



4.28.SK - Slovakia³²³

4.28.1. Key findings

- The legislation provides a clear definition of what is meant by subtitling in the context of accessibility. Further, the decree issued by the Ministry of Culture of the Slovak Republic provides detailed technical specifications for high-quality subtitling, including contrast, a display area, and details to clarify who is speaking.³²⁴
- There is a clear complaints procedure on the website of the national media regulatory authority (Council for Media Services) (*Radu pre mediálne služby*) with very specific rules for how to make a complaint and how the complaint life cycle progresses.
- The revised obligations (as a reaction to the issues identified during the previous implementation) only began in 2022; it is too soon to tell how well the various audiovisual media service providers have done in meeting the adjusted obligations of the law and the decree.

4.28.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Act No. 264/2022 – Act on Media Services and on Amendments to Certain Acts – Article 53 (1) a-d), (2) (Media Services Act) – (<i>ZÁKON o mediálnych službách a o zmene a doplnení niektorých zákonov</i>) ³²⁵	Article 53(1) a-d) provides a technical definition of usable subtitling for accessibility, including that it must be synchronised, clear and must not contain errors that materially affect the overall intelligibility of the spoken speech in the programme. Additionally it must fulfil the conditions in the separate decree issued by the Ministry of Culture (2) designates the Ministry of Culture to adopt a separate decree to lay out further conditions on subtitling. Article 54 a-b) gives a technical definition of audio description, including that it must include the non-verbal expressions and

³²³ The summary on Slovakia incorporates the feedback received from the Office of the Slovak Council for Media Services during the checking round with the national regulatory authorities.

³²⁴ Decree 318/2023 Coll. on subtitles for persons with hearing impairment (that replaced the previous Decree 12/2016 that remains in force until end of 2023) stipulates the following requirements for broadcasters: <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2016/12/20160101>

³²⁵ <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2022/264/20230101>



<p>Article 54 a-b)</p> <p>Article 55 (1-9)</p> <p>Article 58 (1-7)</p>	<p>actions of the performers, settings, and other visual elements important for understanding the programme.</p> <p>Article 55 (1-9) places obligations on the broadcasters of linear television, both public and private, to provide accommodations to allow users to access their programming, the specific quotas of which are detailed in 1.1.3 below.</p> <p>Linear Broadcasters must provide a percentage of their programming in an accessible format. That percentage is calculated by looking at the total transmission time of the broadcasters (for all the broadcasting services of the provider) in the calendar quarter, excluding broadcast time devoted to programming offered between 02:00 and 05:00, and not including time devoted to sports programmes or music programmes, or programmes in which the music component is a substantial portion of the programme. If a broadcaster has applied an accommodation to one part of a serial or a series , it is obliged to apply this to all the parts.</p> <p>Parts 7-8 obligate broadcasters to clearly mark which programming is made accessible and what accommodation is provided, and to notify the regulator of the way in which the programmes are marked, as well as providing that information to the public (including via third parties that are given programming overviews by the broadcaster). Programmes which are not made accessible should not be marked as such. Part 9 exempts local broadcasting and broadcast services provided abroad.</p> <p>Article 58 (1-7) places obligations on video-on-demand (VOD) services to provide accommodation to access their programming, the specific quotas of which are detailed in 1.1.3 below. However, these are only applicable as of 2027. Similar provisions to the broadcasting services above on labelling, the calculation method (all programmes in all the on-demand services of the provider during one month of the provision of the services) and exemptions for types of programmes (with an additional exemption for programmes that were added into the catalogue before 1 August 2022 without accessibility provided) are included.</p>
Article 7 (2) AVMSD	
<p>Article 56 (1-2) – Media Services Act</p>	<p>Article 56 obliges broadcasters to provide all information necessary to monitor compliance with the obligations of Article 55 to the regulator within 15 days of a request from the regulator. This information includes data on the percentages, number and duration of the programmes that have been made accessible as well as a list of programmes broadcast with</p>



	programmes") ³²⁶ by ³²⁷ 2027. Private Broadcaster: 25% of broadcast time by 2027. VOD: 25% of the total volume of programming starting in 2027 according to the website of the regulator.
Accessibility measures (visual impairments)	Audio Description: Public Broadcaster: 50% of broadcast time by 2027. Private Broadcaster: 10% of broadcast time by 2027. VOD: 10% of the total volume of programming starting in 2027 according to the website of the regulator.
Accessibility measures developed by self- or co-regulatory process	All linear and VOD service providers are obliged to create action plans which are submitted to the regulator.
Reporting to the NRA – frequency	All linear and VOD service providers are obliged to provide the regulator with information to assess compliance with the rules within 15 days of a request.
Designated point of contact for information and complaint	The regulator is obliged to set up and maintain an online point of contact to share information and receive complaints.

4.28.4. Law in practice: selected examples³²⁸

4.28.4.1. Public service broadcaster

According to the regulator, the public service broadcaster is obliged to ramp up accessible content offerings from 2023 to 2027, from 55% subtitled, 5% with Slovak sign language and 25% audio described in 2024 to 100% either subtitled or signed, and 50% audio described.³²⁹ According to the broadcaster, the financial investment in this project is around EUR 25 million.³³⁰

4.28.4.2. Private broadcasters

The private broadcaster MAC TV s.r.o. published an action plan in December 2022 stating that it was currently testing the provision of accommodations on its VOD platform, but that it is struggling to develop capacity to implement accessibility across its mobile applications. It has a plan that should, by 2027, allow for 25% of total programming to be offered with subtitling or sign language interpretation and 10% of total programming to be offered with

³²⁶ For details on how “broadcast time” is determined see section 1.1.2 (Article 7(1) AVMSD) above.

³²⁷ The detailed timetable of the progressive increase of the quotas up to 2027 is laid down in Articles 239 and 240 of the Media Services Act.

³²⁸ Examples as provided by the national expert.

³²⁹ <https://rpms.sk/co-je-multimodalny-pristup>

³³⁰ <https://medialne.trend.sk/televizia/rtyv-povinnosti-noveho-medialneho-zakona-zvysia-naklady-25-milionov-eur>



audio description. It is committed to participating in the working group on the decree of the Ministry of Culture of the Slovak Republic to further regulate accessibility.³³¹

The private broadcaster MARKÍZA–SLOVAKIA, spol. s.r.o. published an action plan in February 2023 detailing a gradual increase in accessible programmes from 2023 to 2025 which should achieve the percentages required by the Media Services Act in 2027.³³²

4.28.4.3. VOD

The VOD provider MARKÍZA–SLOVAKIA, spol. s.r.o., operator of the platform VOYO, published an action plan in February 2023 stating that it was researching and testing various accessibility solutions that would allow it to provide subtitling and audio description to the extent required by the law. According to the plan, the technical specifications of the decree issued by the Ministry of Culture on the quality of subtitling are beyond the capacity of the provider to implement. It anticipates partially meeting the needs of disabled users, but not meeting the obligations of the Ministry of Culture.³³³

The VOD provider MAC TV s.r.o. published an action plan in December 2022 stating that it is testing the provision of subtitling and audio description on its VOD services but does not yet have all the testing outputs. The provider foresees the need for further technical developments in order to achieve accessibility on services provided via mobile apps. During the years 2023-2025, the provider will technically, organisationally and in terms of personnel prepare for a yearly increase in accessible programmes in order to achieve the percentages required by the Media Services Act in 2027.³³⁴

³³¹ <https://www.joigroup.sk/wp-content/uploads/Akcny-plan-multimodalny-pristup.pdf>

³³² <https://n1.cms.markiza.sk/e2fs/docs/2023/02/27/d9df2769-a1bf-4735-ac0c-c91b6d39a271.pdf>

³³³ <https://n1.cms.markiza.sk/e2fs/docs/2023/02/27/22c8d15e-70dc-4a65-a0ad-54eb34995992.pdf>

³³⁴ <https://www.joigroup.sk/wp-content/uploads/Akcny-plan-multimodalny-pristup.pdf>