

Audiovisual Media Services Directive implementation report

Presentation for the meeting of the European
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Health

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Article 33 of Directive 2010/13/EU

- **Reporting obligation :**
Report on the application of this Directive and, if necessary, make further proposals to adapt it to developments in the field of audiovisual media services, in particular in the light of recent technological developments, the competitiveness of the sector and levels of media literacy in all Member States
- Assess the issue of television advertising accompanying or included in children's programmes, and in particular whether the quantitative and qualitative rules contained in this Directive have afforded the level of protection required.



- 1st report on the implementation of the AVMSD
- Previously 7 reports on the TwF Directive
- Reference period 2009-2010
- However relevant facts of 2011 will also be mentioned in the report
- Will be delivered in Spring 2012



Structure of the report

- **Prospective part :**
- Look at technological changes and futures issues

- **Connected TV :**
- Allows to view different types of services on the TV screen.
 - traditional broadcast TV
 - catch-up TV services
 - video on-demand services
 - user-generated content
 - interactive services
 - Internet applications



- Connected TV raises many issues a.o.:
- business models & level playing field
- standardisation issues
- integrity of programme signal
- competition
- IPR related issues
- regionalisation and fragmentation of the single market
- control over advertising



- The Commission will adopt a policy paper on Connected TV at the end of 2012



- **Retrospective part**
- Application of the Directive in 2009-2010 (reference period) but also significant facts in 2011.



Conclusions

- Most MS were late in their transposition of AVMSD
- It is too early to assess fully the implementation of the AVMSD
- However : advertising and commercial communications are an issue (C-281/09-Com/Spain) which will be further monitored by the Commission

- Commission services intend to revise the interpretative Communication on certain aspects of the provisions on televised advertising in the "Television without frontiers" Directive to take into account the AVMSD



Codes of conduct regarding inappropriate audiovisual commercial communications in children's programmes for sweet, fatty or salty foods or drinks (Article 9(2))

- Most MS have transposed this provision or had relevant rules in place before the Directive was adopted.
- Most MS: self-regulatory rules
- Other MS: statutory rules
- Certain MS : combination of self-regulatory and statutory rules.

- Effectiveness must be further monitored and assessed
- http://ec.europa.eu/comm/avpolicy/reg/tvwf/contact_comm/index_en.htm.



- Thanks for your attention !!!
- http://ec.europa.eu/avpolicy/index_en.htm

