

Application and implementation of AVMSD

The Commission ensures that the Directive is implemented by the Member States and complied with by audiovisual media service providers.



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The Commission endeavours to discuss issues of interpretation and application of the rules of the Audiovisual Media Services Directive (AVMSD) with Member States and their regulatory authorities at the Contact Committee and the regulators meetings organized in Brussels.

The Commission continuously provides relevant information and indicators in the framework of its reporting obligations. The Commission pursues infringement proceedings against a particular Member State in certain cases, such as incorrect transposition or application of the Directive.

Contact Committee

The Contact Committee monitors the implementation of the Directive and developments in the sector. It also acts as a forum for the exchange of views. The committee deals with existing audiovisual policy and with relevant developments arising in this sector. It should pay special attention to technical developments in the audiovisual sector.

The committee also helps Member States with their national reports which have to be written every two years.

Chaired by the Commission and composed of representatives of the authorities of the Member States,

it may be convened at the request of any of the delegations. The minutes and agenda of all the meetings conducted until now are available for reference.

Audiovisual Regulators

The European Regulators Group for Audiovisual Media Services (ERGA) brings together heads or high-level representatives of national independent regulatory bodies in the field of audiovisual services. The group advises the Commission on the implementation of the EU's Audiovisual Media Services Directive (AVMSD).

On 3 February 2014, the European Commission adopted a decision setting the objectives for the group:

- to advise and assist the Commission in its work;
- to ensure a consistent implementation of the AVMSD as well as in any other matters related to audiovisual media services within the Commission's competence;
- to facilitate cooperation between the regulatory bodies in the EU, as provided for in the Directive regulating audiovisual media services;
- to allow for an exchange of experience and good practices.

The AVMSD recognises the role of the independent regulatory authorities which, in most Member States, are responsible for the enforcement of the national measures transposing the rules of the Directive.

In general, regulators of audiovisual media services supervise the compliance of audiovisual programmes with European and national rules. The ERGA should provide a basis for increased cooperation between regulators and the Commission in order to achieve better enforcement of the rules of the Directive, particularly when issues of jurisdiction are at stake. More broadly, this exchange of information and cooperation allows discussions at EU level on issues of interpretation and application of provisions of the Directive, especially advertising rules. Such discussions allow a more consistent application of the rules and thus a level playing field throughout the EU.

Infringement procedures

The Commission is sometimes required to take legal action against a particular Member State in case of violations of the Directive. This is known as an infringement procedure.

The Commission may learn about violations of the Directive through complaints by citizens, parliamentary questions or following a monitoring exercise carried out by an independent consultant on the rules on audiovisual commercial communications.

Before launching infringement procedures, the Commission contacts the Member States' national authorities to request additional information or to inform them of potential issues in relation to the transposition or the implementation of the Directive in their national legislation.

The following press releases are examples of infringements pursued by the Commission in recent years:

- Commission welcomes implementation of EU rules on TV and video-on-demand by Austria; closes infringement case (28/10/2010)
- Commission welcomes French regulator's moves against incitement to hatred; ends legal action (28/10/2010)

- Commission ends legal action after Italy and Estonia comply with EU advertising rules (08/10/2009)
- EU rules on TV advertising need to be closely monitored, says Commission report (26/06/2009)
- 'Television without Frontiers': Commission warns Estonia to apply the EU's TV advertising rules (19/03/2009)
- Commission takes court action to prevent excessive spot-advertising on Spanish TV (27/11/2008)
- Television without frontiers: the European Commission takes the next step in proceedings against Spain for not complying with television advertising restrictions (06/05/2008)
- Television without frontiers: Commission issues warning to Spain for not complying with television advertising rules (10/07/2007)

Refer to illustrative examples of the EU Court of Justice case law in the broadcasting sector for more information.

Reference to National Laws

Community law requires Member States to notify to the Commission by which national laws, regulations or administrative actions they have transposed a directive.

For information on the national legislation implementing the original Television without Frontiers Directive as well as the two amending Directives please consult these documents:

- Directive 89/552/EEC (Television without Frontiers Directive)
- Directive 97/36/EC
- Directive 2007/65/EC (AVMSD)

Please note that the AVMSD has been codified by Directive 2010/13/EU. No separate transposition measures were required for the codified Directive.

Major events

Below are national measures taken pursuant to Article 14(1) of the AVMSD, verified by the Commission for their compatibility with European Union law, and published in the Official Journal of the European Union, in accordance with Article 14(2) of the Directive.

Austria

OJ L 180 of 10.07.2007, pages 11-16 - (All languages)

Belgium

OJ L 180 of 10.07.2007, pages 24-32 - (All languages)

Amending Decision 2014/110/EU:

OJ L 59 of 28.2.2014, pages 39-42 - (All languages)

Denmark

OJ C 14 of 19.01.1999, pages 6-7 - (All languages)

(Revocation of the measures - OJ C 45 of 19.02.2002, page 7)

OJ L 177, 8.7.2015, pages 54-59 - (All languages)

Finland

OJ L 180 of 10.07.2007, pages 38-41 - (All languages)

France

OJ L 180 of 10.07.2007, pages 33-37 - (All languages)

Germany

OJ L 180 of 10.07.2007, pages 8-10 - (All languages)

Hungary

Measures adopted by Hungary: OJ C 214, 4.7.2017, pages 6-7
(All languages)

Commission decision: OJ C 214, 4.7.2017, pages 3-5
(All languages)

Ireland

Measures adopted by Ireland: OJ C 8, 11.1.2018, pages 12-13
(All languages)

Commission decision: OJ C 8, 11.1.2018, pages 10-11
(All languages)

Italy

OJ L 187 of 17.07 2012, pages 57-61 - (All languages)

Poland

OJ L 27, 3.2.2015, pages 37-41 - (All languages)

Audiovisual Regulators

Reports: Application of AVMSD and European works

Follow the latest progress and learn more about getting involved.

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PRESS RELEASE | 23 September 2021

Audiovisual media: Commission calls on Member States to fully transpose EU rules on audiovisual content

The European Commission has sent this week a reasoned opinion to Czechia, Estonia, Ireland, Spain, Croatia, Italy, Cyprus, Slovenia and Slovakia

for failing to provide information about the implementation of the EU Audiovisual Media Services Directive (AVMSD) into their national laws. The new rules apply on all audiovisual media, both traditional TV broadcasts and on-demand services, as well as video-sharing platforms. They aim to create a regulatory framework fit for the digital age, leading to a safer, fairer and more diverse audiovisual landscape.

PRESS RELEASE | 15 July 2021

EU founding values: Commission starts legal action against Hungary and Poland for violations of fundamental rights of LGBTIQ people

The Commission is launching infringement procedures against Hungary and Poland related to the equality and the protection of fundamental rights.

PRESS RELEASE | 08 February 2021

Safer Internet Day 2021: A better internet for children and young people

Last Tuesday, 9 February 2021, was Safer Internet Day. Launched in 2004 and promoted by the EU-funded network of Safer Internet Centres in Member States, the day was celebrated online in more than 170 countries worldwide. The theme "Together for a better internet" is a call for everyone to join in making the internet a safer and better place, especially for children and young people.

PRESS RELEASE | 23 November 2020

Audiovisual Media: Commission opens infringement procedures against 23 Member States for failing to transpose the Directive on audiovisual content

The European Commission has launched infringement procedures against 23 Member States and the United Kingdom for failing to enact the new rules governing EU-wide coordination of

all audiovisual media, both traditional TV broadcasts and on-demand services, and video-sharing platforms. These new EU rules aim to create a regulatory framework fit for the digital age, leading to a safer, fairer and more diverse audiovisual landscape.

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Related Content

Big Picture

[Revision of the Audiovisual Media Services Directive \(AVMSD\)](#)

The revised Audiovisual Media Services Directive creates a media framework for Europe's digital decade.

See Also

Contact Committee Meetings

The Contact Committee monitors the implementation of the AVMSD and developments in the sector, and is a forum for exchange of views.

Audiovisual Regulators

You will find on this page a list of European Union regulators in the field of audiovisual media services.

Application reports and reports on European works

Reports on the promotion and distribution of EU works and independent production, and on the application of the Audiovisual Media Services Directive (AVMSD).

European Regulators Group for Audiovisual Media Services (ERGA)

The European Regulators Group for Audiovisual Media Services advises the Commission on the implementation of the Audiovisual Media Services Directive (AVMSD).

Protection of minors in the AVMSD

The Audiovisual Media Services Directive (AVMSD) contains specific rules to protect minors from inappropriate on-demand media audiovisual services.

Audiovisual Commercial Communications

The Audiovisual Media Services Directive (AVMSD) regulates commercial communications such as the promotion of goods and services in the audiovisual world.

Promotion and distribution of European Works

The Audiovisual Media Services Directive wants to strengthen the European audiovisual industry by regulating promotion and distribution of audiovisual works.

Content and distribution rules in the AVMSD

The Audiovisual Media Services Directive (AVMSD) works to ensure that media services in Member States' jurisdictions contribute to equality and accessibility.

General Principles of the AVMSD

These are the principles for regulating audiovisual media services at European level.

Source URL: <https://digital-strategy.ec.europa.eu/policies/application-and-implementation-avmsd>