art. 64a Broadcasting Law)
<b>Kosovo</b>	IMC	Quotas	√ all sanctions are discretionary	√ (€500 – 50,000)	√	√	√	
		Advertising	√	√ (€500 – 50,000)	√	√	√	
		Protection of minors	√	√ (€500 – 50,000)	√	√	√	

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
<b>EFTA countries</b>								
Iceland	Broadcast Licensing Committee	Quotas	No	No			Not applicable	
		Advertising	√	(the fines can be between twice and ten times the revenue generated by the infringement)		√ (is a possibility in case of serious and repeated infringement)		
		Protection of minors	√	same as above		√ same as above		
Liechtenstein	Media commission	Quotas (All sanctions are discretionary)	√	Max CHF 10,000 (ca. €7,413)	√	Government/Parliament	√ max. CHF 10,000 (€7,413)	Suspension of decisions of organs; Publication of decision of media commission
		Advertising	√	Max CHF 10,000 (ca. €7,413)	√	Government/Parliament	√ max. CHF 10,000 (€7,413)	Same as above
		Protection of minors	√	Max CHF 10,000 (ca. €7,413)	√	Government/Parliament	√ max. CHF 10,000 (€7,413)	Same as above
Norway	The Media Authority	Quotas	√	Max NOK 2m (€248,969) discretionary	These decisions are in the public domain – it is up to the media whether they publish or not, but they usually do	√ discretionary	√ discretionary	Time-limited prohibition of broadcasting of advertisements
		Advertising	√	Max NOK 2m (€248,969) discretionary		√ discretionary	√ discretionary	Time-limited prohibition of broadcasting of advertisements
		Protection of minors	√	Max NOK 2m (€248,969) discretionary		√ discretionary	√ discretionary	

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	
Switzerland	Federal Office of Communications	Quotas	√	No	N/A	No	√		
		Advertising	√	√	N/A	No	√		
		Protection of minors	√	√	N/A	No	√		
	Independent Complaints Authority for Radio and Television	Quotas	No	No	No	No	No	No	No
		Advertising	No	No	No	No	No	No	No
		Protection of minors	√	√	No	No	No		
All sanctions are discretionary.									
<b>Selected third countries</b>									
Australia	ACMA	Quotas	√ (but informal rather than under a statutory provision)	√ Up to \$220,000 (€151,759) discretionary, by a court	√	√ discretionary	√ ACMA can apply to a court for a penalty, but only after a series of formal preliminary steps.	√ Criminal prosecutions, Remedial directions, and Enforceable undertakings, All discretionary	
		Advertising	√			√ discretionary	√ ACMA can apply to a court for a penalty, but only after a series of formal preliminary steps.		
		Protection of minors	√ (but informal rather than under a statutory provision)	√ Up to \$220,000 (€151,759) discretionary, by a court	√	√ discretionary	√ ACMA can apply to a court for a penalty, but only after a series of formal preliminary steps.	√ Criminal prosecutions, Remedial directions, and Enforceable undertakings. All discretionary	

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
USA	Federal Communications Commission (FCC)	Quotas						
		Advertising	√ (children's and political advertising only)  all sanctions mentioned in this table are discretionary	√ (children's and political advertising only) – fines are ad-hoc based on precedent and economic condition of the party being fined; there are no set maximum or minimum fines	√ (children's and political advertising only)	√ (children's and political advertising only)	√ (children's and political advertising only)	
		Protection of minors	√	√ fines are ad-hoc based on precedent and economic condition of the party being fined; there are no set maximum or minimum fines.	√	√	√	
Japan	MIC All sanctions are discretionary	Quotas	√	N/A	√	√	√	
		Advertising	√	N/A	√	√	√	
		Protection of minors	√	N/A	√	√	√	
Singapore	Media Development Authority	Quotas	*See note below.				√ (discretionary)	
		Advertising	√ discretionary - may be administered by both ASAS and MDA	√ ASAS does not administer any fines; only the MDA can fine.	√ discretionary - depending on the severity of the case	√ discretionary	N/A Sanctions mainly relate to the stoppage of the advertisement.	

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
	Media Development Authority	Protection of minors	√ discretionary	√ discretionary, S\$1000 – S\$50,000) (€580 – €29,000) for breaches of content standards, including advertising standards and rules on protection of minors Up to \$200,000 (€116,000) or 3 years jail for operation of a broadcasting service without a valid licence.	√ discretionary - depending on the severity of the case	√ discretionary	√ discretionary	
* The context is this: the MDA collects TV licence fees from anyone who owns a TV set. This fee is then used to produce local content. The fee used to be given to the TV operator MediaCorp who then produce the content themselves. These days, about 60% is outsourced; the rest is done in-house. As the content is practically free for the TV station, there is no problem with meeting the quota of local content.								

**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
Austria	Federal Communications Board (BKS)	N/A (no policy setting powers)	N/A (no general policy implementing powers)	N/A (no specific rule making power)	N/A (no systematic monitoring power)	Yes (monitoring power only after complaints)	√	√
	KommAustria	N/A (no policy setting powers)	N/A (but see remark to table 9 "regulatory powers")	√ Specific rule making powers available and in use by means of 'Ordinances', but in practice so far not used for areas covered by the AVMS Directive	√	√	√	√
Belgium	BE-VL: VRM	No	√	√	√	√	√	√
	BE-FR : CSA	No	√	√	√	√	√	√
	BE-DE : MRat	No	√	√	√	√	√	√
Bulgaria	CEM	√	√	√	√	√	√	√
	Such data appear sporadically and in an unstructured way in CEM annual reports, in its category REPORTS. <a href="http://www.cem.bg/cat.php?id=110">www.cem.bg/cat.php?id=110</a> .							
Cyprus	Cyprus Radio-Television Authority	N/A	√	√ (non-binding)	√	√	√	√
Czech Republic	RRTV	N/A			√	√	√	√
Denmark	RTB	N/A	No New powers (enacted in 2009)	No New powers (enacted in 2009)	No New powers (enacted in 2009)	√	√	
Estonia	Ministry of Culture	√	√	√	√	√	√	√
Finland	FICORA	N/A	√	√	√	√	√	√
France	CSA	N/A	√	√	√	√	√	√

Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
Germany	LMA	No The states (Länder) have jurisdiction over broadcasting. State parliaments adopt the media laws.	√	√	√	√	√	√
	Broadcasting Councils			√			√	√
	NCRTV		√	√	√	√	√	√
Hungary	National Radio and Television Board (ORTT)	N/A		N/A	√	√	√	√
Ireland	Broadcasting Authority of Ireland	√	√	√	√	√	√	√
Italy	Agcom	No	√	√	√	√	√	√
Latvia	National Broadcasting Council	√	√	√	In 2009 the Council's monitoring centre (2 people) analysed 1929 hours of TV and 579 hours of radio broadcasts and produced 144 reports.	√	√	The Council is free to monitor as it sees fit. This does not require any special powers.
Lithuania	LRTK De facto use of LRTK's powers is established in its annual reports presented to the Seimas, which are available in Lithuanian language at <a href="http://www.rtk.lt">www.rtk.lt</a>	N/A Takes part but does not decide	√	√	√	√	√	Although is power does not exist in law, this happens de facto.

Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
Luxembourg	CNP	No	No	No	✓	✓	✓	✓
Malta	Broadcasting Authority	N/A	✓	✓	N/A	✓	✓	N/A
Netherlands	CvdM	N/A	✓	✓	✓	✓	✓	✓ (also)
Poland	National Broadcasting Council (KRRiT)		✓	✓	✓	✓	✓	✓
Portugal	ERC		✓	✓	✓	✓	✓	✓
Romania	CNA	✓	✓	✓	✓	✓	✓	✓
Slovakia	Council for Broadcasting and Retransmission	✓	✓	✓	✓	✓	✓	✓
Slovenia	APEK	N/A	✓	N/A	N/A	✓	✓	✓
	Broadcasting Council	N/A	N/A	N/A	N/A	N/A	✓	N/A
Spain	Ministry of Culture	✓	✓	✓	N/A	N/A	✓	N/A
	Ministry of Culture – Media Inspector	N/A	N/A	N/A	N/A	N/A	N/A	✓ With assistance of APEKI
Spain	CEMA	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	CAC			Instruction on Quotas (2008) and Instruction on Protection of Minors (2007) and 2 other instructions non-related with AVMS	✓		Instruction on creation of a telematic register General Instruction on creation and regulation of a Register of private audiovisual operators	



Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
	CoAN		√	√ Co-regulation Code on Broadcasting Content (2010)	√	√	√	√
	CAA			√ Recommendation on toys advertising Recommendation on protection on minors in special or tragic events and 6 other instructions non-related with AVMS	√			
<b>Sweden</b>	Swedish Broadcasting Commission (until July 31, 2010)		√		√	√		√
	Radio & Television Authority	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>UK</b>	Ofcom	√	√	Ofcom only implemented its proposals to enact the AVMS legislation in the UK at the beginning of 2010; nevertheless, in the areas covered by the Directive, Ofcom has set and implemented policies since its inception in 2003				
<b>Candidate countries</b>								
<b>Croatia</b>	Agency for electronic media			√		√ (applies to the TWFD as the present Law with the transposed AVMS was only adopted on 17 December 2009, and 6 months are given to the regulator and	√	√

Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
						the media to comply with its requirements)		
<b>Former Yugoslav Republic of Macedonia</b>	Broadcasting Council	√	√	√	√	√	√	√
<b>Turkey</b>	RTÜK	√	√	√	√	√	√	√
<b>Potential candidate countries</b>								
<b>Albania</b>	KKRT	√ Provides its opinion upon request	√	Drafts the National Strategies on radio and television broadcasting	√		√	√ Council on Ethics, as of Article 18, law 8410
<b>Bosnia and Herzegovina</b>	Communications Regulatory Agency	√	√	√	X The CRA has never used systematic monitoring because it does not have the required technical and human capacities.	√	√	√
<b>Montenegro</b>	Broadcasting Agency of Montenegro	√	√	√	√	√	√	√
Note: this data is related to the implementation of the Directive TV without frontiers and not the AVMSD.								
<b>Serbia</b>	Republic Broadcasting Agency	√ e.g. Strategy of Broadcasting Development in the Republic of Serbia Until 2013 <a href="http://www.rra.org.rs/files/1219931626strategy.pdf">www.rra.org.rs/files/1219931626strategy.pdf</a>	√ e.g. General binding instruction regarding broadcaster conduct – Broadcaster Code of Conduct <a href="http://www.rra.org.rs/files/1219931614general-binding-instructions.pdf">www.rra.org.rs/files/1219931614general-binding-instructions.pdf</a> General binding instruction regarding publishing the	√ e.g. Various measures (* Info in Serbian, <a href="http://www.rra.org.rs/index.php?id=31&amp;task=mere">www.rra.org.rs/index.php?id=31&amp;task=mere</a> , English version obsolete)	√ (during election campaigns)	√ No overall statistic available e.g. Monitoring (February 2008 on national	√	√

Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
Kosovo	IMC	√	contents of records excluded in criminal court proceedings <a href="http://www.rra.org.rs/index.php?task=content&amp;id=14">www.rra.org.rs/index.php?task=content&amp;id=14</a>	√	√	broadcasters' coverage on the proclamation of independence of Kosovo)	√	√
EFTA countries								
Iceland	Broadcast Licensing Committee	N/A	(information not available, the committee has not published any reports over the last five years)	N/A	No as the committee only reacts after complaints	(information not available, the committee has not published any reports over the last five years)	√ (for implementation of the TWF Directive)	√ (for implementation of the TWF Directive)
Liechtenstein	Media commission	N/A	No television stations at that time	No television stations at that time	N/A	N/A	N/A	No complaints
Norway	The Ministry of Culture The Media Authority	√	√	√	N/A	N/A	N/A	N/A
Switzerland	Ofcom ICA	√ N/A	√ N/A	√ N/A	√ N/A	√ N/A	√ N/A	√ √
Selected third countries								
Australia	Australian Communications and Media Authority	N/A	√	√	√	√	√	√
USA	Federal Communications Commission (FCC)	√	√	√	N/A	√	√	√
Note: These are all frequent activities (except systematic monitoring) and examples of each can be found in the recent Headlines at <a href="http://www.fcc.gov/">www.fcc.gov/</a> .								

Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
Japan	MIC						√	
Singapore	Media Development Authority	√	√	√	√	√	√	(investigation after complaints) √

**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)
Austria	KommAustria	√	√	√	No cases	N/A
Belgium	BE-VL: VRM	√ 2009: 17 2008: 27 2007: 6	√ 2009: €83k 2008: €105k 2007: €121k	No	√ Yes, 2009: revocations: 6 (5 frequency licenses of local radios revoked because of unused radio spectrum, 1 TV-station bankruptcy)	No Fines paid on time
	BE-FR : CSA	√ 2009: 5	√ 2009: 5	√ 2009: 3	√ 2009: 3 (revocation of license of frequency spectrum use)	No Fines paid on time
	BE-DE : MRat	No	No	No	No	N/A
Bulgaria	CEM	√ 2008 - 40 2009 - 25	√ 2008 - data not available 2009 - 163,231 BGN, approx. €82,000	√ 2008-40 2009-25	Information not available	√ Detailed information not available
	Such data appear sporadically and in an unstructured way in CEM annual reports, in its category REPORTS Those annual reports refer to 2008 and 2009, <a href="http://www.cem.bg/cat.php?id=110">www.cem.bg/cat.php?id=110</a>					
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>

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)
Czech Republic	RRTV	√	√		√	N/A
Denmark	RTB	√	N/A	No New powers (enacted in 2009)	√  Very few cases over the years, with one exception – a suspension of 1 hour more than 5 years ago – only a couple of local television stations have had their licence suspended or revoked.	N/A
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
Finland	FICORA	√	N/A	√ (But FICORA publishes its decisions on its website).	N/A	√  Has been set only once during the last 5 years. See FICORA press release of April 6, 2010 (in Finnish) on this case relating to the protection of minors: <a href="http://www.ficora.fi/index/viestintavirasto/lehdistotiedotteet/2010/P_28.html">www.ficora.fi/index/viestintavirasto/lehdistotiedotteet/2010/P_28.html</a> The broadcaster then followed FICORA's decision, so the penalty payment was not put into force.
France	CSA	√ 48 in 2008 73 (2009)	√ 1 (€200k)	√ (for some)	√ (2)	No
Germany	LMA	√	√		√	√
Greece	NCRTV	√	√		√	√
Hungary	National Radio and Television Board (ORTT)	√	√		suspending the broadcasting rights for different periods	N/A
Ireland	BAI (Previously the Broadcasting Complaints Committee and the Broadcasting Commission of Ireland)	√	This power was not available to the BCC, the previous regulator, which was replaced by the BAI in	√	No	Power not available to the BCC and not yet exercised by the BAI

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)
			October 2009: no fines have yet been issued by the BAI.			
<b>Italy</b>	Agcom	√	√ About 40% of handled sanctioning proceedings each year are concluded with a fine (data provided by AGCOM)	√ In all cases concerning protection of minors and right of reply	√ Only once since the establishment (pormographic FTA satellite channel)	√
<b>Latvia</b>	National Broadcasting Council	√ 7 in 2009	√ 10 in 2009	No cases	√ One radio station had its licence suspended in 2005 for surreptitious political advertising	N/A
<b>Lithuania</b>	LRTK	√ 39	√ LTL 42,750 (~€12,214)	N/A	√ Revocation of licences - 67 Suspension of licences – 9 The figures include radio licences. These decisions need to be approved by a court.	LRTK
<b>Luxembourg</b>	CNP	√*	No	No	No	No
<b>Malta</b>	Broadcasting Authority	√ On programme content	√ On programme content	√ On programme content	Revocation of Licences: UTV [December 2008] Family TV [June 2009]	No There were no cases of non-compliance
<b>Netherlands</b>	CvdM	√	√	N/A	Usually regarded as disproportionate and has not been imposed	√
<b>Poland</b>	National Broadcasting Council (KRRiT)	√	√	N/A	√ Yes, in principle there are some cases when a licence can be revoked by KRRiT (for instance, when a broadcaster does not inform KRRiT about the change of ownership or merger.	√

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)
Portugal	ERC	√	√	√ (except in on-demand services, which don't fall under ERC competences)	√  (only in cases of radio operators) This sanction has not been applied because ERC has not acknowledged any breaches that could justify its application.	√
	CNA	√	√	√	√  Please note that it was used for an area outside of AVMS competence.	√
	2009: 624 sanctions: <ul style="list-style-type: none"> <li>• 248 fines</li> <li>• 374 public somm.</li> <li>• 2 penalties</li> </ul>					
Slovakia	Council for Broadcasting and Retransmission	√	√	√	√	√
	APEK	√	N/A	N/A	√	In all cases parties complied with the decision
Slovenia	Ministry of Culture (Inspectorate for Culture and Media, Media Inspector)	√	√	N/A	N/A	N/A
	CEMA	N/A	N/A	N/A	N/A	N/A
Spain	CAC	2007: 6 informative proceedings on protection of minors 22 informative proceedings on advertising 2007-2010: Protection of minors: 4 Final decisions, 3 agreements Commercial	Protection of minors: 1 fine (2007-2010): €90,000 Commercial Broadcasting (2007-2010): 5 fines (Total Amount: €58,600)	No	No	No
		N/A	N/A	N/A	N/A	N/A

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)
		Broadcasting, 17 Final decisions and 5 agreements				
	CoAN	No instances. There are only 3 regional TV stations covered by CoAN.	No instances	No instances	No instances	No instances
	CAA	2007 (p.82): 47 requests of information and 22 procedures of sanctioning, of which 3 were closed with fines. 19 were still pending In 2010 16 closed procedures of sanctioning		No	No	No
Sweden	Swedish Broadcasting Commission (until July 31, 2010)	√	√	√		√ (following a decision by an Administrative Court)
	Radio & Television Authority (from August 1, 2010)	N/A	N/A	N/A	N/A	N/A
UK	OFCOM Listed in Ofcom annual reports	√	√	√	√	No cases
	ASA	√		√		



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)
	ATVOD	N/A (body only just being set up)	As previous answer	As previous answer		
<b>Candidate countries</b>						
<b>Croatia</b>	Agency for electronic media	√	N/A	N/A	√	Decision are being implemented
<b>Former Yugoslav Republic of Macedonia</b>	Broadcasting Council	√	The BC cannot impose fines	√	Only for non-payment of the fee for the broadcasting licence	√ Imposed by the Court
<b>Turkey</b>	RTÜK	√ Issued 103 warnings to radio and television channels since 10 July 2005	√ Issued an administrative fine to radio and television channels 123 times since 10 July 2005	√ Publishes its board decisions on its website: <a href="http://www.rtuk.org.tr/sayfalar/icerikGoster.aspx?icerik_id=3e3023f4-04d8-407b-844c-ad928fc51126">www.rtuk.org.tr/sayfalar/icerikGoster.aspx?icerik_id=3e3023f4-04d8-407b-844c-ad928fc51126</a>	√ Issued 227 programme suspensions to radio and television channels since 10 July 2005	√
<b>Potential candidate countries</b>						
<b>Albania</b>	KKRT	√	√ €7,500	√ Official Gazette	√	N/A State treasury
<b>Bosnia and Herzegovina</b>	Communications Regulatory Agency	√ Number of warnings (both oral and written) for the period 2005-2009 was 160.	√ The total amount of fines for the period 2005-2009 was BAM 477,150 (approx. €244,000)	√ The Agency is not authorized to order the publication of its decisions as an enforcement measure. The practice is to publish press release which media use to inform the general public.	√ Between 2005 and 2009, the Agency suspended 10 and revoked 4 licences (for non-payment of the licence fees). The Agency publishes annual reports on cases having to do with breaches of its rules available at <a href="http://www.rak.ba/">www.rak.ba/</a>	√ Up to BAM 100,000 (approx. €50,000)
<b>Montenegro</b>	Broadcasting Agency of Montenegro	√	√	√	No Revocation can only take place in defined circumstances which have to take place.	No
<b>Serbia</b>	Republic Broadcasting Agency	√ (8 Warnings and 15 Reprimands in	No	√ (almost all Warnings contain order to broadcast the decision in full, without further	√ Total number of Revocations – 34 (Source:	N/A

Country	Body	Warnings cases of a first breach)	Fine (lump sum)	Publication of decisions in television programmes/on demand services comments)	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)
<b>Kosovo</b>	IMC	√	√	√	<p><a href="http://www.rra.org.rs/index.php?id=43&amp;task=kategorija,info%20in%20English+lacking">www.rra.org.rs/index.php?id=43&amp;task=kategorija,info in English lacking</a>)</p> <p>Different grounds (Broadcasting Law Art 61)</p> <ul style="list-style-type: none"> <li>No. of Revocations – 12 (Art 61(1)(1) "If a broadcaster notifies the Agency in written form it no longer intends to broadcast its programme")</li> <li>No. of Revocations – 1 (Art 61(1)(3) "If the telecommunications regulatory authority revokes the issued radio station licence in respect of the provisions of a separate telecommunications law due to the occurrence of any reason envisaged by that law"</li> <li>No. of Revocations – 21 (Art 61(1)(9) "If the broadcaster has not paid the broadcasting licence fee despite a warning pronounced in written form")</li> </ul>	√
<b>EFTA countries</b>						
<b>Iceland</b>	Broadcast Licensing Committee	√ (for implementation of the TWF Directive)	√ (for implementation of the TWF Directive)		√ (for implementation of the TWF Directive)	
*Note: Not applicable as the AVMS Directive has not been implemented yet (see note to Table 2).						
<b>Liechtenstein</b>	Media commission	None	None	None	None	None
<b>Norway</b>	The Media Authority	√	√	These decisions are in the public domain – it is up to the media whether they publish or not, but they usually do	Not very often There have been short suspensions, a few every year, but no licences have been permanently withdrawn.	√
<b>Switzerland</b>	Ofcom	√	√	N/A (outside Ofcom's reference)	No*	No
	ICA	√	No, not used since 2008	N/A (publication in an online databank, but anonymized and not intended as sanction mechanism)	N/A	N/A

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)
	*In Switzerland, it is not always necessary to have a license to broadcast a programme, under certain conditions a notification is sufficient. In general—according to Art 89 RTVA—the power to suspend/revoke a license does not rest with the regulatory authorities (Ofcom; ICA) but with the grantors of a license (Federal Council; Department of the Environment, Transport, Energy and Communications). Ofcom itself may grant, suspend and—as an ultima ratio—revoke a license only for the limited field of short-term licenses ('Kurzveranstaltungslicenzen') which are granted for 30 days.					
<b>Selected third countries</b>						
<b>Australia</b>	ACMA	√ (informally)	√	√ Decisions are published via Media Release and on the ACMA's web-site	√	One (1) case of a penalty for a content-related failing
<b>USA</b>	Federal Communications Commission	√	√	√	√ Note: This is within the FCC's powers but is rarely used. Per precedent, fines are usually the most severe sanction.	√
	Note: These are all frequent activities and examples of each can be found in the recent Headlines at <a href="http://www.fcc.gov/">www.fcc.gov/</a> .					
<b>Japan</b>	MIC	KTV (Kansai TV)		<a href="http://www.soumu.go.jp/menu_news/s-news/2007/070330_15.html#bt">www.soumu.go.jp/menu_news/s-news/2007/070330_15.html#bt</a>	The MIC sent a warning to KTV, on the ground that it had breached Art 3-2-1-iii) of the BL (distorting facts). However, the ministry stopped short of using the sanction power of revocation. March 30, 2007	
<b>Singapore</b>	Media Development Authority	√	√	√	No cases Possible but this has never been done. Because both the TV operator and the regulator are closely linked to the government, they coordinate to ensure that there is minimal to no conflict in standards. In Singapore style, conflicts are "managed" behind the scenes. Thus far, there has been no conflict that has escalated to the level that would warrant suspension or revocation of licence. (Source: research of the consortium) According to MDA, the above statement is incorrect. It says that MDA deals with all its licensees on an impartial arms-length basis. Further the regulator is independent and MediaCorp is a commercial company.	No cases

**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
<b>Austria</b>	KommAustria	Yes Specific regulations for complaints handling procedures according to §§ 61—62 AMD-G (private broadcasting) and according to §§ 36—37 ORF-G (public service broadcasting). Moreover, general regulation for complaints handling procedures according to AVG (Allgemeines Verwaltungsverfahrensgesetz) apply (see § 39 (1) KOG).	<a href="http://www.rtr.at/de/rtr/InfoKonsumenten">www.rtr.at/de/rtr/InfoKonsumenten</a>
	Federal Communications Board (BKS)	Yes The Federal Communications Board acts as the appeals authority for decisions made by KommAustria. General regulation for appeals handling procedures according to AVG (Allgemeines Verwaltungsverfahrensgesetz) apply (see § 39 (1) KOG).	No specific website available
<b>Belgium</b>	BE-VL: VRM	Yes, complaints are examined by the staff of the VRM and then forwarded to the relevant chamber (government decree on VRM-procedure, art. 12)	<a href="http://www.vlaamse-regulator-media.be/nl/faq/klacht-indienen-bij-de-vlaamse-regulator-voor-de-media.aspx">www.vlaamse-regulator-media.be/nl/faq/klacht-indienen-bij-de-vlaamse-regulator-voor-de-media.aspx</a>
	BE-FR : CSA	Yes, complaints are forwarded to the instruction service, which examines them; it can decide whether or not to go to a second instruction phase and compiles a file which it forwards to the CAC	<a href="http://www.csa.be/guichet/plainte">www.csa.be/guichet/plainte</a> , art. 29-42 rules of procedure Bureau et CAC
	BE-DE : MRat	Yes, when complaints are not within the legal powers of the MRat-REG, they are registered and send to the president and the permanent commission of the MRat-ADV, which examines it and prepares a draft decision for the MRat-ADV, which decides about the complaint and possible sanctions.	Art. 114 DE-media-act, 23, 31-32 rules of procedure
<b>Bulgaria</b>	CEM	Yes. Those procedures are regimented both on regulation and self-regulation level. The first one is tackled by Art. 16, 17 and 18 of the Law for radio and TV obliging operators to give the right of reply and/or submit official excuses to concerned sides, and those obligations do not exempt them from subsequent court proceedings. Same obligations exist on self-regulation level, tackled by the Professional Code of Ethics of the Journalists in Bulgaria, 1.2.1. and 1.2.2. The self-regulation envisages a special ethical commission to deal with complaints, and its decisions are mandatory to all media signatory to the Code.	<a href="http://lex.bg/laws/ldoc/2134447616">http://lex.bg/laws/ldoc/2134447616</a> <a href="http://www.mediaethics-bg.org/index.php?do=23&amp;lang=bg">www.mediaethics-bg.org/index.php?do=23&amp;lang=bg</a>
	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.

Country	Body	Do complaints handling procedures exist?	Link to website
<b>Czech Republic</b>	RRTV Broadcasting Council	Yes	<a href="http://www.rrtv.cz/cz/dynamic/methods.aspx">www.rrtv.cz/cz/dynamic/methods.aspx</a>
<b>Denmark</b>	RTB	Yes, they are described in §§ 5-11 in The Order of Business of the RTB. ('Bekendtgørelse om forretningsorden for Radio- og tv-nævnet' – 28.01. 2010.) Complaints are addressed in writing and must be sent to the RTB no later than 3 months after the incident; 4 weeks for complaints about advertisements.	<a href="http://www.retsinformation.dk/Forms/R0710.aspx?id=130031">www.retsinformation.dk/Forms/R0710.aspx?id=130031</a>
<b>Estonia</b>	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)	<a href="http://www.kul.ee/index.php?path=0x6x108">www.kul.ee/index.php?path=0x6x108</a>
	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.	<a href="http://www.err.ee/sisu.aspx?s=18&amp;a=44">www.err.ee/sisu.aspx?s=18&amp;a=44</a>
<b>Finland</b>	FICORA	Yes there are – but they are not very formal. Basically anyone can send a letter of complaint via normal mail or a request for actions via FICORA customer website. Then FICORA decides whether it is going to proceed with the complaint/request and ask the operators to provide more information about the case.	<a href="http://www.viestintavirasto.fi/index/asiointi-info/yhteydenotto/lapsillehaitallisetohjelmat.html">www.viestintavirasto.fi/index/asiointi-info/yhteydenotto/lapsillehaitallisetohjelmat.html</a> (in Finnish)  <a href="http://www.viestintavirasto.fi/index/asiointi-info/yhteydenotto/rekisteriseloste.html">www.viestintavirasto.fi/index/asiointi-info/yhteydenotto/rekisteriseloste.html</a> (in Finnish)
<b>France</b>	CSA	Yes Complaints are handled by the 'Service d'Information et de Documentation' of the CSA, which reports directly to the director general. In 2008, 8700 complaints were received (mostly by mail) and handled the service	Example of protection of minors <a href="http://www.csa.fr/protection_mineurs_TV/alerter.html">www.csa.fr/protection_mineurs_TV/alerter.html</a>
<b>Germany</b>	State Media Authority (LMA)	Everyone has the right to complain about the program organized by commercial broadcasters, and in which someone suspect that their content legally questionable can be (e.g. § 42 LMG NRW, § 17 BayMG, § 25 (3) HPRG).	<a href="http://www.programmbeschwerde.de">www.programmbeschwerde.de</a>
	BR	For BR such a procedure is laid down in Art. 19 BayRG and especially in § 8 Geschäftsordnung des BR-Rundfunkrats. According to that procedure everyone has the right to complain about the program. First the head has to check the complaint. If the program complaint is not rectified, the Broadcasting Council has to be informed.	No special website available
	WDR	For WDR such a procedure ("Programmbeschwerde" = programming complaint) is laid down in § 10 WDR-Gesetz in combination with § 33 WDR-Satzung. According to that procedure everyone has the right to complain about the program. First the head has to check the complaint. If the program complaint is not rectified within one month, the Broadcasting Council has to be informed.	No special website available
	rbb	For rbb such a procedure ("Programmbeschwerde" = programming complaint) is laid down in § 10 rbb-Interstate Treaty on Broadcasting in combination with § 23 rbb-Satzung. According to that procedure everyone has the right to complain about the program. First the head has to check the complaint. If the program complaint is not rectified within one month, the Broadcasting Council has to be informed.	No special website available

Country	Body	Do complaints handling procedures exist?	Link to website
	SWR	For SWR such a procedure ("Programmbeschwerde" = programming complaint) is laid down in § 11 SWR-interstate treaty. According to that procedure everyone has the right to complain about the program. First the head has to check the complaint. If the program complaint is not rectified within two months, the Broadcasting Council has to be informed.	No special website available
	HR	For HR such a procedure ("Programmbeschwerde" = programming complaint) is laid down in § 4 HR-Satzung. According to § 9 HR-law the Broadcasting Council decides final on complaints.	No special website available
	MDR	For MDR such a procedure ("Programmbeschwerde" = programming complaint) is laid down in § 16 MDR-interstate treaty. According to that procedure everyone has the right to complain about the program. First the head has to check the complaint. If the program complaint is not rectified within two months, the Broadcasting Council has to be informed.	No special website available
	NDR	For NDR such a procedure ("Programmbeschwerde" = programming complaint) is laid down in § 13 NDR-interstate treaty and in § 6 Geschäftsordnung des NDR-Rundfunkrates. According to that procedure everyone has the right to complain about the program. The complaint has to be addressed to the Head or the Broadcasting Council.	No special website available
	RB	For RB such a procedure ("Programmbeschwerde" = programming complaint) is laid down in § 23 RB-law. According to that everyone has the right to complain about the program. According to § 8 Abs. 4 RB-Geschäftsordnung the Broadcasting Council decides on complaints.	No special website available
	SR	For SR such a procedure ("Programmbeschwerde" = programming complaint) is laid down in §§ 8, 28 SR-law. According to that the Broadcasting Council decides on complaints.	No special website available
	ZDF	For ZDF such a procedure ("Programmbeschwerde" = programming complaint) is laid down in § 15 ZDF-interstate treaty. According to that everyone has the right to complain about the program. According to § 28 ZDF-Satzung the head has to check the complaint. If the program complaint is not rectified within one month, the Broadcasting Council has to be informed and decides on the complaint.	No special website available
<b>Greece</b>	NCRTV	Yes. They follow the provisions of the code of administrative procedures (law 2690/1999) and of the law 2863/2000 according to the internal regulation of NCRTV ratified by the ministerial Act 2020/E/6.9.2002	<a href="http://www.esr.gr">www.esr.gr</a>
<b>Hungary</b>	National Radio and Television Board (ORTT) Complaint Committee	Yes, a Complaint Committee exists. Complaints lodged for any violation of the requirement of providing balanced	<a href="http://www.ortt.hu">www.ortt.hu</a>
<b>Ireland</b>	Broadcasting Authority of Ireland	Yes Complaints must be in writing and within 30 days of the transmission of the relevant content The matter is first referred to the broadcaster for comment and resolution. If the	<a href="http://www.bai.ie/broadcasting_complaints.html">www.bai.ie/broadcasting_complaints.html</a>

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		complainant is not satisfied with the broadcaster's response, the complaint is then assessed by the Executive Complaint Forum. If they judge that the code has been breached, or that there is an issue which merits consideration, then it is referred to the BCI's Compliance Committee who will decide. Committee decisions must be published and, where a complaint is upheld against a broadcaster wholly or in part, the broadcasters is statutorily required to publish the decision	
<b>Italy</b>	Agcom	Yes There are specific procedures only in case of infringements in the field of electronic communications services, pay-tv services and political communication, notwithstanding the general right to present complaints in any form in case of audiovisual issues.	AGCOM regulation n. 136/06/CONS <a href="http://www.agcom.it/default.aspx?message=viewdocument&amp;DocID=2284">www.agcom.it/default.aspx?message=viewdocument&amp;DocID=2284</a> (in Italian) For more information, see AGCOM website (in Italian) <a href="http://www.agcom.it/Default.aspx?message=contenuto&amp;DCId=%20200">www.agcom.it/Default.aspx?message=contenuto&amp;DCId=%20200</a>
<b>Latvia</b>	National Broadcasting Council	Yes, but they are not specific. On receipt of complaint a recording of the relevant broadcast is requested from the provider and analysed for violations. A decision is then taken by the Council.	
<b>Lithuania</b>	LRTK	No	
<b>Luxembourg</b>	SMC/CNP	Art. 35 (1) and (2) Loi 1991 According to paragraph 1, each natural or legal person may complain to the SMC in view of a radio or television programme which violates the Loi 1991. The parties are informed of the complaint. In line with paragraph 2, the CNP may initiate the complaint by informing the relevant Minister.	<a href="http://www.cnp.lu/comments_complaints">www.cnp.lu/comments_complaints</a>
<b>Malta</b>	Broadcasting Authority	Yes Complaints procedures are covered by Code for the Investigation and Determination of Complaints [Cap.350.06]. Written complaint to be sent to broadcasting station [copied to Authority] – station has 3 working days to reply. If reply is not satisfactory, station is charged by the CEO and brought before the Authority for evaluation and decision on complaint.	<a href="http://www.ba-malta.org/contact-details">www.ba-malta.org/contact-details</a>
<b>Netherlands</b>	CvdM	Yes But a general procedure based on the General Administrative Act exists. A natural person or legal entity having a direct interest can lodge an appeal with the administrative body that has to hold a hearing.	General Administrative Act: Awb (Algemene Wet Bestuursrecht) Chapter 5 and 6
<b>Poland</b>	National Broadcasting Council (KRRiT)	Yes	<a href="http://www.krrit.gov.pl/bip/Wiadomo%C5%9Bci/Skargiwnioski/tabid/285/Default.aspx">www.krrit.gov.pl/bip/Wiadomo%C5%9Bci/Skargiwnioski/tabid/285/Default.aspx</a>
<b>Portugal</b>	<b>ERC</b>	Yes <u>General procedure</u> Anyone can make a complaint regarding "behaviour that might violate rights, freedoms or guarantees, or violate any legal norms applicable to media activities". These complaints / participations must be sent to ERC (by post, by fax or through on-line formulary) within 30 days after the knowledge of the facts. The person or company object of the complaint is allowed to respond within 10	<a href="http://www.erc.pt/index.php?op=conteudo&amp;id=79&amp;mainLevel=folhaSolta&amp;lang=p#">www.erc.pt/index.php?op=conteudo&amp;id=79&amp;mainLevel=folhaSolta&amp;lang=p#</a> and <a href="http://www.erc.pt/formularios/recl2.html">www.erc.pt/formularios/recl2.html</a>

Country	Body	Do complaints handling procedures exist?	Link to website
		<p>days after notification. If he/she does so, ERC must engage both parts in a 'conciliation audience', in order to achieve a voluntary agreement. Otherwise, ERC proceeds according to the sanction powers granted to it by law.</p> <p><u>Specific Procedures</u>  Right of reply and rectification: when an entity that pursues media activities denies or complies poorly with the right of reply or rectification, the interested party may apply to the Regulatory Board.  Arbitration, especially as regards disputes arising from restriction of access to information sources.</p>	
<b>Romania</b>	CNA	<p>Yes  There is a Complaints Form listed on the website of CNA submitted via Post, fax, Internet.  Anonymous complaints are not taken in consideration.  By law, the Council has to control and to investigate the case mentioned in the complaint (Complaints handling procedure according to Audiovisual Law No 544/2001 on free access to public information).  The Communication Department send a resolution (no dead-line).</p>	<a href="http://www.cna.ro/-Complaints-form-.html">www.cna.ro/-Complaints-form-.html</a>
<b>Slovakia</b>	Council for Broadcasting and Retransmission	<p>Yes  Complaints must be addressed in writing, including by email  They must contain sufficient elements to identify the programme and the rule that is alleged to be breached. The council is not obliged to investigate anonymous complaints.  The Council must decide on the next steps within 90 days, and if it seems likely that the law could have been broken, the Council starts legal proceedings.  The results are sent to complainant. However, if the Council does not see reasons for further legal procedures, it stops the case and notifies the complainant about this fact.</p>	<p>§ 14a, Act 308/2000, specifies in detail how to handle all complaints related to possible breaking of this law.</p>
<b>Slovenia</b>	APEK  Ministry of Culture (Inspectorate for Culture and Media Inspector)	<p>Yes  The complaints are handled in compliance with the General Administrative Procedure Act.  After receiving a complaint, APEK institutes a proceeding against the broadcaster who allegedly was not in accordance with the regulations to find out if this is the case.   Yes  The complaints are handled in compliance with the Inspections Act, the Minor Offences Act and the General Administrative Procedure Act.  Short description:  There is twofold procedure for handling complaints by the Media Inspector. The first one is used in case of repeating/durable violations when the inspector at first applies Inspections Act and General Administrative Procedure Act, requesting</p>	<p><a href="http://www.apek.si/">www.apek.si/</a></p> <p>On responsibilities of the inspectorate:  <a href="http://www.mk.gov.si/eN/About_the_ministry/bodies_under_the_responsibility_of_the_ministry/">www.mk.gov.si/eN/About_the_ministry/bodies_under_the_responsibility_of_the_ministry/</a>  Annual report 2007 of the inspectorate (the last published):  <a href="http://www.mk.gov.si/fileadmin/mk.gov.si/pageuploads/Ministrstvo/">www.mk.gov.si/fileadmin/mk.gov.si/pageuploads/Ministrstvo/</a></p>



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<b>Spain</b>		from the media/operator to stop the violations, Such procedure, if not efficient, can be followed by the one that includes financial sanctions. The second procedure is used in case of the violations for which the inspector introduces immediate sanctions/fines according to the Inspection Act and Minor Offences Act. That procedure is used for violations with immediate effect when the damage is already done. In that case, the inspector has possibility to gradually increase fine if the media/operator continues to violate the law. The inspector can introduce any of the procedures on the initiative of a complainant or on own initiative.	<a href="#">Podatki/Letna_porocila/Porocilo_o_delu_IRSKM_2007.pdf</a> E-government-possibility to submit a complain to any inspectorate, including Inspectorate for Culture and Media with the form available: <a href="http://e-uprava.gov.si/storitve/pridobiVlogo.esju?id=1109">http://e-uprava.gov.si/storitve/pridobiVlogo.esju?id=1109</a>
	CEMA	N/A	N/A
	CAC	Yes, the Office for the Protection of the Audience, which is a special office attached to CAC, receives and deals with complaints, demands or suggestion on broadcasting content from citizens.	Website (with electronic form), e-mail, Free phone Number, 901 100 321 535 complaints in 2007 (p. 67)
	CoAN	Yes, the Office for the Protection of the Audience, which is a special office attached to CoAN, receives and deals with complaints, demands or suggestion on broadcasting content from citizens	Website, e-mail, Free phone number 900 841 014 46 complaints in 2008 (p. 30)
<b>Sweden</b>	CAA	Yes, the Office for the Protection of the Audience, which is a special office attached to CAA, receives and deals with complaints, demands or suggestion on broadcasting content from citizens.	Website (with electronic form), Free phone Number, 900 159 159 126 Complaints in 2008, (p. 13)
	Swedish Broadcasting Commission (until July 31, 2010)	Yes (First there is a formal examination of the complaint. The complaint must generally be in writing and regard a program broadcast within the last six months. If the complaint regards privacy issues, consent from the person affected is required. Most complaints lead to an examination of the broadcast and most such examinations end with a clearance decision by the Director. If the matter is complicated or the program is believed to be in breach of the provisions governing the broadcast, the matter is referred to the Commission.)	<a href="http://www.grn.se/gm/pages/ReportForm___589.aspx">www.grn.se/gm/pages/ReportForm___589.aspx</a>
	Swedish Radio and TV Authority	N/A	N/A
<b>UK</b>	OfCOM	Yes All complaints considered: in serious cases, broadcasters invited to submit representations. Most serious cases will be referred to a Committee of the Board for sanction to be imposed, following an oral hearing.	<a href="http://www.ofcom.org.uk/">www.ofcom.org.uk/</a>
<b>Candidate countries</b>			
<b>Croatia</b>	Agency for electronic media	There is an online complaint form available on the website. After receiving a complaint, the Department for supervision and monitoring program assesses the seriousness of the complaint. Depending on the assessment of the Department for supervision, the complaint is referred to the Council for Electronic Media to decide on the type of measures to take. The end decision is published on the website of the Agency.	<a href="http://www.e-mediji.hr/kontakt/prituzbe.php">www.e-mediji.hr/kontakt/prituzbe.php</a>

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<b>Former Yugoslav Republic of Macedonia</b>	Broadcasting Council	Yes Article 37 of the Law on Broadcasting Activity states that the Broadcasting Council reviews the requests and petitions submitted by citizens regarding the radio and television programmes and programme services retransmitted through the public communication networks, as well as the work of the broadcasters, and informs the public about the measures it has taken, on regular basis. The Broadcasting Council established internal procedure for handling with complaints. The citizens can send a written complaint or a question by post, e-mail or fax and the Broadcasting Council is obliged to reply to their complaint.	<a href="http://www.srd.org.mk/index.php?option=com_content&amp;view=article&amp;id=87&amp;Itemid=72&amp;lang=en">www.srd.org.mk/index.php?option=com_content&amp;view=article&amp;id=87&amp;Itemid=72&amp;lang=en</a>
<b>Turkey</b>	RTÜK	Yes Complaints can be directed through its website, through which viewers can complain about programmes that are broadcast. It also has a hotline.	<a href="http://www.rtuk.org.tr/sayfalar/GorusOneri.aspx">www.rtuk.org.tr/sayfalar/GorusOneri.aspx</a> 444 1 178
<b>Potential candidate countries</b>			
<b>Albania</b>	KKRT	Yes, there is the Commission on Ethics dealing with complaint from viewers. The Council or the Commission of Ethics handles complaints from viewers relating to the fairness of the program. It is a consultative body to the KKRT board. It does not have legal or administrative powers (reference on pages 30 of the annual KKRT reporting for 2009).	<a href="http://www.kkrt.gov.al">www.kkrt.gov.al</a>
<b>Bosnia and Herzegovina</b>	Communications Regulatory Agency	Yes The Communications Regulatory Agency adopted the Rulebook on procedure of handling cases of breaches of conditions of the licence and regulations of the Communications Regulatory Agency. The provisions of the Law on Administrative Procedure apply to issues which the Rulebook does not cover.	<a href="http://www.rak.ba">www.rak.ba</a>
<b>Montenegro</b>	Broadcasting Agency of Montenegro	Yes This Book of Rules prescribes, in compliance with the Broadcasting Law, the rules and procedures for processing the complaints of legal and natural persons about the work of broadcasters, radio and TV programme distributors, Public Enterprise for Transmission and Broadcasting of Radio and TV Signals, and in other cases of the breach of stipulations of the issued licence, Decisions and other regulations of the Broadcasting Agency.	Book of Rules On Complaints Procedure in Cases Of Breach Of Stipulations Of The Issued Licence, Decisions And Regulations Of The Broadcasting Agency <a href="http://www.artdco.org">www.artdco.org</a>
<b>Serbia</b>	Republic Broadcasting Agency	Yes Complaints can only be received by post, signed Submissions can be filed by natural/legal persons "if they deem these programmes are violating or endangering their personal interests or the public interest." (Broadcasting Law Art 14) OR by broadcasters (complaint) "about the conduct of another broadcaster which has inflicted or may inflict it damage" (Art. 15). Complaint is forwarded to a broadcaster concerned giving it 15 days deadline for a reply.	<a href="http://www.rra.org.rs/index.php?task=content&amp;id=85">www.rra.org.rs/index.php?task=content&amp;id=85</a> (procedure available in Serbian only)

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<b>Kosovo</b>	IMC	Based on RBA's findings RBA can impose measures Yes In 2009 the IMC published and distributed a brochure "How to file complaint"	<a href="http://www.assembly-kosova.org/common/docs/ligjet/2005_02-L-15_en.pdf">www.assembly-kosova.org/common/docs/ligjet/2005_02-L-15_en.pdf</a> <a href="http://www.kpm-ks.org/index.php?option=com_content&amp;view=article&amp;id=222&amp;Itemid=103&amp;lang=en">www.kpm-ks.org/index.php?option=com_content&amp;view=article&amp;id=222&amp;Itemid=103&amp;lang=en</a>
<b>EFTA countries</b>			
<b>Iceland</b>	Broadcast Licensing Committee	Yes Note: according to the Broadcasting Act, 2000, states: "The Broadcast Licensing Committee shall rule on complaints contending that a broadcaster has not honoured democratic principles, respected freedom of speech or encouraged the expression of different opinions on controversial issues" (Art. 2, Para 4); further: "A party who considers that a broadcaster has not fulfilled the requirements of Articles 9 (on Democratic Principles) and 11 (on Right of Reply) as far as that party is concerned, and has been refused the opportunity of presenting its views in a broadcast in a manner that it deems satisfactory, may refer the matter to the Broadcast Licensing Committee. The Committee shall rule on the complaint within the shortest possible delay, and such ruling shall be binding for all parties"	No website available
<b>Liechtenstein</b>	Media commission	Yes Not formalised, but regulation by Law on Liechtenstein Broadcasting: Art. 43 Abs. 3 Law on Liechtenstein Broadcasting: Complaints have to be submitted within four weeks after the alleged infringement of this law. [Beschwerden sind innerhalb von vier Wochen, gerechnet vom Zeitpunkt der behaupteten Verletzung dieses Gesetzes, einzubringen.]	<a href="http://www.gesetze.li/get_pdf.jsp?PDF=2003229.pdf">www.gesetze.li/get_pdf.jsp?PDF=2003229.pdf</a>
<b>Norway</b>	The Media Authority	No	
<b>Switzerland</b>	Federal Office of Communications	No Programme-related complaints of viewers are examined by the Independent Complaints Authority for Radio and Television (see below)	
	Independent Complaints Authority for Radio and Television	Yes Procedure according to Art 91—98 RTVA (The regulations also include the procedures of the ombudsmen which disburden the Independent Complaints Authority. The ombudsmen act as arbitrators and mediators in each regional-language region.)	UBI: <a href="http://www.ubi.admin.ch/de/">www.ubi.admin.ch/de/</a> Procedure: <a href="http://www.ubi.admin.ch/de/themen_verfahren.htm">www.ubi.admin.ch/de/themen_verfahren.htm</a>

Country	Body	Do complaints handling procedures exist?	Link to website
Selected third countries			
Australia	Australian Communications and Media Authority	<p>Yes.</p> <p>The ACMA's approach to content of communications is largely complaints-driven. Prominence on the ACMA website and in publications features complaints as a high priority, and there are many well-documented forms and procedures. This relates partly to the system of content regulation. It requires in most cases that the public should complain first to the licensee, and can only approach the ACMA if no satisfactory response has been received after 60 days.</p>	<p><a href="http://www.acma.gov.au/WEB/STANDARD/pc=PC_90137">www.acma.gov.au/WEB/STANDARD/pc=PC_90137</a></p> <p>This web page deals with TV complaints. The position for Internet-related complaints is broadly similar, except that nearly all rules are in industry codes rather than standards of the ACMA.</p>
USA	Federal Communications Commission (FCC)	<p>Yes. Per US law (Administrative Procedure Act of 1946), as a federal government agency the FCC must follow mandated procedures to collect and investigate complaints from the public.</p>	<p><a href="http://esupport.fcc.gov/complaints.htm">http://esupport.fcc.gov/complaints.htm</a></p>
Japan	<p>BPO (Broadcast Ethics and Program Improvement Organization), established on July 1, 2003 as a voluntary organisation.</p> <p>BPO currently operates the following committees: <u>the Investigation of Broadcasting Ethics</u>, which holds discussions to improve broadcasting programs and performs corroboration with respect to alleged falsified broadcasting; <u>the Broadcast and Human Rights / Other</u></p>	<p>Yes</p> <p>The viewers or listeners whose human rights are infringed upon by broadcasting first contact the broadcaster, who should take necessary steps to solve problems. If the situation does not improve, they contact the BPO (phone &amp; fax numbers on its HP)</p> <p>Based on the complaints and submitted information, the BPO considers whether the case is worthy of investigation. If it is decided so, the BPO conducts further inquiry and holds hearing sessions with the interested parties as necessary.</p> <p>The result is informed to the both parties, as well as published. It takes the form of either an "opinion" or "recommendation". Except for cases where there were no problems was found, the BPO requests the broadcaster to broadcast the result of investigation and to report on the measures taken to rectify the situation</p>	<p><a href="http://www.bpo.gr.jp/bpo/english/index.html">www.bpo.gr.jp/bpo/english/index.html</a></p>

Country	Body	Do complaints handling procedures exist?	Link to website
	<p><u>Related Rights Committee (BRC)</u>, which helps parties whose human rights are infringed by broadcasting; and, the <u>Broadcast Committee for Youth Programming</u>, which organizes opinion exchanges and conducts surveys and research designed to improve broadcast programs targeting the youth.</p>		
<b>Singapore</b>	<p>Media Development Authority</p>	<p>Yes There are well-developed procedures to handle complaints. The most complex complaints concern the level of censorship of content. In extreme cases, the MDA on whether the content is objectionable. Otherwise, complaints are typically handled internally.</p>	<p>Bottom left of <a href="http://www.mda.gov.sg/Pages/Home.aspx">www.mda.gov.sg/Pages/Home.aspx</a></p>
	<p>Advertising Standards Authority of Singapore</p>	<p>Yes Most of the complaints are handled by the ASAS Secretariat. About 20% are controversial or borderline cases that require the Council to meet to decide if the advertisement should be rejected.</p>	<p><a href="http://www.case.org.sg/asas/">www.case.org.sg/asas/</a></p>