



4.9. EE – Estonia – National legal summary¹⁷⁵

4.9.1. Applicable regulatory framework

Relevant legislation includes the following:

Primary legislation:

- *Meediateenuste seadus*¹⁷⁶ (Media Services Act).¹⁷⁷
- *Reklaamiseadus*¹⁷⁸ (Advertising Act).¹⁷⁹
- *Income Tax Act*¹⁸⁰ (Tulumaksuseadus).¹⁸¹

Self- and co-regulatory instruments:

- *Eesti Meediaettevõtete Liit – Reklaami ja ajakirjandusliku sisu eristamise hea tava*¹⁸² (The Estonian Media Enterprises Association: The good practice for distinguishing between advertising and journalistic content - Good Practice).

Soft law:

- *Tarbijakaitse ja Tehnilise Järevalve Amet (TTJA) universaalsed suunised reklaami edastamiseks*¹⁸³ (TTJA universal guidelines for ad delivery).¹⁸⁴
- *TTJA Juhend Hasartmängu Reklaam*¹⁸⁵ (TTJA Guidelines on Gambling Advertising).

4.9.2. Definitions and restrictions regarding commercial communications

This section aims at identifying the relevant definitions related to commercial communications stemming from related laws, rules and current practices, as well as ongoing reforms under the transposition and implementation of the revised Audiovisual

¹⁷⁵ The factsheet on Estonia incorporates the feedback received from Peeter Sookruus, Advisor of the Information Society Division at the Consumer Protection and Technical Regulatory Authority during the checking round with the national regulatory authorities.

¹⁷⁶ <https://www.riigiteataja.ee/akt/106012011001?leiaKehtiv>.

¹⁷⁷ <https://www.riigiteataja.ee/en/eli/514032022003/consolide>.

¹⁷⁸ <https://www.riigiteataja.ee/akt/101072020013?leiaKehtiv>.

¹⁷⁹ <https://www.riigiteataja.ee/en/eli/504032022001/consolide>.

¹⁸⁰ <https://www.riigiteataja.ee/akt/123122013023>.

¹⁸¹ <https://www.riigiteataja.ee/en/eli/530012014003/consolide>.

¹⁸² <https://meedialiit.ee/hea-tava-lepped/#1572471641775-750b457b-d3f8>.

¹⁸³ <https://ttja.ee/ariklient/tarbija-teemad/tarbijakaitseenouded-tegevusalale/reklaam>.

¹⁸⁴ <https://www.ttja.ee/en/business-client/consumer-topics/consumer-protection-requirements/advertising>.

¹⁸⁵ <https://www.ttja.ee/media/714/download>.



Media Services Directive (AVMSD). Please note that this review includes definitions which are part of the revised AVMSD, inclusive of audiovisual commercial communications, advertising, surreptitious commercial communications, sponsorship and product placement, but also the definitions of supplementary and/or related concepts, such as the advertiser, sponsor and sponsored content, as well as misleading commercial communication, for the purpose of providing a comprehensive overview.

4.9.2.1. Definitions

Table 35. Definition of the main concepts related to commercial communications

Concept	Existence of a definition
Audiovisual commercial communications	Yes.
Television advertising	Yes.
Advertiser	Yes.
Surreptitious commercial communication	Yes.
Misleading commercial communication	Yes.
Virtual advertising	No.
Sponsorship	Yes.
Sponsor	Yes, indirectly.
Sponsored content	No.
Product placement	Yes.
Other	N/A.

Source: Estonian response to European Audiovisual Observatory standardised survey

4.9.2.1.1. Audiovisual commercial communications

Article 25 paragraph 1 of the Media Services Act defines audiovisual commercial communications as follows:

A commercial communication is information presented by means of sound or image that is intended to promote though directly or indirectly the goods, services, or image of a natural or legal person engaged in economic activities and accompanies the programme or user-generated video, or is included therein, in return for payment or other similar consideration or for self-promotional purposes.

4.9.2.1.2. Television advertising

Article 28 paragraph 1 of the Media Services Act defines television advertising as follows:



Television and radio advertising means any form of announcement broadcast whether in return for payment or for similar consideration or broadcast for self-promotional purposes by a legal or natural person in connection with economic or professional activities with a view to the supply of goods or services, including immovable property and rights and obligations, in return for payment.

Similar definitions are found in Article 2 paragraph 1, subparagraph 3 of the Advertising Act which defines it as:

Advertising means information which is made public in any generally perceived form for a charge or without charge for the purpose of increasing the provision of services or the sale of goods, promoting an event or directing the conduct of a person in public interests;

And point 1 of the Good Practice self-regulatory instrument stipulates the following:

Advertising is any information, ordered by a particular person, in any form, in words, images or sound (words, figures, images, music and sound effects) intended to persuade or influence a specific audience.

4.9.2.1.3. Advertiser

Article 2 paragraphs 4 to 6 of the Advertising Act lay down the following definitions for an advertiser:

- 4) a person publicising advertising means a natural person or legal person, a state agency or local government agency (hereinafter person) who presents, communicates, exhibits or disseminates advertising to the public;*
- 5) a person placing advertising means a person who commissions advertising directly or in whose interests advertising is made public;*
- 6) a person producing advertising means a person who creates or produces advertising or organises the making of it public, except the technical producer;*

4.9.2.1.4. Surreptitious commercial communication

Article 26 paragraph 1 of the Media Services Act defines surreptitious commercial communication, as follows:

A surreptitious commercial communication means the representation of goods, services, name, trademark or the activities of a producer of goods or provider of services in a programme in words or pictures if such representation is intended by the media service provider to serve as advertising and might mislead the public as to its nature. Such representation shall be considered as intentional, in particular if it is done in return for payment or other similar consideration.



4.9.2.1.5. Misleading commercial communication

Article 4 paragraphs 1 and 2 of the Advertising Act defines and prohibits misleading advertising, especially if some of the characteristics of goods, services, sale of goods or provision of services are misleading (e.g., availability, quantity, composition, technical data, environmental safety, etc.), as well as the price, intended purpose, and information related to the manufacturer of the goods or provider of the services, as follows:

(1) Advertising which in any way misleads or is likely to mislead the persons to whom it is directed or whom it reaches and which, by reason of its misleading nature, is likely to affect their economic behaviour or which, for those reasons, injures or is likely to injure a competitor of the person placing advertising is prohibited...

4.9.2.1.6. Virtual advertising

There is no definition of virtual advertising.

4.9.2.1.7. Sponsorship

Article 30 of the Media Services Act defines sponsorship:

(1) For the purposes of this Act sponsorship means any contribution made by a legal or natural person not engaged in providing media services or the operation of a video-sharing platform or in the production of a user-generated video programme, to the financing of a media service or a video-sharing platform or programme or a user-generated video with a purpose to promote their image or introduce their name, trademark, activities or products.

(2) Sponsorship information is information transmitted by the media service provider about sponsorship in media services.

4.9.2.1.8. Sponsor

There is no direct definition of sponsor, but the meaning that a sponsor is a legal or natural person not engaged in providing media services or the operation of a VSP or in the production of a user-generated video programme, who is financing a media service or a VSP or programme or a user-generated video with a purpose to promote their image or introduce their name, trademark, activities or products, can be taken from Article 30 on sponsorship (see under 4.9.2.1.7.)

4.9.2.1.9. Sponsored content

There is no definition for sponsored content.

However, Article 30 paragraphs 5 to 10 of the Media Services Act specifies the requirements that a sponsored programme must meet, such as the need to be clearly identifiable and distinguishable as a sponsored programme by distinctive signs, the



prohibition of sponsorship for sponsors whose activity is related to the tobacco or medical industries under certain conditions and the prohibition of sponsorship of certain programmes such as news and current affairs programmes.

4.9.2.1.10. Product placement

Article 31 of the Media Services Act defines product placement:

(1) Product placement means any form of audiovisual commercial communication consisting of the inclusion of or reference to a product, a service or the trademark thereof in a programme or a user-generated video in return for payment or for similar consideration.

4.9.2.1.11. Other definitions

N/A.

4.9.2.2. Restrictions regarding commercial communications

The revised AVMSD introduces obligations for VSPs to, *inter alia*, respect certain requirements regarding commercial communications and this section aims at updating the information relative to these obligations and measures imposed under national legislation on media service providers, including the VSP providers related to commercial communications.

On a general note, Article 25 paragraph 3 of the Media Services Act provides that the provisions set out for advertising in the provisions of the Advertising Act and other acts apply to commercial communications, which also include commercial communication on VSPs as per Article 31(1). In particular, the provisions mentioned state:

Article 25. Commercial communications

3) The requirements set out for advertising in the provisions of the Advertising Act and other acts apply to commercial communications.

Article 31(1)

(1) The operator of a video-sharing platform prescribes in the terms of use of the service that commercial communications transmitted on the video-sharing platform must comply with the requirements established in this Act for commercial communications, including sponsorship and product placement, and in the requirements established for advertising in other Acts.

(2) The operator of a video-sharing platform ensures the existence of a technical application by means of which the users uploading videos are able to inform whether the video contains audiovisual commercial communications, in so far as they are aware thereof or can reasonably be expected to be aware thereof.



(3) The operator of a video-sharing platform explicitly informs the users if programmes and user-generated videos contain audiovisual commercial communications, provided that the operator is aware of commercial communications.

In the same vein, Article 11 of the Advertising Act states that:

(2) In addition to the provisions of this Act, the requirements provided for teleshopping and other commercial communications in the Media Services Act apply to advertising and teleshopping in media services and advertising that is marketed, sold or organised by video-sharing platform providers.

(3) Teleshopping and other commercial communications in media services and video-sharing platforms are deemed to be the same as within the meaning of the Media Services Act.

4.9.2.2.1. Audiovisual commercial communications for alcoholic beverages and tobacco and tobacco-related products, including electronic cigarettes and refill containers

In relation to alcoholic beverages, Article 28 of the Advertising Act sets out specific requirements for alcohol advertising, in terms of what may be included in such advertising and what is prohibited, such as:

(3) Information contained in the advertising of alcohol must be focused on the product and be presented neutrally. Auditory and visual design of information presented in advertising shall not:

- 1) contain a living being, a picture or image thereof in any manner, except for the human voice;*
- 2) contain an animated image of inanimate objects;*
- 3) incite to buy or consume alcohol;*
- 4) depict the serving or consumption of alcohol;*
- 5) link alcohol to any important dates, events, activities or seasons;*
- 6) otherwise leave an impression that alcohol is a natural part of life and that consumption of alcohol has a positive effect;*
- 7) link alcohol to driving;*
- 8) place emphasis on high ethanol content as being a positive quality of beverages;*
- 9) imitate the voice of well-known persons or characters or the voice of persons or characters known from films, television, music or entertainment programmes or events directed principally at children.*

In addition, Article 28 paragraph 4 specifies that any advertisement for alcohol must contain a textual warning stating “Attention! This is an alcoholic beverage. Alcohol may cause damage to your health” and Article 28(7) prohibits any advertising of alcohol in television and radio programmes from 7.00 to 22.00.

With regard to tobacco products, advertising for tobacco products is prohibited under Article 17, which nevertheless specifies that a trademark used to designate a tobacco



product, but which does not express a tobacco product or its consumption in words or pictures and which also designates other products or services may be used for advertising purposes. Furthermore, according to Article 31 paragraph 6, subparagraph 1 of the Media Services Act, product placement is prohibited for:

cigarettes and other tobacco products and products related to tobacco products or goods of such undertakings whose principal activity is the production and sale of cigarettes and other tobacco products or products related to tobacco products;

4.9.2.2.2. Audiovisual commercial communications for medicinal products and medical treatment available only on prescription in the member state

The advertising of health services, which only relate to services and treatments, including artificial insemination, is prohibited under Article 22 of the Advertising Act. In addition, according to Article 31 paragraph 6, subparagraph 2 of the Media Services Act, product placement is prohibited for “prescription medicinal products or medical treatments available only on a medical prescription”.

4.9.2.2.3. Surreptitious audiovisual commercial communications

The transmission of a surreptitious commercial communication is prohibited according to Article 26 paragraph 2 of the Media Services Act. Article 26 paragraph 3 specifies that this prohibition is also applied to the commercial communications marketed, sold or organised by a VSP operator.

4.9.2.2.4. Subliminal techniques in commercial communications

Article 11 of the Advertising Act specifies that the use of subliminal techniques in advertising and teleshopping transmitted upon provision of media services is prohibited, including in advertising that is distributed, sold or organised by VSP providers.

4.9.2.2.5. Prejudice with regard to human dignity

According to Article 3 paragraph 4, subparagraph 9 of the Advertising Act, advertising shall not: “directly or by implication degrade or in some other manner denigrate a person, a person’s name, trademark, a geographical indication, activity, area of activity, goods, services or an event”.

4.9.2.2.6. Inclusion or promotion of any discrimination (on the grounds of e.g., sex, racial or ethnic origin, nationality, religion, etc.)

Any form of discrimination is prohibited under Article 12 of the Constitution which states:



Everyone is equal before the law. No one shall be discriminated against on the basis of nationality, race, colour, sex, language, origin, religion, political or other beliefs, property or social status, or on other grounds.

The incitement of national, racial, religious or political hatred, violence or discrimination shall be prohibited and punishable by law. The incitement of hatred, violence or discrimination between social strata shall also be prohibited and punishable by law.

With regard to advertising, Article 3 paragraph 4, subparagraph 10 of the Advertising Act prescribes that advertising must not: “contain denigration or discrimination on the grounds of nationality, race, age, colour, sex, language, origin, religion, political or other beliefs, financial or social status or other circumstances”.

Besides, Article 19(1) paragraph 1, subparagraph 1 of the Media Services Act prohibits commercial communications which:

incite to hatred, violence or discrimination on the grounds of any group identity, including nationality, sex, race, colour, ethnic or social origin, genetic characteristics, language, religion, political beliefs, belonging to a national minority, financial status, birth, disability, age or sexual orientation, where it poses a threat to the life, health or property of a person.

4.9.2.2.7. Encouragement of behaviour prejudicial to health or safety

Encouraging activities harmful to human health or the environment is prohibited in advertising under Article 3 paragraph 4, subparagraph 4 of the Advertising Act.

4.9.2.2.8. Encouragement of behaviour grossly prejudicial to the protection of the environment

As mentioned under 4.9.2.2.7., encouraging activities harmful to human health or the environment is prohibited in advertising under Article 3 paragraph 4, subparagraph 4 of the Advertising Act.

4.9.2.2.9. Causing physical, mental or moral detriment to minors

Harming the physical, mental or moral integrity of minors is prohibited in advertising through a series of requirements established under Article 8 of the Advertising Act. These requirements provide primarily that advertising targeting children should in general “take into account their unique physical and mental state resulting from their age” and should not have as its object products or services for which the sale to minors is prohibited. More specifically, Article 8 paragraph 4 sets out the following requirements that must be met in advertising targeted at children:

(4) Advertising which targets primarily children shall not: 1) create the impression that the acquisition of certain goods or the use of certain services will give the child an advantage over other children or that the lack thereof will have the opposite effect;



- 2) *create the feeling of inferiority in children;*
- 3) *incite children to behave or act in a manner which has or may have the effect of bringing children into unsafe conditions;*
- 4) *contain elements which frighten children;*
- 5) *exploit the trust children place in their parents, teachers or other persons;*
- 6) *include a direct or indirect appeal to children to demand the acquisition of the advertised goods or the use of the advertised services from other persons;*
- 7) *directly incite children to enter into transactions independently.*

In addition, Article 19¹ of the Media Services Act imposes on VSPs a series of specific measures to ensure the protection of minors from certain content or communications transmitted on their platforms, as follows:

...

(2) The video-sharing platform operator prescribes in the terms of use of the service that at the beginning of such programme, user-generated video and commercial communication that may impair the physical, mental or moral development of minors, a warning must be presented in a manner understandable to the viewer stating that the subsequent programme is unsuitable for minors, and a relevant symbol about the unsuitability of this programme to minors or some age groups of minors must be seen on the screen during the whole programme, video or commercial communication.

...

(5) If the video sharing platform operator is aware of a programme, user-generated video or commercial communication that may impair the physical, mental or moral development of minors, the operator immediately adds a warning and symbol pursuant to subsection 2 of this section to the programme, video or commercial communication in the absence thereof or ensures that this programme, video or commercial communication is received by means of personal identification codes or other appropriate technical solutions only in a manner that would not normally be accessible to a minor...

4.9.2.2.10. Other

N/A.

4.9.3. Sponsorship and product placement

Certain obligations stem from the revised AVMSD vis-à-vis sponsorship and product placement and this part aims at identifying the rules and practices pertaining to these two specific categories of commercial communications.



4.9.3.1. Sponsorship

The general rules on sponsorship are set out in Article 30 of the Media Services Act, paragraph 3 of which specifies in particular the general requirements to be met by sponsored content:

Media services and programmes that are sponsored shall meet the following requirements:

- 1) sponsorship shall not affect the editorial responsibility and independence of the media service provider;*
- 2) sponsorship shall not directly encourage the purchase or rental of goods or services, in particular by making special promotional references to those goods or services;*
- 3) viewers shall be clearly informed of the existence of a sponsorship agreement;*
- 4) information about sponsors shall be broadcast to the viewers in such manner that is clearly distinguishable from other forms of commercial communication.*

Additional requirements are imposed in the following paragraphs of Article 30, such as the requirement that the sponsored programme be clearly identifiable and distinguishable, the prohibition of sponsorship for sponsors whose activity is related to the tobacco or medical industries under certain conditions, and the prohibition of sponsorship of certain programmes such as news and current affairs programmes.

4.9.3.2. Product placement

The rules on product placement are laid down in Article 31 of the Media Services Act, paragraph 4 of which specifies in particular the general requirements to be met:

Programmes containing product placement shall meet the following requirements:

- 1) product placement shall not affect the responsibility and editorial independence of the media service provider;*
- 2) the programme shall not directly encourage the purchase or rental of goods or services, in particular, by making special promotional references to those goods or services;*
- 3) the programme shall not give undue prominence to the product in question;*
- 4) with the purpose of informing the viewers clearly and understandably of the existence of product placement, the programmes containing product placement shall be appropriately identified at the start and end of the programme, and when a programme resumes after an advertising break with a corresponding text or a common symbol agreed upon by means of self-regulation.*

Under Article 31 paragraphs 2 and 6, product placement is prohibited in news and political programmes, consumer programmes, programmes with religious content and programmes for children. In addition, product placement is also prohibited for tobacco products and medicinal products or medical treatments available only on a medical prescription.



4.9.4. Obligations regarding (v)blogs and (v)blogging

Article 4 paragraph 1 of the Media Services Act defines audiovisual media service:

Audiovisual media service means a media service or a dissociable section thereof, where the main purpose is to provide, under the editorial responsibility of a media service provider, informative, educational or entertaining programmes to the general public by means of electronic communications networks.

The article provides a list of services that meet these criteria and includes radio and TV, on-demand and VSPs. Blogs and vlogs are not included in either the definition or the list and are therefore not considered as audiovisual media services, nor are they subject to advertising rules.

A VSP is not an audiovisual media service but a specific type of video-content service and is, as such, defined as an information society service. Vlogs and vlogging would be considered an audiovisual media service if they meet its criteria.

4.9.5. Other relevant information

N/A.

4.9.6. Content-related rules regarding commercial communications for VSP providers

While certain restrictions regarding the content of commercial communications stem from the revised AVMSD and relate to issues connected to the protection of minors and restrictions on the advertising of certain products and services, this part deals with less explored notions, such as rules pertaining to gambling, environmental claims vis-à-vis products and services, etc.

4.9.6.1. Advertising of, or on behalf of associations that are wholly or mainly concerned with religion, faith and other belief systems

No specific provisions deal with this issue.

4.9.6.2. Gambling, betting, betting tipsters, etc.

Advertising for gambling is regulated by Article 29(2) of the Advertising Act, which prescribes the following requirements:



(1) *Advertising of gambling, a gaming location and organiser of gambling (hereinafter advertising of gambling) is prohibited if the organiser of gambling has no operating permit required under the Gambling Act.*

...

(3) *Advertising of gambling shall not contain an incitement to participate in gambling or visit a gaming location or information which may suggest that gambling contributes towards social success.*

(4) *Advertising of gambling shall include the textual warning: "Tähelepanu! Tegemist on hasartmängu reklaamiga. Hasartmäng pole sobiv viis rahaliste probleemide lahendamiseks. Tutvuge reeglitega ja käituge vastutustundlikult!" ["Attention! This is advertising of gambling. Gambling is not a suitable means for solving financial problems. Examine the rules and behave responsibly!"]. The warning shall, given ordinary attention, be noticeable, understandable and clearly distinguishable from other information.*

Additionally, the Consumer Protection and Technical Regulatory Authority has published guidelines on Gambling Advertising, which explain in detail the manner in which the related provisions of the Advertising Act are to be implemented.

4.9.6.3. Environmental or “green” claims for products

Article 3 paragraph 4, subparagraph 15 of the Advertising Act provides that advertising must not: “contain the words “keskkonnasõbralik” [“environment-friendly”] or “ökoloogiliselt ohutu” [“ecologically safe”] or other words or expressions with the same meaning if there is no such evidence.”

Furthermore, as regards the definition of misleading advertising, Article 4 paragraph 2 specifies that one of the elements which may lead to an advertisement being considered misleading is the fact that it provides misleading information on certain circumstances or characteristics of the goods or services, including, *inter alia*: “risks related to use and storage, including environmental safety” and “activity sustainable for the environment”.

4.9.6.4. Other

N/A.

4.9.7. Self- and co-regulation and enforcement

This section aims at identifying the legal framework and practice for self- or co-regulatory schemes and measures regarding commercial communications on VSPs, including the identification of the body or bodies in charge of self- and co-regulation and enforcement



powers with regard to commercial communications and VSPs, as well as the scope of their activities with regard to commercial communications and VSPs.

4.9.7.1. Self- and co-regulatory bodies

4.9.7.1.1. Context of establishment and legal background

Article 22 of the Media Services Act states that media services and VSPs can enter into self-regulatory schemes, as follows:

(1) Persons involved in the pursuit of the media service and video-sharing activity may create on their own initiative a system the parties to which define voluntarily common recommendations and rules, establishing content requirements as a code of conduct with the purpose of regulating the activities in the area and identify good and bad practice.

(2) The code of conduct specified in subsection 1 of this section must be widely accepted among the main interest groups, describe its objectives clearly and unambiguously, provide for regular, transparent and independent monitoring of the compliance with the established objectives, and set out the procedures for compliance with the established rules and the liability of the parties for violation of the rules.

4.9.7.1.2. Stakeholders involved

There are two main interest groups in Estonia that may fall under Article 22 of the Estonian Broadcasting Union (ERL)¹⁸⁶ and the Estonian Media Enterprises Association (EML).¹⁸⁷

The ERL is a non-governmental, non-profit association established in 1992, which promotes the national broadcasting culture and represents the interests of radio and television organisations. The ERL has ten members: one television station, one newspaper and eight radio organisations. The EML was founded in 1990 and is an organisation acting in the common interest of the media, whose members include newspapers, magazines, portals, TV and radio channels. The EML's members comprise major private media companies (such as Delfi Meedia AS, Õhtuleht Kirjastus AS, AS Äripäev), fourteen local newspapers and three NGOs.

4.9.7.1.3. Scope and objectives

The ERL participates in the legislative process and its representatives are involved in the working groups that develop most broadcasting policies and bills.

The EML's objective is to represent the interests of its members at all levels.

¹⁸⁶ Eesti Ringhäälingute Liit (ERL): <http://www.ringhliit.ee/yldinfo/>.

¹⁸⁷ Eesti Meediaettevõtete Liit (EML): <https://meedialiit.ee/>.



4.9.7.1.4. Code(s) of conduct

The Estonian Consumer Protection and Technical Regulatory Authority (TTJA)¹⁸⁸ has issued universal guidelines for ad delivery that apply to all platforms.¹⁸⁹ These are detailed explanations of how the rules in the Advertising Act should be implemented. Guidelines cover following areas: alcohol advertising, tobacco advertising, misleading and comparative advertising, advertising aimed at children, pyrotechnics advertising, healthcare advertising, financial service advertising and gambling advertising. Also, guidelines for advertising on social media are introduced, clarifying that all requirements and restrictions arising from the Advertising Act also apply to advertising published on social media.

4.9.7.1.5. Role of the (self-)regulatory bodies

The ERL's and EML's role are seen in adoptions of related self-regulatory mechanisms, as well as in lobbying for the interests and rights of their members. The EML also organises the work of the Press Council.

4.9.7.1.6. Period of activity (if limited)

N/A.

4.9.7.1.7. Role of the regulatory authority in a co-regulatory system

The Estonian Consumer Protection and Technical Regulatory Authority (CTRA)¹⁹⁰ is currently not involved in the co-regulatory system, but the CTRA could have a role in the co-regulatory system in the future, should the self-regulatory mechanisms be considered insufficient, as Article 27 paragraph 2 of the Media Services Act stipulates:

If persons operating in the field of media services and video-sharing have not established a code of conduct as specified in subsection 1 of this section by self-regulation or it has not proved to be sufficiently effective, the requirements for audiovisual commercial communications promoting food and drink during children's programmes or user-generated videos targeted at children, shall be established by a regulation of the minister in charge of the policy sector.

In this case the CTRA as a regulatory body will have a role in the supervision of the implementation of relevant provisions of a new regulation established by the relevant minister.

¹⁸⁸ *Tarbijakaitse ja Tehnilise Järelevalve Amet (TTJA)*: <https://ttja.ee>.

¹⁸⁹ Links to guidelines are found under section 4.9.1. of this factsheet.

¹⁹⁰ *Tarbijakaitse ja Tehnilise Järelevalve Amet* : <https://www.ttja.ee/et..>



4.9.7.1.7.1. *Regulatory body*

N/A.

4.9.7.1.7.2. *Co-regulatory scheme*

N/A.

4.9.7.1.7.3. *Relationship and roles of stakeholders*

N/A.

4.9.7.2. **Monitoring/evaluation, compliance and sanctioning powers**

The EML, through the Press Council, deals with citizens' complaints related to media content, from the perspective of professional journalistic standards.

4.9.8. **Cross-sector and cross-border collaboration**

N/A.

4.9.9. **Update on plans and practices related to new obligations of VSPs**

N/A.

4.9.10. **Studies, reports and research**

N/A.

4.9.11. **Data compilation**

This factsheet is based on data compiled by Andres Jõesaar, Associate Professor of Media Policies at Tallinn University.