



Transposition of the 2018 Audiovisual Media Services Directive

Implementation in
Action

IN-DEPTH ANALYSIS



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This 'Implementation in Action' in-depth analysis provides input to the 'Implementation Report' of the European Parliament's Committee on Culture and Education (CULT) on Directive 2018/1808, the 2018 revised Audiovisual Media Services Directive (AVMSD), by taking stock of its transposition. It provides an overview of recent EU reports on the transposition and implementation of the AVMSD and focuses on specific articles in the Directive. The analysis covers transposition related to the protection of minors, accessibility for persons with disabilities, European works and video-sharing platforms. Based on country files made publicly available by the European Audiovisual Observatory of the Council of Europe, it offers an account of the transposition to date in 17 Member States.

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1. Introduction

This 'Implementation in Action' in-depth analysis provides input to the 'Implementation Report' of the European Parliament's Committee on Culture and Education (CULT) on Directive 2018/1808, the 2018 revised Audiovisual Media Services Directive (AVMSD), by taking stock of its transposition. It provides an overview of recent EU reports on the transposition and implementation of the AVMSD, outlines the status of its transposition by Member States, and focuses on specific articles in the Directive. The analysis covers transposition related to the protection of minors, accessibility for persons with disabilities, European works and video-sharing platforms.

Based on the [qualitative database and country files](#) made publicly available by the European Audiovisual Observatory of the Council of Europe (CoE), it offers an account of the transposition to date in 17 Member States. Although Belgium is part of the database, only data relevant to the German-speaking community are included thus far, so Belgium has not been analysed here. The 17 countries covered in this analysis are Austria, Bulgaria, Cyprus, Germany, Denmark, Finland, Greece, Croatia, Hungary, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal and Sweden.

1.1. Background and overview of Directive 2018/1018/EU

In general, the 2018 AVMSD governs EU-wide coordination of national legislation on all audiovisual media, including the regulation of services that provide access to audiovisual media content. Since its adoption in 1989 as the so-called 'Television without Frontiers' Directive, subsequently codified and renamed the Audiovisual Media Services Directive in 2010, the Directive has been revised three times. The 1997 revision put in place the 'country of origin' principle, and the 2007 revision included online services such as video-on-demand (VOD) platforms. The 2018 revision covered providers of video-sharing platform servicesⁱ (VSPs) for the first time.

The European Commission proposed a revised Audiovisual Media Services Directive in May 2016. The Commission's [impact assessment](#) that accompanied the proposal identified three main general objectives: (i) better protection of consumers and minors; (ii) ensuring a level playing field, preserving the integrity of the internal market and enhancing legal certainty; and (iii) simplifying the legislative framework. The Directive was adopted by the European Parliament and the Council on 14 November 2018, with a transposition deadline of 19 September 2020. In support of this process, the European Parliamentary Research Service (EPRS) produced an [Implementation Appraisal](#) and a [Legislation in Progress briefing](#) on the 2018 AVMSD. Following transposition of the Directive, the first reporting by Member States to the Commission on the implementation of the revised AVMSD rules was required by 19 December 2021.

Overall, the inclusion of online platforms that disseminate audiovisual content has resulted in movement towards a more uniform approach to regulating audiovisual media content, but also in a mix of substantive rules for different types of audiovisual content services. The revised AVMSD contains specific rules to protect minors from inappropriate on-demand audiovisual media services, with Article 6a listing possible measures to ensure that audiovisual media services (AVMS) that may impair the development of minors are only made available in a way that they will not normally hear or see them. Article 7 of the revised 2018 AVMSD also established that traditional TV broadcasters and video on-demand platforms have to make their services 'continuously and progressively more accessible to people with disabilities', and encouraged media providers to publish action plans to that effect.

Further substantive changes within the 2018 AVMSD included stronger provisions on promoting European works by imposing stricter obligations on VOD providers and incorporating VSPs into the regulatory framework for media content. Under Article 13 of the newly revised rules, VOD providers must maintain at least a 30 % share of European works within their catalogues and give prominence to those works. The combination of obligations regarding share and prominence for on-demand services is expected to have a positive impact on cultural diversity through greater exposure to European works and by offering more opportunities for European creators to reach viewers within the EU. With users increasingly relying on VSPs to access audiovisual content, the 2018 AVMSD (under Articles 28a and 28b) also aimed, for the first time, to align the rules on audiovisual media content to encompass VSPs, where appropriate.

2. Overview of EU reports on the ongoing transposition and implementation of the Directive

The Commission's 2019 [staff working document](#) analyses Member States' application of the AVMSD from 2014 to 2019 and highlights aspects of the revised 2018 AVMSD which Member States still needed to transpose. In 2020, the Commission published a [report](#) on the 'targeted consultation on the practical application of the essential functionality criterion of the definition of video-sharing platform services' (Recital 5). Subsequently, [guidelines](#) on VSPs were released in July 2020, as well as [guidelines](#) on 'the calculation of the share of European works in on-demand catalogues and on the definition of low audience and low turnover'. These guidelines aim to help harmonise implementation and enforcement of the Directive.

In 2021, the Commission published a [study](#) on the implementation of the new provisions in the revised AVMSD. The study focused on facilitating implementation by Member States, and analysed the regulatory and business practices relating to three topics that had been included for the first time in the EU media framework: **VSPs, media ownership and transparency, and signal integrity**.

On VSPs, the report concluded that there remains a gap between well-resourced, high functionality VSPs, which are already implementing many of the protective measures envisaged in the Directive, and VSPs provided by smaller companies, which have fewer resources and functionalities for users and advertisers. It found that international cooperation among VSPs, regulatory bodies, government and civil society seems to be very active in some areas, and that Member States' audiovisual markets vary with regard to their media ownership and media transparency rules, including differences in terms of the emphasis put on media transparency by regulatory authorities and governments. It also noted that many Member States follow a similar set of conditions to maintain and increase media transparency.

The report further investigated the application of Article 7b, which states that Member States should take measures to ensure that AVMS provided by media service providers are not, without the explicit consent of those providers, overlaid for commercial purposes or modified. On Article 7b, the report found that the cases it analysed showed strong indications that 'independent of the technology used (private network or open internet), the new measure does not allow a distributor or TV manufacturer to modify or overlay the service of an AVMS provider, whether linear or non-linear, for the purpose of commercial communications, without said AVMS provider's consent'. It concluded that the Directive gives Member States the possibility to exempt certain cases from the requirement to obtain the AVMS provider's consent, on condition that the decision is the result of weighing legitimate user interests against the legitimate interests of the provider. In addition, among the Member States that had reported past or ongoing commercial negotiations, disputes or litigation

on the matter, national experts highlighted that signal integrity measures in Hungary (since August 2019) and Denmark (since July 2020) were not driven by issues in the market but were the result of transposing Directive 2018/1808.

The European Regulators Group of Audiovisual Media Services (ERGA) accompanied the revised 2018 AVMSD proposal with an [opinion](#) in 2016, a 2018 [paper](#) contributing to its implementation, and a 2019 [report](#) on its implementation. The 2019 report finds that, overall, cooperation procedures (under Articles 3, 4 and 30a) prove difficult in practice. Specifically, the report highlights regulators' practical experience, which has shown that more structured cooperation among national regulatory authorities (NRAs) in cross-border cases is essential to ensure effective enforcement of the Directive. At the same time, the report finds that cooperation could preserve the efficiency and stability of the country-of-origin principle. In addition, the report stresses that co-regulation of hate speech in an online environment can be an option but must be supported by a solid regulatory backstop. It also highlights the fact that protecting minors is generally open to self- and co-regulation (if not used as a stand-alone option), but should not be left to mere codes of conduct.

3. Taking stock of Member States' transposition of Articles 6a, 7, 13 and 28b of the Directive

Transposition and, as a result, implementation of the revised AVMSD has been lagging behind schedule. Denmark, Hungary, the Netherlands and Sweden were the only Member States that met the transposition deadline of 19 September 2020. On 23 November 2020, the European Commission launched infringement procedures against 23 Member States and the United Kingdom for failing to enact the new Directive by this deadline. On 19 May 2022, the Commission decided to refer Czechia, Ireland, Romania, Slovakia and Spain to the Court of Justice of the European Union over their failure to transpose the revised AVMSD, with a request to impose financial sanctions in accordance with Article 260(3) TFEU. The state of transposition of the 2018 AVMSD is summarised in Table 1, based on the [AVMSD tracking table](#) of the European Audiovisual Observatory. At the time of publication, almost all Member States had notified the Commission of the revised AVMSD's transposition into national law (with the exception of Ireland).

Based on the European Audiovisual Observatory's available [country files](#), qualitative findings on the transposition of the revised 2018 AVMSD have been analysed across Member States. The countries that are covered in this analysis are Austria, Bulgaria, Cyprus, Germany, Denmark, Finland, Greece, Croatia, Hungary, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal and Sweden.ⁱⁱ Within the AVMSD, the articles that are analysed by the Observatory's country files, and which are discussed below, are Article 6a, Article 7, Article 13 and Article 28b, covering protection of minors, accessibility to persons with disabilities, European works and VSPs.

3.1. Protection of minors under Article 6(a)

Overall, the AVMSD regulates media content, particularly regarding human dignity, the right to non-discrimination, health, safety, and the protection of minors. In addition, it bans advertising that has a negative impact on the public and individuals, including prohibiting or limiting advertising for alcohol, tobacco and medical products. In the revised AVMSD, the newly introduced Article 6(a) requires Member States to ensure that AVMS providers only make available content that may impair the physical, mental or moral development of minors in such a way that minors will not normally hear or see it. In doing so, it aligns the requirements for VOD services with those that apply to television broadcasting.

In terms of how to protect minors, Article 6(a) states that measures may include selecting the time of the broadcast, age verification tools, or other technical measures. Measures should also be proportionate to the potential harm of the programme, meaning that the most harmful content should be subject to the most stringent measures. In line with GDPR, minors' personal data cannot be processed for commercial purposes, such as direct marketing, profiling and behaviourally targeted advertising. To implement this Article, co-regulation is encouraged, as well as the exchange of best practices on co-regulatory codes of conduct, including the possibility of developing Union codes of conduct.

Based on the European Audiovisual Observatory's country reports, when transposing the Directive all Member States that are part of the AVMS database have included legislation to ensure that **no harmful content is broadcast in a manner that makes it viewable to persons under the age of 18.**ⁱⁱⁱ For instance, the Netherlands has regulated that no harmful content should be broadcast in such a way that persons under the age of 16 view it, unless the institution responsible for the content uses classification and prevention mechanisms.

As outlined in Article 6(a), tools and measures to protect minors can take various forms, encompassing age verification tools, selecting the time of the broadcast, and mandating visual identifiers for categorised content. For instance, in Germany measures to ensure the protection of minors from harmful content include categorising the broadcast, scheduling the time of the broadcast, and using technical measures that make it impossible or very difficult to access the content. As part of their efforts to transpose the AVMSD, **age verification tools** are highlighted in the national legislation of some Member States, including Austria and Denmark.

Selecting the time of the broadcast and **visual identifiers** are among other measures used by Member States. For example, in Bulgaria and Latvia the dissemination of harmful audiovisual works is prohibited during set times, and otherwise needs to be accompanied by warnings or signs. In Hungary, broadcasting categories that vary by age are allotted different broadcasting times and the rating for a specified age group is to be displayed as a pictogram. In Portugal, media content should also display the appropriate visual identifiers; in Lithuania, alongside displaying the appropriate visual identifiers, public computer network providers must ensure the use of tools that filter harmful content. As highlighted in its country note, Malta has not indicated how broadcasters should warn viewers about harmful content.

Member States have also legislated to **demarcate specific types of content**. For instance, advertising for games of chance must be preceded by acoustic warnings or be identified by visual symbols for their entire duration in Croatia. **Content that is judged to be severely damaging to minors is also entirely excluded.** In Germany, content that is deemed to seriously impair the development of children and young people, or their education, to become autonomous and socially competent individuals is prohibited.

Age rating of programmes is a measure taken by many Member States when transposing Article 6(a). In Denmark, media service providers are responsible for programme classification, which includes giving programmes an age rating within three age groups (7, 11, and 15 years of age); different age group boundaries are used in Finland (7, 12, 16, and 18 years of age) and Hungary (6, 12, 16, and 18 years of age). Similarly, in Lithuania programmes are rated depending on whether they are judged to have a potentially negative impact on persons below the age of 7, persons below the age of 14, or on minors generally.

With regard to the age rating of programmes, exceptions have also been introduced. For instance, in Denmark exceptions include news, music, sports, and live broadcast programmes. Exceptions in

Greece include advertising, teleshopping, and news programmes. On the other hand, the use of audible and visual warnings throughout news and political information broadcasts are a measure in Austria and Hungary. Within Member States, general warnings of the presence of harmful content can be communicated orally before the programme, or be displayed during parts of it or throughout the entire programme. For example, Hungary specifies that visual or audible signs are to be displayed before and during the programme.

Notions of 'harm' also vary between Member States. In Bulgaria, the notion of harm includes impairment to social and psychological development, while in Finland it encompasses violent, sexual, or anxiety-inducing content. In Sweden, the notion of harm is taken to include realistic and detailed depictions of violence or pornographic images, and in Portugal it encompasses impairment to the free development of the personality of children and young people. In Hungary, the inclusion of notions of harm is also adapted to specified age categories. With regard to encouraging **self-regulation**, in Austria specific funds can be allocated to recognised self-regulatory institutions for the protection of minors.

3.2. Accessibility to persons with disabilities under Article 7

Under Article 7 of the AVMSD, Member States should ensure that media service providers' services are made continuously and progressively more accessible to persons with disabilities. As highlighted by the 2022 [report](#) on 'New actors and risks in online advertising' by the European Audiovisual Observatory, Article 7 on accessibility of content for persons with disabilities applies to commercial communications and non-commercial content aiming to 'inform, entertain or educate'. In terms of how to achieve this, the emphasis is on proportionate measures. In addition, Article 7 encourages media providers to develop action plans, requires emergency information communicated through audiovisual services to be made accessible to persons with a disability, and says that Member States should designate a contact person to provide information and receive complaints regarding any accessibility issues. Article 7(a) further states that, with regard to AVMS of general interest, Member States may take measures to ensure appropriate prominence.

Within Member States' national legislation transposing Article 7, appropriate **accessibility measures** have included **sign language, subtitles, interpreting, bilingual sound, audio description** and/or **spoken subtitles**. For instance, in Sweden accessibility measures include sign language, subtitles, spoken subtitles, or similar technology. On the other hand, according to the country file Malta has not specified any means for achieving enhanced accessibility.

Member States' approaches can differ as to **who they include within the category of persons with disabilities**. In Austria, for example, mental disabilities are explicitly included within the provisions on accessibility.

There are also differences between Member States when it comes to **specifying the minimum levels of their broadcasting services that should be made available to persons with disabilities**. For instance, in Lithuania the public service broadcaster must adapt TV programmes for people with hearing and visual impairments on a monthly transmission time basis, with a minimum of 50 % of Lithuanian subtitled programmes, 20 % of Lithuanian sign language programmes and 10 % of programmes for the visually impaired. In the Netherlands, programmes on public TV channels must be at least 95 % subtitled for people with a hearing disability and at least 50 % subtitled on commercial channels, which have an audience of at least 75 % of all Dutch households.

In Poland, a distinction is made between requirements for broadcasters and VOD providers. For broadcasters, at least 35 % of quarterly broadcasting time in 2022 and 2023 must include programmes accessible to people with visual or hearing impairments. By 2024, 50 % of quarterly broadcasting time should fulfil this requirement. For VOD providers, 30 % of their programmes in publicly accessible catalogues in 2022 must be accessible to people with visual or hearing impairments. Poland could reach 10 % in 2023, and 30 % from 2024.

In addition, **exceptions are included in national legislation**. In Austria, exceptions are made for local or regional television programmes, and in Finland no audio and subtitling obligations are envisaged for live music performances or sports events. According to the country file, there is no mention of accessible emergency information for people with disabilities in Finland.

Concerning **accessibility targets**, in Austria the public service broadcaster will strive to make all its programmes with language content accessible by 2030 and at least one news broadcast in simple language between the daily broadcasting hours of 9:00 and 22:00. In terms of the designated **contact points on accessibility**, in Bulgaria the Council for Electronic Media is responsible for receiving complaints on accessibility matters, and in Portugal the NRA was given the competence to receive complaints on accessibility matters.

With regard to **action plans**, in Austria these should include a concrete 3-year timetable and an annual increase in the proportion of accessible broadcasting. In Luxembourg, AVMS providers should develop action plans to make their services continuously and progressively more accessible. In Sweden, the NRA was also given a new competence of laying down provisions on reporting, including for action plans.

3.3. European works under Article 13

Article 13 of the AVMSD specifies that media service providers of on-demand AVMS should maintain at least a 30 % share of European works in their catalogues, and ensure prominence of those works. It further stipulates that, if Member States require media service providers under their jurisdiction to contribute financially to the production of European works, they can also require media service providers targeting audiences in their territories to make such financial contributions.

When transposing Article 13, most Member States set the required **30 % quota obligation for European works in VOD catalogues and a general prominence obligation**, and some countries have introduced further specifications. In Austria, there is a 50 % quota obligation for the public service media and Hungary specifies that at least 10 % of works are to be Hungarian. Similarly, Portugal introduced a 15 % quota obligation for independent European works. Furthermore, the prominence obligation includes a clear distinction regarding European works in Austria, Bulgaria, Finland, Greece and Hungary. In Luxembourg, the obligation for VOD services may be waived where it is impracticable or unjustified in view of the nature or theme of the AVMS.

With regard to **the possibility of introducing obligations relating to financial contributions**, there are disparities between Member States. Based on the country reports, no such obligations were imposed on VOD service providers in Austria, Bulgaria, Finland, Hungary, Latvia, Lithuania, Malta, the Netherlands and Sweden. Obligations were introduced in other Member States, including Cyprus, Croatia, Germany, Greece, Denmark, Poland and Portugal. In Germany, obligations for VOD service providers are set at 1.8 % or 2.5 % of their annual turnover, depending on whether the latter is below or above €20 million, and are to be paid to the Federal Film Board by all VOD service providers, whether they target a domestic or a non-domestic audience. Similarly, in Greece obligations for VOD service providers targeting either a domestic or a non-domestic audience are

set at 1.5 % of their turnover related to their activities in Greece. These contributions are earmarked either for the production of European works, for the purchase of rights to Greek audiovisual works, or for a specific fund of the National Centre for Audiovisual Media and Communication. In Denmark as well, VOD service providers are required to invest 2 % of their turnover directly in new Danish-language content. A media agreement for 2022-2025 has recently been published, which introduces a cultural contribution for [streaming services](#) of 6 % of the services' turnover in Denmark. It applies to services targeting either domestic or non-domestic audiences.

3.4. Video-sharing platforms under Article 28b

Although often the content provided on their platforms is not under their editorial responsibility, VSPs exercise organisational control over the uploaded collection of videos – for instance, through the sequencing and tagging of videos – and can sell advertising space on their platforms. In the 2018 AVMSD, new provisions (Articles 28a and 28b) cover video-sharing platforms for the first time. Article 28b requires Member States to ensure that VSPs protect minors from adverse content, the public from incitement to violence or hatred and users from other content, the dissemination of which is a criminal offence under Union law. In pursuit of these objectives, the role of co-regulation and self-regulation is emphasised. Overall, as highlighted by the 2022 CoE [report](#), 'by demanding that VSP providers set up mechanisms through which platform users can exercise their influence, the AVMSD essentially divides the responsibility for eliminating harmful content between VSP providers and the uploaders/viewers'.

To increase legal certainty and ensure compliance, Member States must establish mechanisms to assess the appropriateness of the measures taken by VSPs and entrust the assessment of those measures to (independent) national regulatory authorities and/or bodies. Member States are also able to adopt stricter rules for video-sharing platforms under their jurisdiction. However, measures must not lead to ex-ante control tools or upload-filtering practices that would be in conflict with the [e-Commerce Directive](#).

As outlined in Article 28b(3), the measures VSP providers should take, if considered appropriate, include:

- applying, in the terms and conditions, requirements with regard to the protection of minors, protection against the incitement of hatred or violence and other content, the dissemination of which constitutes an activity which is a criminal offence under Union law outlined in Article 28b(1);
- establishing and operating transparent and user-friendly mechanisms for users of a video-sharing platform to report or flag to the video-sharing platform provider concerned the content outlined in Article 28b(1);
- establishing and operating age verification systems for users of video-sharing platforms with respect to content which may impair the physical, mental or moral development of minors; and
- establishing and operating transparent, easy-to-use and effective procedures for the handling and resolution of users' complaints to the video-sharing platform provider.

In addition to the general obligations for all videos, VSPs must comply with the same rules as media service providers for commercial communications that are 'marketed, sold or arranged'. Article 28b does not refer to the obligations related to sponsorship and product placement that are set out in Articles 10 and 11 of the AVMSD. However, it obliges VSP providers to give information about the presence of commercial communications concerning all uploaded videos on their platforms.

Several **Member States have taken steps towards ensuring that VSPs protect minors and the general public from harmful content**, including establishing codes of conduct or through standard terms and conditions. In Latvia, VSP providers must create a public code of conduct, and in the Netherlands the transposed provisions also rely substantially on preparing a code of conduct. In Finland, VSP providers must prohibit uploading of harmful content in their terms and conditions.

In the country files, the protection of minors from food and beverage content has been highlighted. For instance, in Germany, Croatia and Greece VSPs must take appropriate measures^{iv} to prevent the excessive intake by minors of food and beverages which are not recommended for them. Furthermore, in Portugal the advertising of calorific, sugar, saturated and processed fat meals and beverages is prohibited where the content targets children under the age of 16.

The country files also highlight **the role of NRAs in ensuring compliance**. In some Member States, including Denmark, Greece and Luxembourg, the NRA must verify that VSP providers have taken the appropriate measures to protect minors from harmful online content. In Bulgaria, the NRA can amend terms and conditions to protect the user, approves ex-ante changes to the terms and conditions, and should be informed by persons intending to provide video-sharing platform services. Hungary has seen the introduction of a new VSP self-regulatory body and an administrative agreement with the media NRA, as well as a new competency for the media NRA to assess the adequacy and effectiveness of measures. In Denmark, the NRA must verify that VSP providers take appropriate measures to protect minors from harmful online content, and in Lithuania VSPs must change their measures if it is determined that they are inappropriate or ineffective. In Cyprus, VSPs must provide the Cyprus Radio-Television Authority with information about received complaints, out-of-court resolution processes, and any other appropriate measures that they are required to put in place.

With regard to **financial sanctions aimed at ensuring compliance**, in Poland fines of up to 20 times the average monthly remuneration of the sector, including payments from profits, can be imposed if certain provisions applicable to VSPs are violated.

In addition, **some Member States have encouraged co-regulation and self-regulation**. The Austrian country file highlights self-regulatory activities to ensure compliance with European minimum standards by content providers, and in Malta providers of VSPs or their representatives are asked to cooperate with other sectors to encourage co- and self-regulation via codes of conduct. Equally, the Swedish NRA should, in consultation with the Swedish Consumer Agency and the State Media Council, contribute to the development of co-regulations on appropriate measures and was given a new competency to monitor VSP measures.

Table 1: State of transposition of the 2018 AVMSD, by Member State

Member State	National measures transposing the revised AVMSD	State of transposition	National context and publications of guidelines that were noted
Austria (AT)	Austria transposed the AVMSD with the Federal Act amending the Audiovisual Media Services Act, the KommAustria Act, the ORF Act and the Private Radio Act that entered into force on 1 January 2021.	Commission notified of legal text.	To promote self-regulation for the protection of minors, KommAustria adopted guidelines in September 2021 and guidelines for the transparent expansion of accessibility in audiovisual media in March 2021.
Belgium (BE)	In April 2021, the German-speaking Community transposed the AVMSD. In March 2021, the Flemish Community transposed the AVMSD. In March 2021, the French-speaking Community transposed the AVMSD.	Commission notified of legal text.	Cultural matters are the competence of the three Belgian Communities. In Brussels, the federal state retains a residual power for audiovisual media services.
Bulgaria (BG)	Bulgaria transposed the AVMSD with an amendment to the Radio and Television Law that entered into force on 22 December 2020.	Commission notified of legal text.	
Cyprus (CY)	The two proposed amending bills which transpose the Directive – the Cyprus Broadcasting Foundation (Amendment) Law and the Radio and Television Organisations (Amendment) (No. 2) Law – were adopted in December 2021.	Commission notified of legal text.	
Czechia (CZ)	The Government Bill on Services of Video Sharing Platforms and on Amendments to Certain Related Acts entered into force on 31 August 2022.	Commission notified of legal text.	
Germany (DE)	Germany mainly transposed the AVMSD with the adoption of the Media State Treaty (MStV) from 14-28 April 2020 that entered into force on 7 November 2020. The statute for European productions according to § 77 MStV, developed by the media authorities, came into force on 1 July 2021. The statute for the implementation of the advertising regulations in the MStV and the statute for the arbitration board according to § 99 MStV, developed by the media authorities, came into force on 15 April 2021.	Commission notified of legal text.	In June 2022, the media authorities adopted guidelines on 'Advertising labelling in online media'.

Member State	National measures transposing the revised AVMSD	State of transposition	National context and publications of guidelines that were noted
Denmark (DK)	Denmark transposed the AVMSD with the Act amending the Radio and Television Act and the Film Act that entered into force on 1 July 2021.	Commission notified of legal text.	
Estonia (EE)	The Bill on Amendments to the Media Services Act and Related Acts was notified to the Commission on 14 March 2022.	Commission notified of legal text.	
Spain (ES)	The Senate approved the draft law on 22 June 2022 and the national law transposing the Directive (Law 13/2022) entered in force on 30 June 2022.	Commission notified of legal text.	
Finland (FI)	Finland transposed the AVMSD 2018/1808 with the Law amending the Act on Electronic Communications Services that entered into force on 1 January 2021.	Commission notified of legal text.	On 17 March 2022, TRAFICOM adopted guidelines on the duration and placement of advertising, the notification of product placement and the content of sponsorship labels.
France (FR)	The Decree on AVMS was adopted on 22 June 2021 and entered into force on 1 July 2021.	Commission notified of legal text.	On 2 March 2022, Arcom presented its guide to the use of French sign language (LSF) and the accessibility of election news programmes.
United Kingdom (GB)	The Audiovisual Media Services Regulations 2020 law came into force on 1 November 2020.	Commission notified of legal text	
Greece (GR)	Greece transposed the AVMSD with Law 4779/2021 that entered into force on 20 February 2021.	Commission notified of legal text.	
Croatia (HR)	Croatia transposed the AVMSD 2018/1808 with the new Electronic Media Act that entered into force on 22 October 2021.	Commission notified of legal text.	In April 2022, the Council for Electronic Media developed the 'Rulebook on the criteria and method of increasing the scope of the share of European works'.
Hungary (HU)	Act LXIII of 2019 amending certain laws relating to media services was published on 13 May 2020 and entered into force 30 days after its promulgation.	Commission notified of legal text.	Due to an amendment to the law, the Media Council of the National Media and Communications Authority (NMHH) updated its recommendation on the age rating of television and radio content. Specific guidelines have been established for the age rating criteria for media content and the way in which this rating is communicated.
Ireland (IE)	The Online Safety and Media Regulation Bill is in progress. Since July 2022, the Bill has been	In progress.	

Member State	National measures transposing the revised AVMSD	State of transposition	National context and publications of guidelines that were noted
	before Dáil Éireann (Lower house of the Oireachtas), second stage.		
Italy (IT)	The Decree was adopted and entered in force on 25 December 2021.	Commission notified of legal text.	In May 2022, AGCOM adopted Resolution no. 149/22/CONS, which launched the procedure for the adoption of guidelines and regulatory provisions aimed at guaranteeing the prominence of audiovisual and radio media services of general interest.
Latvia (LV)	Latvia transposed the AVMSD with an amendment to the Electronic Mass Media Law that entered into force on 1 December 2020.	Commission notified of legal text.	In January 2022, the NEPLP developed guidelines for electronic media to promote a common understanding of the legal requirements for the continuous and gradual accessibility of media content distributed in programmes and services, including to persons with disabilities.
Lithuania (LT)	Lithuania transposed the AVMSD with various legislative amendments that entered into force at the end of 2020.	Commission notified of legal text.	In September 2021, the LRTK adopted a description of the procedure for determining the effectiveness of the codes of ethics applied by audiovisual media service providers and video-sharing platform service providers.
Luxembourg (LU)	Luxembourg transposed the AVMSD 2018/1808 mainly with the Act of 26 February 2021 amending the amended Act of 27 July 1991 on electronic media.	Commission notified of legal text.	
Malta (MT)	Malta transposed the AVMSD 2018/1808 with Act No. LVI of the 2020 Broadcasting (Amendment) Act that entered into force on 7 December 2020.	Commission notified of legal text.	
Netherlands (NL)	The Netherlands transposed the AVMSD 2018/1808 with an amendment to the Media Act 2008 that entered into force on 1 January 2021.	Commission notified of legal text.	In January 2022, the Dutch Media Authority published the policy rule on recent European, independent media offerings, original Dutch or Frisian language programme offerings, and programme offerings with subtitles for the benefit of persons with an auditory disability. In May 2022, the Dutch Media Authority published the policy rule clarifying which video uploaders will be under their active supervision as of

Member State	National measures transposing the revised AVMSD	State of transposition	National context and publications of guidelines that were noted
			1 July 2022, and with what rules they must comply.
Poland (PL)	In September 2021, Poland notified the Commission of the entry into force of the Law amending the Broadcasting Act and the Cinematography Act.	Commission notified of legal text.	
Portugal (PT)	Portugal transposed the AVMSD 2018/1808 with Law No. 74/2020, which entered into force 90 days after its publication on 19 November 2020.	Commission notified of legal text.	
Romania (RO)	Bill 190/2022 was adopted by the Parliament on 28 June 2022 and entered into force on 3 July 2022.	Commission notified of legal text.	
Slovakia (SK)	Bill No 264/2022 was approved by the National Council on 22 June 2022 and entered into force on 1 August 2022.	Commission notified of legal text.	
Slovenia (SI)	The draft law amending and supplementing the Audiovisual Media Services Act (2019-3340-0016) was adopted and entered into force on 12 January 2022.	Commission notified of legal text.	
Sweden (SE)	Sweden transposed the AVMSD 2018/1808 with the Modernised Radio and Television Act that entered into force on 1 December 2020.	Commission notified of legal text.	On 10 June 2022, the Swedish Press, Radio and Television Authority presented to the Ministry of Culture a mechanism that enables impartial dispute resolution between users and providers of video-sharing platforms under Swedish jurisdiction.

Source: European Audiovisual Observatory database.

To note: the implementation process can be considered complete only once a Member State has been formally notified to the European Commission, without prejudice to the Commission's assessment.

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ENDNOTES

- i VSPs are defined as services devoted to providing programmes, user-generated videos, or both, to the general public, in order to inform, entertain or educate, by means of an electronic communications network.
- ii The European Audiovisual Observatory AVMS database covers 18 Member States: Austria, Belgium (German-speaking community to date, with the other regions to follow soon), Bulgaria, Cyprus, Germany, Denmark, Finland, Greece, Croatia, Hungary, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal and Sweden.
- iii All countries that are part of the European Audiovisual Observatory AVMS database provide for a similar measure, often referred to as 'ensuring that minors shall not hear or see such content':
 In **Belgium**: Art. 17 (1) Decree of 1 March 2021; in **Croatia**: Art. 24 (3) Electronic Media Act; in **Cyprus**: Art. 19 (5) a) Cyprus Broadcasting Corporation Act and Art. 29 (1) of the Law on Radio and Television Organisations; in **Finland**: Art. 6§ (1) Act on Audiovisual Programmes (710/2011); in **Greece**: Art. 9 (1) Law 4779 of 20 February 2021; in **Hungary**: Art. 19 (2) Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content; in **Lithuania**: Art. 7 1. Lithuanian Law amending Articles 2, 5, 6, 7, 8, 9 and 10 of Law No IX-1067 and the Annex on the protection of minors against the detrimental effects of public information; in **Luxembourg**: Art. 27 ter 1) Amended Electronic Media Act of 27 July 1991; and in **Poland**: Art. 47e Broadcasting Act.
- iv Similar measures also apply in other countries:
Lithuania: Law on the provision of information to the public of the Republic of Lithuania – consolidated 12 May 2022 – Art. 40-4 1; Decision on the adoption of the Code of Conduct (Code of Ethics) for Audiovisual Media Service Providers and Video Material Sharing Platform Service Providers, or parts thereof, to determine their effectiveness – Art. 8, 9, 15, 15.1, 15.2 and 18.
Austria: Federal Act on the Austrian Broadcasting Corporation (ORF-G) – consolidated 1 January 2021 – Art. § 13. 8a; Federal Act on Audiovisual Media Services (AMD-G) – consolidated 1 January 2021 – Art. § 54 (e) 4 and § 36. 3.
Bulgaria: Radio and Television Act – Art. 19e (2)-(5).
Cyprus: Law on Radio and Television Organisations – consolidated 23 December 2021 – Art. 32F (2) to (5).
Hungary: Act CVIII of 2001 on certain issues concerning e-commerce services and services related to the information society (as amended by Act XXIV of 2020) – consolidated 12 June 2020 – Art. 15/D. § (2), Art. 15/D. § (1) point d), Art. 15/F. § (1), Art. 15/D. § (3), Art. 15/M. § (5).
Latvia: Electronic Mass Media Law – Art. 23.2 (2) and (3).
Luxembourg: Amended Electronic Media Act of 27 July 1991 – as last amended by the Act of 26 February 2021 – Art. 28f 2) and 35 (2) d).
Malta: Broadcasting Act 350 – consolidated 7 December 2020 – Art. 16S (2)-(5).

This 'Implementation in Action' in-depth analysis provides input to the 'Implementation Report' of the European Parliament's Committee on Culture and Education (CULT) on Directive 2018/1808, the 2018 revised Audiovisual Media Services Directive, by taking stock of its transposition. It provides an overview of recent EU reports on the transposition and implementation of the Directive and focuses on specific articles in the Directive. The analysis covers transposition related to the protection of minors, accessibility for persons with disabilities, European works and video-sharing platforms. Based on country files made publicly available by the European Audiovisual Observatory of the Council of Europe, it offers an account of the transposition to date in 17 Member States.

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