

## AVMSD TRANSPOSITION HIGHLIGHTS – GERMANY



Germany has transposed the AVMSD 2018/1808 mainly with the adoption of the Media State Treaty (MStV) from 14-28 April 2020 that entered into force on 7 November 2020:

<https://www.rlp.de/fileadmin/rlp-stk/pdf-Dateien/Medienpolitik/Medienstaatsvertrag.pdf>

### Protection of minors (Article 6a of the AVMSD)



- Contents which are evidently liable to seriously impair the development of children and young people or their education to become autonomous and socially competent individuals are prohibited
- Appropriate measures include categorising the broadcast, scheduling the time of the broadcast, or using technical measures that make it impossible or very difficult to access the content.
- Technical systems for the protection of minors are software programmes which are designed to identify only individual age groups or allow access to telemedia in closed systems.

### Accessibility (Article 7 of the AVMSD)



- Broadcasters and telemedia should, in addition to their existing commitments, include accessible offers within the limits of their technical and financial capabilities and extend the scope of these offers in a continuous and progressive manner.

### European works (Article 13, 16, 17 of the AVMSD)



- 30% quota obligation for European works in VOD catalogues and a specific prominence obligation with an assessment method for fulfilling the obligation.
- Financial contribution obligation: to be paid to the Federal Film Board for both domestic and non-domestic targeted VOD service providers -> 1.8% of their turnover if < EUR 20 million; above that, 2.5%.
- More than half of the transmission time obligation for broadcasters
- 10% transmission time for independent works



### Advertising (Article 23 of the AVMSD)

- Television advertising spots and teleshopping spots: 06.00-18.00 and 18.00-23.00 and 23.00-00.00: max. 20% of that period

### Video-sharing platforms (Article 28b of the AVMSD)



- Specific requirements must be observed by VSPs for the establishment and operation of electronic complaint mechanisms.
- VSPs shall take appropriate measures to prevent the excessive intake by minors of foods and beverages which are not recommended for them
- Specific Statutes have been adopted to regulate the organisation and procedure of the out-of-court settlement of disputes between users and VSPs



### Media literacy (Article 33a of the AVMSD)

- Funds from the Interstate Treaty on Broadcasting Funding may be allocated to non-commercial broadcasting and projects aimed at promoting media literacy.

For more info, take a look at the [AVMSDatabase](#) and [country table!](#)