



The independence of national regulatory authorities

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The independence of national regulatory authorities

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Foreword

The media has a profound impact on our daily lives, interests and choices, both political and otherwise. This enormous power must be balanced by independent institutions whose primary aim is to preserve media freedom and pluralism, and which are free from any undue influence. As guardians of media freedom, and of citizens' rights to receive pluralist and diverse information, their autonomy helps ensure that decisions are taken without undue pressure but based on law and in the public interest.

Unfortunately, such national regulatory authorities (NRAs) may be subject to political coercion, budgetary constraints, and the challenges posed by digital platforms that operate beyond national borders. Therefore, if they are to perform their tasks efficiently, it is essential that they are empowered through clear legal mandates, adequate resources and transparent governance.

However, it is very important not to confuse independence with a lack of accountability. Regulatory authorities must be open and transparent, and mechanisms such as reporting, the publication of decisions and judicial review of the same help ensure the necessary level of scrutiny.

Upon request of the European Commission who has co-financed the study, this publication aims to map the structural and functional independence of NRAs in the 27 EU member states, in Norway (EEA) and in candidate countries, part of the 2025 Rule of law report¹: Albania, Montenegro, North Macedonia and Serbia. The study includes national factsheets for all jurisdictions within its scope, providing an accurate depiction of each jurisdiction's situation with regard to existing NRAs. Based on the content of these factsheets, the Observatory has identified trends and national specifics, which are reflected in a comparative analysis.

I would like to extend my sincere thanks to the national experts who shared their knowledge through the standardised questionnaire, which we used to gather the necessary information for the national factsheets. I would also like to express my gratitude to the competent media regulators within the European Platform of Regulatory Authorities (EPRA) for their willingness to verify the accuracy of the information.

This work would not have been possible without their involvement.

Enjoy the read!

Maja Cappello

Head of Department for Legal Information

European Audiovisual Observatory

¹ [2025 Rule of Law Report – Communication and jurisdiction chapters](#), European Commission, 2025.

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Executive Summary

Media NRAs converge towards formally independent, increasingly digital regulators with highly heterogeneous resources, governance models and enforcement tools across the 34 jurisdictions.² The main trends concern institutional profiles and scope, financial and human resources, appointment and dismissal of the chairperson and board members, and enforcement, transparency and accountability of the NRA.

Institutional profiles and scope

Most media NRAs were created between the late 1980s and mid 2000s in response to the liberalisation of the media and the Audiovisual Media Services Directive (AVMSD),³ with a new wave of converged/digital regulators after 2019. More recent or refounded authorities include MK (2014), (2014), EE (2019), FI (2019), FR (2021), IE (2023), SK (2022), SE (2024).

Federal and regional structures produce multilayered regulation in BE, DE and ES, requiring inter-authority coordination. In BE, media is regulated at Community level with separate regulators (BE(VL), BE(FR), BE(DE)), in DE each Länder has its own media authority (with joint bodies for BerlinBrandenburg and HamburgSchleswigHolstein), while ES combines a national regulator (CNMC) with several regional authorities (e.g. Catalonia, Andalusia, the Valencian Community).

While this study primarily focuses on media NRAs' mandates in the context of the AVMSD and the European Media Freedom Act (EMFA)⁴, it should be noted that some NRAs' mandates are expanding beyond traditional broadcasting towards broader digital and platform oversight, driven by the DSA and Political Advertising Transparency Act. Some NRAs act as Digital Services Coordinators (AT, CY, EE, ES, FI, FR, HU, IE, IT, SI and SK), but in other jurisdictions this role sits with telecom, competition or dedicated digital authorities, requiring new cooperation arrangements with media NRAs.

Financial resources and budgetary safeguards

State budget appropriations remain the backbone of NRA financing in Europe, either as sole or dominant source. 29 jurisdictions rely on the state budget, including AT, BE(FR), BE(VL), BG, CY, CZ, DK, EE, ES, FI, FR, GR, HU, IE, LT, LU, LV, MT, NL, PL, PT, RO, SE, SI, SK, NO, AL and MK, while DE, HR, IE, ME and RS are notable examples that do not rely on ordinary state budget funding.

A significant number of NRAs complement or substitute state funding with sector-based fees. Fees play a substantial role in AT, BE-VL, BG, CY, DE, GR, HR, HU, IE, IT,

² This report covers 32 countries, including the three Belgian communities (the French, Flemish and German-speaking communities of Belgium).

³ [Directive 2010/13/EU](#) of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive)

⁴ Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act) (Text with EEA relevance).

LT, LU, MT, NL, PT, SE, SI, NO, AL, ME, MK and RS, whereas there are no fee-based contributions in BE-FR, CZ, DK, EE, ES, FI, FR, LV, PL, RO and SK.

Where information is available, and in mixed systems, state funding is the predominant source of funding in BG, CY, FI, FR, GR, HU, LU, MT, NL, PT, SE, NO, and MK, while seven NRAs (CZ, DK, EE, LV, PL, RO, SK) depend exclusively on state funds.

Budget adoption procedures differ greatly, distributing roles between the NRA, government and parliament. In FR, IE, IT, MT and PT, the NRA adopts its own budget, whereas government plays the exclusive decision-making role in FI and MK. There are also a variety of mixed systems (e.g. AT, BE(FR), BE(VL), CY, CZ, DK, EE, ES, HR, HU, LT, LU, NL, PL, RO, SE, SI, SK, AL, ME, RS), which combine NRA drafting powers with government and/or parliamentary approval.

Budget adjustment during the year is permitted in most systems, which supports some flexibility. AT, BE(VL), BG, CY, CZ, DE, DK, EE, ES, FR, HU, IE, IT, LU, LV, NL, RO, SE, SK, NO, and RS, allow budget reviews before the end of the financial period, whereas legal provisions are silent in others, even if revisions may occur in practice.

Financial audit and accountability mechanisms are universal, except in Greece and usually on an annual basis.

Human resources and organisational capacity

Staffing levels vary importantly, from smaller sized NRAs with fewer than 30 staff to large multisector regulators with hundreds or even a thousand employees. The smallest group (15–29 staff) includes LU, DK, LV, MT, BEVL and CY, while medium sized (70–190) NRAs are found in RS, SE, PT, NL, SI, EE, PL and AT, and very large structures (200–1000 staff) include IE, FR, IT, ES, HU and FI (1000, as a broad transport communications media regulator).

Legal status of staff is split between civil service and private law models, with several mixed regimes. Civil servant status is used in BE(VL), BG, CY, CZ, DE, DK, EE, ES, FI, FR, GR, HR, HU, IT, LU, LV, MT, NL, PL, RO, SE, SI, NO, AL, while private law contracts apply in AT, BE(FR), BG, CZ, DE, ES, FR, GR, LV, MT, PL, PT, SK, ME, MK, RO, RS

Formal procedures to assess human resources adequacy remain rare, even though expanding digital tasks are widely acknowledged. Only a limited set of NRAs (BG, GR, HU, IE, IT, SI, MK) report explicit mechanisms to review sufficiency of human resources, with some others (NL, ME) using periodic external evaluations or internal rulebooks to scrutinise staffing gaps.

Appointment, dismissal and safeguards for independence

Structurally, almost all NRAs follow a chairperson and board model, with EE and NO standing out as authorities led by a chairperson without a collegiate board.

Appointment procedures show highly varied allocations of influence between government, parliament and the NRA itself. Government alone appoints the chairperson in BE(FR), BE(VL), CY, DK, ES, FI, IE, LU, MT, SE, NO, while parliament is the sole appointing body for the chair in LT, RO and AL, and the NRA itself directly appoints its chairperson in BG, CZ, LV, PL, SI, SK, ME, MK, RS.

Board appointments are, on average, less controlled by NRAs and more exposed to political institutions. Government alone appoints board members in BE(VL), CY, ES, IE, LU,

MT, SE, SI, parliament alone in CZ, HU, IT, LV, SK, AL, ME, MK, and only FI allows the NRA itself to be the sole appointing authority for board members. Other systems rely on mixed nominations (e.g. NL shares roles between the government and the NRA).

Most jurisdictions list explicit grounds for dismissal of the chairpersons and board members, with exceptions such as BE(VL) for board members and PL for the chairperson. DK, FI, LU, SI, PL and NO sit partly outside the scope as no statutory rules on dismissals exist for one or the other position.

Safeguards against prolonged vacancies are unevenly spread. Rules to avoid long vacancy periods for chairpersons exist in AT, BG, CY, CZ, ES, FR, HR, HU, IE, LU, MT, PT, RO, SK, AL, MK, RS, while similar rules for board members cover AT, BG, ES, FR, HR, IE, LU, MT, PT, RO, SK, AL, ME, MK, RS.

Procedural safeguards in dismissal are built around prior notification of the person concerned, publication of the decision and judicial review, but not consistently. Prior notice is explicitly required for at least the chairperson in BE(FR), BG, CY, EE, ES, FR, GR, HR, HU, IE, IT, SK, NO, AL, ME, MK, RS, while similar guarantees for board members exist in BE(FR), BG, CY, CZ, ES, FR, GR, HR, HU, IE, IT, SI, SK, AL, ME, RS.

Judicial review of dismissal decisions is formally provided for in many jurisdictions. For chairs, explicit judicial review exists in AT, BE(FR), BG, EE, ES, FR, GR, HR, IT, LT, NL, PT, SE, SK, NO, ME, MK, RS. General administrative law or case-law (e.g. CY, LV) may still allow to challenge decisions in court; similar patterns apply to board members.

Decisions on dismissal are frequently published, which supports transparency but with some notable exceptions. Publication of dismissal decisions (full decisions or summaries) is standard in AT, BE(FR), CY, EE, ES, GR, HR, HU, IE, IT, LV, MT, NL, PL, RO, SE, SK, NO, AL, ME, MK. Decisions or parts of decisions are not systematically published in BE(VL), BG, CZ, FR, PT, RS (and for board members, also SI and RO).

Enforcement powers, transparency and appeals

Nearly all NRAs possess a full spectrum of enforcement tools, from information-gathering and warnings to financial sanctions and service suspensions. Powers to suspend or revoke licences or services for serious or repeated breaches exist in all jurisdictions except ES, where such powers rest with the Ministry of Economic Affairs and Digital Transformation rather than the NRA.

Financial sanctions encompass ordinary fines and, in many cases, periodic penalty payments to compel compliance, although specific levels and calculation methods vary.

Public identification of infringing parties through published decisions is a transparency practice, with some calibrated exceptions for data protection. NRAs from AT, BE (VL), BG, CY, DK, EE, ES, FI, FR, IE, IT, LU, LV, MT, PT, RO, SE, SI, SK, NO, ME, RS systematically name responsible entities in their decisions, while LV, for example, withholds identities of natural persons to comply with data protection rules.

Access to decisions and underlying information is generally ensured, but with nuanced limits in a few jurisdictions. All NRAs publish at least decisions or summaries and regularly update websites.

External appeal mechanisms are universal and handled by independent bodies, predominantly courts. Every jurisdiction provides for judicial or quasi-judicial appeals against NRA decisions, with some adding an internal review step before court proceedings in EE, HU, NL, SK and ME, and a specific media appeals board in NO.

All NRAs must report regularly, typically through annual activity reports covering regulatory actions, financial management and risk assessments.

1. Introduction

The importance of independent national media regulatory authorities (NRAs) has long been recognised. The revised Audiovisual Media Services Directive (AVMSD)⁵ requires EU member states to guarantee the independence of the national audiovisual regulators and introduces a set of specific elements to ensure such independence.

Additionally, the Council of Europe (CoE) published a Recommendation on the independence and functions of regulatory authorities for the broadcasting sector⁶ and a Declaration⁷ on the same topic in 2008.

In view of the forthcoming full application of the European Media Freedom Act (EMFA)⁸, the independence of NRAs is a major topic of interest. While Article 30 AVMSD already requires NRAs to be “legally distinct from the government and functionally independent from their respective governments and any other public or private body”, the EMFA introduces new competences and responsibilities. These include developing media ownership databases and involvement in the assessment of the impact of media mergers on pluralism and editorial independence. The EMFA also introduces the European Board for Media Services (EBMS) to replace ERGA (Chapter 3 Section 2).

Building on and updating previous studies, including the 2011 INDIREG Study⁹, the AVMS-RADAR¹⁰ and the Observatory’s 2019 IRIS report on the independence of media regulatory authorities in Europe¹¹, this study aims to map the structural and functional independence of NRAs in 34 analysed national frameworks: 27 EU members (including the

⁵ [Directive \(EU\) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services](#) (Audiovisual Media Services Directive).

⁶ Recommendation [Rec\(2000\)23](#) of the Committee of Ministers to member states on the independence and functions of regulatory authorities for the broadcasting sector.

⁷ [Decl\(26/03/2008\)](#) - Declaration of the Committee of Ministers on the independence and functions of regulatory authorities for the broadcasting sector.

⁸ [Regulation \(EU\) 2024/1083](#) of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act).

⁹ Hans Bredow Institute for Media Research/Interdisciplinary Centre for Law & ICT (ICRI), Katholieke Universiteit Leuven/Center for Media and Communication Studies (CMCS), Central European University/Cullen International/Perspective Associates (2011 ed.): INDIREG, “Indicators for independence and efficient functioning of audiovisual media services regulatory bodies for the purpose of enforcing the rules in the AVMS Directive”, Study conducted on behalf of the European Commission, Final Report, February 2011.

¹⁰ European Commission: Directorate-General for the Information Society and Media, Institute of European Media Law (EMR) and University of Luxembourg, [AVMS-RADAR AudioVisual Media Services- Regulatory Authorities’ InDependence And Efficiency Review Update on recent changes and developments in Member States and Candidate Jurisdictions that are relevant for the analysis of independence and efficient functioning of audiovisual media services regulatory bodies](#) – Executive summary (en), European Commission, 2015.

¹¹ Cappello M. (ed.), [The independence of media regulatory authorities in Europe](#), IRIS Special, European Audiovisual Observatory, Strasbourg, 2019.

three linguistic communities of Belgium¹²), Norway, and four enlargement countries covered by the European Commission's Rule of Law Report exercise (Albania, Montenegro, North Macedonia and Serbia).

2. Methodology

A standardised questionnaire was designed by the EAO and sent out to national experts from all EU-27 Member States, Norway and the four enlargement countries covered by the 2025 Rule of Law report¹³ (Albania, Montenegro, North Macedonia and Serbia). Based on their replies and further exchanges with national experts, the EAO prepared national factsheets for all countries within the scope of the study, with the aim of producing accurate overviews of the situation in each jurisdiction.

Each national factsheet was sent back to the corresponding national expert for review. Once validated by the expert, each national factsheet was submitted to the competent NRA for further verification of the content. These separate rounds of verification aim to ensure that the national factsheets provide an accurate depiction of each jurisdiction's situation with regards to NRAs.

Based on the content of the national factsheets, the EAO identified trends and national specificities which are reflected on in a comparative analysis.

Throughout the report, the Flemish (BE(VL)), French (BE(FR)) and German (BE(DE)) Communities of Belgium are treated as separate jurisdictions for the purpose of clarity when categorising cases.

With regard to Germany, where the rules are harmonised throughout the country the information has been included in the comparative analysis. Where this is not possible and for details and specifics regarding the situation in each federal state, please refer to the German case study.

¹² Belgium has a federal structure with distinct language communities, each of which has its own media regulator. Media regulation is a community competence, meaning that each language community (Flemish, French, and German-speaking) is responsible for audiovisual media within its jurisdiction.

¹³ [2025 Rule of Law Report – Communication and jurisdiction chapters](#), European Commission, 2025.

3. Profiles of NRAs

Since their establishment and in the absence of harmonisation of their features, NRAs have been characterised by their individuality, and therefore their heterogeneity. Their profile may differ depending on national cultural, political and social specificities and needs.

This section will examine the profiles of all NRAs under review, including their longevity and evolution, size, available human resources, and the structure or system to which they belong.

3.1. Date of establishment

The decline of public service monopolies in the second half of the 20th century led to the establishment of media NRAs.¹⁴ Although Malta is an early example, with its NRA emerging in 1961, most were created later, coinciding with the requirements of the AVMSD, which stem from the Television without Frontiers Directive (89/552/EEC) adopted in 1989, and then revised in 1997, 2007 (codified as 2010/13/EU), and last in 2018 (2018/1808). Consequently, many NRAs were established between 1988 and 2005, including those in AT, BE(DE), BE(VL), BG, CY, CZ, DK, FR, GR, HR, IT, LT, LV, ME, NL, PL, PT, RO, RS, SI, SK, NO.

Another group of media NRAs emerged in parallel alongside the first revision of the Directive. The years between 2009 and 2014 saw the establishment of NRAs in AL, BE(FR), ES, HU, IE, LU.

In recent years, some NRAs have undergone major reforms and restructuring, notably following convergence in the areas of telecommunications, the media and information technology as soon as in the late nineties.¹⁵ While some were formed after the merger of two or more existing bodies (including in EE, FI, SE), others have completely replaced their predecessor by establishing a new authority. This has notably been the case in FR, IE, MK, RS, SK. These changes were made in light of the evolving needs of the audiovisual sector. New agencies continue to be formed today for the oversight of the digital sector, in line with the Digital Services Act's (DSA) requirement to establish Digital Services coordinators.¹⁶

The table below provides a chronological list of contemporary NRAs.¹⁷

¹⁴ Cabrera Blázquez F.J., Denis G., Machet E., McNulty B., [Media regulatory authorities and the challenges of cooperation](#), IRIS Plus, European Audiovisual Observatory, Strasbourg, December 2021.

¹⁵ [Green Paper on the convergence of the telecommunications, media and information technology sectors, and the implications for Regulation - Towards an information society approach](#), Commission of the European Communities, 1997.

¹⁶ [Regulation \(EU\) 2022/2065](#) of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act).

¹⁷ The German state media authorities were established between 1984 and 2007, most of them around 1990.

Table 1. Date of establishment

Jurisdiction	Date	Jurisdiction	Date	Jurisdiction	Date
Malta	1961	Bulgaria	2001	Luxembourg	2013
Belgium (FR)	1987 ¹⁸	Denmark	2001	Spain	2013
Netherlands	1988	Austria	2001	Albania	2013
Greece	1989	Slovenia	2001	Serbia	2014 (its predecessor, the Republic Broadcasting Agency, was established in 2003)
Romania	1992	Montenegro	2003	North Macedonia	2014 (its predecessor, the Broadcasting Council, was established in 1998)
Czechia	1992	Croatia	2004	Estonia	2019 (following the merger of the Technical Regulatory Authority and the Consumer Protection Board)
Poland	1993	Belgium (DE)	2005	Finland	2019 (following the merger of the Finnish Transport Safety Agency (Trafi), the Finnish Communications Regulatory Authority (FICORA), and certain functions of the Finnish Transport Agency)
Latvia	1995	Belgium (VL)	2005	France	2021 (its predecessor, the Higher Audiovisual Council, was established in 1989)
Lithuania	1996	Norway	2005	Slovakia	2022 (its predecessor, the Council for Broadcasting and Retransmission, was established in 2000)
Italy	1997 (a converged regulator replaced the <i>Garante per la radiodiffusione e l'editoria</i> from 1990, which emerged in turn from the <i>Garante per l'editoria</i> set up in 1981)	Portugal	2005	Ireland	March 2023 (its predecessor, the Broadcasting Authority of Ireland, was established in 2009)
Cyprus	1998	Hungary	2010	Sweden	2024 (following the merger of the Swedish Press and Broadcasting Authority (<i>Myndigheten för press, radio</i>

¹⁸ The CSA was established in 1987 as an advisory body. Since 2003, it has been a fully competent NRA with regulatory, monitoring and sanctioning powers.

Jurisdiction	Date	Jurisdiction	Date	Jurisdiction	Date
					och tv – MPRT) and the Swedish Media Council (<i>Statens medieråd</i> – SMC)

3.2. Federal or regional structures

Some jurisdictions are organised under federal or regional structures due to their constitutional and political systems. In such cases, powers are divided between national and regional governments. In federal jurisdictions such as Belgium or Germany, broadcasting is in the remit of federal states, thus creating a plurality of regional regulatory bodies, which each reflect their cultural, historical, linguistic and administrative needs.

Under the German Constitution, media regulation is subject to state, rather than federal, jurisdiction and enforcement. Consequently, each federal state has its own media authority, except for Berlin and Brandenburg, and Hamburg and Schleswig-Holstein, which share a joint authority.

Belgium has a federal structure comprising distinct language communities, each of which has its own media regulator. Media regulation is a community competence, meaning that each community (Flemish, French and German-speaking) is responsible for audiovisual media within its jurisdiction. *Vlaamse Regulator voor de Media* (VRM) is the media regulator for the Flemish Community, the *Conseil Supérieur de l'Audiovisuel* (CSA) the regulator for the French Community and the *Medienrat* for the German-speaking Community.

Spain is a decentralised state. Basic rules relating to the organisation of the press, radio and television and, in general, all mass-media communications are set by law without prejudice to powers vested in the Autonomous Communities for their development and implementation. National authorities, such as the CNMC, are responsible for regulating audiovisual media service providers operating at a national level. Regions (autonomous communities) have the power to develop and implement basic national legislation in relation to service providers operating within their territory only. On the basis of this distribution of powers, several autonomous communities have enacted their own regional audiovisual legislation and regulations. In some cases, supervision corresponds to a legally established independent regulatory authority, such as in Catalonia (*Consell de l'Audiovisual de Catalunya* - Catalan Audiovisual Council), Andalusia (*Consejo Audiovisual de Andalucía* - Audiovisual Council of Andalusia) and the Valencian Community (*Consell de l'Audiovisual de la Comunitat Valenciana* - Audiovisual Council of the Valencian Community).

3.3. Human resources

Under Article 30(4) AVMSD, EU member states must ensure that NRAs have adequate resources, including human ones to carry out their functions effectively. The size of NRAs in terms of human resources varies considerably according to several elements, including the size of the jurisdiction, the national media landscape and the market size.

Four main groups emerge:¹⁹

- smaller NRAs with 3^{1/2} – 29 staff (BE(DE), LU, DK, LV, MT, BE (VL), CY);
- slightly larger ones with 30–58 staff (BE (FR), ME, LT, HR, CZ, NO, RO, GR, BG, SK, AL, MK);
- medium-sized ones with 70–190 staff (RS, SE, PT, NL, SI, EE, PL, AT); and
- very large NRAs with 200–1,000 staff (IE, FR, IT, ES, HU, FI).
- In Germany, the total number of employees of the *Landesmedienanstalten* (State Media Authorities) is not publicly disclosed.

The larger structures are representative of the reach of larger jurisdictions or those that traditionally have had greater influence. Finland has the largest organisation, with 1 000 staff. However, it should be noted that the large number of employees at the Finnish authority is due to it being a large regulatory entity that covers several other sectors, such as transport.

Although staffing adequacy is critical to ensuring effective oversight, it has become a challenge for certain NRAs, particularly due to expanding tasks and the growing complexity of the media ecosystem.

The table below outlines the number of staff within each NRA under review.

Table 2. Human resources in each NRA, from smallest to largest

Jurisdiction	Human resources	Jurisdiction	Human resources	Jurisdiction	Human resources
Belgium (DE)	3 ^{1/2}	Norway	41	Netherlands	98
Luxembourg	15	Romania	41	Slovenia	115
Denmark	19	Greece	43	Estonia	155
Latvia	20	Czechia	48	Poland	160
Malta	20	Bulgaria	50	Austria	190
Belgium (VL)	21	Slovakia	51	Ireland	200
Cyprus	29	Albania	58	France	363
Belgium (FR)	30	North Macedonia	58	Italy	452
Montenegro	30	Serbia	70 - 80	Spain	534
Lithuania	31	Sweden	83	Hungary	760
Croatia	34	Portugal	86	Finland	1000

NRA staff may be employed under different legal frameworks depending on the institutional structure and national administrative system. In some cases (AT, BG, CZ, DE, ES, FR, GR, LV, MT, PL, PT, SK, ME, MK, RO, RS), staff are employed under private contract law, which means they are considered regular employees governed by general labour legislation. In other cases (BE(VL), BG, CY, CZ, DE, DK, EE, ES, FI, FR, GR, HR, HU, IT, LU, LV, MT, NL, PL, RO, SE, SI, NO, AL), they serve as civil servants, employed under public service statutes that typically

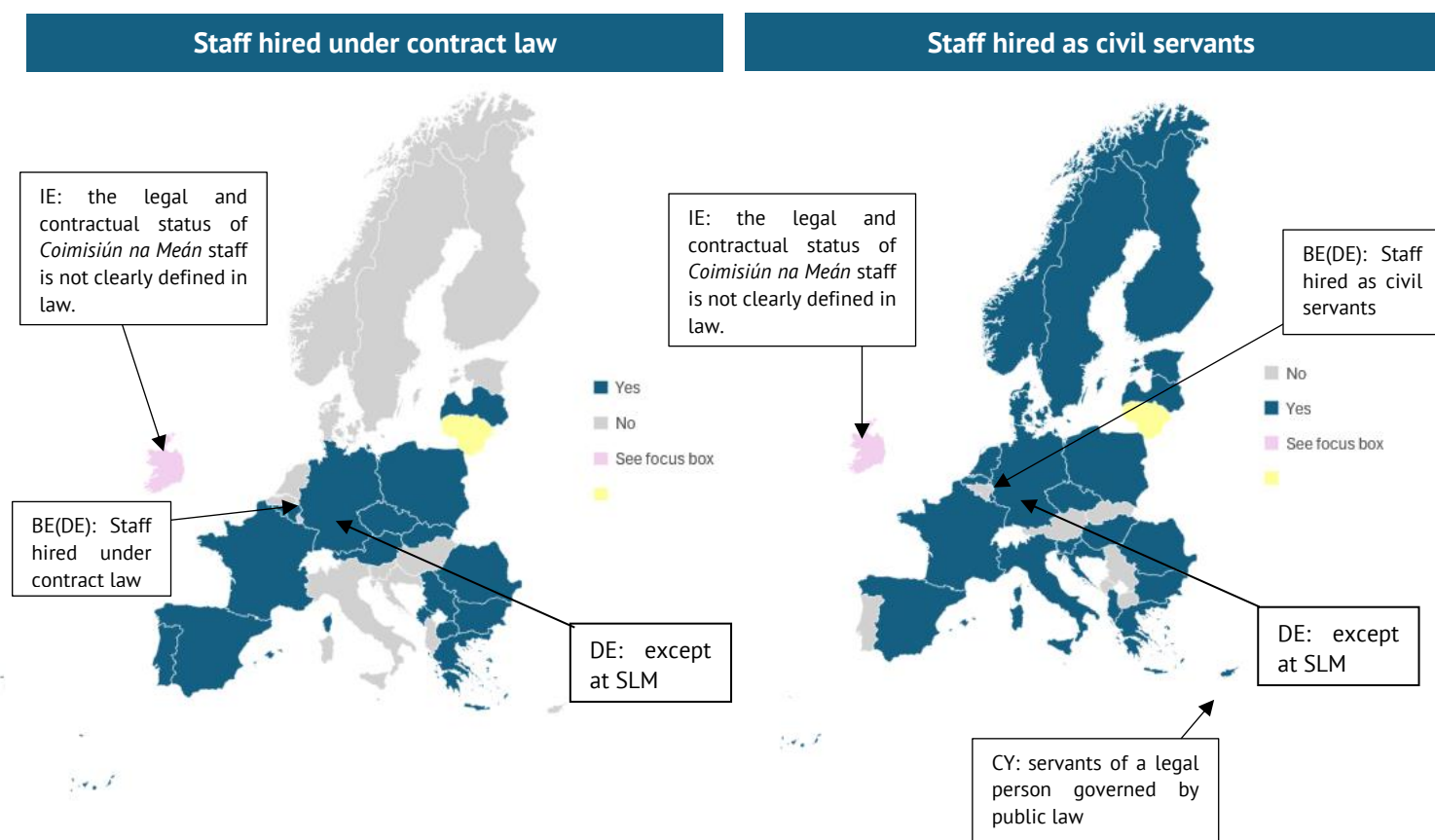
¹⁹ No official classification of NRA size exists. The classification set out hereafter is based on EAO interpretation and is not intended to provide any assessment.

define status, duties and working conditions in accordance with administrative law. It should be noted that certain jurisdictions allow for both possibilities (BE (DE), BE (FR), BG, CZ, DE, ES, FR, GR, LV, MT, PL, RO).

In Ireland, the legal and contractual status of Coimisiún na Meán staff is not clearly defined in law. However, Section 17 of The Broadcasting Act 2009 (as amended) states that Coimisiún na Meán staff are appointed by the Commission as opposed to the Minister for Communications or the Department of Communications. As such they do not meet the criteria for being considered civil servants (insofar as they do not work within a Government Department and are not directly answerable to a Minister).

In Germany, the state media authorities have the right to employ civil servants (except in the case of *Sächsische Landesmedienanstalt* - SLM), but they can also hire staff under private law contracts, according to their respective state media laws.

Table 3. Status of staff



Although human resources play a role as important as financial resources to be able to achieve the NRAs objectives, only very few jurisdictions formally have procedures in force to assess the adequacy (in terms of sufficiency) of human resources within the NRA (BG, GR, HU, IE, IT, SI, MK).

It appears that two other jurisdictions (NL, ME), while they do not formally require such assessment to be performed, have mechanisms in place in practice to do so or consider it a matter of importance to be addressed in the near future.

In the Netherlands, every five years the CvdM is evaluated by an independent third party²⁰, which covers *inter alia* the handling of human resources. In the evaluation performed for the period 2018–2022, it is noted that the high costs of external hiring, the high rate of sick leave, and the high staff turnover make the organisation of the CvdM vulnerable.²¹

In Montenegro, the minutes of the Council meeting held on 21 October 2024²² indicate that the Council reviewed the implementation of the Rulebook on Internal Organisation and Job Classification,²³ which was adopted on 26 August 2024. Those minutes show that the Council concluded it was in particular necessary to: conduct a detailed assessment of the authority's existing human resources, provide additional training and professional development and aim to assign current employees in line with their knowledge and competencies; enable employees who demonstrate above-average performance to advance within the authority's organisational structure and/or recognise their contribution through the existing performance model; assess staffing needs in terms of the number and qualification structure of employees, in line with the authority's new competencies; actively work on improving the information and communication system, with a view to modernising infrastructure, increasing operational efficiency, and ensuring the stability of business processes, with the aim of automating activities and reporting.

²⁰ The evaluation for the period 2018-2022 was conducted by KWINK group, on behalf of the Ministry of Education, Culture and Science (OCW).

²¹ The [evaluation](#) of the CvdM by the Kwink Group for the period 2018–2022.

²² [Zapisnik sa 398. sjednice Savjeta, održane 21. oktobra 2024. Godine](#) (Minutes of the 398th session of the Council, held on October 21, 2024).

²³ A full version of the Rulebook is not available.

4. Formal independence and status

According to Article 30(1) AVMSD, NRAs should be legally distinct from the government and functionally independent of their respective governments, as well as any other public or private body. While the specific elements of independence will be analysed later, this section addresses the formal independence of NRAs.

4.1. Formal qualification as independent authority

All of the NRAs covered by this study are formally recognised as 'independent public authorities' under national legislation.

4.2. Legal personality

The most common form of NRA is one that is independent of the government's structure, meaning the authority itself can exercise certain rights and be subject to certain duties, similar to those of a natural person. Conversely, the state is not responsible for its actions.

However, as the map below shows, Norway and Greece are the only two jurisdictions that differ from this general trend.

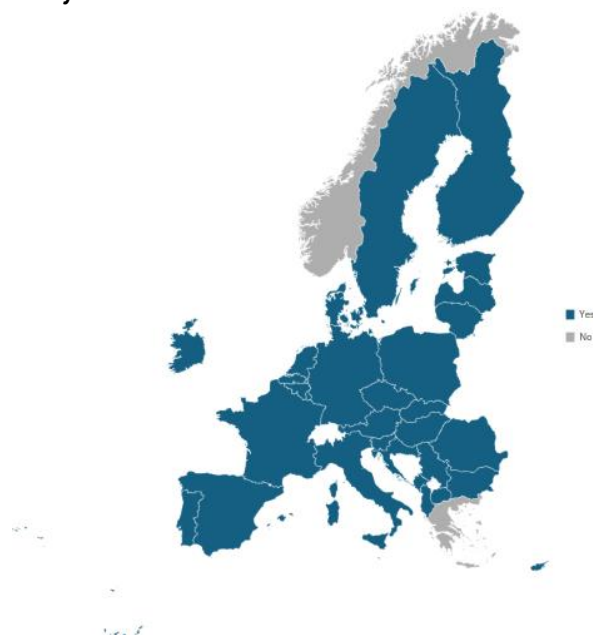
In Norway, the Norwegian Media Authority does not have legal personality. In the event of a dispute, any legal action against decisions made by the NRA or the *Medieklagenemnda* (Media Appeals Board) shall be directed towards the Norwegian Government (Sections 2-14 and 2-15, Broadcasting Act).²⁴ Similarly, the Greek NRA does not have legal personality. However, this is without prejudice to the assessment of the operational or functional independence of NRAs.

In the Netherlands, although the Framework Act on Independent Administrative Bodies²⁵ states that members should not be subordinate to the Minister, the Media Act 2008 allows the Minister to annul CvdM decisions. In a letter to Parliament on 4 April 2025, the Minister of Education, Culture and Science acknowledged this contradiction and expressed the intention to strengthen the regulator's institutional independence. The Minister stated that ministerial powers to suspend or annul CvdM decisions are incompatible with true independence and plans to remove any possibility of inappropriate government interference in the regulator's work.

²⁴ [Lov om kringkasting og audiovisuelle bestillingstjenester mv. \(kringkastingsloven\)](#) (Act on Broadcasting and Audiovisual On-Demand Services, etc.).

²⁵ [Kaderwet zelfstandige bestuursorganen](#) (Framework Act on Independent Administrative Bodies).

Figure 1. Legal personality



4.3. Liability

All NRAs under review can be held liable in the event of a dispute. In Norway, legal action is taken against the government rather than the authority itself in the case of a dispute (Sections 2–14, Broadcasting Act). The Greek NRA is represented before Courts by the Legal Council of the State (*Nomiko Symvoulío tou Kratous*).

Figure 2. Liability of NRAs



5. Remit

In terms of remit, NRAs are generally responsible for overseeing the media landscape within their jurisdiction, encompassing broadcasting, on-demand, and increasingly, online media services. Their role is to ensure that rules are applied correctly and effectively by media service providers, for the protection of users. It is through these authorities that media service providers are held accountable for compliance. While the powers vested in them and their specific areas of competence may differ, they are also likely to evolve further as the sector becomes more digitalised and platform-based. Various enforcement mechanisms enable NRAs to exercise their powers effectively.

5.1. Applicable legal frameworks

The mandates of media NRAs are regulated under the AVMSD and the EMFA. However, it should be noted that, due to digitalisation and ‘platformisation’, their remit is expanding and may, in some cases, also include the enforcement or application of provisions of the DSA or the Transparency and Targeting of Political Advertising Regulation (TCOR). Third jurisdictions covered by the 2025 Rule of Law report (Albania, Montenegro, North Macedonia and Serbia) are also at different stages in the process of preparing, consulting on, or adopting legislative updates.

5.1.1. The AVMSD

The AVMSD has been transposed and is enforced in all EU jurisdictions.

Albania, Montenegro, North Macedonia and Serbia are obliged to align their national legislation with the AVMSD under Chapter 10 of the *acquis*, as part of the EU membership candidacy process.

5.1.2. The EMFA

The EMFA establishes a new set of rules to protect media pluralism and independence within the EU. The Act, which entered into application on 8 August 2025²⁶, among others, safeguards editorial independence, ensures the independent functioning of public service media, enhances transparency of media ownership, and establishes a new, independent European Board for Media Services. This board comprises representatives from national media authorities or bodies and is assisted by a Commission secretariat. It replaces the European Regulators Group for Audiovisual Media Services (ERGA), which was set up under the AVMSD.

The EMFA will have to be incorporated into Norwegian law according to the procedures concerning EEA countries.

²⁶ For most of the provisions.

As countries with candidate status, Albania, Montenegro, North Macedonia and Serbia are also committed to align with the media *acquis*, including both the AVMSD and the EMFA. It should however be noted that in Montenegro the ministry responsible has initiated the process of forming working groups for aligning the Montenegrin legal framework with the EMFA.²⁷

5.2. Powers

To ensure the application of the relevant legal frameworks, NRAs are granted a set of powers. These typically include regulatory, monitoring and sanctioning responsibilities. In the large majority of cases, a high degree of homogeneity is observed. While most NRAs have all three sets of powers, there are slight variations in the extent of their application from one jurisdiction to another.

In most jurisdictions, NRAs have the power to produce codes, rules or guidelines.

All jurisdictions are responsible for the supervision of compliance, though not to the same extent. Ireland has adopted a more passive approach and generally only takes action in response to a complaint.

All NRAs under review have sanctioning powers.

5.3. Enforcement mechanisms

Although the powers and competences of NRAs can vary due to national circumstances, there is more notable consistency in the enforcement mechanisms employed, with some variations accommodating specific national contexts.

5.3.1. Access to data, documents or other necessary information

All the NRAs of the jurisdictions under review have the power to require access to data, documents or other necessary information for pursuing their duties, and all NRAs can make such a request to private entities.

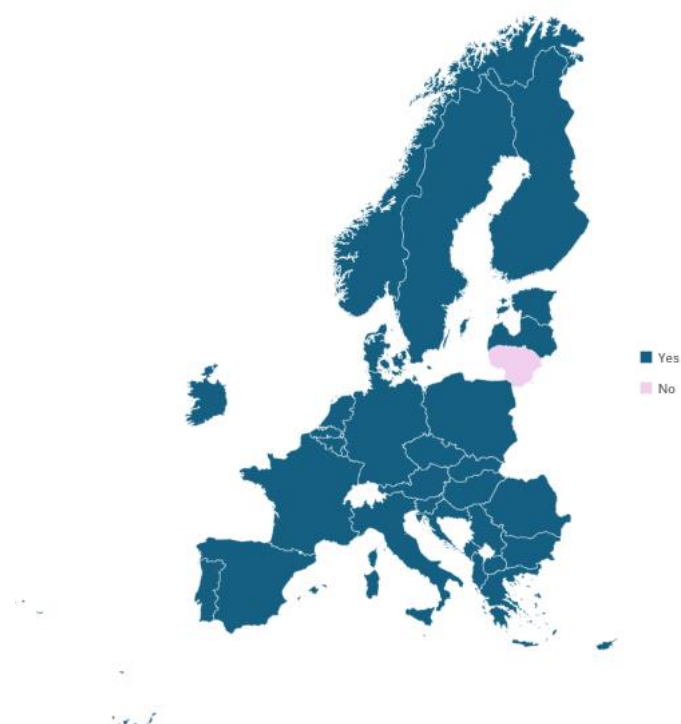
Failure to comply with the obligation to provide information, despite being requested to do so by the NRA, constitutes a violation in all jurisdictions. This results in the imposition of sanctions in all jurisdictions.

In BE(FR), while the imposition of a sanction is not explicitly mentioned, a provider's refusal could be considered a violation of the Decree and therefore the basis for an administrative sanction under Art. 9.2.2-1, §1 of the Decree on audiovisual media services and video-sharing services.²⁸

²⁷ [Lista predstavnika NVO za člana/icu Radnog tijela za EMFA i DSA.](#)

²⁸ [Décret relatif aux services de médias audiovisuels et aux services de partage de vidéos](#), 4 février 2021. (Decree on audiovisual media services and video-sharing services - 4 February 2021)

Figure 3. Power to impose sanctions for not complying with information requirements

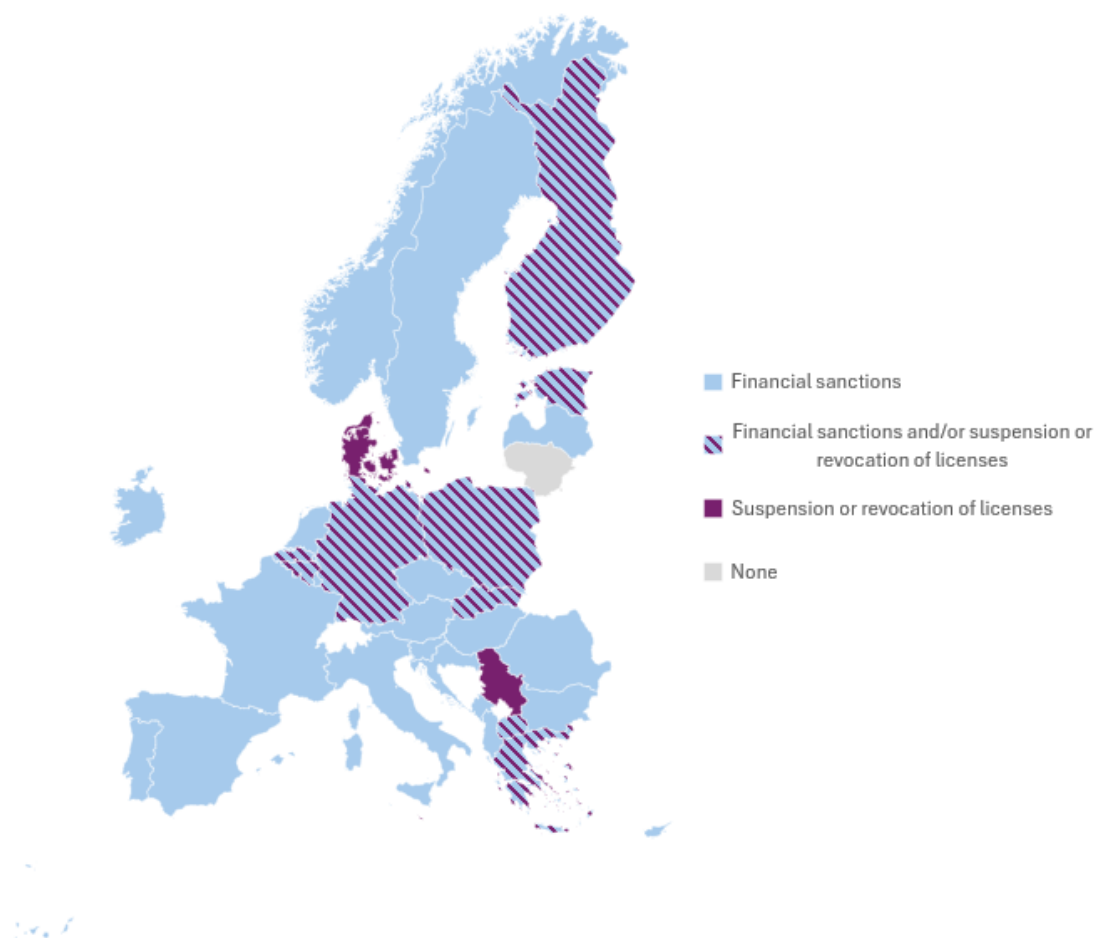


In 30 jurisdictions (AT, BE(DE), BE (FR), BE (VL), BG, CY, CZ, DE, EE, ES, FI, FR, GR, HR, HU, IE, IT, LU, LV, NL, PL, PT, RO, SE, SI, SK, NO, AL, ME, MK), sanctions can be of a financial nature.

In 13 jurisdictions (BE(DE), BE (FR), BE (VL), DE, DK, EE, FI, GR, MT, PL, SK, MK, RS), sanctions can consist of the suspension or revocation of licences.

Both financial sanctions and/or the suspension or revocation of licences may be applied in ten jurisdictions (BE(DE), BE(FR), BE (VL), DE, EE, FI, GR, PL, SK, MK).

Figure 4. Types of sanctions imposable for non-compliance



5.3.2. Carrying out or requesting judicially authorised inspections of premises and books

The inspection of premises and books by media NRAs forms part of their regulatory enforcement powers designed to ensure compliance with audiovisual media laws. Article 51(1)(b) DSA grants the authority the power to conduct inspections or to request a judicial authority within its member state to order inspections, of any premises used by providers or relevant persons for their trade, business, craft, or profession. This includes the ability to involve other public authorities to examine, seize, copy or obtain information in any form, regardless of the storage medium, related to suspected infringements.

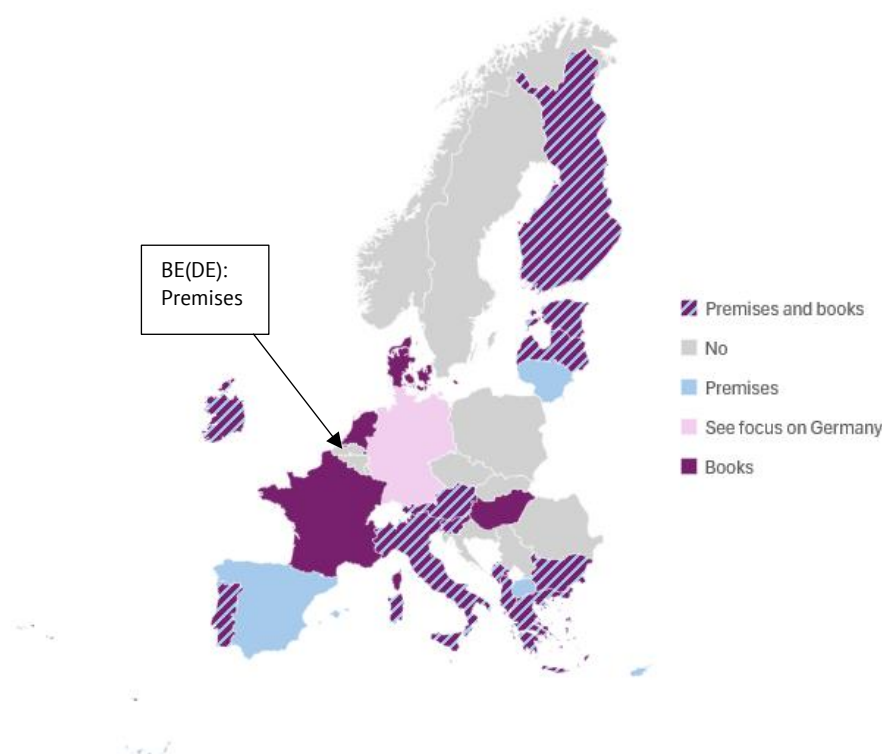
12 jurisdictions (AT, BG, EE, FI, GR, IE, IT, PT, SI, AL, ME) allow NRAs to carry out or request a judicial authority to order or authorise inspections of the premises and the books of AVMS providers under their jurisdiction.

Five jurisdictions (DK, FR, HU, MT, NL) allow NRAs to carry out or request a judicial authority to order or authorise inspections of the books of AVMS providers under their jurisdiction.

Five jurisdictions (BE(DE), CY, ES, LT, MK) allow NRAs to carry out or request a judicial authority to order or authorise inspections of the premises of AVMS providers under their jurisdiction.

On the other hand, 11 jurisdictions (BE(FR), BE (VL), CZ, HR, LU, PL, RO, SE, SK, NO, RS) do not provide for the inspection of premises or books.

Figure 5. Power to inspect premises and books



5.3.3. Issuing warnings, ordering the cessation of infringements or requiring compliance

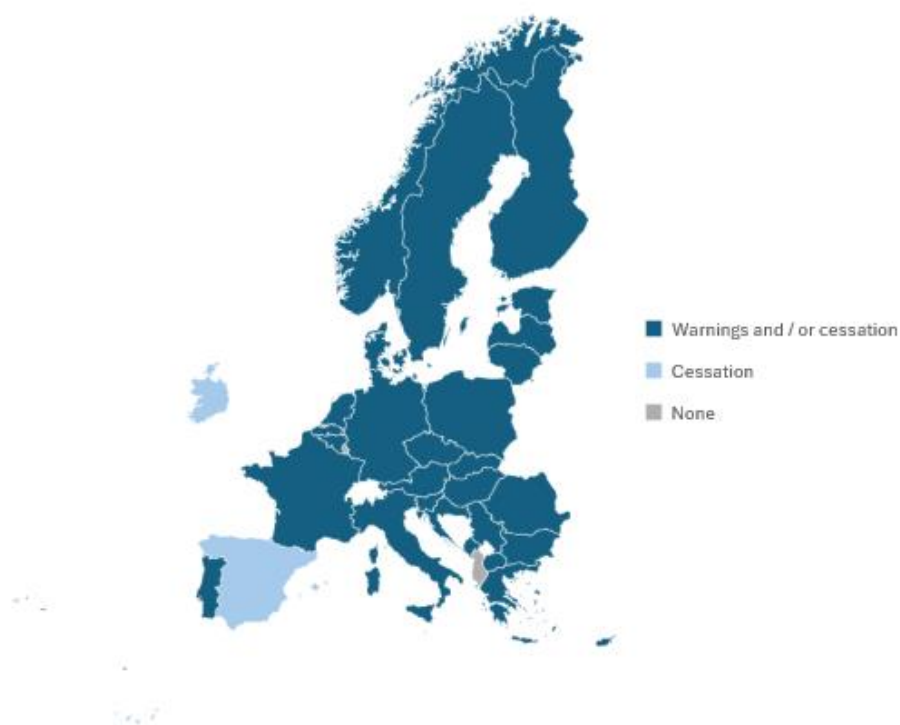
Generally, if an NRA identifies a violation by a service provider under its jurisdiction, it may use a graduated enforcement toolbox to require compliance with national law.

In 30 jurisdictions (AT, BE(DE), BE (FR), BE (VL), BG, CY, CZ, DE, DK, EE, FI, FR, GR, HR, HU, IT, LT, LV, MT, NL, PL, PT, RO, SE, SI, SK, NO, ME, MK, RS), NRAs can issue formal warnings or order the cessation of an infringement before imposing financial penalties.

In Ireland, the Broadcasting Act 2009 (as amended) does not provide for formal warnings but empowers the NRA to order the cessation of infringements directly or via the High Court if necessary. Where there is ongoing or serious harm, the NRA may immediately require providers to take corrective actions and specify steps and deadlines to end contraventions, including the removal of harmful content or restricting access. Similarly, in Spain, the NRA may only issue decisions (called requirements) ordering audiovisual service providers to cease behaviours that may be contrary to specific regulations.

Albania does not formally provide for this, although the NRA has already addressed public warnings to AVMS providers.²⁹

Figure 6. Power to issue warnings or to order cessation



5.3.4. Imposing or requesting the imposition of fines, periodic penalties or other measures

The majority of NRAs can impose administrative fines directly. However, some jurisdictions may (in certain circumstances) also need to refer cases to other competent judicial authorities to impose a fine.

30 jurisdictions (AT, BE(DE), BE (FR), BE (VL), BG, CY, CZ, DE, EE, ES, FR, GR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, RO, SE, SI, SK, NO, AL, ME) give NRAs the power to impose financial sanctions *ex officio*, thereby not requiring them to make requests to judicial authorities.

However, four jurisdictions (DK, FI, MK, RS) do not themselves have the power to impose financial sanctions and must request other competent authorities to do so.

In Denmark, the NRA can refer cases to competent authorities, including judicial bodies or the police, which may then impose financial sanctions under Danish law. In Finland, the fine is determined by the Market Court based on a proposal from authorities,

²⁹ Example of a recent [case](#) where the NRA issued a public warning for AVMS providers not to broadcast the video footage of the murder of a 14-year old boy in Tirana, Albania.

and the amount is paid to the state.³⁰ In North Macedonia, the fines envisaged in Article 30 of the Law on Media are imposed by the competent court, in response to a misdemeanour procedure initiated by the authority.³¹ In Serbia, the NRA must request either the Commercial Court or the Misdemeanour Court to impose a fine.³²

It should also be noted that in two other EU jurisdictions (FR and SE), while the NRAs generally have the power to act on their own, they may in certain circumstances also need to refer cases to other competent judicial authorities to impose a fine.

In France, the President of the NRA can apply to the courts for urgent orders if audiovisual media services breach national or EU obligations, especially regarding fundamental principles like dignity, pluralism or the protection of minors. The judge can order the cessation of broadcasts, particularly if the service is controlled by a foreign state and threatens national interests, such as by spreading disinformation. These judicial applications are reviewed by the President of the Litigation Section of the Council of State, who can issue immediately enforceable orders and interim measures.³³

In Sweden, anyone who does not comply with some of the provisions and conditions set out in the Radio and Television Act may be required to pay a “special fee”, as opposed to a fine. The Administrative Court will examine questions concerning the imposition of such a special fee at the request of the Radio and Television Review Board.³⁴

³⁰ [Laki sähköisen viestinnän palveluista](#) (917/2014) (Act on Electronic Communications Services), s. 334.

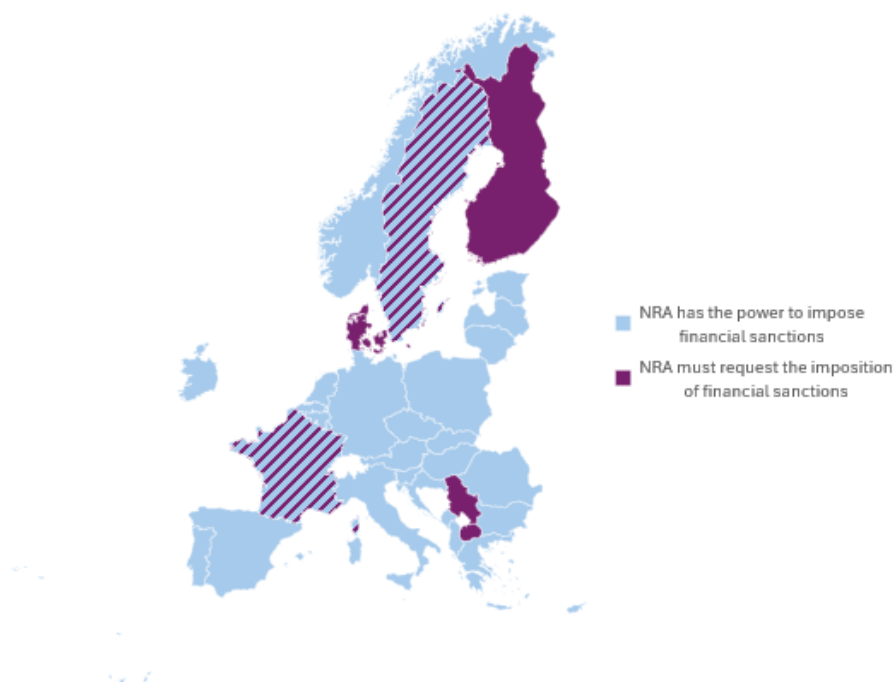
³¹ [Закон за медиуми](#) (Law on the Media)

³² [Закон о електронским медијума](#) бр. 92/2023, 51/2025 ([Law on Electronic Media](#) No. 92/2023, 51/2025, Articles 123- 125.

³³ [Loi n° 86-1067 du 30 septembre 1986 relative à la liberté de communication](#) (Act No. 86-1067 of 30 September 1986 on freedom of communication), Article 42-10.

³⁴ [Radio- och tv-lag](#) (2010:696) (Radio and Television Act), Chapter 17, Section 5.

Figure 7. Power for NRAs to impose or to request the imposition of financial sanctions

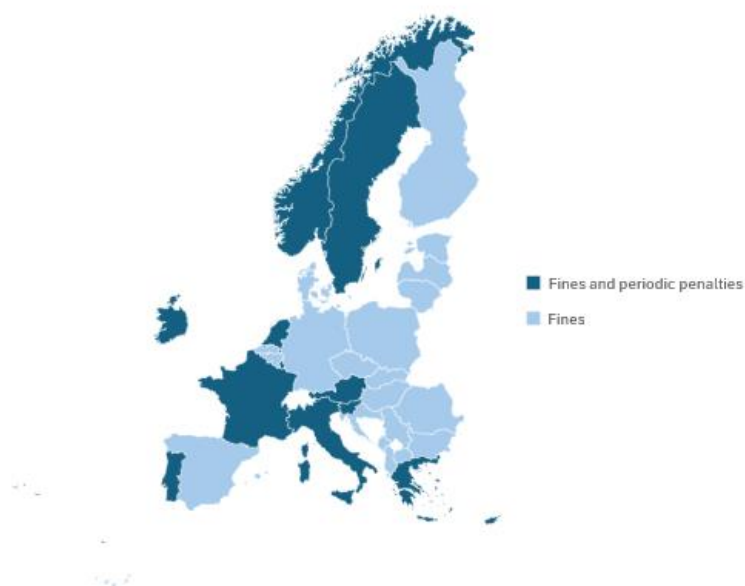


Financial sanctions imposed by media NRAs in Europe can take different forms depending on the jurisdiction, including fines and periodic penalty payments.

22 jurisdictions (BE(DE), BE(FR), BE(VL), BG, CZ, DE, DK, EE, ES, FI, HR, HU, LT, LV, MT, PL, RO, SK, AL, ME, MK, RS) allow for the imposition of fines only.

In contrast, 11 jurisdictions (AT, CY, FR, GR, IE, IT, LU, NL, PT, SE, SI, NO) allow NRAs to impose fines and/or periodic penalty payments. Periodic penalty payments are recurring financial penalties designed to incentivise ongoing compliance by continuing to sanction non-conformity over time until corrective measures are adopted. This dual possibility offers jurisdictions greater flexibility in enforcement strategies.

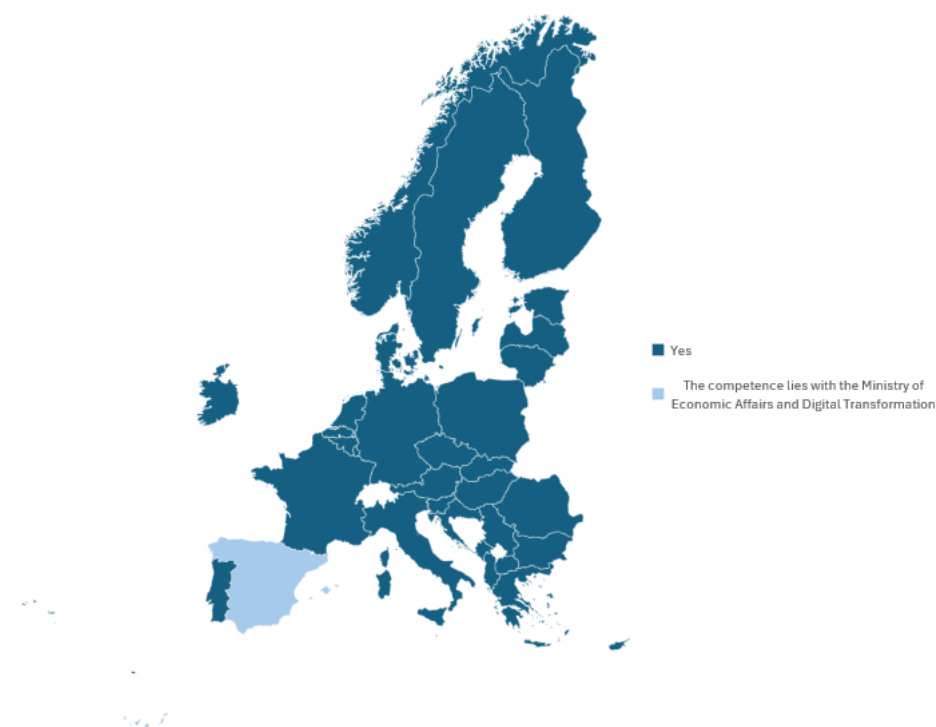
Figure 8. Types of financial sanctions



5.3.5. Requesting the suspension or termination of services

NRAs may suspend or revoke broadcast licences or authorisations, often in the case of serious or repeated breaches, especially following serious infringements of rules on the protection of minors. The power to do so is given to all NRAs but Spain, where such powers are vested in the Ministry of Economic Affairs and Digital Transformation.

Figure 9. Power to request the suspension or termination of services

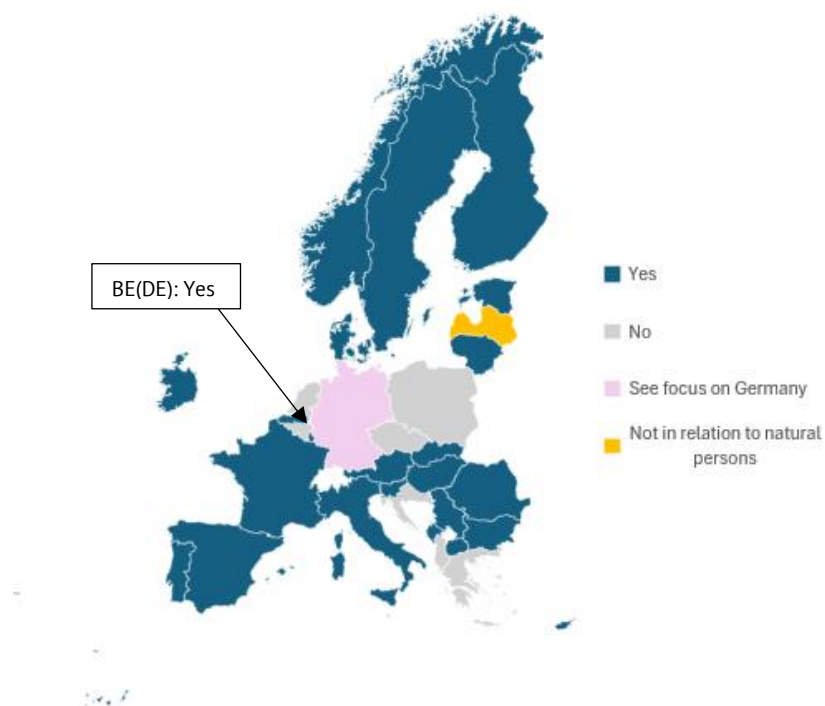


5.3.6. Identifying responsible parties in decisions

NRAs generally have the power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement. While such transparency may enhance accountability and legal certainty, data protection or trade secrets are also considered in the identification process.

24 of the NRAs under review (AT, BE(DE), BE (VL), BG, CY, DK, EE, ES, FI, FR, IE, IT, LT, LU, LV, MT, PT, RO, SE, SI, SK, NO, ME, RS) identify the parties involved in cases in their decisions, notwithstanding data protection and protection of business secret rules. For instance, it should be noted that in Latvia, the NEPLP does not publish decisions regarding natural persons, in accordance with data protection regulations.

Figure 10. Identification of parties in NRA decisions



6. Financial autonomy

According to Article 30(4) AVMSD, EU member states must ensure that national regulatory authorities or bodies are provided with sufficient financial resources to perform their duties effectively and to participate in the work of ERGA, now the European Board for Media Services (EBMS).

As the scope of responsibilities expands and the media environment becomes increasingly complex, securing adequate and sustainable funding is vital. Differences between jurisdictions in the types of resources and budgetary procedures reflect their respective constitutional, legal, and cultural contexts. Transparency and predictability are also key safeguards that enable NRAs to meet evolving demands and adjust when required.

Audit mechanisms should serve as an additional guarantee of sound financial management.

6.1. Sources of income

NRAs are most often funded through a combination of multiple financial resources. The main sources of funding identified are the state budget and various fees such as licence fees paid by the broadcasters to be able to carry out their operations or supervision fees aimed at covering the costs incurred by supervisory activities, although other sources of funding may be envisaged in certain cases.

6.1.1. Types of sources

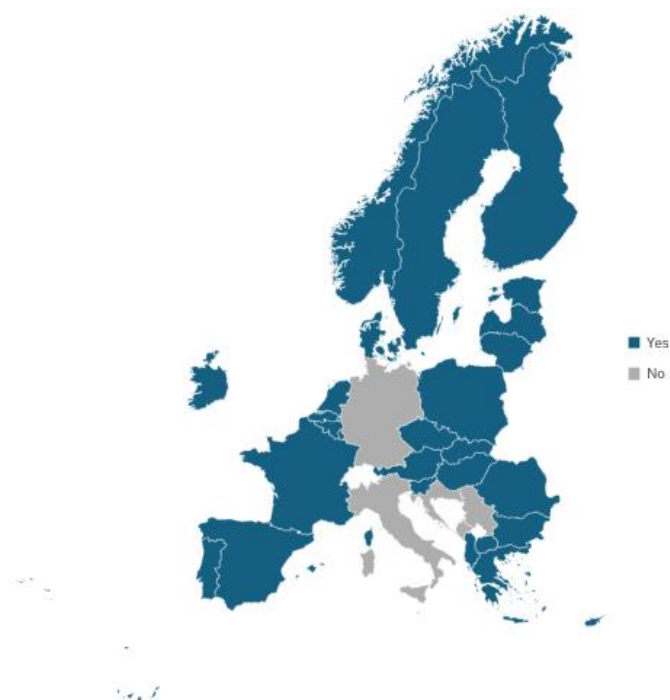
The state budget remains an important source of funding across Europe. 30 NRAs (AT, BE(DE), BE(FR), BE (VL), BG, CY, CZ, DK, EE, ES, FI, FR, GR, HU, IE, LT, LU, LV, MT, NL, PL, PT, RO, SE, SI, SK, NO, AL, MK) are funded on this basis, with only 5 jurisdictions (DE, HR, IE, ME, RS) not relying on the state budget at all. In the case of Italy, possible state funding is mentioned in the law, but Agcom currently does not receive any funding from the state.

In the case of Ireland, between March 2023 and April 2024, the first year in which the new NRA operated, it was directly funded by the Central Exchequer.³⁵ Since, the NRA is principally funded by levies imposed on the media service providers (Section 21 (1), (4) and (5), Broadcasting Act) but also receives funding from the Exchequer for media development activities and to support functions not currently falling under the levy system. Specific details on how the levies are applied are contained in annually updated statutory instruments.³⁶

³⁵ In Ireland, all tax payments and other revenues received by the State are paid into a central fund, called "the Exchequer", the Irish central government's main treasury account.

³⁶ [Broadcasting Act 2009](#) (as amended), Sections 23 and 24.

Figure 11. State budget



Although less predominant, the fees paid by audiovisual media service providers under the jurisdiction of the NRAs also play a significant role in the funding systems of the European NRAs.

23 jurisdictions (AT, BE(DE), BE(VL), BG, CY, DE, GR, HR, HU, IE, IT, LT, LU, MT, NL, PT, SE, SI, NO, AL, ME, MK, RS) rely on a variety of fees for the operation of the NRA.

In 11 cases (BE (FR), CZ, DK, EE, ES, FI, FR, LV, PL, RO, SK) there are no such fees for funding.

Figure 12. Fees



6.1.2. Balance between public and private resources

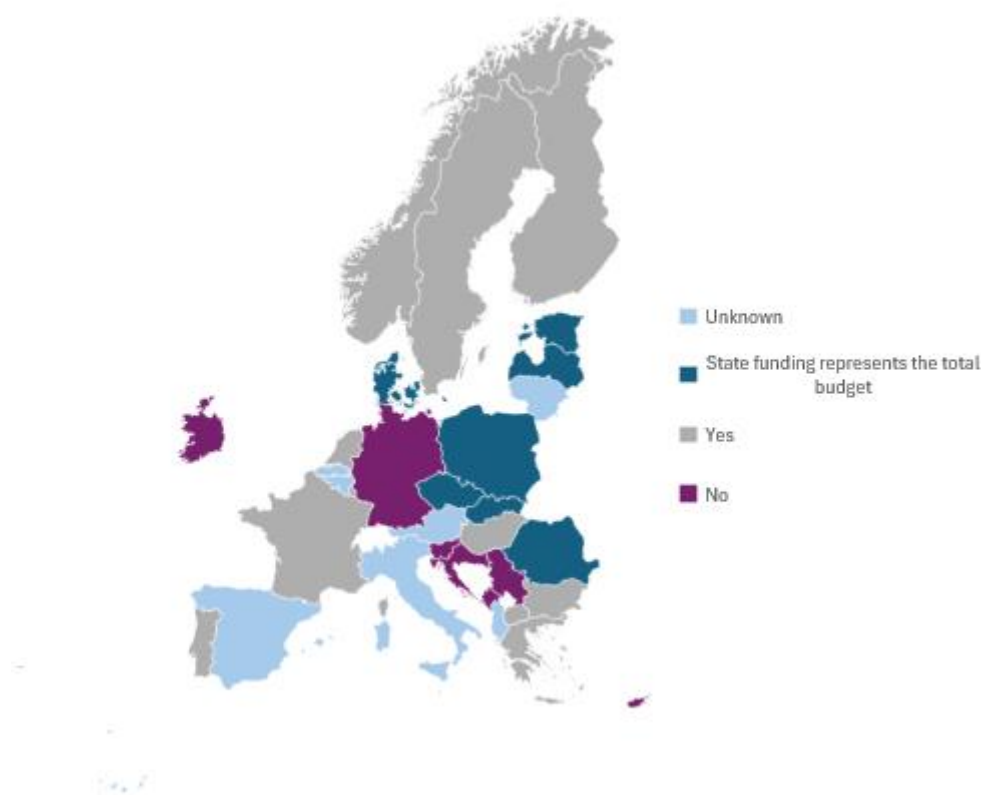
With state funding and fees paid by media service providers representing the main sources of funding for NRAs, it is interesting to see how balances are struck. However, the applicable legal framework does not necessarily address the proportion of state funding and fees, resulting in a discrepancy in the availability of this information.

It is nevertheless interesting to note that in seven jurisdictions (CZ, DK, EE, LV, PL, RO, SK) state funding is the only source of income and therefore represents the total amount of NRA budgets.

Overall, state funding remains predominant across Europe, even where it is combined with other sources of income such as fees (13 jurisdictions: BG, CY, FI, FR, GR, HU, LU, MT, NL, PT, SE, NO, MK).

The map below shows where state funding is proportionately higher than fees, where information is available.

Figure 13. Dominance of state funding



6.1.3. Adoption procedures

Procedures for adopting budgets vary significantly from one jurisdiction to another. However, main trends can be identified in terms of the timing of budgets and the actors involved in their adoption and their respective roles.

According to Article 30(4) AVMSD, all NRAs are provided with an annual budget. A minority of jurisdictions (seven in all: AT, BE(FR), HR, LT, LU, NL, RO), however, also provide for the adoption of multi-annual budgets. Such multi-annual budgets or strategies generally consist of estimates for the following years.

Depending on the specifics of each jurisdiction, various actors may be involved in adopting the budget. These are generally the government, parliament and the NRA itself. They can be involved together, but there are also cases where only a single actor adopts the budget (either the NRA or the government).

Adoption of the budget by the NRA alone occurs in five jurisdictions (FR, IE, IT, MT, PT).

The government is the only body to be involved in the adoption of budgets in two jurisdictions: Finland and North Macedonia. In Finland, the budget is decided by the Ministry of Transport and Communications and the government as a whole. In North Macedonia, the

government decided on the formula for determining the fees to be paid to the NRA when amending the Law on Audio and Audiovisual Media Services³⁷ in 2023.

The government and the NRA may also collaborate to set a budget. This is the case in five jurisdictions (BE(FR), BE(VL), ES, HR, NL, SI).

In other cases, both the government and parliament may be involved in determining the NRA's budget (four jurisdictions: CY, DK, EE, SE).

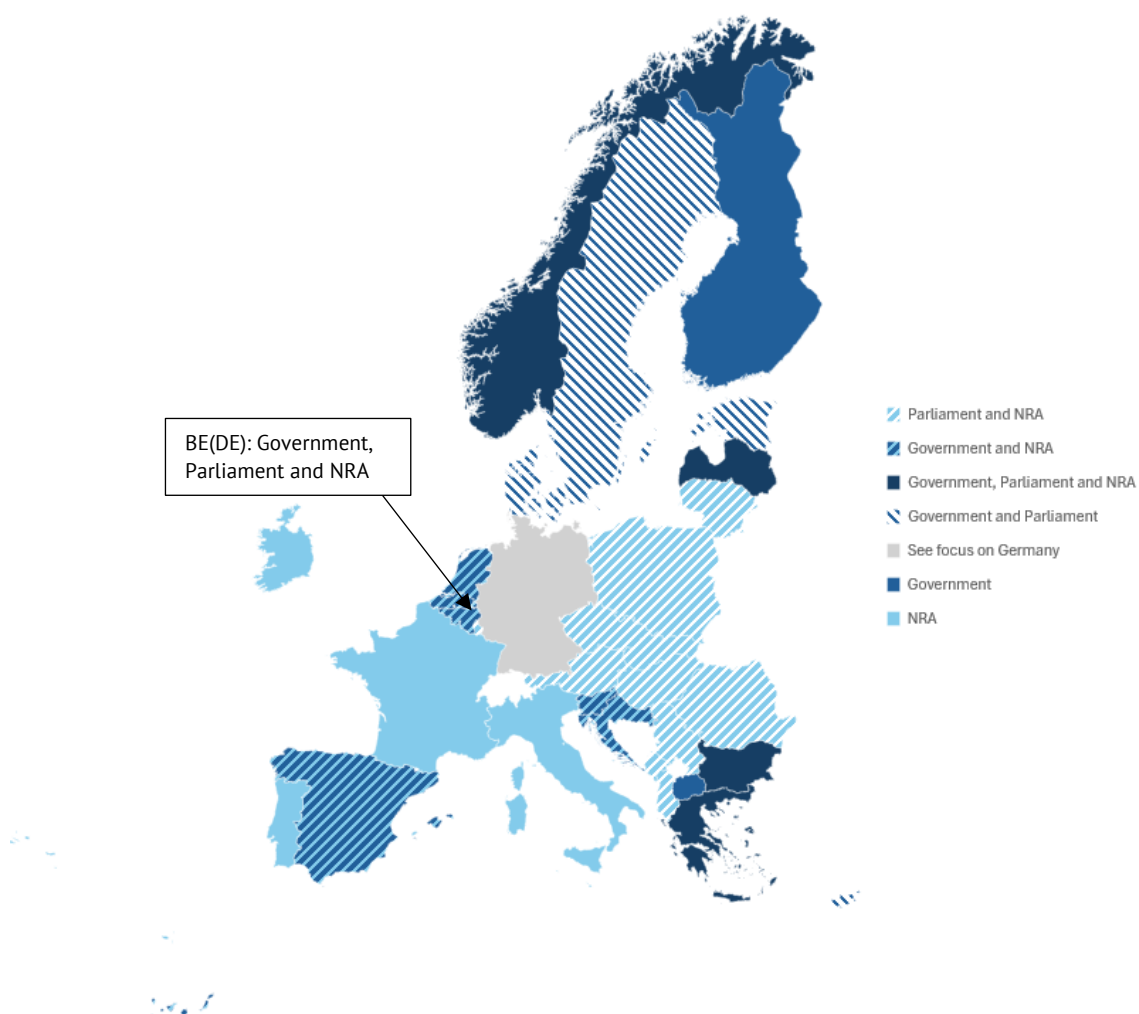
In most cases, however, parliament and the NRA are both involved in the adoption procedure. This is the case in 11 jurisdictions (AT, CZ, HU, LT, LU, PL, RO, SK, AL, ME, RS).

Finally, in five jurisdictions (BE(DE), BG, GR, LV, NO) all three (the government, parliament and NRA) are involved in the process.

In Germany, the federal state parliaments set the broadcasting fee on the basis of a proposal by the Commission for the Determination of the Financial Needs of Broadcasting Corporations (*Kommission zur Ermittlung des Finanzbedarfs der Rundfunkanstalten* - KEF).

³⁷ [Закон за аудио и аудиовизуелни медиумски услуги](#) (Law on Audio and Audiovisual Media Services).

Figure 14. Actors involved in the adoption of the budget



In most cases, more than one actor is usually involved in the adoption of the budget, and the role played by each of them may vary. Typically, one entity prepares or submits the draft budget, while another has the authority to approve or adopt it. The division of responsibilities is also a way of ensuring the principle of checks and balances. The table below illustrates how these tasks are distributed among the different actors across the jurisdictions examined.

Table 4. Role of the actors involved in the adoption process

Jurisdiction	Submitter	Validator	Jurisdiction	Submitter	Validator
AT	NRA	Parliament	LT	NRA	Parliament
BE (DE)	NRA	The NRA's proposal is submitted to Parliament via the government	LU	NRA	Parliament

Jurisdiction	Submitter	Validator	Jurisdiction	Submitter	Validator
BE (FR)	No mention of a procedure	No mention of a procedure	LV	Government in coordination with the NRA	Approved by government and examined and adopted by Parliament
BE (VL)	NRA (within the parameters set by government)	NRA	MT	NRA	NRA
BG	NRA	The NRA's proposal is submitted to Parliament via the government.	NL	NRA	Government
CY	NRA	Parliament and government	NO	NRA	Government decides on a proposal and the final appropriation is decided by Parliament
CZ	Parliament	NRA	PL	NRA	Parliament
DE	Commission for the Determination of the Financial Needs of Broadcasting Corporations (<i>Kommission zur Ermittlung des Finanzbedarfs der Rundfunkanstalten - KEF</i>).	Parliament	PT	NRA	NRA
DK	Government	Parliament	RO	NRA	Parliament
EE	Government	Parliament	SE	Government	Parliament
ES	NRA	Government	SI	NRA	Government
FI	Government	Government	SK	NRA	Parliament
FR	NRA	NRA ³⁸	AL	NRA	Parliament
GR	NRA	The NRA's proposal is submitted to Parliament and the Government approves it.	ME	NRA	Parliament
HR	NRA	Government	MK	Government	Government
HU	NRA	Parliament	RS	NRA	Parliament

³⁸ The amount of the NRA's budget is set by the annual finance law, which allocates an operating grant to the institution each year.

Jurisdiction	Submitter	Validator	Jurisdiction	Submitter	Validator
IE	NRA	NRA (under scrutiny of government and auditor-general)			
IT	NRA	NRA			

6.2. Budget forecasting and adjustment procedures

Budget forecasting helps ensure adequate and sustainable funding, enabling NRAs to manage their activities effectively and achieve their objectives.

Adjustment procedures also allow NRAs to adapt quickly and smoothly in response to changes in their remit. These procedures maintain operational flexibility, enabling the NRA to respond to new challenges, shifting priorities or unforeseen events without compromising its regulatory functions.

6.2.1. Adequacy of the budget with powers and tasks

Ensuring the adequacy of NRAs' budgets with their powers and tasks is essential to allow for proper and long-term efficiency. However, this information-gathering exercise has revealed that explicit statutory guarantees for such a procedure are very seldom provided. In North Macedonia, for example, the NRA has an internal financial management and control system, under which users of public funds are responsible for ensuring that the system functions properly. Risk management provides reasonable assurance that all budgetary and other resources are used correctly, ethically, economically, efficiently and effectively to achieve budget objectives.³⁹

Although there are generally no specific procedures to ensure budget adequacy, in many cases, the NRA itself is involved in the adoption process, thereby retaining some control over the budget and determining its own annual course of action. This is notably the case when the NRA is the sole decision-maker. However, in most cases where the NRA is involved, it only has the power to propose and submit a draft budget. While this enables the NRA to influence the process, it does not guarantee the decision that will be made by the government or parliament. Moreover, in many instances, funding is determined as part of the national budget and therefore depends on the state of the economy.

Although there is no specific procedure to ensure the budget is adequate, the possibility of reviewing the budget at least once a year and adjusting it in response to

³⁹ [ЗАКОН о буџетском систему \(Law on the Budget System\)](#)), and [Правилник о заједничким критеријумима и стандардима за успостављање, функционисање и извештавање о систему финансијског управљања и контроле у јавном сектору](#), број 89 од 18. децембра 2019 (Regulation on common criteria and standards for the establishment, functioning and reporting on the financial management and control system in the public sector), Number 89/2019-173.

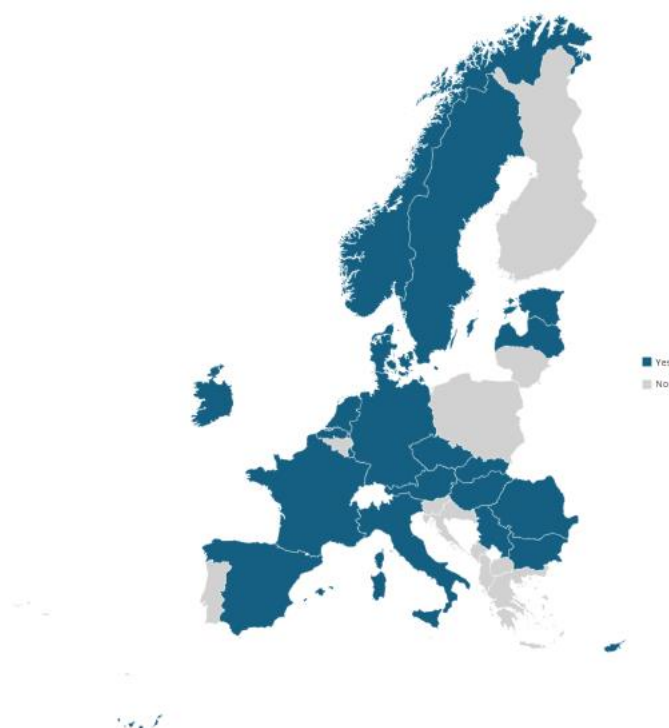
changes in circumstances can help ensure the budget is adequate and the NRA's mission is sustainable, even though this is essentially an *a posteriori* exercise.

6.2.2. Review of amounts before the end of the period

21 jurisdictions (AT, BE(VL), BG, CY, CZ, DE, DK, EE, ES, FR, HU, IE, IT, LU, LV, NL, RO, SE, SK, NO, RS) provide for the possibility of reviewing the budget before the end of the period for which it was allocated.

In 12 cases (BE(FR), FI, GR, HR, LT, MT, PL, PT, SI, AL, ME, MK) national legislation does not specify the possibility of review. However, it appears that budget reviews are possible in practice in some of them (BE(FR), PT, GR, AL).⁴⁰

Figure 15. Possibility of reviewing the budget



6.3. Audit and accountability procedures

Financial audit procedures make it possible to ensure accountability and transparency in relation to the budget. Financial audit procedures exist in all jurisdictions but Greece.

⁴⁰ In the French-speaking community of Belgium, the agreement between the CSA and the government could be reviewed before the end if both parties agree. In Portugal, although this is not specifically addressed in law, the 2023 Activity and Financial Report stated that a set amount had been released. In Greece, if the chairperson of the NRA considers that there is a need to increase the budget, he/she can make a request to the Minister of Economy and Finance. Finally in Albania, although it is not provided for, NRA [decisions](#) review the annual budget and refer to Article 19(13) of the Law on Audiovisual Media as a legal basis.

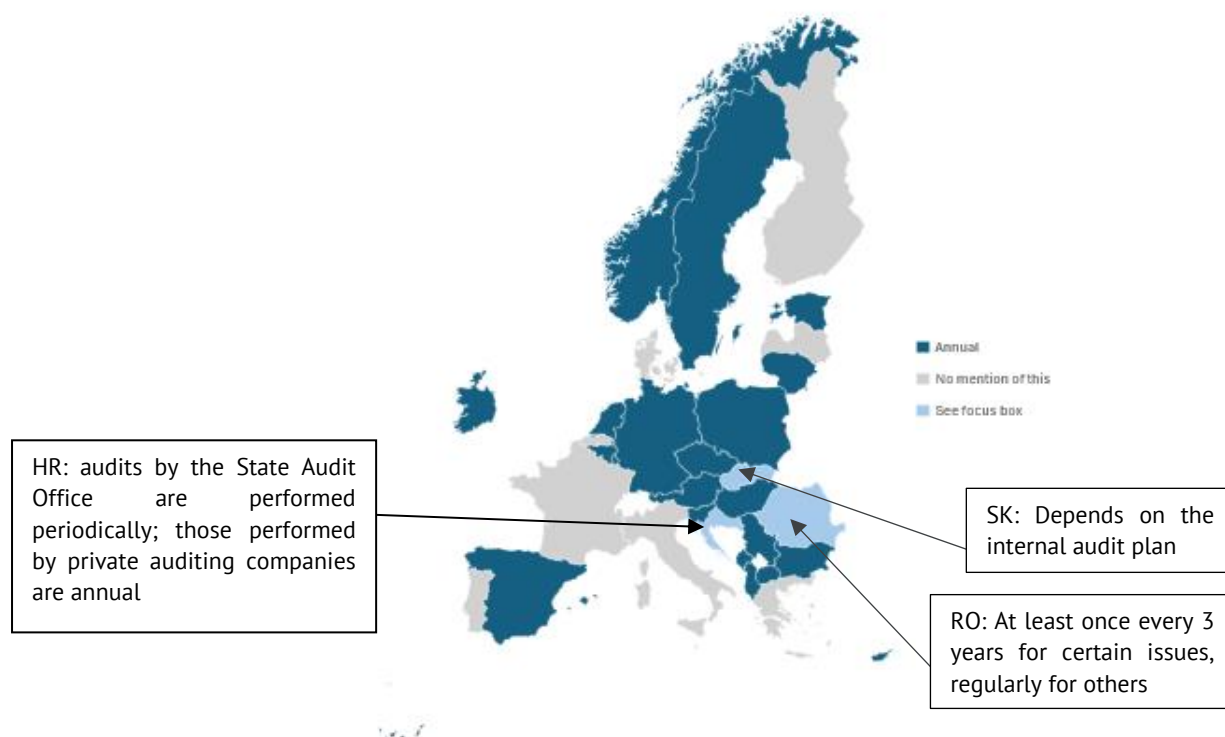
Figure 16. Existence of financial audit procedures



Most audits are performed annually, in line with the budget cycle. This is the case in 21 jurisdictions (AT, BE(FR), BG, CY, DE, EE, ES, HU, IE, LT, LU, MT, NL, PL, SE, SI, NO, AL, ME, MK, RS). However, there is no mention of the recurrence of audits in eight cases (BE(VL), DK, FI, FR, HR, IT, LV, PT).

In Romania, audits are performed at least once every three years for certain issues and regularly for others. In Slovakia, this depends on the internal audit plan. In Croatia, the audits by the State Audit Office are performed periodically (the last one was in 2018); the audits performed by private auditing companies are done annually, via public procurement)

Figure 17. Recurrence of audits



7. Operational independence

Operational independence is a key factor in the broader independence of NRAs across Europe, as it directly affects those making decisions and providing direction to the NRAs. The rules on the appointment and dismissal of an NRA's chairperson and board members are two key elements of an independent regulator. This section will examine both aspects, and address the results found for the chairperson and the board members in parallel.

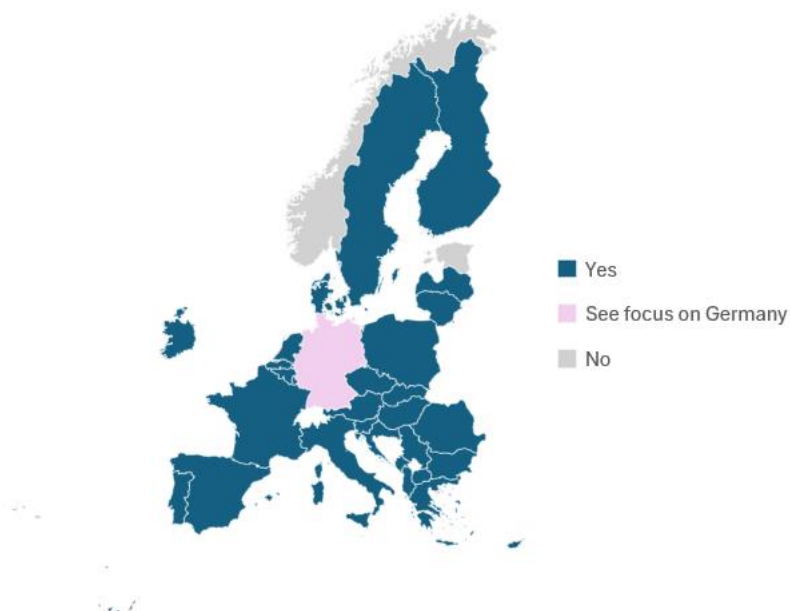
7.1. Appointment

Based on Article 30(5) AVMSD, EU member states must lay down in their national law the conditions and procedures for the appointment and dismissal of the heads of national regulatory authorities and bodies or the members of the collegial body fulfilling that function, including the duration of the mandate. The procedures must be transparent and non-discriminatory and guarantee the requisite degree of independence.

7.1.1. General information

Most NRAs are organised under the same structure: a chairperson and a board. Only two jurisdictions differ (EE, NO). The Norwegian and Estonian NRAs are led by a chairperson but do not have a board.

Figure 18. Existence of a chairperson and a board



7.1.2. Procedure

A variety of actors may be involved in appointment decisions for members of NRAs. In most cases, these include the government, the parliament, and the NRA itself, but in some

systems other public bodies or independent committees can also play a role. Of interest are also the different combinations and sequences in which each one intervenes in the process. One body can nominate candidates while another formally appoints them. It is particularly important to highlight this diversity of arrangements as it illustrates the range of safeguards or risks to independence and is reflected in the different patterns shown in the maps below. In addition, these patterns are not always symmetric between the two positions (chairperson and board member), leading here too to different constellations of power and influence across jurisdictions.

Several cases also illustrate that a single institutional body controls the appointment of either the chairperson or board members. For instance, the government alone decides on the appointment of the chairperson in 12 cases (BE(DE), BE(FR), BE(VL), CY, DK, ES, FI, IE, LU, MT, SE NO) and is solely responsible for appointing board members in nine cases (BE(DE), BE(VL), CY, ES, IE, LU, MT, SE, SI).

The parliament is the only decision-making body with regard to the appointment of the chairperson in three jurisdictions (LT, RO, AL) and of board members in eight jurisdictions (CZ, HU, IT, LV, SK, AL, ME, MK).

The NRA itself directly appoints the chairperson in nine jurisdictions (BG, CZ, LV, PL, SI, SK, ME, MK, RS) while it is the only decision-maker for the appointment of board members in only one jurisdiction (Finland). This highlights a marked imbalance with the NRA directly involved much more frequently for chairpersons than for wider collegiate bodies.

Combinations also occur, such as joint appointments by government and the NRA for the chairperson in two jurisdictions (EE, NL) and board members in one jurisdiction (NL).

The government and parliament are both involved in the appointment of the chairperson in two jurisdictions (GR, HR) and of board members in three cases (BE(FR), GR, HR).

The parliament and the NRA cooperate for the appointment of both the chairperson and board members in one jurisdiction (PT).

In certain cases, other parties may be involved in the process. This is notably the case for the appointment of the chairperson in four jurisdictions (AT, FR HU, IT), where the head of state is ultimately responsible for the appointment.

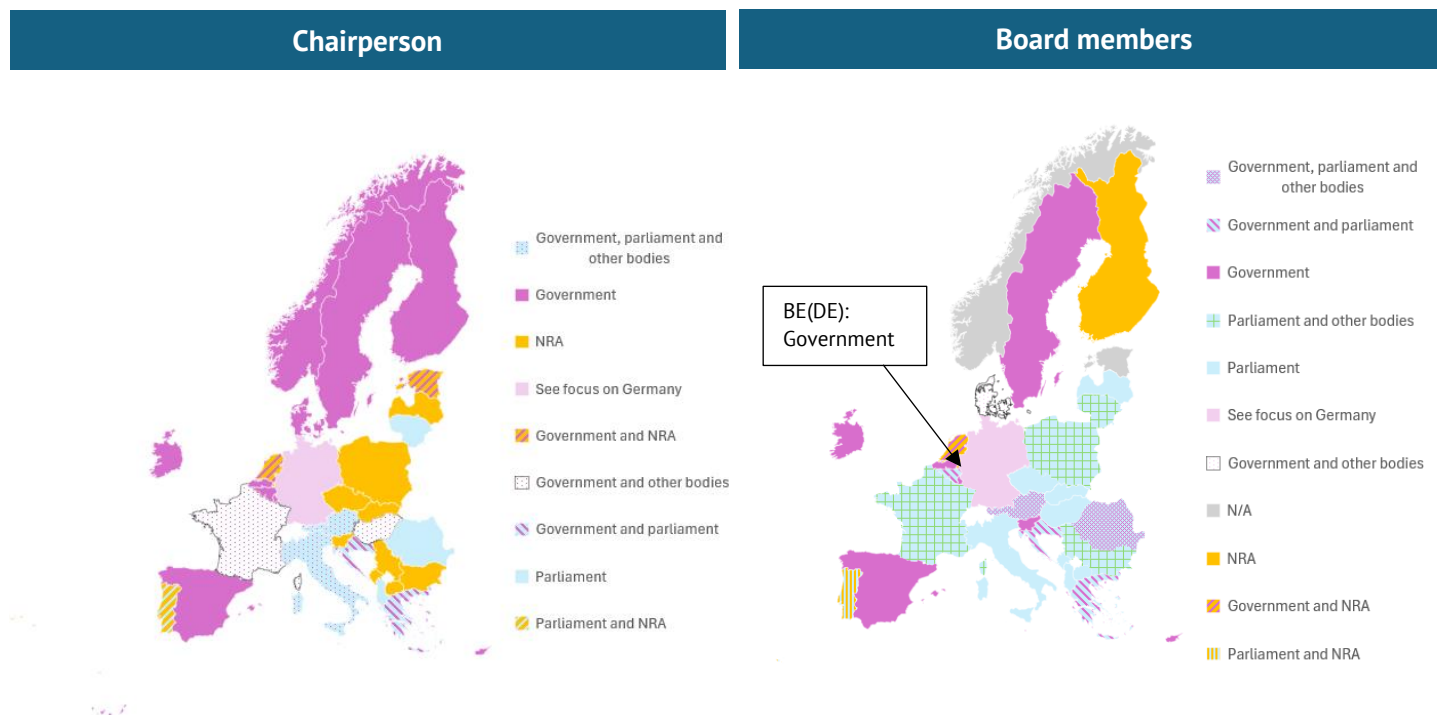
In Austria, the federal government (*Bundesregierung*) proposes candidates for the chairperson to the federal president (*Bundespräsident*), in agreement with the Parliament. In France, the chairperson is appointed by the President of the Republic for the duration of their term as a member of the Authority, after consulting the competent standing committees of the National Assembly and the Senate. The appointment of the president of ARCOM can thus be rejected by the standing committees responsible for cultural affairs in each assembly by a majority of three-fifths of its members. In Hungary, the chairperson is appointed by the President of the Republic based on a nomination from the Prime Minister. Prior to nomination, the Prime Minister consults professional and media organisations for candidate suggestions but is not obliged to adhere to these recommendations when selecting nominees. In Italy, the appointment is made by the President of the Republic upon

proposal of the Prime Minister with a binding opinion of parliamentary committees adopted with a two thirds majority.

For the appointment of board members, the appointment process involves other parties in eight jurisdictions (AT, BG, DK, FR, LT, PL, RO, RS). In Austria, the federal government (*Bundesregierung*) makes proposals to the federal president (*Bundespräsident*), in agreement with the Parliament. The federal president then formally appoints all seven members. In Bulgaria, three members are appointed by the parliament while two others are appointed by the president. In Denmark, the Minister of Culture appoints nine members, including the chairperson and vice-chairperson, the Cooperation Forum for Danish Listener and Viewer Organisations appoints one member, and the Danish Judges' Association appoints one member. The Danish Media Association and the Danish Union of Journalists each nominate two candidates representing practical media expertise, and the Minister of Education, Culture and Science appoints one of the nominated candidates from each of the two nominating parties. In France, the Presidents of the National Assembly and the Senate each appoint three board members. The transformation of the CSA into ARCOM brought two new members to the new institution: a member of the Council of State is appointed by its vice-president and a member of the Court of Cassation is appointed by its first president. In Lithuania, the president appoints two members and the Seimas (Parliament) Committee on Culture three members, one of whom is from the opposition; the Lithuanian Artists' Association appoints three members; the Lithuanian Catholic Bishops' Conference appoints one member, the Lithuanian Journalists' Union appoints one member, and the Lithuanian Journalists' Association. In Poland, the lower chamber of Parliament (*Sejm*) appoints two members, the higher chamber (*Senate*) appoints one and the state President two. In Romania, the board comprises 11 members appointed by Parliament following recommendations from the Senate (three members), the Chamber of Deputies (three members), the President of Romania (two members) and the Government (three members). These recommendations must be forwarded to the standing offices of the two chambers of parliament within 15 days of the commencement of the appointment procedure, in preparation for the candidates' hearing in a joint session. Following the hearing, the relevant standing committees draw up a joint notification, which they then present to a joint session of the Chamber of Deputies and the Senate. In Serbia, board members are elected by the National Assembly (parliament), upon the proposal of authorised nominators, each of whom submits to the board a reasoned proposal for two candidates for Council member.

This analysis excludes EE and NO with regard to board member appointments as the NRAs of these jurisdictions are structured differently and do not have a board.

Figure 19. Actors involved in the appointment process



7.1.3. Criteria

There are many different criteria for appointing a chairperson or board members. They also depend on national and cultural specificities.

25 jurisdictions (AT, BE(DE), BE(FR), BG, CY, CZ, DK, EE, ES, FR, GR, HR, IT, LT, LV, PL, PT, SE, SI, SK, NO, AL, ME, MK) refer to specific criteria for the appointment of a chairperson, whereas there is no mention of this in law in eight cases (BE(VL), FI, IE, LU, MT, NL, RO, RS). However, in Finland and the Netherlands, criteria are set in the job announcements.

With regard to the appointment of board members, criteria are provided in 25 jurisdictions (AT, BE(DE), BE(FR), BG, CY, CZ, DK, ES, FI, FR, GR, HR, HU, IT, LT, LV, PL, PT, SE, SI, SK, AL, ME, MK, RS). There is no mention of specific criteria in law in seven cases (BE(VL), CZ, IE, LU, MT, NL, RO). Again, this analysis excludes EE and NO as the NRAs of these jurisdictions are structured differently and do not have a board.

Figure 20. Existence of appointment criteria

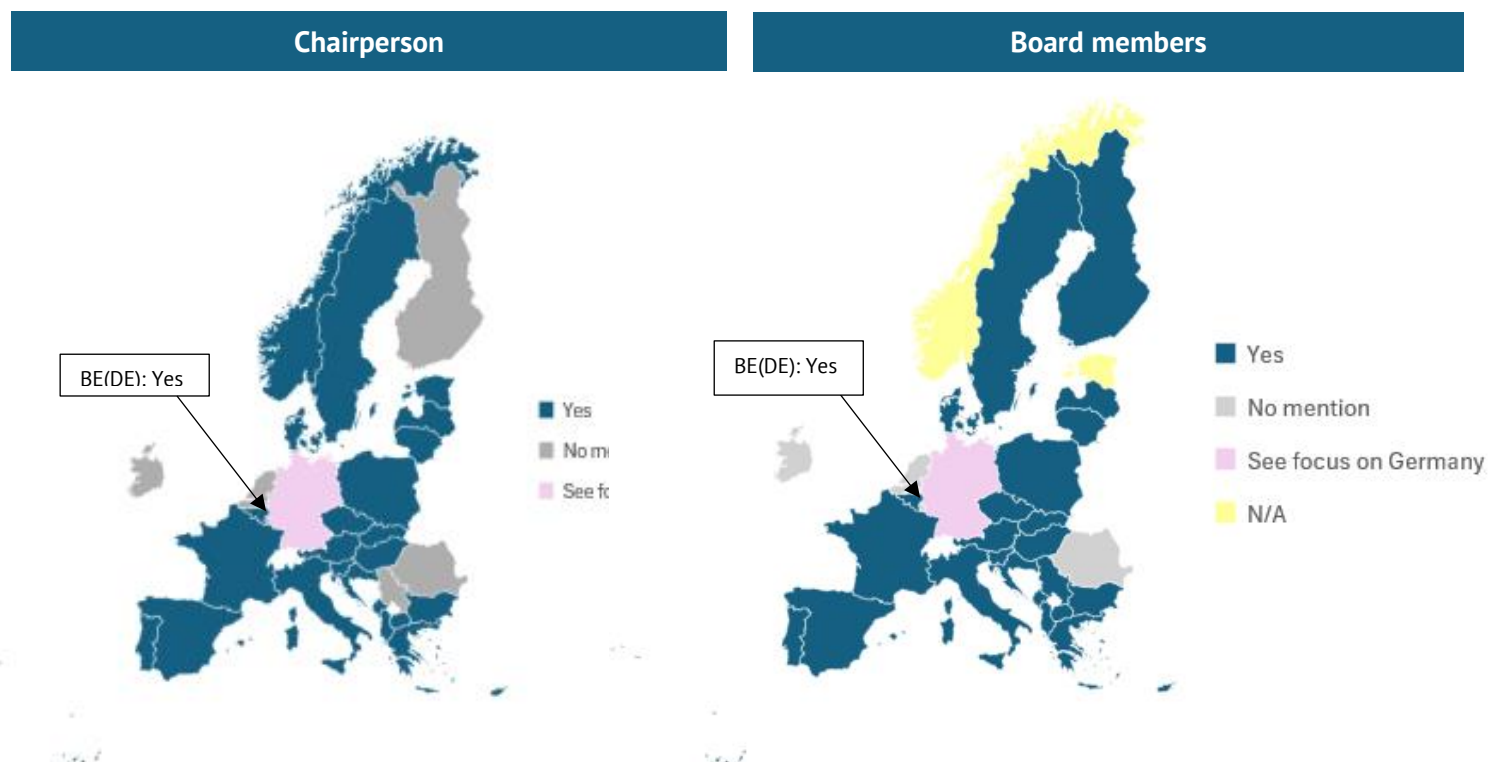


Table 5. Criteria for the appointment of a chairperson, by jurisdiction

Juris.	Criteria	Juris.	Criteria
AT	Members must have completed a law degree course or any degree course of law and political science as well as 5 years of professional legal experience (§3 (1), KOG)	IT	Appointed on the basis of merit, skills and knowledge of the sector, from among persons of recognised standing and professional experience who have expressed and justified their interest in filling these roles and sent their professional CVs.
BE(DE)	Members of the Media Council must have merits, skills, knowledge and experience in the fields of media studies, media law, media economics or media technology, be experts in the field of electronic communications, or hold or have held the office of magistrate in the public prosecutor's office or judge in a court of ordinary jurisdiction or the Council of State. They must be in possession of civil and political rights and be of legal age.	LT	Citizens of the Republic of Lithuania with an impeccable reputation, a university degree, and at least five years' experience in audiovisual policy, public information production or dissemination, or professional or academic experience in the fields of public information, education, culture, science or human rights. Commission members are subject to the same criteria as civil servants set out in the Law on Civil Service of the Republic of Lithuania, on the basis of which a person can be considered to have an impeccable reputation.
BE (FR)	Government must compare qualifications and merits of each candidate, particularly in the fields of law, audiovisual media or communication	LV	A citizen of Latvia who has a declared place of residence in Latvia, has completed higher education, has at least five years' professional or academic experience in the field of mass media, education, culture, science or human rights, has a

Juris.	Criteria	Juris.	Criteria
			good reputation and is entitled under the legal requirements to receive a special permit for access to official secrets.
BG	Bulgarian citizenship, higher education, professional experience in media/law/public administration, no conflict of interest, public esteem and recognition	NO	Recruitment processes for public leadership positions are subject to the principle of merit, whereby the best-qualified candidate must be appointed.
CY	Come from the fields of letters, arts, science or technology, or be individuals with specialised knowledge and recognised experience in matters relating to mass media, and possessing high professional and moral standards	PL	People distinguished by their knowledge and experience in the field of media.
CZ	Members of the Council, including the chairperson must: a) have full legal capacity; b) have permanent residence in the territory of the Czech Republic; c) have reached the age of 25; d) be of good repute.	PT	Persons of recognised reputation, independence and technical and professional competence.
DK	Have legal and economic/administrative competences, media research competences, marketing law expertise and practical media literacy. The chairman must be a lawyer and 1 member of the board must have special knowledge of criminal law	SE	Decisions on government appointments must be based solely on objective grounds, such as merit and ability.
EE	Estonian citizens who meet the requirements for entering service set out in the Public Service Act and the Regulation of the Government of the Republic may apply for senior civil service positions. Candidates must have sufficient management experience, education and foreign language skills, as well as the competences required for the job in accordance with the competency model for senior public service managers in Estonia. Senior public servants must be guided in their work by the Code of Ethics for Public Servants and the values of public service: legality, people-centredness, reliability, competence, impartiality, openness and cooperation. Only applies to the chairperson (no board in Estonia)	SI	Be EU citizens with permanent residence in Slovenia, hold at least a second-cycle university degree (level 8 SQF or equivalent), have a minimum of five years' relevant professional experience, and recognised expertise in at least one field of the authority's remit. They must not have been convicted of a serious criminal offence and are required to submit a declaration of interests.
ES	Recognised prestige and professional competence in the NRA's fields of activity	SK	Any natural person of legal age who has full legal capacity and is of good character may be elected as a member of the Council; for the purposes of this Act, a person who has not been convicted of an intentional criminal offence shall be considered

Juris.	Criteria	Juris.	Criteria
			to be of good character. Good character shall be proven by an extract from the criminal record. For the purpose of proving good character, a natural person shall provide the data necessary to request an extract from the criminal record; in the case of a foreigner, an extract from the criminal record or a similar document not older than three months issued by the competent authority of the country of which he or she is a national shall be attached. The National Council shall immediately send the information referred to in the previous sentence in electronic form by electronic communication to the General Prosecutor's Office of the Slovak Republic for the issuance of an extract from the criminal record.
FI	Finnish citizenship (only applies to board members)	AL	Any person who has at least 10 years' work experience in the fields of: media in general; public service audiovisual broadcasting, commercial or non-commercial; production of audiovisual broadcasting content; media technologies; economy, administration and competition rules; issues of development of the Albanian language; issues related to persons with disabilities and other vulnerable groups; art, culture and music; justice, law, public administration; science, environment and technological development; consumer protection; social, educational activities and development of local, public and national communities, which are related to or directly affect the goals of audiovisual activity, as defined in the law.
FR	Members are appointed because of their economic, legal or technical skills or their professional experience in the field of communication, particularly in the audiovisual sector, or electronic communications. Members of the authority may not be appointed beyond the age of sixty-five.	ME	Appointed from among recognised experts in fields relevant to the authority's activities (media, consumer protection, promotion and protection of human rights, freedom of expression, administrative and regulatory affairs). Must be a Montenegrin citizen who has permanent residence in Montenegro, holds at least a level VII1 qualification and has at least ten years' work experience in fields relevant to the NRA's activities.
GR	Persons who are distinguished for their scientific qualification or professional experience or their contribution to public life, especially in areas that are related, directly or indirectly, to the mission and content of the authority's responsibilities	MK	The candidate must have completed higher education and at least eight years' work experience in the field of communication, journalism, IT, culture, economics or law, as well as at least four years' experience in managing an organisation.

Juris.	Criteria	Juris.	Criteria
HR	May be citizens of the Republic of Croatia who have completed a graduate university degree or a specialist graduate professional degree and have professional knowledge, ability and experience in the field of media, journalism, technology, economics, sociology and law. Should be public officials who have distinguished themselves in public life by advocating for respect for democratic principles and the rule of law, the development and improvement of the highest values of the constitutional order of the Republic of Croatia, the development of civil society, the defence of human rights and freedoms and the protection of freedom of expression.	RS	Persons with at least ten years of relevant professional experience, including: - Teaching or scientific research staff from journalism, communication, and media faculties with established study programmes - Journalists and editors with experience in production, editing, or management in electronic media, radio, or television - Experts in electronic media business operations or media market activities (lawyers, political scientists, communication science experts and sociologists); - Musical, literary, dramatic, or audiovisual artists and producers with experience in electronic media programmes; Media researchers.
HU	The chairperson must be eligible for election to Hungary's National Assembly, have no criminal record or professional disqualifications, and hold a higher education degree. In general, members need at least five years' experience in official media supervision or communications, or have a related academic degree or at least ten years' higher education teaching experience. Recognised experience includes managerial, administrative or legal roles in media regulatory bodies, courts dealing with media cases, or supervisory boards of Hungarian public broadcasting foundations.		

7.1.4. Duration and possibility for renewal

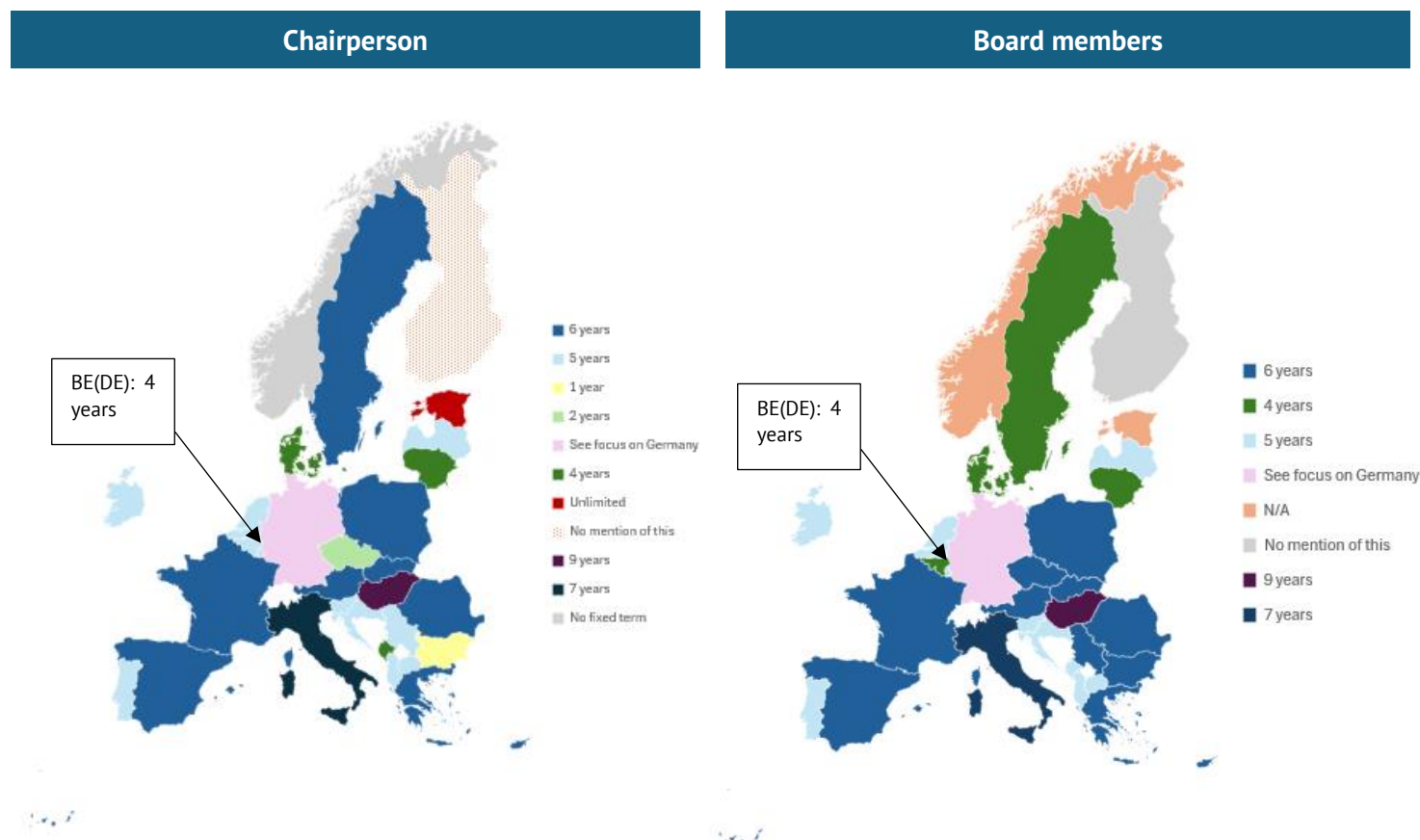
As the maps below show, the duration of mandates varies greatly from one jurisdiction to another. The length of the mandate may allow more or less time to achieve short- and long-term objectives, thereby affecting governance.

The length of the chairperson's term of office varies greatly, ranging from one year to an unlimited duration. However, board members' terms of office are never unlimited and range from four to nine years.

In 24 instances, board members' terms of office are equivalent to those of the chairperson (AT, BE(DE), BE(VL), CY, DK, ES, FR, GR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, RO, SI, SK, AL, MK). However, variations occur in six jurisdictions. While the differences

are quite slight in four of them (a one-year difference in BE(FR), ME and RS, and a two-year difference in Sweden), in CZ and BG, there is a much greater disparity between the terms of office of the chairperson and the board members (a five-year difference in BG and a four-year difference in CZ).

Figure 21. Duration of term of office



The possibility of renewing a chairperson's or board member's term of office is a key component as it can have a significant impact on the overall length of their term of office. Unlike the initial term, which is generally the same for the chairperson and board members, renewability is usually addressed quite differently for both.

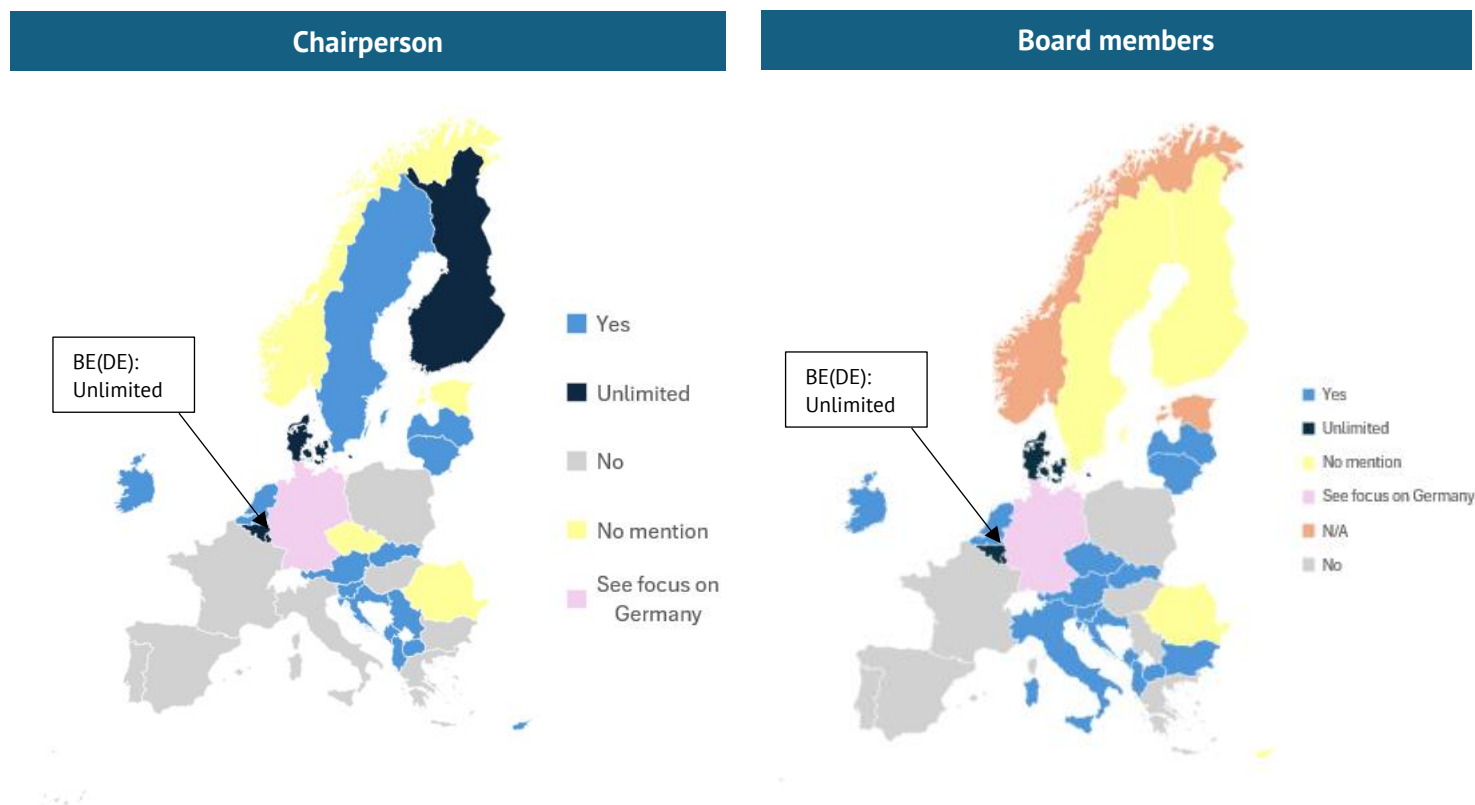
A chairperson's term can be renewed in 14 jurisdictions (AT, BE(VL), CY, HR, IE, LT, LV, NL, SE, SI, SK, AL, ME and MK) and that of a board member in fifteen cases (AT, BE(VL), BG, CZ, HR, IE, IT, LT, LV, NL, SI, SK, AL, ME, MK).

The renewability of a chairperson's term is unlimited in five jurisdictions (BE(DE), BE(FR), DK, FI, LU). This is also the case in four jurisdictions (BE(DE), BE(FR), DK, LU) concerning board members.

Renewal is not authorised in eight jurisdictions (BG, ES, FR, GR, HU, IT, PL, PT) for the chairperson and seven jurisdictions (ES, FR, GR, HU, PL, PT, RS) for board members.

This should be distinguished from jurisdictions where no mention is made of the possibility of renewing a term, which is the case in four jurisdictions (CZ, EE, NO and RO) for the chairperson and in four jurisdictions (CY, FI, RO, SE) for board members.

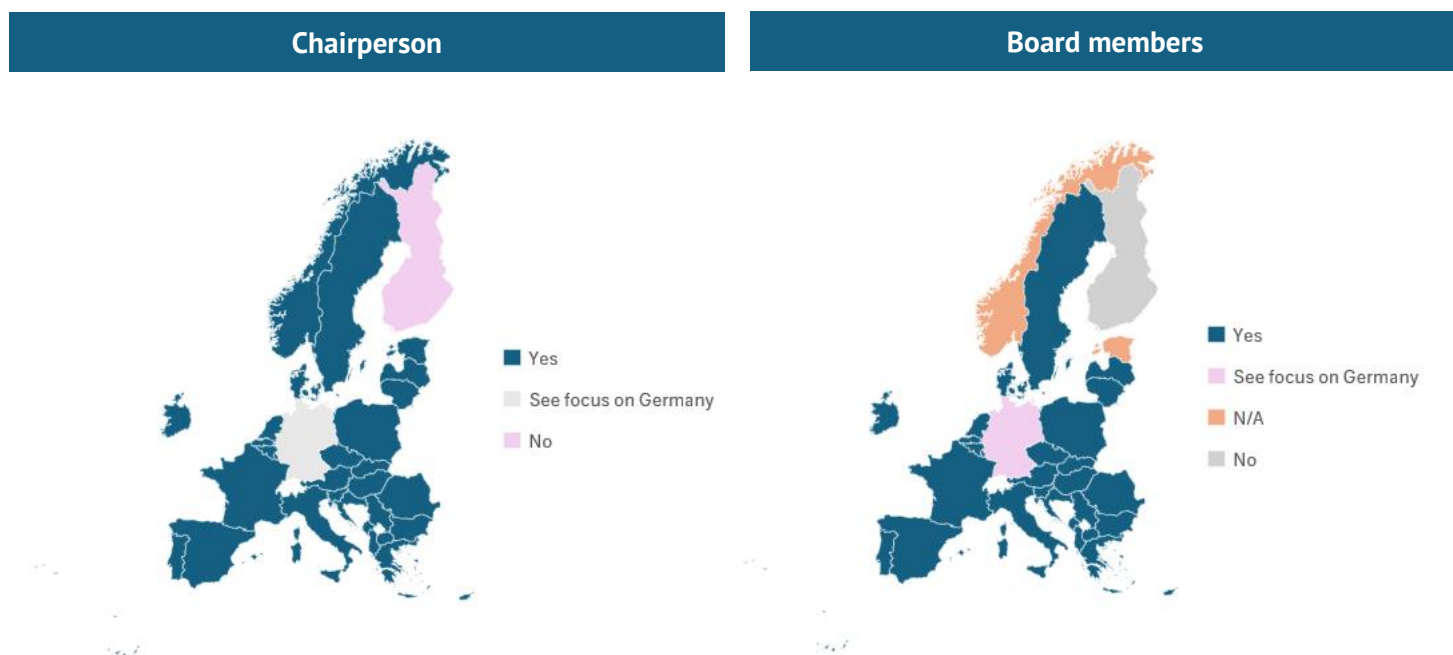
Figure 22. Renewability of term



7.1.5. Rules on conflicts of interest

In the large majority of cases, incompatibilities between different functions apply, thus leading to provisions against conflict of interests. The only exception to this general rule is Finland (for both the chairperson and board members).

Figure 23. Existence of rules on conflict of interest



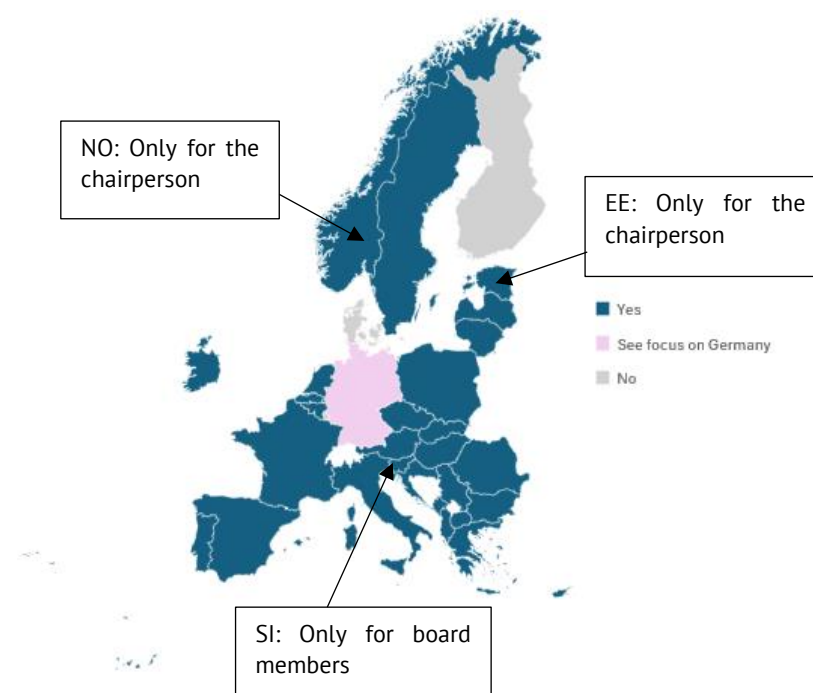
7.2. Dismissal

Article 30(5) AVMSD provides that the head of an NRA or body or the members of the collegiate body fulfilling that function within an NRA or body may be dismissed if they no longer fulfil the conditions required for the performance of their duties which are laid down in advance at national level. A dismissal decision must be duly justified, subject to prior notification and made available to the public.

Before going in more detail into the procedures and fundamental principles underlying the dismissal of a chairperson or board members, it should be noted that three jurisdictions (DK, FI, LU) do not have any legal provisions addressing the matter of dismissal. In Slovenia, rules exist for the dismissal of board members but not for the chairperson. In Estonia and Norway, rules for dismissals only exist in relation to the chairperson since there is no board.

It should also be noted that the Serbian Electronic Media Law required the replacement of the regulator's board members by 4 November 2024. This led to requests to assess the constitutionality of this provision. As the election did not take place, organisations filed a criminal complaint for failing to hold it. A new competition for Council members began in May 2025 and the National Assembly elected eight board members on 12 November 2025. The procedure to elect the missing council member is underway. For more information about the situation in Serbia, please refer to the Serbian factsheet.

Figure 24. Existence of legal provisions on dismissals



7.2.1. Procedure

Different actors may participate in decisions to dismiss chairpersons and board members. These decisions typically involve the government, parliament, and the regulatory authority itself. In some jurisdictions, the head of state may also play a role, but this is limited to the dismissal of the chairperson and does not apply to board members, with the exception of Poland, where the authorised body to appoint members may dismiss the members of the board whom it has appointed, if certain conditions are met. The order and manner in which each actor intervenes can vary, with instances where an opinion is sought from one body or individual before a formal decision is made by another. Unlike appointment procedures—which often show less symmetry between chairperson and board members—dismissal processes tend to be more uniform.

Several cases illustrate instances where a single actor has the power to dismiss either the chairperson or board members. For example, the government alone decides on the dismissal of the chairperson in nine jurisdictions (BE(DE), BE(VL), CY, EE, ES, IE, NL, SE NO), whereas it has sole responsibility for dismissing board members in seven jurisdictions (BE(DE), ES, IE, MT, NL, SE, SI).

The parliament is the decision-maker with regard to the dismissal of the chairperson in five jurisdictions (LV, PT, RO, SK, AL) and to the dismissal of board members in eight jurisdictions (CZ, LV, PT, RO, SK, AL, ME, MK).

The NRA itself directly dismisses the chairperson in nine jurisdictions (AT, BG, CZ, FR, LT, PL, ME, MK, RS) while it is the only decision-maker for the dismissal of board members in only five jurisdictions (AT, BG, FR, HU, LT). This highlights a marked imbalance

with the NRA directly involved much more frequently for leaders than for wider collegiate bodies.

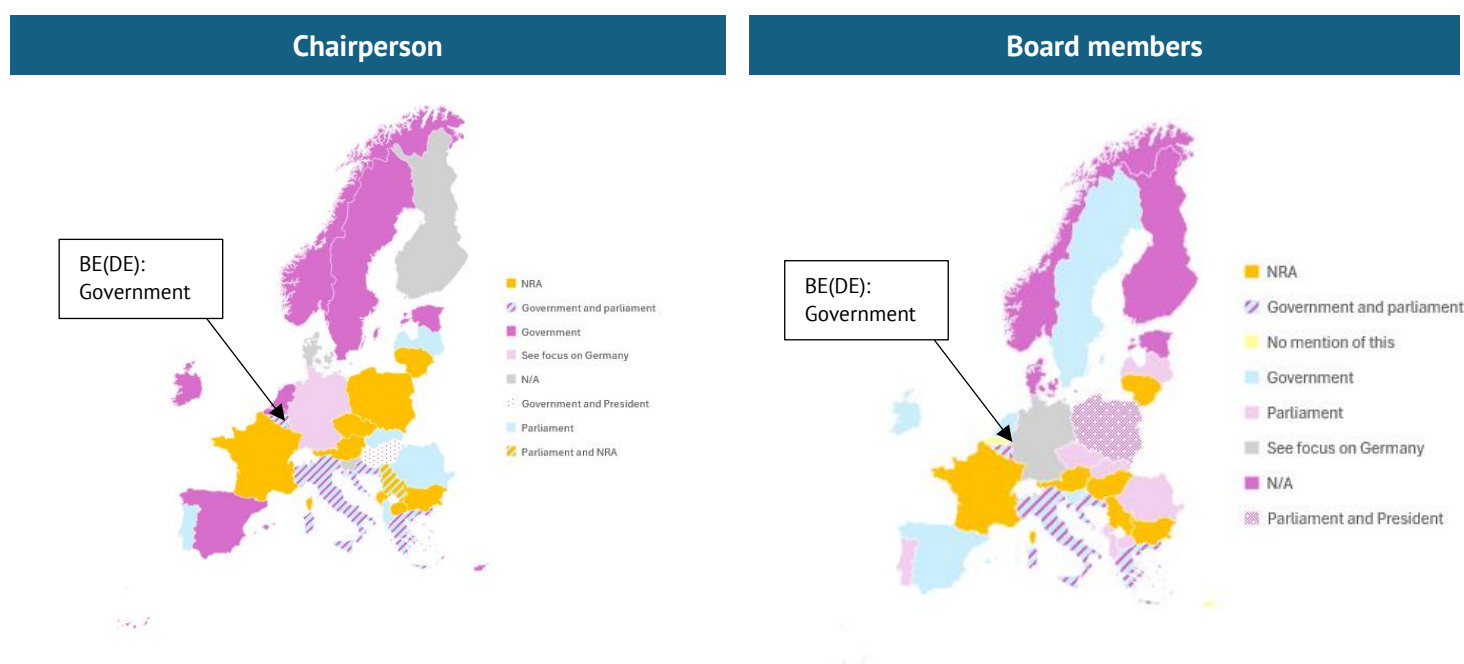
Combinations also occur, with the government and parliament both intervening in the decision to dismiss the chairperson and board members in four cases (BE(FR), GR, HR, IT).

The government and the head of state are both involved in the dismissal of the chairperson in two jurisdictions (HU, MT) but never with regard to board members.

The parliament and the NRA cooperate on the dismissal of board members in one jurisdiction (RS).

There is no mention of who is involved in such decisions in the case of board members in BE(VL) and CY.

Figure 25. Actors involved in dismissal procedures



7.2.2. Reasons for dismissal

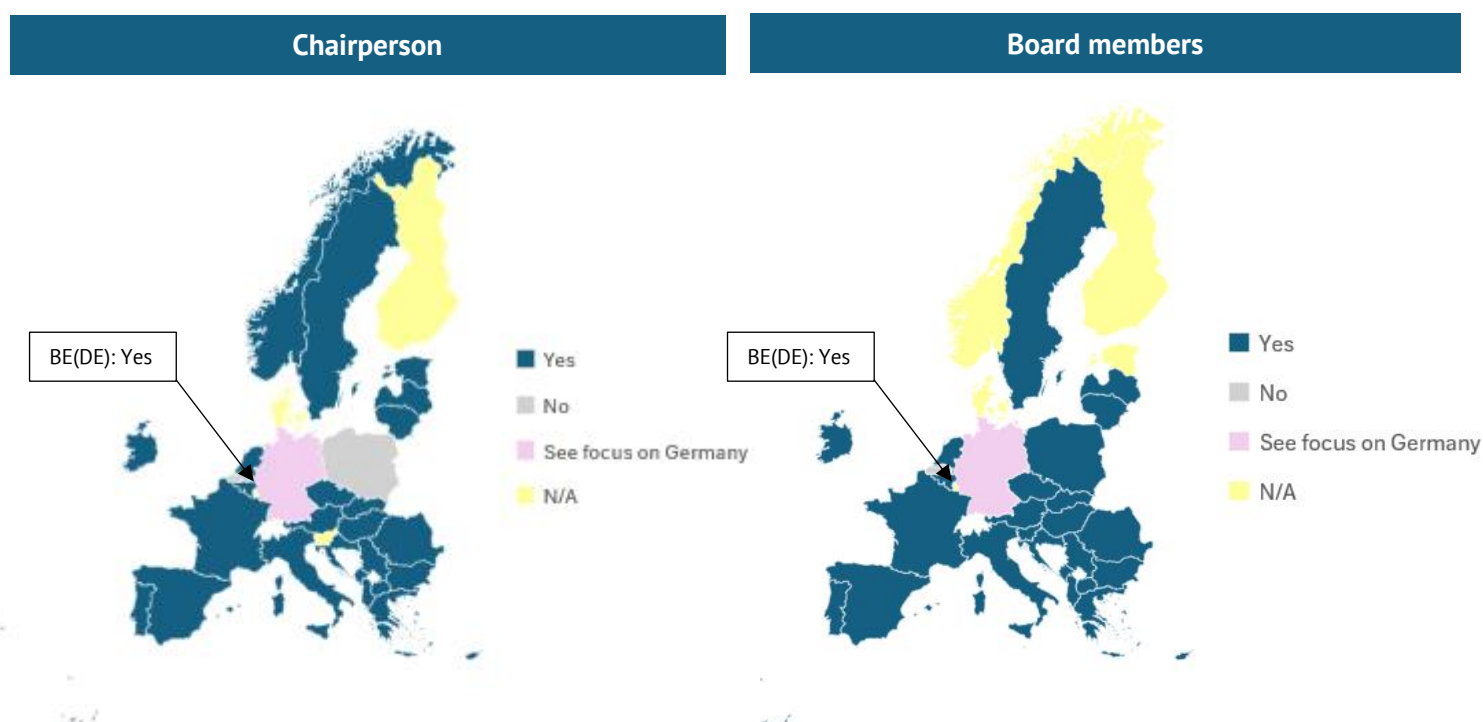
To ensure that dismissal decisions are made independently and fairly, they must be based on justified, objective grounds. Justifying dismissals makes the decision transparent, allowing those involved to understand the conduct or situation that led to the termination of their term of office. This transparency is also essential for procedural fairness, as well as for the right of the chairperson or board member to defend themselves.

Regarding the chairperson, all jurisdictions except for two (BE(VL), PL) have specific rules setting out grounds for dismissal. Four jurisdictions (DK, FI, LU, SI) are outside the scope of this part of the analysis since they do not have any rules regarding the dismissal of a chairperson.

Regarding board members, all jurisdictions except for BE(VL) list grounds for dismissal. DK, EE, FI, LU, NO, are outside the scope of this part of the analysis since they have no rules in place for the dismissal of board members.

While most jurisdictions have a specific list of reasons for dismissing a chairperson, Sweden's grounds for dismissal are much less detailed. A chairperson or board member may be dismissed if it is required for organisational reasons or if it is otherwise in the authority's best interests.

Figure 26. Existence of reasons for dismissal



7.2.3. Prior notification

Prior warnings are an important factor in assessing the fairness and transparency of dismissal decisions. They ensure that the person concerned has the opportunity and right to respond to and be heard regarding the proposed decision.

However, legal guarantees for prior notification do not exist everywhere. 18 jurisdictions (BE(DE), BE(FR), BG, CY, EE, ES, FR, GR, HR, HU, IE, IT, SK, NO, AL, ME, MK, RS) explicitly provide for such a requirement in law, while 11 (AT, BE(VL), CZ, LT, LV, MT, NL, PL, PT, RO, SE) make no mention of prior notification at all. This is not applicable in DK, EE, FI, since there are no legal rules governing dismissal and in SI, where rules for dismissals only concern board members.

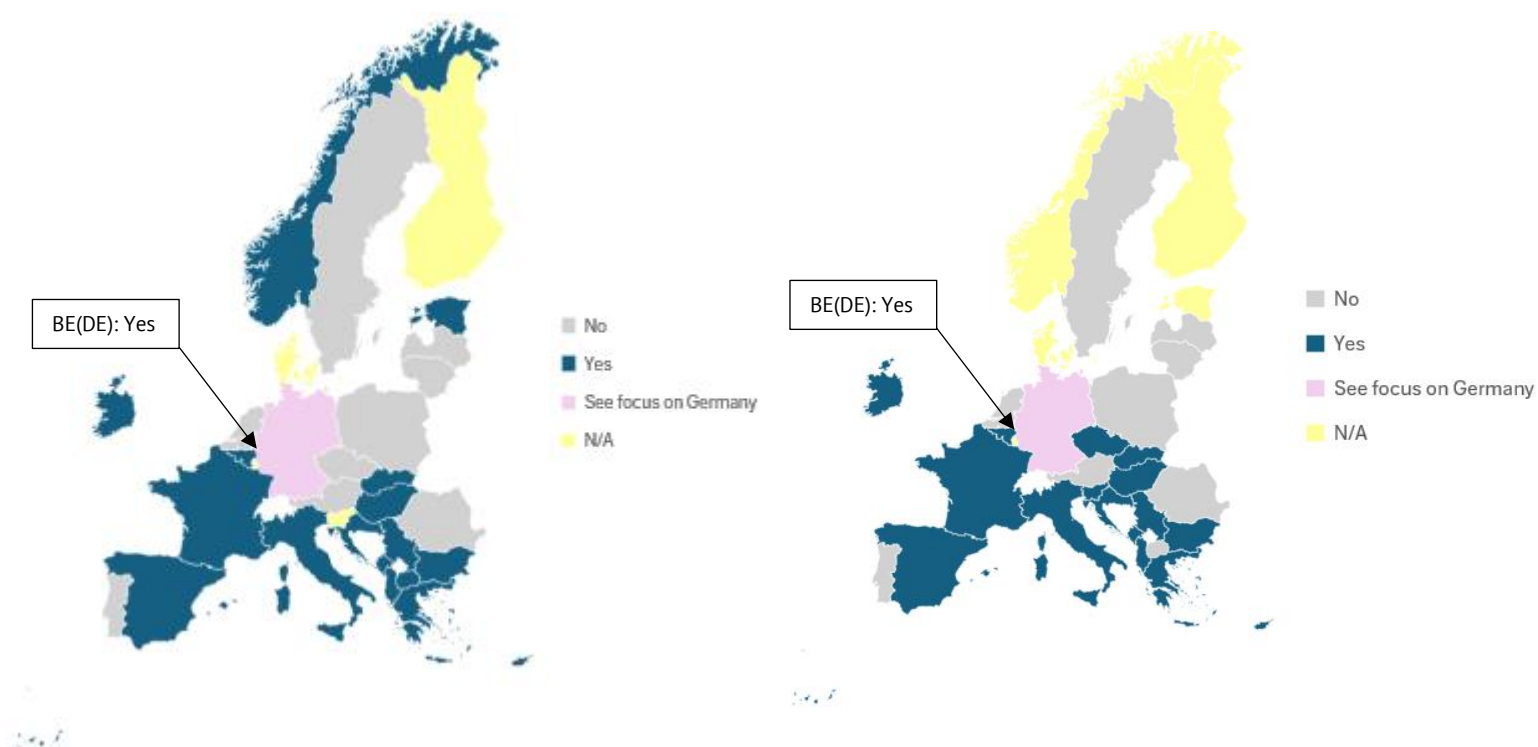
Regarding board members, 17 jurisdictions (BE(DE), BE(FR), BG, CY, CZ, ES, FR, GR, HR, HU, IE, IT, SI, SK, AL, ME, RS) require that the person concerned be notified in advance. In ten cases (AT, BE(VL), LT, LV, MT, NL, PT, RO, SE, MK) no such provision is included in

their legislation. This is not applicable in DK, FI, LU, where dismissal is not regulated by law and in EE and NO, where there is no board structure.

Figure 28. Existence of provisions for prior notification of the person concerned

Chairperson

Board members

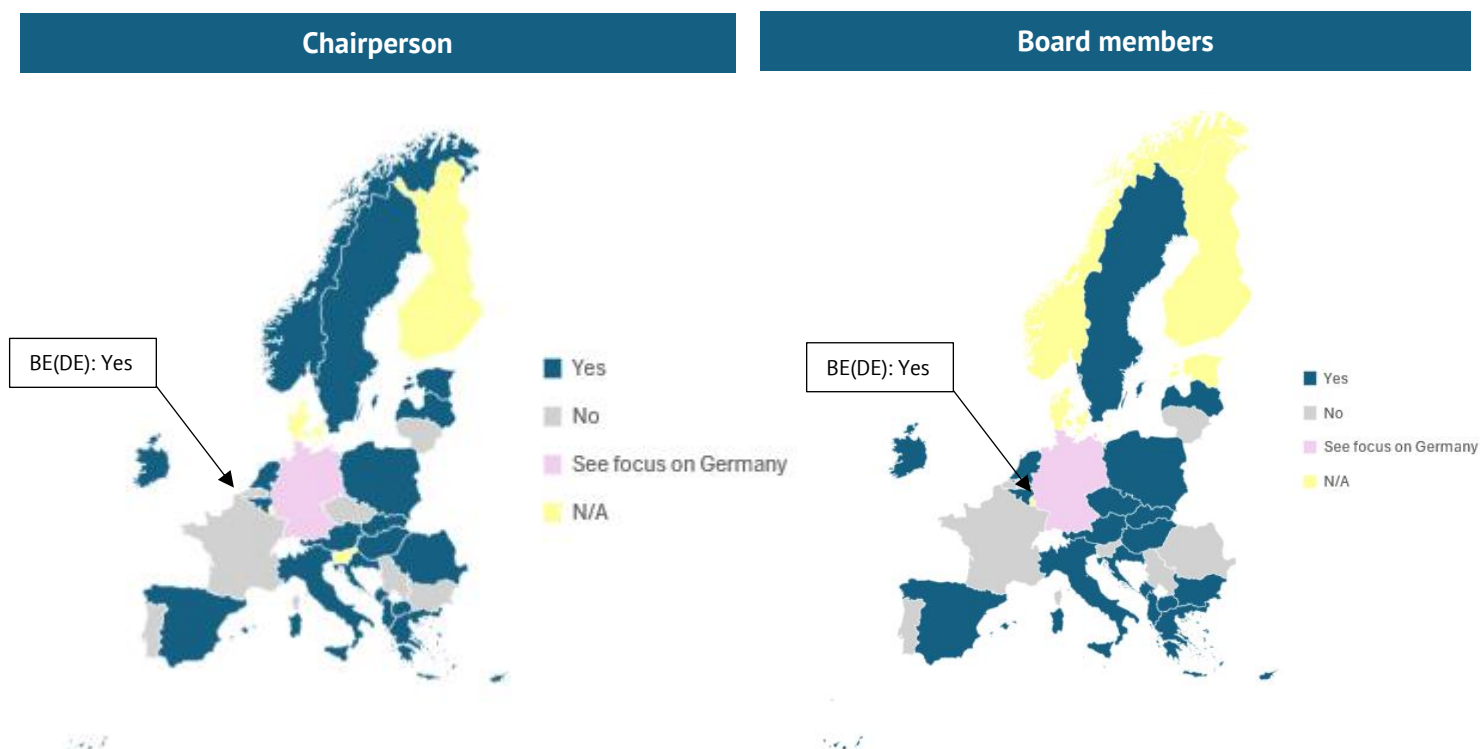


7.2.4. Decision made available to the public

The transparency of dismissal decisions is also ensured by making them available to the public. Such decisions are often published, whether the publication is provided for by law or not (AT, BE(DE), BE(FR), CY, EE, ES, GR, HR, HU, IE, IT, LV, MT, NL, PL, RO, SE, SK, NO, AL, ME, MK). In some cases, while not the entire decision is published, summaries or conclusions may be made public. For example, this is the case in IT, NL and NO for decisions concerning the dismissal of the chairperson. Decisions or parts of decisions are not necessarily made public in seven cases (BE(VL), BG, CZ, FR, LT, PT, RS).

Decisions to dismiss board members are also often published, whether the publication is provided for by law or not (AT, BE(DE), BE(FR), CY, CZ, ES, GR, HR, HU, IE, IT, LV, MT, NL, SE, SK, AL, ME, MK). Decisions or parts of decisions are not necessarily made public in eight cases (BE(VL), BG, FR, LT PT, RO, SI, RS).

Figure 29. Publication of dismissal decisions



7.2.5. Judicial review

Enabling a party to contest the legality of a decision is an essential element in dismissal cases as it ensures that those affected can seek scrutiny and the correction of potentially unlawful measures. This derives from the concerned person's right to be heard.

With regard to the dismissal of a chairperson, judicial review is provided for in 19 jurisdictions (AT, BE(DE), BE(FR), BG, EE, ES, FR, GR, HR, IT, LT, NL, PT, SE, SK, NO, ME, MK, RS). It is, however, not mentioned in ten cases (BE(VL), CY, CZ, HU, IE, LV, MT, PL, RO, AL).

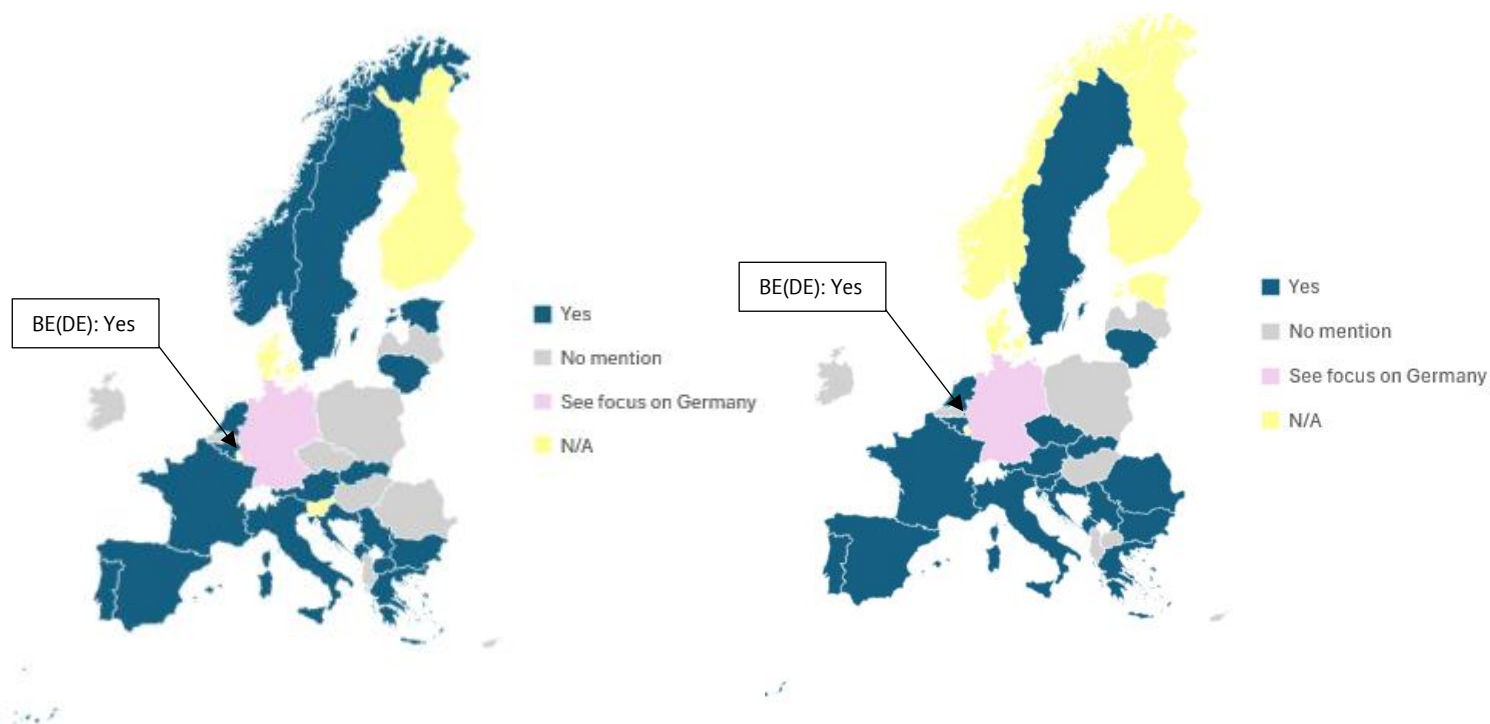
Judicial review of the dismissal of board members is provided for in 19 jurisdictions (AT, BE(DE), BE(FR), BG, CZ, ES, FR, GR, HR, IT, LT, NL, PT, RO, SE, SI, SK, ME, RS). It is not mentioned in eight cases (BE(VL), CY, HU, IE, LV, MT, AL, MK).

The fact that this is not specified in law does not mean that it is not possible in practice. For example, this has been highlighted in the case of Latvia, based on case law concerning the removal of a previous NEPLP member from office. In Cyprus, the law does not explicitly allow for dismissal decisions to be reviewed, but under Cypriot administrative law such decisions could be subject to judicial review by the Administrative Court under Article 146 of the Constitution provided that the general administrative procedure requirements are met.

Figure 30. Possibility of judicial review of dismissal decisions

Chairperson

Board members



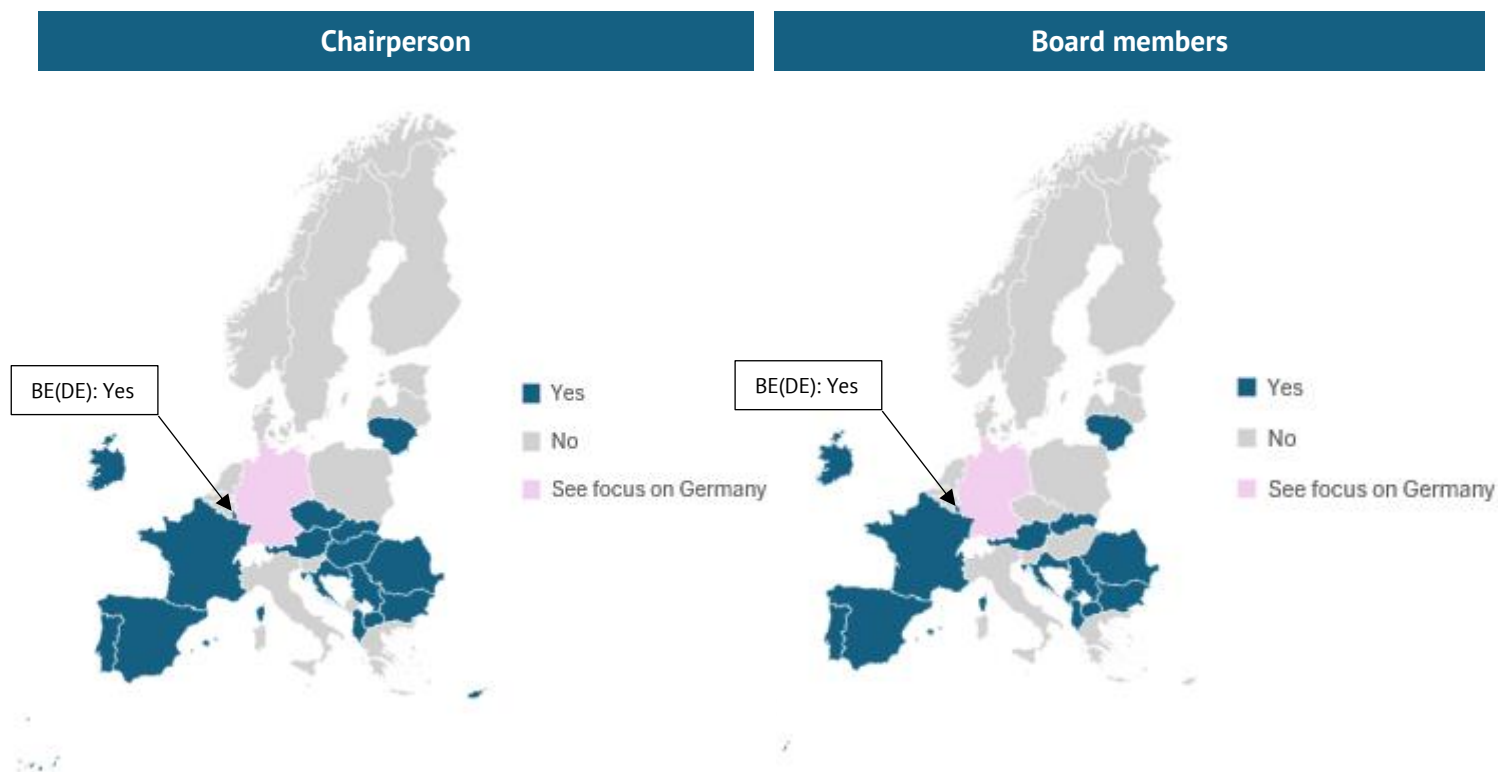
7.2.6. Rules for the prevention of long vacancy periods

The risk of early dismissal of a chairperson or board member within an NRA is that their position remains vacant for an indefinite period. To address this, some jurisdictions have introduced specific rules to prevent prolonged vacancy periods. The results are fairly balanced between jurisdictions with and without such rules.

19 jurisdictions (AT, BE(DE), BG, CY, CZ, ES, FR, HR, HU, IE, LT, LU, MT, PT, RO, SK, AL, MK, RS) provide for rules preventing long vacancy periods of a chairperson, while 14 jurisdictions do not (BE(FR), BE(VL), DK, EE, ES, FI, GR, IT, LT, LV, NL, PL, SE, SI, NO, ME).

With regard to board members, there are rules on the prevention of long vacancy periods in 17 jurisdictions (AT, BE(DE), BG, ES, FR, HR, IE, LT, LU, MT, PT, RO, SK, AL, ME, MK, RS) whereas this is not envisaged in 17 other cases (BE(FR), BE(VL), CY, CZ, DK, EE, FI, GR, HU, IT, LT, LV, NL, PL, SE, SI, NO).

Table 6. Existence of rules preventing long vacancy periods



Juris.	Rule	Juris.	Rule
AT	If a member resigns, a new member must be appointed without delay for the remainder of the term of office (§5(2), KOG).	LU	If the chairperson resigns, passes away or is permanently incapacitated, his/her successor must be appointed in the shortest possible time. The government must submit the name of a new chairperson to the Grand Duke, who then appoints him/her for the remainder of the term of office of the chair he/she is replacing (Article 35bis A. (2), para. 5, LEM).
BE(DE)	The member who replaces a member who has resigned prematurely shall serve out the remainder of that member's term of office. At the end of their term of office, the members of the Media Council shall continue to conduct business until their successors have taken the oath of office. (Article 106 of the Decree on Media Services and Cinema Screenings) If a member of the Media Council resigns prematurely, a successor shall be appointed for the remainder of the term of office in accordance with the regulations governing the	MT	If the office of a member of the Broadcasting Authority is vacant or if a member is for any reason unable to perform the functions of his/her office, the President, acting in accordance with advice given by the Prime Minister after consulting the Leader of the Opposition, may appoint a person who is qualified to be appointed to be a temporary member of the authority. Any person so appointed shall cease to be such a member when a person has been appointed to fill the vacancy or, as the case may be, when a member

Juris.	Rule	Juris.	Rule
	appointment. (Article 108 of the Decree on Media Services and Cinema Screenings)		resumes the functions of his/her office after being unable to carry them out (Article 118(7), Constitution). The authority's work should not be hindered in the absence of a member (Article 8(2), Broadcasting Act)
BG	Members of CEM may elect an acting chairperson whose competences have the same scope but this is limited in time until the election of a new chairperson (Art. 31 (4) Radio and Television Act). As far as the members are concerned, the competent authority must elect or appoint a new member in their place until the end of the respective term (Arts. 29 and 30, Radio and Television Act).	PT	Any vacancy which occurs shall be filled through co-opting or designation by a parliamentary resolution adopted within no more than 10 days (Article 22(3), ERC Statutes)
CY	Temporary replacement of the chairperson or the vice-chairperson of the NRA (Section 6, Radio and Television Broadcasters Law). Only applicable with regard to the chairperson	RO	In the absence of the chairperson, the Council shall be led by the vice-chairperson (Article 14 (2), Audiovisual Act). If a seat on the Council becomes vacant before the expiry of the term, it will be filled by the alternate until the expiry of the initial 6-year term (Article 11 (5), (7), (8), Audiovisual Act).
CZ	The Council must elect a new Chairperson within 30 days from the date of removal (Section 9(6) of Act on Radio and Television Broadcasting). Only applicable to the Chairperson	SK	If the chairperson is absent, the vice-chairperson or another board member authorised by the chairperson assumes his/her rights and duties, unless the vice-chair cannot do so. If no chairperson has been elected, the vice-chairperson performs all the chairperson's duties. (Article § 121 (2), (3) of the Media Services Act).
ES	If a particular board member ceases to hold office before the term of office expires, his/her successor shall be appointed for the remainder of that term. If he/she ceases to hold office four years after his/her appointment, the above limit shall not apply and the successor shall be appointed for the six-year period that is generally applicable. Board members meeting the grounds for dismissal laid down in subparagraphs (a) and (b) of paragraph 1, Article 23, LCNMC, will continue to hold office until the relevant Royal Decree announcing their dismissal is published in the Official State Gazette. (Article 23 (2) and (3), LCNMC).	AL	The Albanian Assembly reviews dismissal requests within 10 days. A replacement is elected for a period equal to the remainder of the predecessor's term. No later than 30 days before the end of the term of office of the Chairperson of AMA, the Assembly publishes the announcement for the vacant position. (Articles 12(2), 12(6) and 10(2) of the Law on Audiovisual Media) However, the law does not mention the possibility of extending this period if no decision can be taken by the Assembly, nor does it prohibit it.

Juris.	Rule	Juris.	Rule
FR	In the event of an inability to perform the duties of a member of the College, the term of office may be suspended for a fixed period.	ME	In the event of the dismissal of the Director of the authority, the Council shall appoint an acting Director from among the employees pending the appointment of the Director in accordance with the law. (Art. 169, Law on AVMS)
HR	The chairperson and members of the Council are appointed for a period of five years, which is extended until the appointment of a new chairperson and/or member of the Council if a new chairperson and/or member of the Council has not been elected by its expiration, for a maximum of six months, and they may be reappointed. (Article 76(3), Electronic Media Act)	MK	Yes, if the Director's mandate expires before a new election is completed, he/she remains in office for up to six months. (Article 20 (4) of the LAAMS) For Council members, the Parliament must announce a public competition at least six months before terms expire and appoint replacements at least one month before the current term ends. (Article 14 (2) (10) of the LAAMS)
HU	If the Parliament fails to elect the new chairperson of the authority as President of the Media Council within 30 days of his or her appointment, the former President of the Media Council will remain in office until the election of the new President of the Media Council without any time limit. Only applicable with regard to the chairperson	RS	The committee of the National Assembly responsible for information, which has an administrative and technical role, shall announce a public call for the nomination of candidates for the members of the Council no earlier than six months and no later than three months before the expiry of the term of office of the Council member, or within 15 days at the latest before the end of the term of office for reasons provided for in Article 18(2)(4) of the Electronic Media Law. (Article 13 (1), Electronic Media Law)
IE	The Minister may appoint a member of staff to perform the function of a commissioner or, in the case of a vacancy in the office of the chairperson, may appoint a commissioner to perform the functions of the chairperson. (Sections 13 and 14, Broadcasting Act)		

8. Transparency

Transparency plays a crucial role in assessing and ensuring the independence of NRAs. Independence can be reinforced when the NRAs operate openly by making their work procedures, objectives and results accessible. Transparency involves several different dimensions: access to information, including to NRA decisions and background information, regular reporting of activities, and the availability of mechanisms for appealing decisions. These factors allow for a better understanding of how the NRA is held accountable and how their powers are balanced with public oversight.

8.1. Access to information

All jurisdictions publish all or part (summaries or conclusions) of the decisions they take and regularly update their websites, whether this is provided for by law or is normal practice.

Access to background information on the outcome of decisions is also largely accepted. Very few exceptions may be noted: FR, LU, MT.

In France, only completed administrative documents are accessible, not those still in preparation, although certain opinions forming the basis for decisions on individual rights may be communicated to applicants. Comparative opinions between multiple applicants are only disclosed after the final decision is made.⁴¹

In Luxembourg, the deliberations of the Board of Directors are secret, so the parties concerned do not receive any additional information about the Board's decision-making process. However, decisions by the Board of Directors to dismiss a complaint or close an investigation, to order further investigation, or to impose a sanction must be published.⁴² In Malta, no specific provision provides for the right to access background documentation.

8.2. Reporting of activities

All jurisdictions are required to report on their work, typically in the form of annual reports about their activities, achievements, financial situation and risk analysis.

8.3. Appeal mechanisms to challenge NRA decisions

Article 30(6) AVMSD requires EU member states to ensure that effective appeal mechanisms exist at national level. The appeal body, which may be a court, must be independent of the parties involved in the appeal.

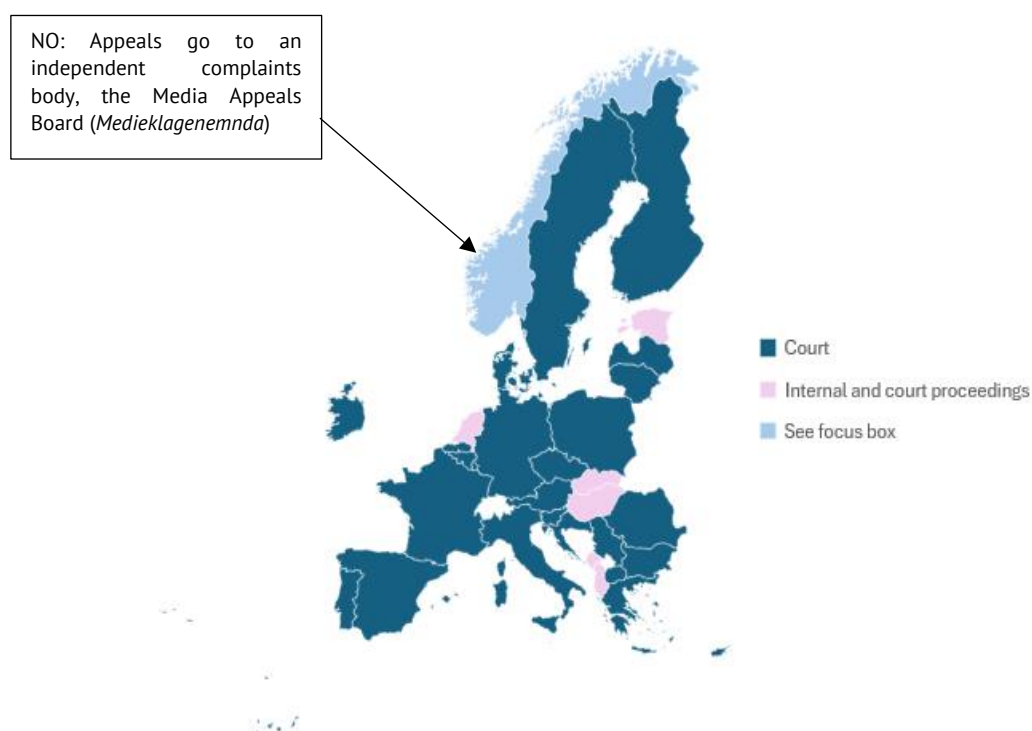
⁴¹ [*Code des relations entre le public et l'administration*](#) (French Code of Public-Administrative Relations), Article L. 311-2.

⁴² [*Loi modifiée du 27 juillet 1991 sur les médias électroniques*](#) (Law of 27 July 1997 on Electronic Media), Article 35bis A (3), §5.

All jurisdictions have established such appeal mechanisms allowing stakeholders to challenge decisions taken by the NRA. In all cases, these are performed by external judicial bodies with independent oversight. A few jurisdictions (EE, HU, NL, SK, ME) also provide for internal review procedures within the NRA itself, as additional, preliminary steps before judicial appeals.

In Norway, appeals against individual decisions made by the NRA must be dealt with by the Media Appeals Board (*Medieklagenemnda*), with exceptions. The Appeals Board may not overturn decisions made by the Media Authority on its own initiative. Since the Norwegian NRA has no legal personality, any legal action must be directed against the State, represented by the Media Appeals Board. Individual decisions made by the NRA in cases concerning the supervision of licence conditions for national broadcasting, or national facilities for broadcasting or the retransmission of broadcasting, may be appealed to the Ministry.⁴³

Figure 32. Type of appeal mechanisms



⁴³ [Lov om kringkasting og audiovisuelle bestillingstjenester mv. \(kringkastingsloven\)](#) (Act on Broadcasting and Audiovisual On-Demand Services, etc. (hereinafter referred to as "Broadcasting Act"), Section 2-14 and 2-15.

9. Concluding remarks

Media NRAs play a crucial role in protecting “traditional” and digital media ecosystems, ensuring environments that foster pluralism and editorial independence. However, in order to counter undue interference, it is essential that public authorities, such as media NRAs, possess legal, financial and operational autonomy, with clear and transparent accountability.

The profiles of NRAs typically reflect historical and cultural specificities. Federal or regional models (in Belgium, Germany and Spain) result in multi-layered regulatory approaches that often require cooperation. More recently, institutional restructurings, such as mergers or the creation of new NRAs, have occurred in response to digitalisation and a growing need for more integrated oversight (Estonia, Finland, Sweden, France, Ireland, Slovakia, North Macedonia, Serbia).

While AVMSD obligations apply across the EU, the powers and responsibility of NRAs are converging towards broader digital mandates with the adoption of the EMFA, the DSA and the Transparency and Targeting of Political Advertising Regulation. These new legal frameworks are introducing new roles and coordination models, but in certain instances also greater human and financial needs. Several of these competencies are still being defined or incorporated into national legislation as part of the implementation processes. Some media NRAs serve as Digital Services Coordinators, while in many other cases telecom, competition or digital bodies hold this role. EEA countries like Norway, as well as third countries such as Albania, Montenegro, North Macedonia and Serbia are moving at different speeds towards the alignment with the EU media *acquis*, often through working groups and gradual legislative updates that will shape future cross-border cooperation.

NRAs’ enforcement tools typically include information-gathering obligations with sanctions for non-compliance and, in most jurisdictions, warnings or cessation orders prior to fines. The possibility of suspending or revoking services exists for serious or repeated breaches. Financial sanctions range from fines to periodic penalty payments to incentivise compliance.

However, these enforcement capabilities depend heavily on adequate resourcing to sustain effective oversight, whether it be in terms of funding or governance.

In many jurisdictions, funding combines state budgets with sector fees, while some rely solely on state appropriations. The budget-setting process may involve the participation of NRAs, governments and parliaments.

Independent governance is also crucial to allow NRAs to perform their missions autonomously. The rules for appointment and dismissal show diverse constellations of power among governments, parliaments, heads of state and the NRAs themselves, creating varying safeguards and risks for independence. In several systems, a single entity controls either the appointment of the chairperson or the management board, while in others checks are embedded through multi-actor nomination and confirmation.

Staffing levels vary widely, ranging from small teams of fewer than 30 people to large, multi-sector regulators with several hundred staff. While only a minority, some jurisdictions conduct formal workforce adequacy assessments or periodic external evaluations.

These operational foundations need to be complemented by robust accountability mechanisms to ensure that the decisions of NRAs remain subject to independent scrutiny. Appeal mechanisms are universally available and external to the NRAs, often through courts, although some systems also include internal review steps. Publication of decisions naming the responsible parties is common, balanced against constraints relating to data protection and business secrecy, with some systems limiting disclosure relating to natural persons.

10. National summaries

10.1. AT – Austria⁴⁴

10.1.1. Mandate and powers

General information	
Name	<i>KommAustria</i> . RTR-GmbH (<i>Rundfunk und Telekom Regulierungs-GmbH</i>) is established as a supporting administrative body for the media and telecom NRAs.
Headquarters	Mariahilfer Straße 77-79, 1060 Wien, Austria
Date of establishment	2001 (as independent regulator 2010)
Area(s) of competence	Telecommunications, press, postal services, media funding management, copyright protection, data protection, anti-terror management of online content, digital services (Digital Services Coordinator).
Number of employees	KommAustria is a collegial authority consisting of seven members, including a chairperson and vice-chairperson. In addition, RTR-GmbH has its own employees. (in 2025, approximately 190).
Website	https://www.rtr.at/medien/wer_wir_sind/KommAustria/KommAustria.de.html

Legal personality and liability

KommAustria is an independent public authority. It has legal personality, which is necessary for it to fulfil its tasks. It can sue and be sued in court. Section 5 and 6 of the KommAustria-Act lay down the jurisdiction of the Federal Administrative Court (*Bundesverwaltungsgericht*) in cases of complaints against the authority. (§ 6(1), 2(1) and 36ff, KommAustria Act⁴⁵)

Powers	
Regulatory	Yes, § 1, KOG
Monitoring	Yes, § 1(1), 2 (1) sub-paragraphs 6, 9 and 16., KOG
Sanctioning	Yes, § 2 (1) sub-paragraphs 6, 9 and 11, KOG
Competences ⁴⁶	

⁴⁴ The national summary on Austria incorporates the feedback received from Stefan Rauschenberger, Director Legal Media.

⁴⁵ *Bundesgesetz über die Einrichtung einer Kommunikationsbehörde Austria (KommAustria-Gesetz)* (Federal Act on the Establishment of an Austrian Communications Authority (KommAustria Act), hereafter referred to as “KOG”)

⁴⁶ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

AVMSD	DSA	EMFA	Political advertising regulation
Yes	Yes	No	No

10.1.2. Financial autonomy

10.1.2.1. Sources of income

KommAustria's main sources of income are the **state budget** (§35 und 35a KOG) and **financial contributions** paid by media service providers (§35 (1) KOG).

KommAustria operates on the basis of annual and multi-annual budgets, which are established with specific responsibilities, consisting of both federal funding and financial contributions in different proportions (§34 (1) and (9) for the telecommunication sector, §34a (1) for the postal sector, §35 (1a-f) for the media sector and §35a for video-sharing platform providers.

Federal funding is established by law. The annual federal state funding for media provides, according to §35 (1) KOG, a budget of EUR 3.45 million, which is paid in two parts, the first in January and the second in June.

EUR 0.592 Mio. is provided for media transparency (§ 35 (1b) KOG), EUR 0.582 Mio. for administrative expenses for the quality journalism-fund (§ 35 (1f) KOG), EUR 0,05 Mio. for media literacy (§ 20a KOG), EUR 0.286 Mio. for the TCO-Regulation (§35 (1c) KOG), EUR 0.234 Mio. for the regulation of VSPs (§35a KOG) and EUR 2.5 Mio. for the tasks assigned to RTR under the DSA. The financial contributions of the market fluctuate. The budget contributions are calculated according to the consumer price index (*Verbraucherpreisindex*) published by the federal institution Statistics Austria (*Statistik Österreich*).

10.1.2.2. Budget adjustment procedures

The commensurability of the budget with KommAustria's powers and tasks is ensured because the internal budget planning requires a task-based budget estimate, which is then used to calculate financing contributions (§35 (2 to 12) KOG). For public funding a value-guarantee clause based on the consumer price index is implemented (§ 20a (2), 35 (1), (1b), (1c), (1d), (1f) and § 35a KOG).

In addition, there is an adjustment mechanism for new tasks (§ 17, 18 Federal Budget Act⁴⁷). Starting in 2024, additional funding has been provided for the implementation of the DSA and DMA (§35 (1b) KOG).

Audit	
Who	Court of Auditors (<i>Rechnungshof</i>) (§ 15 (2), KOG)
When	Occasion-related
Procedure	The Court of Auditors examines the economy and expediency of the management as a whole or in certain areas, compliance with existing regulations, and the accuracy of the figures in the annual accounts by inspecting the accounting books, vouchers, and other supporting documents (such as business documents, contracts,

⁴⁷ [Bundesgesetz über die Führung des Bundeshaushaltes \(Bundeshaushaltsgesetz 2013\)](#) (Federal Budget Act 2013)



Audit	
	and correspondence) and by obtaining explanations. The audited enterprises must submit their business plans and annual accounts, together with their annual reports, to the Court of Auditors each year. The annual accounts must be audited before the statutory discharge is granted. The Court of Auditors must communicate the results of its audit of the annual accounts and its other audits to the supervisory body of the enterprise and to the competent federal ministry. (§11, Court of Auditors Act ⁴⁸)

10.1.3. Operational independence

10.1.3.1. Appointment

Staff: Civil servants under private law contracts			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson (Vorsitzender)	1 + 1 vice chairperson	6 years	Yes
Board (Vollversammlung – plenary assembly)	7 (including Chair and vice-chair)	6 years	Yes
Who appoints	Procedure		Criteria
Federal President	The members shall be appointed by the Federal President upon the proposal of the Federal Government for a term of six years. The proposal shall be preceded by a public invitation for applications. The invitation shall be initiated by the Federal Chancellor and published on the Electronic Announcement and Information Platform of the Federal Government. The proposal of the Federal Government shall require the agreement of the Main Committee of the National Council. (§3 (2), (3), KOG)		Members must have completed a law degree course or any degree course of law and political science and have 5 years’ professional legal experience (§3 (1), KOG)
Conflicts of interest			
§4, KOG. Rules apply during the term of office.			
Incompatibilities	- Members of the Federal Government, state secretaries, members of a provincial government, members of the National Council, the Federal Council or of another general representative body or of the European Parliament, as well as persons who are employees of a political party or have a leading position in a federal or regional organization of a political party, persons who are employees of a party faction in a		

⁴⁸ [Bundesgesetz über den Rechnungshof \(Rechnungshofgesetz\)](#) (Court of Auditors Act)



	general representative body or have been seconded to such a party faction, parliamentary staff members within the meaning of the Parliamentary Staff Act as well as members of the Ombudsman's Office and the President of the Court of Audit; - Employees of entities working in civic education in relation to the political parties (§ 1 of the Journalism Subsidies Act); - Members of the office of a federal minister or the office of a state secretary or another federal or provincial executive officer referred to in § 5, § 6 or § 8 para. 1 of the Emoluments Act, Federal Law Gazette No. 273/1972; - Persons who are active in an organ of the Austrian Broadcasting Corporation; - Persons who are employed or contracted by, or hold an interest in, the Austrian Broadcasting Corporation or its subsidiaries, another broadcaster or another media undertaking, and persons who are in a close legal relationship with anyone who makes use of an activity of KommAustria or are affected by such activity; - Persons who are entrusted with the representation of the interests of media undertakings, in particular on the basis of a contractual or employment relationship with a statutory body representing the interests of its members or any other interest grouping; - Persons who have worked in any of the activities and functions listed above within the previous year.
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10.1.3.2. Dismissal

Chairperson and board members		
Who dismisses	Procedure	
Plenary assembly of KommAustria	§ 5 KOG and § 3 (2) of the rules of procedure of KommAustria regulates the dismissal procedure	
Reasons		Judicial review
- by lapse of time, - upon death, - waiver, - upon loss of the eligibility to be elected to the National Council - upon a finding by the General Assembly that the member is unable to properly exercise his or her functions due to serious physical or mental conditions, - upon a finding by the General Assembly that the member has grossly violated his or her duties, - with a finding by the General Assembly that there is incompatibility pursuant to § 4.		Civil Labour Court
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes according rules of procedure he/she has the right to be heard	When the government appoints a new member, a statement from KommAustria has to be published if the resignation was for reasons	If a member's membership terminates a new member must be appointed without delay for the remainder of the term of office (§5(2), KOG).



	listed in §5(1) paras. 2-7 KOG (§5(3), KOG)	
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10.1.3.3. Assessing the adequacy of human resources

No specific provision ensures that human resources are sufficient within the NRA.

10.1.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Anyone who fails to comply with the obligation of § 35 and § 35a KOG to provide information and to grant access to records and books despite being requested to do so commits an administrative offence (§41, KOG).	Broadcasters, video sharing platform providers or media service providers, may be fined by KommAustria, up to EUR 58,000. Fines must be paid to the federal government (§41, KOG).
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
Yes	KommAustria has the power to issue warnings and orders in case of violation (ie § 62 AMD-G)		
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	KommAustria has the power to issue fines in case of breaches. (ie §41 KOG, § 64 AMD-G, § 5 KDD-G, § 7 TIB-G, § 38 ORF-G, § 5 MedKF-TG, § 27 PrR-G). Other financial measures (Recovery of enrichment) can be imposed to the ORF (§ 38a and 38b ORF-G) and media service provider (Overlaying of Programmes; § 54b AMD-G)		
Power to request the suspension or termination of services			
Yes	KommAustria has the authority to order or request the suspension or termination of AVMS services in cases of serious or repeated legal violations. This power is exercised under the Audiovisual Media Services Act (AMD-G), which KommAustria enforces based on its mandate in § 2 KOG (ie § 63 AMD-G). KommAustria can issue removal orders according to Art 3 TCO.		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
Yes	Decisions identify the legal person involved but not the names of natural persons names of the ones responsible. §19(1) KOG		
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
KommAustria has the legal power to access the books and records of AVMS providers under its jurisdiction, and failure to comply with such requests can lead to sanctions. (ie §41 KOG)			



Oral hearings, which can include a judicial inspection, shall preferably be held on site, or otherwise at the office of the authority or at such place deemed most feasible in accordance with the situation (§ 40 General Administrative Procedure Act).

10.1.5. Transparency

10.1.5.1. Publication of the NRA's decisions

Decisions of KommAustria and RTR-GmbH are published, respecting data protection provisions (§19 (1), KOG). According to the Federal Act on Access to Information, information of general interest shall be published and made available on the Internet as soon as possible (§ 4 (1) IFG). The act also regulates requests for information (§ 7 IFG).

10.1.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

According § 17 AVG (General Administrative Procedure Act) as a general principle the parties have access to the files relating to their case held by the authority and can either make copies of files or parts of files themselves or have copies or printouts made at their own expense. If the authority keeps the files relating to the case in electronic form, the party may, upon request, be granted access to them in any technically feasible form.

10.1.5.3. Requirements or procedures for the reporting of the NRA's activities

KommAustria, the telecommunications regulator Telekom-Kontrol-Kommission and RTR-GmbH are obliged to report annually to the federal authorities about their activities. The report is addressed to the Federal Chancellor and the Minister of Traffic, Innovation and Technology. They present it to the National Council and it is then published by RTR-GmbH (§19 (4), KOG).

Reporting obligations have to respect data protection provisions and include transparency about the granting of funds, financial statements, and most other activities in scope of their responsibilities (§19 (3), KOG).

10.1.5.4. Appeal mechanisms to challenge NRA decisions

Decisions of KommAustria can be appealed before the Federal Administrative Court, as regulated in section 5, §36ff, KOG. Legal remedies are set out in §39 KOG.

10.1.6. Debates on the independence of the NRA

There is no additional information on the independence of KommAustria.

10.2. BE(DE) – Belgium (German speaking community)⁴⁹

10.2.1. Mandate and powers

General information	
Name	<i>Medienrat der Deutschsprachigen Gemeinschaft</i> (Media Council of the German-speaking Community)
Headquarters	Eupen, Belgium
Date of establishment	2005
Area(s) of competence	Linear and non-linear audiovisual media services including their technical aspects (i.e. partially telecommunications), intermediary services
Number of employees	3½ FTE
Regional structure	Belgium has a federal structure with distinct language communities, each of which has its own media regulator. Media regulation is a community competence, meaning that each language community (Flemish, French, and German-speaking) is responsible for audiovisual media within its jurisdiction. The <i>Medienrat</i> is the media regulator for the German-speaking Community. It is competent for audiovisual and audio media services provided in the German-speaking Community, and for enforcement of relevant EU regulations (e.g. the AVMS Directive, the DSA, the AI Act) insofar as they relate to media and fall within the German-speaking Community's competences. Other media regulators in Belgium include: the <i>Vlaamse Regulator voor de Media</i> (VRM) for the Flemish Community and the <i>Conseil Supérieur de l'Audiovisuel</i> (CSA) for the French Community.
Website	https://www.medienrat.be/

Legal personality and liability

The Medienrat qualifies as an independent public authority, it has got legal personality. As any public authority, it is liable in the event of a dispute regarding its decisions (Article 101(1) of the Decree on Media Services and Cinema Screenings⁵⁰).

Powers	
Regulatory	Yes (see: Article 101(1) of the Decree)
Monitoring	Yes (see: Article 112(1) of the Decree)
Sanctioning	Yes (see: Article 112(1) of the Decree)
Competences ⁵¹	

⁴⁹ The national summary on Belgium (German community) incorporates the feedback received from XXX.

⁵⁰ *Decret vom 1. März 2021 über die Mediendienste und die Kinovorstellungen* (Decree of 1 March 2021 on Media Services and Cinema Screenings, hereafter "Decree")

⁵¹ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	No

10.2.2. Financial autonomy

10.2.2.1. Sources of income

The Medienrat's sources of income include, according to the Decree, the state budget; fees from regulated operators; and other income, such as gifts and legacies (Article 125 (1)(3°) (4°) and Articles 58(1) and 66 of the Decree). In practice, however, the only source of income is the state budget.

The Medienrat operates on the basis of an annual budget. Each year, the Media Council prepares its own budget and transmits it to the Government of the German-speaking Community (Article 126 Decree). The proposal of the Government of the German-speaking Community is then transmitted to the Parliament.

10.2.2.2. Budget adjustment procedures

There is no provision to ensure that the budget is commensurate with the NRA's powers and tasks. Article 125(2) of the Decree merely states that it must ensure that the Medienrat has sufficient financial resources to enable it to contribute to GEREK and the work of ERGA, among other things. To this end, the Medienrat must have its own annual budget and act autonomously in allocating its budgetary resources.

There is no provision for reviewing the budget before the end of the period for which it was allocated or conducting financial audits.

10.2.3. Operational independence

10.2.3.1. Appointment

Staff: civil servants or employees under private contract law			
Chairperson and Board			
Name	Number	Duration of term of office	Possibility of renewal
Chairperson	1	4 years	Yes (unlimited)
Board of Directors	3 or 4 (including the Chairperson)	4 years	Yes (unlimited)
Who appoints	Procedure	Criteria	
Government of the German-speaking Community	The mandates of the members of the Media Council are advertised publicly. The Government of the German-speaking Community appoints the members of the Media Council and	Members of the Media Council must have merits, skills, knowledge and experience in the fields of media studies, media law, media economics or media technology, be experts in the field of electronic communications, or hold or have held	



	selects a chairperson and deputy chairperson from among them. (Article 105 and 101(2) of the Decree)	the office of magistrate in the public prosecutor's office or judge in a court of ordinary jurisdiction or the Council of State. They must be in possession of civil and political rights and be of legal age. (Article 107 para 1 of the Decree).
Conflicts of interest		
See Article 107(para 2) of the Decree and Article 10 of the Rules of Procedure ⁵² . Rules apply during the term of office .		
Incompatibilities	- Members of the Chamber of Representatives, the Senate, a regional or community parliament, the European Parliament, a provincial council, a municipal council, the federal government, a government of a region or community, a provincial college, a municipal college or a ministerial cabinet; - Provincial governor, district commissioner or mayor; - Members of the Advisory Board, with the exception of the President; - Staff members and members of the board of directors or management of the BRF, a media service provider or a company that provides electronic communications networks, devices or services; - Persons who hold positions in or own shares in a company or other institution that is active in the German-speaking region in the field of auditory or audiovisual media in terms of content and/or technology, or that provides electronic communications networks, devices or services - A member of the Media Council may not participate in deliberations and decision-making due to a conflict of interest in accordance with the Media Decree.	

10.2.3.2. Dismissal

Chairperson and Board	
Who dismisses	Procedure
<u>Government</u> (Article 109 of the Decree)	If a member of the Media Council no longer meets the conditions set out in Article 107 [rules on conflicts of interest] or violates Article 124 [obligations regarding the treatment of trade and business secrets] of the Decree, they shall be dismissed by the government. The decision to dismiss members of the Media Council shall be published in the Belgian Official Gazette at the time of dismissal. The dismissed persons shall receive sufficient justification in advance and shall have the right to request the publication of this justification if it would not be published automatically. In this case, the justification shall be published.
Reasons	Judicial review
Violation of the rules on conflicts of interest or the obligations regarding the protection of trade and business	Yes, general administrative law applies (before the Council of State)

⁵² Geschäftsordnung (Rules of Procedure)



secrets (Article 109 of the Decree)		
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes	Yes	The member who replaces a member who has resigned prematurely shall serve out the remainder of that member's term of office. At the end of their term of office, the members of the Media Council shall continue to conduct business until their successors have taken the oath of office. (Article 106 of the Decree) If a member of the Media Council resigns prematurely, a successor shall be appointed for the remainder of the term of office in accordance with the regulations governing the appointment. (Article 108 of the Decree)

10.2.3.3. Assessing the adequacy of human resources

There are no rules for assessing the adequacy of human resources.

10.2.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	In order to carry out the tasks entrusted to him, an auditor from the Medienrat may obtain, remotely or on site, from administrative authorities, applicants, media service providers, providers of electronic communications networks and services, and all other interested parties, all necessary information to determine whether the obligations arising from this decree or its implementing provisions are being met (Article 101(3) of the Decree).	General sanctions may be imposed (Article 101(3) and 138 of the Decree).
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
Article 138 of the Decree			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only Fines	The Medienrat has this power. However, there are no specific legal requirements as to the procedure (Article 138 of the Decree)		
Power to request the suspension or termination of services			

Yes	The Medienrat has this power. However, there are no specific legal requirements as to the procedure (Article 138 of the Decree)
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
The Medienrat has this power. However, there are no specific legal requirements as to the procedure (Article 138 of the Decree)	
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
In order to carry out the tasks entrusted to him, the auditor may: - obtain, remotely or on site, all necessary information from administrative authorities, applicants, media service providers, providers of electronic communications networks and services, and all other parties concerned, in order to determine whether the obligations arising from this decree or its implementing provisions are being fulfilled; - carry out investigations on the persons referred to in point 1 in accordance with the procedures laid down by the government (Article 101 (3) of the Decree)	

10.2.5. Transparency

10.2.5.1. Publication of the NRA's decisions

The decisions on radio frequency allocations and of results of the Medienrat's review of must-carry obligations are published on the NRA's website (Article 58(1) and 97(3) of the Decree), together with its activity reports (Article 104 of the Decree) and Information on rights, conditions, procedures, administrative charges and decisions relating to general authorisations, rights of use, rights to install facilities and market regulation (Article 119 of the Decree).

10.2.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Article 3 of the Decree of 16 October 1995 on the disclosure of administrative documents⁵³ provides the right to examine an administrative document on the spot, obtain explanations about it and receive a copy of it.

10.2.5.3. Requirements or procedures for the reporting of the NRA's activities

The Medienrat issues an annual activity report, which it submits to the Government and Parliament. This report includes information on the state of the electronic communications market, its decisions, its human and financial resources and how these resources are allocated, as well as its future plans. These reports are published on the Medienrat's website (Article 104 of the Decree).

⁵³ Dekret vom 16. Oktober 1995 über die Öffentlichkeit von Verwaltungsdokumenten (Decree of 16 October 1995 on the disclosure of administrative documents)

10.2.5.4. Appeal mechanisms to challenge NRA decisions

Any interested party may, in accordance with the coordinated laws of 12 January 1973 on the Council of State, appeal to the Council of State against decisions of the Medienrat. It should be noted that the Medienrat collects information relating to the general content of the appeals lodged, their number, the duration of the proceedings and the number of decisions on the adoption of interim measures. The NRA makes this information available to the European Commission and ENTSO for Electricity (European Network of Transmission System Operators for Electricity) upon their reasoned request (Article 142 of the Decree).

10.2.6. Debates on the independence of the NRA

Reportedly, the German-speaking Community granted the Media Council significant structural reinforcement only recently. Although the Media Council has formally held independent authority status since 2005, it has been able to manage its own staff directly only since 2024.⁵⁴

⁵⁴ [Commission Staff Working Document 2025 Rule of Law Report Country Chapter on the rule of law situation in Belgium](#) SWD/2025/901 final, p. 12; see especially footnote 109.

10.3. BE(FR) – Belgium (French-speaking Community)⁵⁵

10.3.1. Mandate and powers

General information	
Name	<i>Conseil supérieur de l'audiovisuel</i> (The Higher Audiovisual Council - CSA)
Headquarters	89 Rue Royale B - 1000 Bruxelles, Belgique
Date of establishment	1987-1997 as an advisory body; 1997-2003 as an NRA with restricted powers; since 2003 as a fully competent NRA
Area(s) of competence	Audiovisual media services, VSPs and intermediary services
Number of employees	30 EFT
Website	www.csa.be

Legal personality and liability

The CSA is established as an independent administrative authority with legal personality responsible for regulating the audiovisual sector in the French Community of Belgium. It can be held liable in the event of a dispute.⁵⁶

Powers			
Regulatory	Yes, Articles 9.1.2-1, 9.1.2-3 § 1, 1° to 5°, 11°, 12°, 14° and 16° of the Decree.		
Monitoring	Yes, Articles 9.1.2-3 § 1, 6° to 10°, 13° and 15°, 9.1.2-3 § 3, 9.2.2-3, 9.2.2-4, 9.2.2.5 of the Decree.		
Sanctioning	Yes, Articles 9.2.2-1, 9.2.3-1 of the Decree.		
Competences ⁵⁷			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	Yes

10.3.2. Financial autonomy

10.3.2.1. Sources of income

The funding sources of the CSA are mainly composed of an annual grant allocated by the French Community; a specific supplementary grant to cover damages paid by the CSA due to any potential liability claims; donations and bequests made in its favour; income from its own assets; and subsidies granted for specific tasks not covered by the financing agreement. (Article 9.1.6-1 §2 of the Decree; Financing Agreement of the CSA, signed on 22 December 2023 between the Government of French community and the CSA⁵⁸)

⁵⁵ The national summary on the French-speaking Community of Belgium incorporates the feedback received from the CSA.

⁵⁶ *Décret relatif aux services de médias audiovisuels et aux services de partage de vidéos, 4 février 2021* (Decree on audiovisual media services and video-sharing services - 4 February 2021 – hereafter referred to as “the Decree”), Article 9.1.1-1.

⁵⁷ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

⁵⁸ [Contrat de financement du CSA 2024 -2028](#) (Financing Agreement).

The CSA operates on the basis of annual and multi-annual budgets. It determines, with the government, a five-year agreement which determines the amount of funding allocated to it. This funding is included annually in the budget of the French Community and is indexed according to the terms set out in the financing agreement. (Article Art. 9.1.6-1 § 2 of the Decree)

10.3.2.2. Budget adjustment procedures

No provision specifically ensures commensurability of the CSA's budget with its powers and tasks. However, the financing agreement may be amended by means of a rider in line with changes in the CSA's remit. (Article Art. 9.1.6-1 § 2 of the Decree)

Audit	
Who	External comptroller and auditor-general
When	Annually
Procedure	No later than 30 June, the executive committee of the CSA shall submit an annual management report to the Government, including a summary of the annual accounts, the main financial data for the past year, the balance sheets and the auditor's report. (Article 9.1.7-2. § 3 of the Decree)

10.3.3. Operational independence

10.3.3.1. Appointment

Staff: civil servants or appointed under private law contracts			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson	1	5 years	Yes, unlimited
<i>Bureau</i> (Executive committee)	4 (Including the Chairperson)	5 years	Yes, unlimited
Board (<i>Collège d'autorisation et de contrôle</i> - licensing and supervisory board)	10 (Including the 4 <i>Bureau</i> members)	4 years	Yes, unlimited
Who appoints	Procedure		Criteria
Chairperson: Government Bureau: Government Board: Government and Parliament	Members of the Bureau are appointed by the Government in proportion with the representation of the democratic political tendencies existing within the Parliament of the French Community, following a call for applications published on the CSA website and a comparison of the qualifications and merits of each candidate. (Article 9.1.3-3. - § 1 of the Decree) Members of the Licensing and Supervisory Board are appointed in proportion with the representation of the democratic political tendencies existing within the Parliament of the French Community. Three of the six		The government must compare qualifications and merits of each candidate, particularly in the fields of law, audiovisual media or communication. (Article 9.1.3-3. - § 1 of the Decree)



	members (excluding the Bureau members) are appointed by Parliament. The Government completes the College after the first three members have been appointed by Parliament. (Article 9.1.2-7. - § 1 of the Decree)	
Conflicts of interest		
Articles 9.1.3-3. - § 1 and 9.1.2-7 §§ 2 and 3 of the Decree. Rules apply during the term of office.		
Incompatibilities	- Membership in the European Commission, the federal government, a community or regional government, or in the cabinet of any of these bodies; - Membership in a European, federal, community or regional legislative assembly or parliamentary attaché; - Holding office as provincial governor, district commissioner, permanent deputy, or provincial councilor; - Holding office as mayor, alderman, or president of a public social welfare center; - Exercising any function likely to create a personal or functional conflict of interest, due to: • Being a member of the staff or board of directors of RTBF or a service provider; • Exercising a function or holding interests in a company or any organization engaged in an activity in competition with companies or organizations in the audiovisual sector; - Ineligible if convicted (personally or through an organization of which the person is a member) by final court decision for violations of democratic principles, unless ten years have elapsed and it can be established that the person or association has publicly renounced its hostility towards the democratic principles. The restriction also ceases after 1 year if the person resigned from the convicted association immediately following its conviction.	

10.3.3.2. Dismissal

Chairperson and Boards		
Who dismisses	Procedure	
Parliament on recommendation of the Government	The Government, on its own initiative or on the recommendation of the Licensing and Supervisory Board, finds that the term of office of one of the members is tainted by grounds for dismissal. (Article 9.1.2-7 § 1 of the Decree)	
Reasons		Judicial review
- Failure to fulfil the duties of office or conduct that undermines dignity; - Failure to comply with the rules on incompatibilities referred to in the decree. - Breaching the rules of professional conduct laid down by the Licensing and Supervisory Board; - Six consecutive absences.		Within 30 days of the notification being sent, the member may request a hearing before Parliament in order to exercise their right of defence. (Article 9.1.2-7 § 1 of the Decree)
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
The Government must notify the member	the reasoned decision to dismiss shall be published on the CSA website after a period of 15 days from	No mention



concerned and Parliament of a reasoned proposal for dismissal. (Article 9.1.2-7 § 1 of the Decree)	the date of notification of the decision to dismiss to the member concerned. (Article 9.1.2-7 § 1 of the Decree)	
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10.3.3.3. Assessing the adequacy of human resources

No specific provision requires to assess the adequacy of human resources at the CSA.

10.3.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	According to Article 9.1.2.3 § 6 of the Decree, the Licensing and Supervisory Board may request from any private individual or public authority the information necessary for the performance of its duties. According to Article 9.1.3-2. - § 1 of the Decree, the bureau may request from Government departments any information or reports necessary for the exercise of the missions of the CSA and the Colleges.	A violation of the Decree can be the basis for an administrative sanction according to Article 9.2.2-1. - § 1 of the Decree.
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
Yes	Warnings and order cessations are amongst the possible administrative sanctions that the Licensing and Supervisory Board can impose according to Article 9.2.2-1. - § 1 of the Decree.		
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only fines	Fines are among the possible administrative sanctions that the Licensing and Supervisory Board can impose according to Article 9.2.2-1. - § 1 of the Decree.		
Power to request the suspension or termination of services			
Yes	Suspension or termination of the services are among the possible administrative sanctions that the Licensing and Supervisory Board can impose according to Article 9.2.2-1. - § 1 of the Decree.		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
No			
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
No mention			

10.3.5. Transparency

10.3.5.1. Publication of the NRA's decisions

Although not a legal duty, in practice, all decisions are published on the CSA website.

10.3.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Parties may access official documents held by public authorities and background documentation in case of judicial review. Normal rules of procedures of the Conseil d'Etat apply.

10.3.5.3. Requirements or procedures for the reporting of the NRA's activities

The CSA must publish an annual report covering all of its activities. (Articles 9.1.2-1 § 5 and Art. 9.1.2-3 § 8 of the Decree)

10.3.5.4. Appeal mechanisms to challenge NRA decisions

As with all decisions of other administrative authorities, the decisions of the CSA may be challenged within a delay of 60 days to the Conseil d'Etat. The Conseil d'Etat can either suspend or cancel the decisions of the CSA.⁵⁹

10.3.6. Debates on the independence of the NRA

No current debate on the independence of the CSA is to be reported.

⁵⁹ [Lois sur le Conseil d'État, coordonnées le 12 janvier 1973](#) (Coordinated Act on the Conseil d'Etat, Article 14 § 1er, 1°)

10.4. BE(VL) – Belgium (Flemish community)⁶⁰

10.4.1. Mandate and powers

General information	
Name	<i>Vlaamse Regulator voor de Media</i> (Flemish Regulator for the Media – VRM)
Headquarters	Simon Bolivarlaan 17 B-1000 Brussels Postal address: Koning Albert II-laan 15 box 476 B-1210 Brussels
Date of establishment	6 December 2005
Area(s) of competence	Audiovisual media
Number of employees	21
Regional structure	Belgium has a federal structure with distinct language communities, each of which has its own media regulator. Media regulation is a community competence, meaning that each language community (Flemish, French, and German-speaking) is responsible for audiovisual media within its jurisdiction. The VRM is the media regulator for the Flemish Community. It is competent for audiovisual and audio media services provided in Dutch, and for enforcement of relevant EU regulations (e.g. the AVMS Directive, the DSA, the AI Act) insofar as they relate to media and fall within the Flemish Community's competences. Other media regulators in Belgium include: the <i>Conseil Supérieur de l'Audiovisuel</i> (CSA) for the French Community; and the <i>Medienrat</i> for the German-speaking Community.
Website	https://www.vlaamseregulatormedia.be/nl

Legal personality and liability

VRM is an external independent agency with a legal personality under public law (Article 215 of the Media Decree⁶¹). It is also liable in case of a dispute.

Powers			
Regulatory	No		
Monitoring	Yes (See: Article 218 of the Media Decree)		
Sanctioning	Yes (See: Part VII Title IV of the Media Decree)		
Competences ⁶²			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	No

⁶⁰ The national summary on Belgium (Flemish community) incorporates the feedback received from Dirk Peereman, advisor at the VRM.

⁶¹ *Decreet betreffende radio-omroep en televisie van 27 maart 2009 (Mediadecreet)* (Act on radio and television broadcasting of 27 March 2009 - Media decree)

⁶² This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.4.2. Financial autonomy

10.4.2.1. Sources of income

VRM's sources of income include: allocations (state budget); registration fees of candidates requesting accreditation and compensation for maintaining such accreditation; tax levies if these are allocated under an Act applicable to the Flemish Regulator for the Media; retributions if these are allocated under an Act applicable to the Flemish Regulator for the Media; revenues arising from acts of management or disposal with respect to own properties and claims for refunds of wrongly made expenditures (Article 232 of the Media Decree).

VRM operates on the basis of an annual budget. The Flemish Government determines the financial framework within which the VRM operates, but the Board of Directors of the VRM draws up its own budget within the parameters set by the government.⁶³

10.4.2.2. Budget adjustment procedures

The commensurability of the budget with the NRA's powers and tasks is ensured by the fact that the budget allocated by the Flemish Government is reviewed at least once a year and adjusted through a budget revision process in response to changed circumstances (Article 12ff. of the Flemish Code of Public Finance).

Audit	
Who	Government Commissioner appointed by the Flemish Government (Article 54 of the Flemish Code of Public Finance)
When	No mention of this
Procedure	The Government Commissioner, appointed by the Flemish Government, supervises externally autonomous public law agencies to ensure compliance with laws, statutes and business plans, focusing especially on financial decisions. The Commissioner has advisory status on VRM's Board of Directors, access to necessary documents, and can appeal decisions deemed contrary to the public interest, with suspension of such decisions pending appeal. The Minister in charge reviews appeals within 10 working days, and associated costs and remuneration of the Commissioner are borne by the VRM (Art. III.13. of the Governance Decree ⁶⁴).

⁶³ [Decreet houdende de Vlaamse Codex Overheidsfinanciën](#) (Flemish Code of Public Finance)

⁶⁴ [Decreet Bestuursdecreet](#) (Governance Decree)

10.4.3. Operational independence

10.4.3.1. Appointment

Staff: civil servants			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson	1	5 years	Yes (not detailed)
Board of Directors	3	5 years	Yes (not detailed)
Who appoints	Procedure		Criteria
The Flemish Government	The Flemish Government appoints the members of the Board of Directors (including the Chair) in accordance with the provisions of Chapter 2, Section 2, for a renewable term of five years, which in principle begins six months after the swearing-in of a new Flemish Government following the full renewal of the Flemish Parliament. If the period between the swearing-in of two successive governments is shorter or longer than five years, this term shall be adjusted accordingly (Art III.10 § 1, Governance Decree).		No mention
Conflicts of interest			
See Article 225 of the Media Decree and Article III.12 of the Governance Decree. Rules apply during the term of office.			
Incompatibilities	- Being a member of either of the two chambers of the VRM, in the European Parliament, the Chamber of Representatives, the Senate, the Flemish Parliament, and the Brussels-Capital Parliament. - Holding the office of minister or state secretary and the capacity of cabinet member of the minister under whose supervision the VRM falls. - Holding the position of staff member of the VRM, with the exception of the delegated administrator and the general director.		

10.4.3.2. Dismissal

Chairperson and Board		
Who dismisses	Procedure	
<u>Government</u> (Article III.10, §2 of the Governance Decree)	No mention	
Reasons	Judicial review	
No mention	No mention	
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
No mention	No mention	No mention

10.4.3.3. Assessing the adequacy of human resources

There are no rules for assessing the adequacy of human resources.

10.4.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	VRM can request proportionate information and documents, including financial data, from any person or entity subject to the Media Decree to fulfil its duties or at the European Commission’s request, stating the reasons and intended use. Entities must cooperate with the Regulator and retain copies of all broadcasts for one month, providing these copies within 15 days upon request under specified conditions. If initial information is insufficient, VRM may seek further details from related entities in the media, electronic communications, or closely related sectors (Article 234 of the Media Decree).	General sanctions may be imposed (Article 228 of the Media Decree). A specific sanction is provided for in the context of the DSA (Article 228/1, third paragraph of the Media Decree) and the AI Act (proposed Article 228/4 – in the draft Decree amending the Media Act⁶⁵).
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
Article 228 1° of the Media Decree			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only Fines	Fines up to €125 000 (Article 228 (4°) and Article 229 (4°) of the Media Decree		
Power to request the suspension or termination of services			
Yes	Article 228 (7°) Media Decree		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
Yes			
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
No			

⁶⁵ *Ontwerp van decreet tot wijziging van het decreet van 27 maart 2009 betreffende radio-omroep en televisie, met het oog op de gedeeltelijke uitvoering van de verordening (EU) 2024/900 van 13 maart 2024 betreffende transparantie en gerichte politieke reclame, van de Europese verordening mediavrijheid, en van de verordening artificiële intelligentie* (Draft decree amending the decree of March 27, 2009, on radio and television broadcasting, with a view to the partial implementation of Regulation (EU) 2024/900 of March 13, 2024, on transparency and targeted political advertising, of the European Media Freedom Regulation, and of the Artificial Intelligence Regulation)

10.4.5. Transparency

10.4.5.1. Publication of the NRA's decisions

The decisions of the General Chamber and the Chamber for Impartiality and Protection of Minors become public on the first day after they have been sent to the parties concerned (Article 12 and 33 of the Rules of Procedure⁶⁶).

10.4.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

The complainant, as well as persons entitled to access under the rules on public access to administrative documents, may consult the relevant administrative file at the registry, by appointment with the registrar (Article 13 of the Rules of Procedure).

10.4.5.3. Requirements or procedures for the reporting of the NRA's activities

A copy of each decision of VRM must be submitted to the Minister. VRM must also prepare an annual activity report for the Flemish Government and the Flemish Parliament, which must be submitted by 31 March of the following calendar year (Article 218 §4 and §5 of the Media Decree).

10.4.5.4. Appeal mechanisms to challenge NRA decisions

An appeal for annulment may be lodged with the Council of State. This appeal must be filed by registered letter within 60 days of the notification, in accordance with the provisions of the Council of State coordinated laws⁶⁷ and the Regent's Decree regulating the procedure before the Administrative Litigation Division of the Council of State.⁶⁸

10.4.6. Debates on the independence of the NRA

No current debate on the independence of VRM is to be reported.

⁶⁶ *Reglement van Orde van de Algemene kamer, de Kamer voor onpartijdigheid- en bescherming van minderjarigen, het college van voorzitters en de algemene vergadering van de Vlaamse regulator voor de media* (Rules of Procedure of the General Chamber, the Chamber for Impartiality and Protection of Minors, the Board of Chairpersons, and the General Assembly of the Flemish Media Regulator)

⁶⁷ *Gecoördineerde wetten op de Raad van State* (Council of State coordinated laws)

⁶⁸ *Besluit van de regent van 23 augustus 1948 tot regeling van de rechtspleging voor de afdeling bestuursrechtspraak van de Raad van State* (Decree of the Regent of 23 August 1948, regulating the administration of justice for the administrative law division of the Council of State)

10.5. BG – Bulgaria⁶⁹

10.5.1. Mandate and powers

General information	
Name	Съвет за електронни медии - Council for Electronic Media (CEM)
Headquarters	69 Shipchenski prohod blvd 1574, Sofia, BG - Bulgaria
Date of establishment	2001
Area(s) of competence	Radio, television, on-demand services, video-sharing platforms
Number of employees	Approx. 50 (as of 2025)
Website	https://www.cem.bg

Legal personality and liability

CEM is an independent public authority with legal personality. It is liable under administrative law and decisions can be subject to judicial review under the Administrative Procedure Code⁷⁰.

Powers			
Regulatory	Yes: Art. 20, 32, Radio and Television Act		
Monitoring	Yes: Art. 32, 33, 116, Radio and Television Act ⁷¹		
Sanctioning	Yes: Art. 117-124, 126-129, Radio and Television Act		
Competences ⁷²			
AVMSD	EMFA	DSA	Political Advertising Regulation
Yes	No	Yes	No

10.5.2. Financial autonomy

10.5.2.1. Sources of income

CEM's source of income is **state funding** (Art. 102(2) – (11), Radio and Television Act)

The amounts collected from annual fees for supervising compliance with the law, issuing licences and registration, as set out in the Tariff of Fees for Radio and Television Activities, go to the revenue side of CEM's budget, as determined by the State budget framework. CEM also generates revenue for the State budget from administrative-penal activities which are not retained as CEM's own income (Art. 121 Public Finance Act⁷³).

⁶⁹ The national summary on Bulgaria incorporates the feedback received from Doroteya Petrova, Director of Licensing, Registration, Legal Regimes and International Affairs" Directorate at CEM.

⁷⁰ АДМИНИСТРАТИВНОПРОЦЕСУАЛЕН КОДЕКС (Administrative Procedure Code)

⁷¹ ЗАКОН ЗА РАДИОТО И ТЕЛЕВИЗИЯТА (Radio and Television Act)

⁷² This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

⁷³ ЗАКОН ЗА ПУБЛИЧНИТЕ ФИНАНСИ (Public Finance Act)

CEM operates on the basis of an annual budget. It submits a draft budget through the Ministry of Finance to Parliament, who decide on the budget. (Arts. 69 and 86(2) p. 2, Public Finance Act)

10.5.2.2. Budget adjustment procedures

The budget should be commensurate with the powers and tasks of CEM in that the annual budget is determined in accordance with CEM's statutory tasks and discussed with the Ministry of Finance to ensure it is adequate (Arts. 32-33, Radio and Television Act).

Revisions are possible through budget amendments by the Council of Ministers and Minister of Finance during the fiscal year. CEM may make amendments to its own budget (internal allocations) within the framework of the amendments implemented by the Council of Ministers and the Minister of Finance (Arts. 109, 110 and 112, Public Finance Act).

Audit	
Who	The National Audit Office (NAO) of Bulgaria
When	Annually (Art. 54 (1), National Audit Office Act ⁷⁴)
Procedure	Audits follow national law, international standards, and NAO guidelines. Audit teams prepare draft reports, which are reviewed, subject to quality control, and shared with the audited organisations for comments before a final report is adopted by the NAO after considering all feedback. Final reports, containing an audit opinion, are sent to the audited entity and, in cases of adverse or disclaimer opinions, the Minister of Finance is notified for potential further action (Art. 54, National Audit Office Act)

10.5.3. Operational independence

10.5.3.1. Appointment

Staff: civil servants and employees under labour law contracts			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chair	1	1 year	There is no mention in the law but renewals occur in practice
Members (incl. the chairperson)	5	6 years	Yes, twice and not consecutive
Who appoints		Procedure	Criteria
Chair: Elected by the members		The Chair is elected by a two-thirds majority of all members. If no decision is taken at three consecutive meetings	Bulgarian citizenship, higher education, professional experience in media/law/public

⁷⁴ [ЗАКОН за Сметната палата](#) (National Audit Office Act)



Members: 3 elected by Parliament; 2 by President	within a month, it is taken by a simple majority (Arts. 31, 37, Radio and Television Act).	administration, no conflict of interest, public esteem and recognition (Art. 25, Radio and Television Act)
Conflicts of interest		
See Arts. 26, 27, 28, 28a, Radio and Television Act. Rules apply before, during and after the term of office and during the appointment process.		
Incompatibilities	- Those convicted of intentional crimes, involved in commercial entities - Sole traders, owners of the capital of commercial corporations, partners, managing directors, managerial agents or members of management and auditing bodies of commercial corporations and cooperatives; - While in office (and, in some case, for up to one or two years after), members may not hold other paid positions, management roles in commercial/media/political organisations, or receive related remuneration, and must disclose conflicts of interest, with abstention required from conflicted votes.	

10.5.3.2. Dismissal

Chairperson and members		
Who dismisses	Procedure	
<u>CEM</u>	The Council for Electronic Media, upon the proposal of any of its members, may decide to terminate the chairperson's term prematurely (Arts. 30, 31 (4)(5), Radio and Television Act). Dismissal of a member of CEM prior to the expiry of the mandate is carried out by a decision of CEM and announced by its chairperson (Art. 30, Radio and Television Act).	
Reasons		Judicial review
Letter of resignation; non-fulfilment of duties, permanent factual inability to fulfil their duties for more than six months; upon establishment of incompatibilities; upon entry into force of a judgment imposing a sentence of imprisonment for an intentional crime; upon entry into force of an act establishing a conflict of interest.		Yes, before the Sofia Region Administrative Court (Art. 38 (1) Radio and television Act).
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes, CEM makes its decisions at meetings, and the invitation to the meeting and the agenda are sent/published on the CEM website no later than 24 hours before the meeting.	Yes, CEM has the obligation to make public any decisions made in connection with the exercise of its powers	Members of CEM may elect an acting chairperson, whose competence have the same scope but be limited in time – until the election of a new chairman (Art 31(4) Radio and Television Act). Concerning the members, the competent authority must elect or appoint a new member in their place until the end of the respective term (Arts. 29 and 30, Radio and Television Act).

	(Art. 35(3), Radio and Television Act).	
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10.5.3.3. Assessing the adequacy of human resources

An annual assessment is carried out based on administrative workload, budget, and planned activities. If necessary, and at the proposal of the directors of the directorate and/or the secretary general, changes may be made to the staffing table of CEM employees.

10.5.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	CEM can request information needed for supervision and sanctions. CEM may obtain technical broadcast data from the Communications Regulation Commission, and media providers are required to supply documents and cooperate during inspections. CEM officials can access all pertinent documents, require information on violations, conduct on-site checks, and order the cessation or public declaration of unlawful acts (Arts. 13(3), 14(4), 32(1)13, 79, 116 (3), 117, 125a(1)6, Radio and Television Act).	Sanctions of a financial nature may be imposed on media service providers who have failed to comply with their obligation to provide information to CEM.
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	CEM can impose fines (not periodic penalties) through administrative sanctioning procedures and imposition of a fine/ financial penalty subject to appeal before the court (Arts. 126-129, Radio and Television Act).		
Power to request the suspension or termination of services			
Yes	In cases of repeated or severe violations, CEM may suspend or revoke licences or registration of service providers (Arts. 118, 122-124, 125d, Radio and Television Act).		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			

Yes	The Council for Electronic Media publishes a monthly newsletter on its website, which includes sanctioning decisions (penal decrees) including the legal person responsible and the description of the infringement.
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Yes, while performing the official duties thereof, the officials of the CEM are entitled to: 1. access all documents that are directly or indirectly relevant to a violation of this Act or of the legislation of the Member States of the European Union transposing the requirements of Directive 89/552/EEC of the Council concerning the pursuit of television broadcasting activities, as last amended by Directive 97/36/EC of the European Parliament and of the Council, regardless of the form of the document; 2. order any person to provide information on any violations referred to in Item 1 which the said person is aware of; 3. carry out on-site inspections.	

10.5.5. Transparency

10.5.5.1. Publication of the NRA's decisions

CEM's meetings are held in public except where information must be protected by law. Within three days, the full minutes of the meetings are published on its website (Arts. 35(2), (3) and 39, Radio and Television Act). CEM also publishes a monthly information bulletin with decisions, monitoring results, regulatory actions, and analyses, available online.

10.5.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Background documents are accessible through information requests under the Access to Public Information Act. A special section on the CEM's website⁷⁵ instructs how one can get the requested information.

10.5.5.3. Requirements or procedures for the reporting of the NRA's activities

CEM must submit an annual activity report to the National Assembly by March 31 and publish it on its website. It covers monitoring, public media work, licensing, sanctions, finances, transparency, media literacy, international participation, and institutional development.

10.5.5.4. Appeal mechanisms to challenge NRA decisions

Decisions of the Council for Electronic Media are subject to appeal before the Administrative Court of Sofia Region (Art. 38, Radio and Television Act).

10.5.6. Debates on the independence of the NRA

No current debate on the independence of CEM is to be reported.

⁷⁵ [CEM website](#).

10.6. CY – Cyprus⁷⁶

10.6.1. Mandate and powers

General information	
Name	Radio Television and Digital Services Authority (RTDSA)
Headquarters	42, Athalassas Avenue, 2012, Nicosia, Cyprus
Date of establishment	1998
Area(s) of competence	Private radio, television broadcasters, and VSPs (in the latter case, RTDSA has the power to assess whether the measures these platforms are required to take for the protection of minors and the general public are appropriate). The Authority has also been appointed as the national Digital Service Coordinator for the Digital Services Act 2022/2065 (Law 122(I)/202577)
Number of employees	29
Website	https://rtdsa.org.cy/

Legal personality and liability

RTDSA is an independent public authority that was established and operates under the Radio and Television Broadcasters Law⁷⁸ and is therefore classified as a legal person governed by public law. In accordance with its legal status, RTDSA has legal personality and the legal capacity to initiate or be subject to legal proceedings (Section 3, 8A, Radio and Television Broadcasters Law).

Powers			
Regulatory	Yes: Section 3 (1) and (2), Radio and Television Broadcasters Law		
Monitoring	Yes: Section 3 (1) and (2), Radio and Television Broadcasters Law		
Sanctioning	Yes: Section 3 (2)(g), (r), Radio and Television Broadcasters Law		
Competences ⁷⁹			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	No

⁷⁶ The national summary on Cyprus incorporates the feedback received from Ms Constandia Michaelidou, RTDSA's Legal Officer.

⁷⁷ Law 122(I)/2025 Ο περί της Εφαρμογής του Κανονισμού (ΕΕ) 2022/2065, σχετικά με την Ενιαία Αγορά Ψηφιακών Υπηρεσιών

⁷⁸ Ο περί Ραδιοφωνικών και Τηλεοπτικών Οργανισμών Νόμος 7(Ι) του 1998 (μέχρι και την τροποποίηση 123(Ι) του 2025) (Radio and Television Broadcasters Law)

⁷⁹ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.6.2. Financial autonomy

10.6.2.1. Sources of income

RTDSA's main source of income is generated by the Authority's licensing fees, which are administrative fees as provided in Section 38(1) of the Radio and Television Broadcasters Law. While another source of income indicated in the above-mentioned law, is Government grants, these have only ever been applied once when the Government appointed the Authority as the DSC and granted the Authority a grant for the purposes of the enforcement of the DSA Regulation (Radio and Television Broadcasters Law, Article 38, (1)).

RTDSA operates on the basis of an annual budget, from 1 January to 31 December. While there is no multi-annual budget, the State budget operates on a three-year financial plan. A planned budget exists for the two subsequent financial years. RTDSA submits the budget to the Minister of Interior, who then submits it to the Council of Ministers and the House of Representatives for approval. (Section 36 (1) (2) (3), Radio and Television Broadcasters Law).

10.6.2.2. Budget adjustment procedures

There is no specific procedure to ensure that the budget is sufficient despite that RTDSA submits the budget it considers appropriate. Financial constraints and the general fiscal policy issued by the Minister of Finance do not guarantee that the Government will satisfy all of RTDSA's requests.

Any proposed revision to the approved budget during the financial year must follow the same approval process and be published in the Official Gazette of the Republic (Section 104(4), Law on Fiscal Responsibility and the Budgetary Framework of 2014⁸⁰).

Audit	
Who	Auditor General of the Republic
When	Annually
Procedure	The accounts of the NRA are audited by the Auditor General, and within one month of the audit, the NRA submits the financial management report along with a copy of the Auditor General's report to the Council of Ministers and the House of Representatives (Art. 37, Radio and Television Broadcasters Law).

⁸⁰ [Ο Περί της Δημοσιονομικής Ευθύνης και του Δημοσιονομικού Πλαισίου Νόμος του 2014 \(Ν. 20\(Ι\)/2014\)](#) (Law on Fiscal Responsibility and the Budgetary Framework of 2014)

10.6.3. Operational independence

10.6.3.1. Appointment

Staff: agents of a legal entity governed by public law			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairman of the Board	1	6 years	Yes, once
Board	7 including the Chairman	6 years	No specific limitation
Who appoints		Procedure	Criteria
<u>Chairman and Vice-Chairman</u> : Council of Ministers, upon recommendation of the President of the Republic (Section 4 (1), Radio and Television Broadcasters Law). <u>Board</u> : Council of Ministers		No mention	Coming from the fields of literature, arts, science, or technology, or having specialized knowledge and recognized experience in matters relating to mass media, possessing high professional and moral standards and comprehensive knowledge and understanding of the intermediary services market (Section 4 (2), Radio and Television Broadcasters Law).
Conflicts of interest			
Section 4 (2), Radio and Television Broadcasters Law. Rules apply before, during and after the term of office and during the appointment process.			
Incompatibilities	Direct or indirect interest in any provider of AVMS or in the Cyprus Broadcasting Corporation. (Section 4 (3), Radio and Television Broadcasters Law) ⁸¹ .		

10.6.3.2. Dismissal

Chairperson and Board	
Who dismisses	Procedure
Government: Council of Ministers	No mention
Reasons	Judicial review
Assuming office or a position in any political party or inappropriate conduct or failure to fulfil the conditions required for the performance of their duties pursuant to the provisions of sections 4 and 8A (Section 5 (1),(c),(i),(ii),(d) Radio and Television Broadcasters Law).	The law does not explicitly require review of dismissal decisions. However, under Cypriot administrative law, such decisions could be subject to judicial review before the Administrative Court pursuant to Article 146 of the Constitution, provided that general administrative procedure requirements are satisfied.

⁸¹ Section “2, Radio and Television Broadcasters Law provides the definition of «Direct or indirect interest». In Greek: “άμεσο ή έμμεσο συμφέρον» σημαίνει την εργοδότηση, την είσπραξη αμοιβής ή άλλης πληρωμής, την ιδιοκτησία ή κατοχή ή το συμφέρον σε μετοχές ή ομόλογα, ομόλογα επιβάρυνσης ή άλλου είδους αξιόγραφα σε εποπτευόμενο φυσικό ή νομικό πρόσωπο”. (English: “Direct or indirect interest” means employment, receipt of remuneration or other payment, ownership or possession of, or interest in, shares or bonds, debentures or other securities in a supervised natural or legal person”).

Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes (Section 5 (1), Radio and Television Broadcasters Law)	Yes (Section 5 (1), Radio and Television Broadcasters Law)	Yes, temporary replacement of the Chairman or the Vice-Chairman of the NRA (Section 6, Radio and Television Broadcasters Law). But no rules in place for the members of the board.

10.6.3.3. Assessing the adequacy of human resources

There is no procedure in place to ensure that human resources are sufficient. RTDSA's requests when drafting the budget are subject to the approval of the Council of Ministers and the House of Representatives.

10.6.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	CRTA may carry out any act necessary for the achievement of the objectives set out in the Law, or any act that contributes to their fulfilment (Section 3(3)(d) of the Radio and Television Broadcasters Law). Where there is an investigation into a potential violation, it may request the submission of any document or other form of evidence that is relevant to the matter under examination (Section 42(6)(c)(iii) of the Radio and Television Stations Regulations 10/200082). Pursuant to Section 43(1) of the Radio and Television Stations Regulations and Section 50 of the Radio and Television Broadcasters Law, RTDSA has the power to carry out inspections by its authorised personnel at the headquarters of a broadcaster.	Monetary fine not exceeding €1 700 (Section 43 of the Radio and Television Stations Regulations).
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
RTDSA can impose a range of administrative sanctions, including recommendations, warnings, temporary suspension (up to three months), license revocation, or administrative fines (Sections 32G(2) and 41A(1), (2) of the Radio and Television Broadcasters Law). It may also apply to the Court to issue an injunction or a restraining order, including an interim order against AVMS providers responsible for violations, with the Court empowered to enforce corrective measures to cease unlawful activities (Section 41C(1) and (2)(b) of the Radio and Television Broadcasters Law).			

⁸² (Οι περί Ραδιοφωνικών και Τηλεοπτικών Σταθμών Κανονισμοί 10/2000)

Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures	
Yes	Radio and Television Broadcasters Law, Sections 32G, 41A, 41B: RTDSA may impose administrative fines on VSPs of up to 5% of annual turnover or €500 000. For AVMS providers, daily fines for non-compliance vary by type: up to €8 500 per day for TV, €3 400 for national radio, €1 700 for local radio, and €850 for small local radio organizations, with amounts set proportionally to the infringement's nature, importance, frequency and duration. Unpaid fines are pursued through legal action and recovered as civil debts owed to the state. RTDSA may also impose an administrative fine in relation to audiovisual media service providers each day of violation of the provisions of the Law or of the Regulations
Power to request the suspension or termination of services	
Yes	Sections 32G, 41A, 41B, Radio and Television Broadcasters Law: RTDSA may temporarily suspend (up to 3 months) or permanently terminate a VSP's operation. It may also suspend a television or radio organisation's operations temporarily (up to 3 months) or revoke their operating license.
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	Yes, Section 3(2) (c) the Radio and Television Broadcasters Law of 1998.
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Any person authorised by RTDSA may, upon prior notice, enter the premises of the station for the purpose of inspecting its technical installations, and the licensee shall permit such entry and provide all necessary assistance to the authorised person during the course of the inspection (Section 43, Radio and Television Stations Regulation and Section 50 of the Radio and Television Broadcasters Law).	

10.6.5. Transparency

10.6.5.1. Publication of the NRA's decisions

There is no explicit provision requiring the publication of the NRA's decisions. However the Law provides that the NRA shall exercise its powers with impartiality and transparency, and in accordance with the objectives of the Law (Section 8A(2), Radio and Television Broadcasters Law). For matters of transparency, the Authority, uploads all its decisions to its website.

10.6.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Concerned parties have the right to access relevant background documentation related to the procedure and the complaint. This right is grounded in the applicable principles of administrative law under Cypriot law and continues to apply even after the submission of a recourse for judicial review of the NRA's decision (General Administrative Law Principles Law 1999 (158(I)/1999)).

10.6.5.3. Requirements or procedures for the reporting of the NRA's activities

RTDSA maintains appropriate books and accounts for its activities, prepares a financial report and, every three years, a report concerning the development of media pluralism and concentration of shareholding in AVMS providers. This report shall be submitted to the Council of Ministers and the House of Representatives, and a summary of it shall be published in at least two daily newspapers. Moreover, the Authority submits an annual report on actions taken to the President of the House of Representatives, which is filed to the Parliamentary Committee of Internal Affairs for briefing. Additionally, periodic announcements are issued in relation to violations, informing the public of the relevant cases and the sanctions imposed (Section 3 (2)(h)(s), 37 (1), (2), Radio and Television Broadcasters Law).

10.6.5.4. Appeal mechanisms to challenge NRA decisions

The decision of the Authority to impose an administrative fine or any other administrative sanction is subject to recourse before the Administrative Court (Art. 146, Constitution).

10.6.6. Debates on the independence of the NRA

No current debate on the independence of RTDSA is to be reported.

10.7. CZ – Czechia⁸³

10.7.1. Mandate and powers

General information	
Name	<i>Rada pro rozhlasové a televizní vysílání</i> (Council for Radio and Television Broadcasting - RRTV)
Headquarters	Skretova 44/6, P.O.BOX 181 120 00 Praha 2 - Vinohrady, CZ - Czechia
Date of establishment	5 March 1992
Area(s) of competence	Radio and television broadcasting, retransmission, on-demand audiovisual media services and video-sharing platform services
Number of employees	Unknown
Website	https://rrtv.gov.cz/en/

Legal personality and liability

RRTV is an independent public authority with legal personality (Section 4 of the Act on Radio and Television Broadcasting⁸⁴). Czechia is liable for damages caused by any unlawful decision or incorrect administrative procedure of the RRTV (Section 3(1)(a), Act No. 82/1998).

Powers			
Regulatory	Yes: Section 5(1) and 5(1)(y) of the Act on Radio and Television Broadcasting		
Monitoring	Yes: Section 5(1)(g) of the Act on Radio and Television Broadcasting		
Sanctioning	Yes: Section 5(1)(f) of the Act on Radio and Television Broadcasting		
Competences ⁸⁵			
AVMSD	EMFA	DSA	Political Advertising Regulation
Yes	No	No	No

10.7.2. Financial autonomy

10.7.2.1. Sources of income

RRTV's only source of income is **state funding** and operates on the basis of an annual budget. Determination of the amount of the budget is based on the State Budget Act⁸⁶ approved by the Chamber of Deputies (Lower House of the Czech Parliament). RRTV

⁸³ The national summary on Czechia incorporates the feedback received from Katerina Lojikova, Senior Officer – Television Broadcasting Analysis Unit.

⁸⁴ *ZÁKON ze dne 17. května 2001 o provozování rozhlasového a televizního vysílání a o změně dalších zákonů* (Act on Radio and Television Broadcasting and on Amendment to Other Acts, hereafter referred to as "Act on Radio and Television Broadcasting")

⁸⁵ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

⁸⁶ *Zákon č. 434/2024 Sb. Zákon o státním rozpočtu České republiky na rok 2025* (State Budget Act)

approves its budget within two months of the entry into force of the State Budget Act (Art. 7 of the Statute of the Council for Radio and Television Broadcasting⁸⁷).

10.7.2.2. Budget adjustment procedures

The Council for Radio and Television Broadcasting (RRTV) receives its funding from a dedicated chapter of the state budget of the Czech Republic (Art. 11(1) of the Act on Radio and Television Broadcasting). It also operates under the Act on Financial Control, with an established internal control system, a valid control code, and an internal auditor. Its financial statements are subject to annual external audit. The financial statements are audited annually by an external auditor.

The budget may be adjusted during the year in accordance with budgetary rules, subject to the approval of the Ministry of Finance or the Chamber of Deputies, depending on the scale of the change.

10.7.3. Operational independence

10.7.3.1. Appointment

Staff: private law contracts and civil servants			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson of Council for the Radio and Television Broadcasting (<i>Předseda Rady pro rozhlasové a televizní vysílání</i>)	1	2 years	No mention of this
Council for the Radio and Television Broadcasting (<i>Rada pro rozhlasové a televizní vysílání</i>)	13 including the Chairperson	6 years	Maximum twice in a row
Who appoints	Procedure	Criteria	
Chairperson: NRA (Council) Board: Parliament (Chamber of Deputies)	The Council elects from among its members a Chairperson and three Vice-Chairpersons for a two-year term of office. (Article 2(1) of the Rules of Procedure of the Council for Radio and Television Broadcasting (RRTV))	Members of the Council, including the chairperson must: a) have full legal capacity; b) have permanent residence in the territory of the Czech Republic; c) have reached the age of 25; d) be of good repute. A person shall not be considered of good repute if they have been lawfully convicted of a criminal offence committed directly in connection with the operation of radio or television broadcasting, retransmission, the provision of on-demand audiovisual media services, or the publication of periodical press, or of any other intentional criminal offence, unless such conviction has been expunged or is otherwise regarded as if it had not occurred.	

⁸⁷ [Statut Rady pro rozhlasové a televizní vysílání](#) (Statute of the Council for Radio and Television Broadcasting)



		A person shall also not be considered of good repute if they fail to meet the conditions laid down by a special law.
Conflicts of interest		
See Section 7(10-14) of the Act on Radio and Television Broadcasting, which applies to the Council (including the Chairperson). In this case, rules only apply during the term of office.		
Incompatibilities	Holding senior public offices (e.g., President, MP, judge), positions in political parties, or roles in media, audiovisual, or advertising companies, including unpaid or consultative roles. Members, and their close relatives or persons with a close personal relationship, cannot have any business or employment relationships with media or related industries, or act as consultants to broadcasters or media service providers. Any additional employment must not interfere with Council duties, and although scientific, educational, or artistic work is permitted, it must not compromise the Council's dignity or independence.	

10.7.3.2. Dismissal

Chairperson and Board			
Who dismisses		Procedure	
<u>Chairperson</u>: either by the NRA itself (Council) or by Parliament (Chamber of Deputies) since the Chairperson is also a member of the Council <u>Members of the Council</u>: Parliament (Chamber of Deputies)		The Chamber of Deputies may remove a member of the Council from office for any of the following reasons: (a) if the member has failed to attend meetings of the Council for at least six consecutive calendar months during which Council meetings were held; (b) if the member no longer meets the conditions for holding office as set out in this Act; (c) if the member has engaged in conduct that undermines his or her dignity, impartiality, or independence, or that casts doubt on the independence or impartiality of the Council. (8) A resolution of the Chamber of Deputies on the removal of a Council member from office must be duly reasoned.	
Reasons		Judicial review	
<u>Chairperson</u>: if has not served for over 3 months, fails to meet Council membership conditions, or shows repeated serious deficiencies in the performance of duties (Section 9(3) of Act on Radio and Television Broadcasting). <u>Members of the Council</u>: if fails to attend 6 consecutive meetings, fails to meet membership criteria, engages in conduct that undermines their dignity, impartiality, independence, or that of the Council (Section 7(7) of Act on Radio and Television Broadcasting).		<u>Chairperson</u>: No mention – unlikely in practice <u>Board</u>: According to the judgment of the Supreme Administrative Court of 12 March 2025 (Case No. 4 As 132/2024-81), the Chamber of Deputies, which has the power to dismiss a member of the Council pursuant to Article 7(7) of Act on Radio and Television Broadcasting, does not act in this case as a legislative body, but as an administrative body that decides on public subjective rights. Such a decision is therefore an	



		individual administrative act and is subject to judicial review in the administrative justice system. ⁸⁸
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
<u>Chairperson</u> : No <u>Council</u> : Yes	<u>Chairperson</u> : No <u>Council</u> : Yes	For the Chairperson only: the Council must elect a new Chairperson within 30 days from the date of removal (Section 9(6) of Act on Radio and Television Broadcasting).

10.7.3.3. Assessing the adequacy of human resources

No rule is in place to assess the adequacy of human resources.

10.7.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Providers must, upon written request, provide the Council with the statements and information necessary for the exercise of its competence in the EU (Section 6(5) of Act on on-demand audiovisual media services ⁸⁹ for VOD services, and Section 32(8) for broadcasting services).	Fine from CZK 5 000 to CZK 2 500 000 (Article 60 (7a), Broadcasting Act 231/2001)
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
In case of violation, the Council must warn the provider of the violation and set a time limit for the provider to remedy the violation (Section 59 of the Act on radio and television broadcasting for broadcasters, Section 11 of the Act on on-demand audiovisual media services for VOD services; Section 8(1) to (3) of the Act on video-sharing platform services ⁹⁰ for VSPs).			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Fines only	See Section 61 of the Act on radio and television broadcasting for broadcasters, Section 13 of the Act on on-demand audiovisual media services for VOD services and Section 5(d) and Section 12(a) of the Act on video-sharing platform services for VSPs.		
Power to request the suspension or termination of services			

⁸⁸ *Rozsudek N°4 As 132/2024-81* (Judgment N°4 As 132/2024-81)

⁸⁹ *Zákon o audiovizuálních mediálních službách na vyžádání a o změně některých zákonů (132/2010)* (Act on on-demand audiovisual media services)

⁹⁰ *Zákon č. 242/2022 Sb. o službách platform pro sdílení videonahrávek a o změně některých souvisejících zákonů* (Act on video-sharing platform services)

Yes	The Council may revoke the licence of a licensed broadcaster or cancel the registration or part of it. Where a licence has been validly withdrawn, the licensed broadcaster and the retransmitted broadcaster shall cease broadcasting within a time limit set by the Council. (Section 63 – 65 of Radio and Television Broadcasting).
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
No	
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
No	

10.7.5. Transparency

10.7.5.1. Publication of the NRA's decisions

RRTV must publish the resolutions of the Council, its annual report and minutes of the meetings, unless this is prevented by special legal regulations, and, where appropriate, other information in a manner allowing remote access (Section 5(1)(r) of Act on Radio and Television Broadcasting).

10.7.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

RRTV must provide the parties to the proceedings with information about the proceedings and acquaint them with the basis for the decision (such as documents and records) (Section 36(2)(3) of the Administrative Code⁹¹, Act No. 500/2004 Coll).

10.7.5.3. Requirements or procedures for the reporting of the NRA's activities

RRTV must submit an annual report to the Chamber of Deputies on its activities and on the state of play in the field of broadcasting and the provision of on-demand audiovisual media services (Section 6(1) of Act on Radio and Television Broadcasting).

10.7.5.4. Appeal mechanisms to challenge NRA decisions

RRTV decisions may be challenged in the administrative courts pursuant to the Administrative Procedure Code, Act No. 150/2002 Coll.

10.7.6. Debates on the independence of the NRA

No current debate on the independence of RRTV is to be reported.

⁹¹ Zákon správní řád č. 500/2004 Sb. (Administrative Procedure Code)

10.8. DE - Germany

Germany's federal structure creates a unique environment for media regulation. Responsibility for broadcasting lies with the federal states (*Bundesländer*), which organise and control it on the basis of interstate treaties (the Interstate Media Treaty and the Interstate Treaty on the Protection of Human Dignity and Minors in the Broadcasting and Telemedia) and state media legislation. As a result, every federal state has its own media authority, except for Berlin and Brandenburg, and Hamburg and Schleswig-Holstein, which share a joint authority, respectively. This results in 14 different state media authorities.

10.8.1. List of German media regulatory authorities and applicable legal framework

Table 7. List of media regulatory authorities and applicable legal framework

Regulator	Acronym	Applicable legal framework
<i>Landesanstalt für Kommunikation Baden-Württemberg</i>	LFK	<u>Landesmediengesetz Baden-Württemberg</u> (LMedienG) - Baden-Württemberg State Media Act
<i>Bayerische Landeszentrale für neue Medien</i>	BLM	<u>Bayrisches Mediengesetz</u> (BayMG) - Bavarian Media Act
<i>Medienanstalt Berlin-Brandenburg</i>	mabb	<u>Staatsvertrag über die Zusammenarbeit zwischen Berlin und Brandenburg im Bereich der Medien</u> (MStV-BB) - Treaty on Cooperation between Berlin and Brandenburg in the Media Sector
<i>Bremische Landesmedienanstalt</i>	brema	<u>Bremisches Landesmediengesetz</u> (BremLMG) - Bremen State Media Act
<i>Medienanstalt Hamburg/Schleswig-Holstein</i>	MA HSH	<u>Staatsvertrag über das Medienrecht in Hamburg und Schleswig-Holstein</u> (Medienstaatsvertrag HSH (MStV HSH) - Treaty on Media Law in Hamburg and Schleswig-Holstein
<i>Medienanstalt Hessen</i>	MA Hessen	<u>Hessisches Gesetz über privaten Rundfunk und neue Medien</u> (HPMG) - Hessian Act on Private Broadcasting and New Media
<i>Medienanstalt Mecklenburg-Vorpommern</i>	MMV	<u>Rundfunkgesetz für das Land Mecklenburg-Vorpommern</u> (Landesrundfunkgesetz - RundfG M-V) - Broadcasting Act for the State of Mecklenburg-Vorpommern
<i>Niedersächsische Landesmedienanstalt</i>	NLM	<u>Niedersächsisches Mediengesetz</u> - NMedienG (Lower Saxony Media Act)
<i>Landesanstalt für Medien</i>	LFM NRW	<u>Landesmediengesetz Nordrhein-Westfalen</u> - LMG NRW (North Rhine-Westphalia State Media Act)

<i>Medienanstalt Rheinland</i>	MA RLP	<u>Landesmediengesetz</u> - LMG (State Media Act)
<i>Landesmedienanstalt Saarland</i>	LMS	<u>Saarländisches Mediengesetz</u> - MedienG SL (Saarland Media Act)
<i>Sächsische Landesmedienanstalt</i>	SLM	<u>Sächsisches Privatrundfunkgesetz</u> - SächsPRG (Saxon Private Broadcasting Act)
<i>Medienanstalt Sachsen-Anhalt</i>	MA Sachsen-Anhalt	<u>Mediengesetz des Landes Sachsen-Anhalt</u> - MedienG LSA (Media Act of the State of Saxony-Anhalt)
<i>Thüringer Landesmedienanstalt</i>	TLM	<u>Thüringer Landesmediengesetz</u> - ThürLMG (Thuringia State Media Act)

10.8.2. Profile of state media authorities

10.8.2.1. Date of establishment

The 14 state media authorities were established between 1984 (LMS and NLM) and 2007 for the most recent (MA HSH). However, most of them were established in the 1990s.

Table 8. Dates of establishment

Regulator	Date	Regulator	Date
LFK	1986	NLM	1984
BLM	1985	LFM NRW	1987
mabb	1992	MA RLP	1987
brema	1989	LMS	1984
MA HSH	2007	SLM	1991
MA Hessen	1989	MA Sachsen-Anhalt	1991
MMV	1991	TLM	1991

10.8.2.2. Human resources

The number of employees of each state media authority is not publicly disclosed.

According to their respective state media laws, the state media authorities have the right to employ civil servants (except in the case of SLM), but they can also hire staff under private law contracts.

There is no mention of rules for assessing the adequacy of human resources.

10.8.3. Formal independence and status

The 14 state media authorities are independent authorities established under public law that have legal capacity. As such, they can be liable in the event of a dispute.⁹²

10.8.4. Remit

10.8.4.1. Applicable legal frameworks

All 14 state media authorities are competent under both the AVMSD and the EMFA. While they have minor responsibilities under the DSA, they must cooperate with the DSC (the Federal Network Agency - *Bundesnetzagentur*).⁹³ It is yet to be determined whether the authorities are competent in areas of Political Advertising Regulation.

10.8.4.2. Powers

All 14 state media authorities are competent with regulatory powers⁹⁴, monitoring powers⁹⁵ and sanctioning powers⁹⁶. In addition to powers stemming from state media laws, legal bases for powers are stipulated in the MStV, JMStV and the German Digital Services Act, the *Digitale-Dienste-Gesetz* (DDG)

10.8.4.3. Coordination role for digital services

The DSC for Germany is the Federal Network Agency for Electricity, Gas, Telecommunications, Post, and Railways (*Bundesnetzagentur*) (§ 14, DDG). It monitors online services to ensure that they comply with the DSA rules and that users can use the internet safely and freely.

⁹² § 40 ThürLMG; § 40 MedienG LSA; § 27 SächsPRG; § 42 MedienG SL; § 38 LMG; § 87 LMG NRW; § 33 NMedienG; § 51 RundfG M-V; § 30 HPMG; § 37 MStV HSH; § 46 BremLMG; § 7MStV-BB; Art. 10 BayMG; § 29 LMedienG

⁹³ *Bundesnetzagentur* - BNetzA (Federal Network Authority). See § 12 and 18, *Digitale-Dienste-Gesetz* - DDG (Digital Services Act)

⁹⁴ § 41 II Nr. 1 ThürLMG; § 40 II 3 MedienG LSA; § 28 I 2 SächsPRG; § 42 MedienG SL; § 42 LMG; § 88 I LMG NRW; § 34 NMedienG; § 53 RundfG M-V; § 31 I HPMG; § 39 MStV HSH; § 45 BremLMG; § 8 MStV-BB; Art. 12 II BayMG; § 18 LMedienG

⁹⁵ § 40 I 2 ThürLMG; §§ 41 I, 55 I MedienG LSA; § 28 I 1 SächsPRG; §§ 42, 48 MedienG SL; § 42 LMG; § 88 IV LMG NRW; § 34 NMedienG; § 53 RundfG M-V; § 31 I HPMG; § 37 II MStV HSH; § 49 BremLMG; § 8MStV-BB; Art. 11 I BayMG; § 30 II LMedienG

⁹⁶ § 54 III ThürLMG; § 55 II, § 59 MedienG LSA; §§ 39 - 43 SächsPRG; § 48 MedienG SL; § 42 LMG; § 118 LMG NRW; § 11 NMedienG; §§ 20, 21 RundfG M-V; § 10 HPMG; § 40 MStV HSH; § 49 BremLMG; § 58 MStV-BB; Art. 12 II BayMG; § 32 LMedienG

10.8.4.4. Enforcement mechanisms

10.8.4.4.1. Access to data, documents or other necessary information

All state media authorities have the power to require access to data, documents or other necessary information to perform their tasks.⁹⁷ Some state media laws require the state media authority to submit a written request for information. This request must clearly specify the legal basis, subject matter, and purpose of the information, inspection, or examination.

If the provider does not comply, the state media authorities can impose sanctions, as this constitutes an administrative offence. Consequently, the state media authorities can issue a fine. Certain state media authorities may also request an affidavit to verify the submitted information. In some states, private broadcasters' licences can be revoked or the distribution of programmes prohibited.

In any event, sanctions imposed by the state media authorities are subject to judicial review and must pass a proportionality test under German constitutional law. However, there is no precedent in practice of a state media authority suspending a broadcasting licence for non-compliance with an information request.

10.8.4.4.2. Carrying out or requesting judicially authorised inspections of the premises and books

Representatives of the competent state media authorities can enter the business premises and properties of an audiovisual media service provider during regular business hours to review documents in five cases (TLM, MA Sachsen-Anhalt, MMV, MA Hessen, mabb). Such inspections however require court orders (except in Thuringia), except in cases of imminent danger.⁹⁸

10.8.4.4.3. Issuing warnings, ordering the cessation of infringements or requiring compliance

All state media authorities notify the respective audiovisual media service providers of actions or omissions that violate their obligations under German media law. They can issue warnings and order providers to remedy infringements immediately or within a reasonable timeframe or require them to refrain from such infringements in future. As a last resort, state media authorities can also suspend or withdraw the provider's broadcasting license.⁹⁹

⁹⁷ §§ 55, 56 MStV; §§ 54, 25 ThürLMG; §§ 56, 63 MedienG LSA; §§ 9, 39, 43 SächsPRG; § 48 MedienG SL; § 36 LMG; §§ 4, 125 LMG NRW; §§ 7, 11, NMedienG; § 13 RundfG M-V; §§ 8, 48 HPMG; § 40 MStV HSH; §§ 49, 60 BremLMG; §§ 56, 60MStV-BB; Art. 29 BayMG; §§ 31, 51 LMedienG

⁹⁸ § 56 MStV; § 25 ThürLMG; § 56 MedienG LSA; § 13 RundfG M-V; § 8 HPMG; § 25 MStV-BB

⁹⁹ § 15 ThürLMG; § 59 MedienG LSA; §§ 39, 41 SächsPRG; § 48 MedienG SL; § 27 LMG; § 118 LMG NRW; § 11-13 NMedienG; § 20 RundfG M-V; § 10 HPMG; § 40 MStV HSH; § 49 BremLMG; §§ 58, 59 MStV-BB; Art. 25 IV BayMG; § 32 LMedienG

*10.8.4.4.4. Imposing or requesting the imposition of fines, periodic penalties or other measures*

Administrative offenses may be penalised with a fine, issued by the respective state media authority.¹⁰⁰ Periodic penalties are not envisaged.

10.8.4.4.5. Requesting the suspension or termination of services

As a last resort, after issuing a formal warning and an order to remedy the relevant behavior that infringes the applicable media law, the state media authorities may suspend or withdraw an existing broadcasting license.¹⁰¹

10.8.4.4.6. Identifying responsible parties in decisions

The state media authorities do not explicitly have the power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement. However, in most cases (LMS, MA RLP, LFM NRW, NLM, MMV, MA Hessen, brema, mabb) broadcasters are required to broadcast notifications of regulatory measures addressed to them in their programmes. The content and broadcast time of the message to be disseminated are determined by the state media authority.¹⁰² This is possible in Saxony and Thuringia, but only if SLM or TLM demand it. There is no general requirement.

10.8.5. Financial autonomy

10.8.5.1. Sources of income

10.8.5.1.1. Types of sources

In Germany, the state media authorities' income comes mostly from the broadcasting fees¹⁰³ and additionally, in some cases (SLM, MA RLP, MMV, MA Hessen, MA HSH, NLM, brema, mabb and TLM), also from administrative fees and penalties imposed.¹⁰⁴

¹⁰⁰ § 115 MStV; § 54 ThürLMG; § 63 MedienG LSA; § 43 SächsPRG; § 56 MedienG SL; § 36 LMG; § 125 LMG NRW; § 53 NMedienG; § 67 RundfG M-V; § 48 HPMG; § 52 MStV HSH; § 60 BremLMG; § 60 MStV-BB; Art. 36 BayMG; § 51 LMedienG

¹⁰¹ § 15 ThürLMG; § 59 MedienG LSA; §§ 39, 41 SächsPRG; § 48 MedienG SL; § 27 LMG; § 118 LMG NRW; § 11 NMedienG; § 20 RundfG M-V; § 10 HPMG; § 40 MStV HSH; § 49 BremLMG; §§ 58, 59 MStV-BB; Art. 25 IV BayMG; §§ 32, 33 LMedienG

¹⁰² § 15 ThürLMG; § 39 SächsPRG; § 48 MedienG SL; § 27 LMG; § 118 LMG NRW; § 11 NMedienG; § 20 RundfG M-V; § 10 HPMG; § 49 BremLMG; § 58 MStV-BB; § 63 MedienG LSA.

¹⁰³ See § 10, *Rundfunkfinanzierungsstaatsvertrag* - RFinStV (Interstate Broadcasting Financing Agreement) and § 112 *Medienstaatsvertrag* - MStV (State Media Treaty)

Legal basis for each Länder: § 50 ThürLMG; § 51 MedienG LSA; § 35 SächsPRG; § 51 MedienG SL § 48 LMG; § 116 LMG NRW; § 46 NMedienG; § 59 RundfG M-V; § 41 HPMG; § 48 MStV HSH; § 56 BremLMG; § 15 MStV-BB; Art. 21, 22 BayMG; § 46 LMedienG

¹⁰⁴ § 56 MedienG SL; § 36 LMG; § 67 RundfG M-V; § 48 HPMG; § 52 MStV HSH; § 1 AG OWiG, NI; § 56 BremLMG; § 60 MStV-BB; Art. 36 BayMG; § 1 AG OWiG LSA

10.8.5.1.2. Adoption procedure

The state media authorities are entitled to a share of 1.8989% of the total annual proceeds from the statutory broadcasting fee paid by every household in Germany. Each state media authority receives a preliminary basic allowance of EUR 511 290 from this amount per annum. The budget is then allocated based on the pro rata broadcasting fee proceeds, as they are allocated to the respective federal state.¹⁰⁵

The federal state parliaments set the broadcasting fee on the basis of a proposal by the Commission for the Determination of the Financial Needs of Broadcasting Corporations (*Kommission zur Ermittlung des Finanzbedarfs der Rundfunkanstalten* - KEF). First, the public broadcasters submit their financial needs to the KEF. The KEF then reviews the submission and proposes a specific amount for the broadcasting fee on that basis. Finally, the KEF presents its findings to the state governments. State parliaments then decide on the amount of the broadcasting fee.¹⁰⁶

10.8.5.2. Budget forecasting and adjustment procedures

10.8.5.2.1. Adequacy of the budget with powers and tasks

State media authorities are funded by the broadcasting fee, the amount of which is determined by a set procedure involving external review. Every two years, broadcasting corporations report their financial requirements for fulfilling their public mandate to the KEF. The KEF then reviews these requirements and reports to the state governments on whether and to what extent adjustments to the broadcasting fee are necessary (§§ 1 ff. RFinStV).

10.8.5.2.2. Review of amounts before the end of the period

In principle, the broadcasting fee can be reviewed and adjusted outside the two-year cycle in which broadcasting corporations report their financial needs. The state governments and state parliaments have the authority to decide on changes to the broadcasting fee. The fact that the KEF must report to the state governments at least every two years does not preclude more frequent reviews and reporting.¹⁰⁷

10.8.5.3. Audit and accountability procedures

The state media authorities do not have an internal control and financial audit process for reviewing financial expenditures. The respective state audit office (*Landesrechnungshof*) examines the annual financial statements and efficiency of the budgetary and financial management of the broadcasting corporations. The legal review of the annual financial plan is carried out by the legal supervisory authority; it checks compliance with the relevant laws, especially the economic laws and the state budget regulations

¹⁰⁵ §§ 8, 10 RFinStV

¹⁰⁶ §§ 1, 2, 3, 7 RFinStV

¹⁰⁷ § 3 VIII 1 RFinStV

(Landeshaushaltsordnung), and ensures that the financial plan adheres to the legal framework.¹⁰⁸

10.8.6. Operational independence

10.8.6.1. Appointment

10.8.6.1.1. Procedure

Neither the government nor parliament is involved in the appointment of the chairperson of any state media authority. Instead, the decision-making bodies of the authorities¹⁰⁹ appoint the chairpersons by a simple majority vote.¹¹⁰

Table 9. Appointment procedure for the chairperson

Regulator	Appointment
TLM	The director is elected by the assembly with a majority of the voting members.
MA Sachsen-Anhalt	The Chairperson is elected by the assembly.
SLM	The president is elected by the members of the media council.
MA RLP	The director is elected by the assembly with a majority of the voting members.
LMS	The director is elected by the media council with a majority of the voting members.
LFM NRW	The director is elected by the media commission with a majority of the voting members.
NLM	The director is elected by the assembly.
MMV	The director is appointed by the chairperson of the media committee.
MA Hessen	The director is elected by the assembly with a majority of the voting members.
MA HSH	The director is elected by the media council.
brema	The director is elected by the media council.
mabb	The director is elected by the media council.
BLM	The president is elected by the media council after consultation with the administrative board.
LFK	The chairperson of the board is elected by the media council with a majority of its members in a secret ballot.

¹⁰⁸ § 51 II ThürLMG; § 50 III MedienG LSA; § 35 IV SächsPRG; § 51 VIII MedienG SL; § 49 III LMG; § 113 LMG NRW; § 45 NMedienG; § 58 RundfG M-V; § 43 HPMG; § 49 IV MStV HSH; § 56 BremLMG; § 17MStV-BB; Art. 21 BayMG; § 46 LMedienG

¹⁰⁹ Hereafter referred to as “assembly”, “media council” or “media commission”, as appropriate.

¹¹⁰ § 46 ThürLMG; § 45 MedienG LSA; § 32 I 1 SächsPRG; § 44 LMG; § 47 MedienG SL; § 100 LMG NRW; § 43 NMedienG; § 57 RundfG M-V; § 37 HPMG; § 47 MStV HSH; § 55 BremLMG; § 13 MStV-BB; Art. 15 BayMG; § 36 LMedienG

Conversely, the appointment of board members may involve the government (SLM), parliament (MA Sachsen-Anhalt, NLM, LFM NRW, MA HSH, mabb) or both (TLM, MA RLP, LMS, LFK, BLML). In the vast majority of cases (all except MA HSH and mabb), board members are also appointed by representative organisations of civil society as defined by the legislator. These may include representatives of the Churches (i.e. Catholic, Protestant...), the Jewish community, employees, employers, etc. For the upcoming term, no representative of the state will be included in the LMS board, and not all members will have voting rights.

Table 10. Appointment procedure for board members

Regulator	Government	Parliament	Representative organisations of civil society as defined by the legislator	Legal reference
TLM	Yes	Yes	Yes	§ 42 ThürLMG
MA Sachsen-Anhalt		Yes	Yes	§ 42 MedienG LSA
SLM		Yes (media council)	Yes (assembly as advisory board)	§§ 29, 31 SächsPRG
MA RLP	Yes	Yes	Yes	§ 40 LMG
LMS	Yes	Yes	Yes	§ 45 MedienG SL
LFM NRW		Yes	Yes	§ 93 LMG NRW
NLM		Yes	Yes	§ 35 NMedienG
MMV			Yes	§ 52 RundfG M-V
MA Hessen			Yes	§ 33 HPMG
MA HSH		Yes		§ 42 MStV HSH
brema			Yes	§ 50 BremLMG
mabb		Yes		§ 10 MStV-BB
BLM	Yes	Yes	Yes	Art. 13 BayMG
LFK	Yes	Yes	Yes	§ 36 LMedienG

10.8.6.1.2. Criteria

In most cases, the appointment of the chairperson is based on intangible criteria set out in the relevant legislation.¹¹¹ However, in three instances (NLM, MMV and BLM), the legislation does not specify the criteria to be taken into account.

These criteria vary from one federal state to another, but experience in the media sector is a recurring theme in six cases (TLM, SLM, MA RLP, MA Hessen, mabb and LFK).

Table 11. Criteria for the appointment of a chairperson

Regulator	Criteria
TLM	The chairperson should have experience in the media sector as well as qualifications for judicial office or higher administrative service, or comparable training that qualifies her/him to lead the state media authority.
MA Sachsen-Anhalt	The chairperson must be part of the assembly.
SLM	The president as well as all members of the media council should demonstrate particular expertise in the fields of media economics, media studies, legal science, media education, broadcasting technology, journalism or other media areas.
MA RLP	The director should have experience in the media sector.
LMS	The chairperson should have the qualifications for judicial office or higher administrative service.
LFM NRW	The chairperson should have the qualifications for judicial office and must have their residence in North Rhine-Westphalia.
NLM	No mention
MMV	No mention
MA Hessen	The chairperson should have experience in the media sector.
MA HSH	The chairperson should have the qualifications for judicial office.
brema	The director must have their primary residence in the state of Bremen.
mabb	The chairperson should have experience in the media sector.
BLM	No mention
LFK	The members of the Executive Board shall each have several years of professional experience in the media sector, and the Board as a whole shall possess expertise in the fields of law, business administration, media education or media research, and journalism. The Chairperson must possess the qualifications required for a career in the higher general administrative service.

¹¹¹ § 46 ThürLMG; § 45 MedienG LSA; § 33 SächsPRG; § 44 LMG; § 47 MedienG SL; §§ 100, 101 LMG NRW; § 37 HPMG; § 47 MStV HSH; § 55 BremLMG; § 13 MStV-BB; § 34 LMedienG

Only seven state media laws set out criteria for the appointment of board members (TLM, MA Sachsen-Anhalt, LMS, MA HSH, NLM, brema, SLM).¹¹²

Table 12. Criteria for appointment of board members

Regulator	Criteria
TLM	No one may be delegated to the assembly who does not have their primary residence in Thuringia.
MA Sachsen-Anhalt	A member of the assembly can only be someone who is eligible to be elected to the state parliament and meets the requirements for entry into the public service of the state.
MA HSH	The members should demonstrate particular expertise in the fields of media education, media studies, digital science, journalism, broadcasting technology, media economics, digital economics, or other media and digital areas. One member must be qualified for judicial office.
NLM	The gender of the board members must differ with every change of the board member of one organisation as well as between two board members appointed by one organisation.
brema	Only individuals who have reached the age of 16 can be members of the media council. The members of the media council should have their primary residence in the state of Bremen.
LMS	The appointment of Media Council members, the composition of the Media Council and the appointment procedure are governed by § 45 SMG in conjunction with §§ 5 and 6 of the Rules of Procedure of the Saarland State Media Authority.
mabb	The members should be, based on their experience and expertise, particularly qualified to perform the tasks under the State Treaty.
SLM	The members of the media council should demonstrate particular expertise in the fields of media economics, media studies, legal science, media education, broadcasting technology, journalism or other media and areas.

10.8.6.1.3. Duration and possibility for renewal

The term of office for the chairpersons is between five and six years, and between four and six years for board members. The duration of the term of office for the chairperson of MA Hessen is not specified.

¹¹² § 42 ThürLMG; § 42 MedienG LSA; § 41 MStV HSH; § 35 NMedienG; § 50 BremLMG; § 31 I 2 SächsPRG

Table 13. Term of office

Regulator	Duration of chairperson	Duration of board members	Regulator	Duration of chairperson	Duration of board members
TLM	6 years	4 years	MMV	6 years	5 years
MA Sachsen-Anhalt	6 years	6 years	MA Hessen	No mention	4 years
SLM	6 years	6 years	MA HSH	5 years	5 years
MA RLP	6 years	5 years	brema	5 years	4 years
LMS	6 years	4years	Mabb	5 years	5 years
LFM NRW	6 years	5years	BLM	5 years	5 years
NLM	5 years	5years	LFK	6 years	5 years ¹¹³

In most cases, the terms of office of the chairperson and board members can be renewed. However, it is not envisaged at all for TLM, MA Sachsen-Anhalt, and MA RLP, nor for the board members of, NLM and LFK or the chairperson of MA Hessen.

Table 14. Renewability

Regulator	Duration of chairperson	Duration of board members	Regulator	Duration of chairperson	Duration of board members
TLM	No mention	No mention	MMV	In the event of re-election, the term of office can be set for up to twelve years (§ 57 RundfG M-V)	Renewable once (§ 54 RundfG M-V)
MA Sachsen-Anhalt	No mention	No mention	MA Hessen	No mention	Renewable up to three times (§ 33 HPMG)
SLM	Re-election is possible once (§ 31, X SächsPRG)	Re-election once is possible (§ 31 X SächsPRG)	MA HSH	Renewable up to two times (§ 47 MStV HSH)	Renewable once (§ 42 MStV HSH)
MA RLP	No mention	No mention	brema	Renewable up to two times (§ 55 BremLMG)	May serve for up to twelve years, regardless of any interruptions in membership periods (§ 52 BremLMG)

¹¹³ The term of office for the Media Council is five years. The term of office for the Executive Board is 6 years.

Regulator	Duration of chairperson	Duration of board members	Regulator	Duration of chairperson	Duration of board members
LMS	Renewable multiple times (§ 47, MedienG SL)	Renewable up to three times (§45, MedienG SL)	mabb	Re-election is possible (§ 13 MStV-BB)	Membership is limited to three terms (§ 10 MStV-BB)
LFM NRW	Re-election is possible (§ 100, LMG NRW)	Renewable up to two times (§ 96, LMG NRW)	BLM	No explicit mention, but possible	Membership limited to three terms (§ 10 VII BLM)
NLM	Re-election is possible (§ 43 NMedienG)	No mention	LFK	Renewable up to two times (§ 36 (1) LMedienG)	Renewable up to two times (§ 36 (2) LMedienG)

10.8.6.1.4. Rules on conflicts of interest

There are no provisions on conflicts of interest for the chairperson in four cases (MA Sachsen-Anhalt, MA RLP, and NRW).

In all other cases, there are rules on conflicts of interest, most of which refer to the legislative or decision-making bodies of the European Union, governments, and broadcasting corporations or programmes. Two of these (MA HSH and brema) also refer to the Council of Europe, while one other (LMS) specifically address conflicts of interest between the chairperson and the management or decision-making bodies of the relevant regulator.¹¹⁴

Table 15. Rules on conflicts of interest for the chairperson

Regulator	Rules on conflicts of interest
TLM	There are rules on conflicts of interest with the legislative body, the government, public broadcasting corporations, and with broadcasting programmes and cable facilities.
MA Sachsen-Anhalt	There are rules on conflicts of interest with the legislative body, the government, public broadcasting corporations, and with broadcasting programmes and cable facilities.
SLM	There are rules on conflicts of interest with European, federal or state legislative or executive bodies, platform providers and public and private broadcasting corporations as well as the assembly of the SLM..
MA RLP	There are no rules on conflicts of interest.
LMS	There are rules on conflicts of interest with the media council.
LFM NRW	There are no rules on conflicts of interest.

¹¹⁴ § 47 ThürLMG; Section 42 II, MedienG LSA; § 31 V SächsPRG; § 47 MedienG SL; §§ 43, 36 NMedienG; § 57, 54 RundfG M-V; § 38 HPMG; §§ 47, 43 MStV HSH; § 51 BremLMG; Art. 15 BayMG; § 34 LMedienG

Regulator	Rules on conflicts of interest
NLM	There are rules on conflicts of interest with the legislative body, the government, and with public and private broadcasting corporations.
MMV	There are rules on conflicts of interest with the legislative body, the government, and with public and private broadcasting corporations.
MA Hessen	There are rules on conflicts of interest with the legislative body, the government, public broadcasting corporations, and with broadcasting programmes and cable facilities.
MA HSH	There are rules on conflicts of interest with the legislative body, the government, the legislative or decision-making bodies of the European Communities, the Council of Europe, with public broadcasting corporations, and with broadcasting programmes.
brema	There are rules on conflicts of interest with the legislative body, the government, the legislative or decision-making bodies of the European Communities, the Council of Europe, with public broadcasting corporations, cable facilities, and with broadcasting programmes.
mabb	There are rules on conflicts of interest with the media council.
BLM	There are rules on conflicts of interest with the administrative board, the media council, and public broadcasting corporations.
LFK	There are rules on conflicts of interest with the legislative body, the government, the European Commission, the European Parliament, public broadcasting corporations, and with broadcasting programmes.

The board members of all state media authorities are subject to conflict of interest rules, except LMS board members.¹¹⁵

Table 16. Rules on conflicts of interest for board members

Regulator	Rules on conflicts of interest
TLM	There are rules on conflicts of interest with public broadcasting corporations, broadcasting programmes and cable facilities.
MA Sachsen-Anhalt	There are rules on conflicts of interest with the European Commission, the Federal Government, the government of a German state, the European Parliament, the German Bundestag, the state parliaments, and public broadcasting corporations.
SLM	There are rules on conflicts of interest with the European, federal or state legislative or executive bodiesplatform providers and public, and private broadcasting corporations as well as the assembly of the SLM.
MA RLP	There are rules on conflicts of interest with the government, and public and private broadcasting corporations.

¹¹⁵ § 42 ThürLMG; § 42 MedienG LSA; § 31 V SächsPRG; § 41 LMG; § 95 LMG NRW; § 36 NMedienG; § 54 RundfG M-V; § 33 HPMG; § 43 MStV HSH; § 51 BremLMG; § 11 MStV-BB; Art. 13 BayMG; § 44, 34 LMedienG

Regulator	Rules on conflicts of interest
LMS	There are no rules on conflicts of interest.
LFM NRW	No member of the media commission is allowed to have economic or other interests that could jeopardize the fulfilment of their duties as a member of the body.
NLM	There are rules on conflicts of interest with the legislative body, the government, and with public and private broadcasting corporations.
MMV	There are rules on conflicts of interest with the legislative body, the government, and with public and private broadcasting corporations.
MA Hessen	There are rules on conflicts of interest with other state media authorities, the legislative body, the government, the European Commission, the European Parliament, and with public and private broadcasting corporations.
MA HSH	There are rules on conflicts of interest with the legislative body, the government, the legislative or decision-making bodies of the European Communities, the Council of Europe, with public broadcasting corporations, and with broadcasting programs.
brema	There are rules on conflicts of interest with the legislative body, the government, the legislative or decision-making bodies of the European Communities, the Council of Europe, with public broadcasting corporations, cable facilities and with broadcasting programs.
mabb	There are rules on conflicts of interest with the legislative body, the government, and with public and private broadcasting corporations.
BLM	Members of the media council must not have any economic or other interests that could potentially jeopardize the fulfilment of their duties as members of the media council.
LFK	There are rules on conflicts of interest with the legislative body, the government, the European Commission, the European Parliament, public broadcasting corporations, and with broadcasting programs.

10.8.7. Dismissal

10.8.7.1. Procedure

The chairpersons of the state media authorities are all dismissed by the management or decision-making bodies of the relevant regulator.¹¹⁶ A difference exists in the voting procedure since eleven of the regulators (TLM, MA Sachsen-Anhalt, LMS, LFM NRW, MMV, MA Hessen, mabb, BLM, LFK, MA RLP) require a qualified majority and four (NLM, MA HSH, brema, SLM) a simple majority.

¹¹⁶ § 46 ThürLMG; § 45 MedienG LSA; § 32 SächsPRG; § 47 MedienG SL; §§ 43, 44 LMG; § 100 LMG NRW; § 43 NMedienG; § 57 RundfG M-V; § 37 HPMG; § 47 MStV HSH; § 55 BremLMG; § 13MStV-BB; rt. 15 BayMG; § 36 LMedienG

Board members can be dismissed by:¹¹⁷

- the board itself (TLM, MA Sachsen-Anhalt¹¹⁸, SLM, LMS, MA RLP and NLM);
- the various organisations entitled to appoint board members (LFM NRW, MA Hessen and brema);
- both the board and the organisations entitled to appoint board members (MMV);
- parliament (MA HSH);
- a court (mabb);
- the various organisations entitled to appoint board members and state parliament (BLM and LFK).

10.8.7.1.1. *Reasons for dismissals*

According to the applicable laws, the dismissal of the chairperson of a state media authority requires a significant reason in eleven cases (MA Sachsen-Anhalt, LMS, MA RLP, LFM NRW, NLM, MMV, MA HSH, brema, Mabb, BLM, LFK), mere justification in one case (MA Hessen) and written justification in another case (TLM).¹¹⁹ For the SLM the law does not mention any justification requirement.

However, it should be noted that, while the relevant laws generally require justification for dismissal decisions, specific reasons are rarely provided. brema is the only case where the law addresses specific reasons. A chairperson can only be dismissed for breaching their responsibilities seriously.

The dismissal of board members must be duly justified in nine cases (TLM, SLM, LMS, LFM NRW, NLM, MMV, MA HSH, Mabb, BLM).¹²⁰ On the contrary, there is no explicit mention of this with regard to the five other regulators (MA Sachsen-Anhalt, MA RLP, MA Hessen, brema, LFK).

10.8.7.1.2. *Prior notification*

In six cases (TLM, LMS, MMV, MA Hessen, MA HSH and brema), according to an explicit media law provision, the decision to dismiss a chairperson requires the latter to be given the opportunity to address the relevant regulator's management or decision-making body (who will eventually make the decision) before the vote.¹²¹

¹¹⁷ § 7 TLM-Hauptsatzung/TLM Main Statute; § 42 MedienG LSA and § 86 VwVfG; § 31 SächsPRG; § 45 MedienG SL; § 6 SR-Act; §§ 40, 41 LMG; § 96 LMG NRW; § 35 NMedienG; § 54 RundfG M-V; § 33 HPMG; §§ 42, 43 MStV HSH; § 52 BremLMG; § 10MStV-BB; Art. 13 BayMG; § 46 LMedienG

¹¹⁸ This applies only to the Board. For the Assembly, § 86 VwVfG applies.

¹¹⁹ § 23 TLM-Hauptsatzung/TLM Main Statute; § 45 MedienG LSA; § 32 SächsPRG; § 47 MedienG SL; § 44 LMG; § 100 LMG NRW; § 43 NMedienG; § 57 RundfG M-V; § 13 Statute on the Internal Organization of the Media Authority of Hesse; § 47 MStV HSH; § 55 BremLMG; § 13MStV-BB; Art. 15 BayMG; § 36 LMedienG

¹²⁰ § 7 TLM-Hauptsatzung/TLM Main Statute; § 31 V, 32 IV SächsPRG; § 45 MedienG SL; § 6 SR-Act; § 96 LMG NRW; § 35 NMedienG; § 54 RundfG M-V; §§ 42, 43 MStV HSH; § 10MStV-BB; Art. 13 BayMG; § 41, 44 LMedienG

¹²¹ § 23 TLM-Hauptsatzung/TLM Main Statute; § 17 LMS-GO; § 57 RundfG M-V; § 13 Statute on the Internal Organization of the Media Authority of Hessen; § 15 Main Statute of the MA HSH; § 55 BremLMG



In eight instances (MA Sachsen-Anhalt, SLM, MA RLP, LFM NRW, NLM, mabb, BLM, LFK), there is no explicit media law provision requiring prior notification to the persons concerned. Instead, this requirement follows from general administrative law.

The dismissal of board members is never subject to prior notification to the persons concerned.

10.8.7.1.3. Decision made available to the public

It is not legally required for the dismissal decisions to be published.

10.8.7.1.4. Judicial review

Dismissal decisions with regard to the chairperson can be judicially reviewed by submitting an objection under § 68 of the Administrative Court Procedure Act (*Verwaltungsgerichtsordnung* - VwGO¹²²), followed by filing for annulment under § 42 (1) VwGO.

Dismissal decisions with regard to the chairperson can be judicially reviewed by a court in accordance with section 42 (1) of the administrative court rules (VwGO). Submitting an objection is no longer admissible in most federal states.

Conversely, a judicial review of dismissal decisions concerning board members is not mentioned anywhere except in the case of Rhineland-Pfalz, where legal action against the board's decision can be taken to the administrative courts.¹²³

10.8.7.1.5. Rules for the prevention of long vacancy periods

In six cases (TLM, SLM, MA RLP, LMS, LFM NRW, MA Hessen), the deputy becomes the acting director following the dismissal of the chairperson. At LFK, if, by no later than one month after the expiry of the term of office of the previous Executive Board, the majority required for the election of the honorary members of the Executive Board and their deputies has not been achieved, they must be elected on the basis of nomination proposals submitted by the parliamentary groups by way of proportional representation using the highest-averages method (Sainte-Laguë/Schepers¹²⁴). If only one nomination proposal is submitted, the election by the *Landtag* requires the approval of a majority of its members. . At BLM, the media council may appoint another person to perform the duties of the chairperson until a new one is elected.¹²⁵

There are no rules in place to prevent long vacancy periods in seven cases (MA Sachsen-Anhalt, NLM, MMV, MA HSH, brema, mabb, SLM).

If a member leaves the board, a successor must be appointed for the remainder of the term. This applies to all instances except TLM where the chairperson is required to

¹²² [Verwaltungsgerichtsordnung](#) – VwGO (Administrative Court Procedure Act)

¹²³ § 41 LMG

¹²⁴ [Sainte-Laguë/Schepers](#)

¹²⁵ § 23 TLM-Hauptsatzung/TLM Main Statute; § 34 SächsPRG; § 17 LMS-GO; § 44 LMG; § 104 LMG NRW; § 13 Statute on the Internal Organization of the Media Authority of Hesse; Art. 15 BayMG; § 36 (2) LMedienG

inform the appointing organisation and request them to appoint a new member for the remainder of the term.¹²⁶

10.8.8. Transparency

10.8.8.1. Access to information

Some state media laws (for LFM NRW, MA RLP, NLM, brema, mabb, BLM, LFK) require the state media authority to publish its decisions, making sure not to include personal data and business secrets.¹²⁷ The websites of the NRAs receive updates at least monthly, particularly regarding press releases and newsletters.

The concerned parties can claim access to the NRA's file, to the extent that such access is necessary for the assertion or protection of their legal interests.¹²⁸

10.8.8.2. Reporting of activities

The state media authorities are required to publish reports on their activities. In most states, this involves reports on the promotion of media literacy, reports on the development of the media offerings and provider structure in the respective state (media concentration report), data protection reports, as well as reports on company participations and business reports, which must explain the annual financial statements and provide comprehensive information on the assets and earnings situation of the authority.¹²⁹

10.8.8.3. Appeal mechanisms to challenge media authorities' decisions

The state media authorities render their decisions in the form of administrative acts that can be appealed in court (Section 42 of the VwGO). Under certain conditions, which vary by federal state, an application for a preliminary injunction under Section 80(5) of the German Administrative Court Procedure Act (VwGO) can be filed to obtain interim legal protection.

¹²⁶ § 7 TLM-Hauptsatzung/TLM Main Statute; § 42 MedienG LSA; § 31 VI SächsPRG; § 5 LMS-GO; § 40 LMG; § 96 LMG NRW; § 35 NMedienG; § 54 RundfG M-V; § 33 HPMG; § 41 MStV HSH; § 52 BremLMG; § 10MStV-BB; Art. 13 BayMG; § 41 LMedienG

¹²⁷ § 8 [main statute of the Media Authority NRW](#); § 3 [rules of procedure of the assembly of the Media Authority Rhineland-Palatinate](#); § 42 NMedienG; § 53 BremLMG; § 7MStV-BB; Art. 10 BayMG; § 30 LMedienG

¹²⁸ § 29 VwVfG in conjunction with §§ 1, 6 VwVfG Bln, § 1 ThürVwVfG, § 1 VwVfG LSA, § 1 SächsVwVfG, § 1 LVwVfG, § 1 NVwVfG, § 1 VwVfGBbg, § 1 BayVwVfG; § 29 SVwVfG, § 29 VwVfG NRW, § 29 VwVfG M-V, § 29 HVwVfG, § 29 HmbVwVfG, § 88 LVwG, § 29 LVwVfG

¹²⁹ § 51 ThürLMG; § 50MedienG LSA; §§ 26, 28b SächsPRG; §§ 38, 43 MedienG SL; § 11 [financial regulation of the Media Authority of Rhineland-Palatinate](#); §§ 50, 88, 89 LMG NRW; § 34 NMedienG; §§ 22, 64RundfG M-V; §§ 39, 43,50 HPMG; § 47 MStV HSH; § 56BremLMG; § 7 MStV-BB; Art. 10, 15, 20 BayMG; §§ 30, 46, LMedienG

10.9. DK – Denmark¹³⁰

10.9.1. Mandate and powers

General information	
Name	<i>Radio- og tv-nævnet</i> (The Radio and Television Board)
Headquarters	<i>Slots- og Kulturstyrelsen</i> [The Agency for Culture and Palaces] is the secretariat of the NRA: Hammerichsgade 14, DK – 1611 Copenhagen
Date of establishment	1 January 2021
Area(s) of competence	Radio, television, online media
Number of employees	19
Website	https://slks.dk/omraader/medier/naevn-og-udvalg/radio-og-tv-naevnet/

Legal personality & liability

The Danish NRA is an independent public authority, the Board being independent in its activities (Art. 39, Radio and Television Activities Act¹³¹). It can also be held liable in the event of a dispute (see for instance case *Talpa Radio B.V. v Radio and Television Board*¹³²).

Powers			
Regulatory	Yes (Art. 44, Radio and Television Act)		
Monitoring	Yes (Art. 42a and 44a, Radio and Television Act)		
Sanctioning	Yes (Art. 41-42 and 44a, Radio and Television Act)		
Competences ¹³³			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	No

10.9.2. Financial autonomy

10.9.2.1. Sources of income

The Danish NRA's only source of funding is from annual **state subsidy** (100%).

The budget is part of the Ministry of Culture's total appropriation, which is determined annually through the Finance Act adopted by the Danish Parliament. The

¹³⁰ It was not possible to receive feedback on Denmark during the checking round with the national regulatory authority.

¹³¹ *Lov om radio- og fjernsynsvirksomhed* (Radio and Television Activities Act)

¹³² *Talpa Radio B.V. mod Radio- og tv-nævnet (U.2015.400H)* (Talpa Radio B.V. v Radio and Television Board)

¹³³ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

government allocates funds for the committee's operation in its budget proposal, and the Folketing approves the final amount.

10.9.2.2. Budget adjustment procedures

No procedure allows for ensuring commensurability of the budget with the powers and tasks of the NRA. However, adjustment of the budget is possible and follows the ordinary state budget procedure in Denmark. Changes are made as part of amendments to the Finance Act, which are administered by the Ministry of Culture and adopted by Parliament.

Audit	
Who	Internal control and financial review because the Board is administratively placed under the Agency for Culture and Palaces, which handles all accounting and administrative functions.
When	No mention of this
Procedure	No mention of this

10.9.3. Operational independence

10.9.3.1. Appointment

Staff: civil servants			
Chairperson and Board members			
Name	Number	Term of office	Possibility of renewal
Chairperson (<i>Formand</i>)	1	4 years	Yes – no limit
Board	12	4 years	Yes – no limit
Who appoints	Procedure	Criteria	
<u>Minister of Culture and civil society organisations</u>	10 members appointed by the Minister of Culture; 1 appointed by the Cooperation Forum for Danish Listener and Viewer Organizations, and 1 by the Danish Judges Association.	Represent legal and economic/administrative competences, media research competences, marketing law expertise and practical media literacy. The chairman must be a lawyer. 1 member must have special knowledge of criminal law.	
Conflicts of interest			
Rules follow from general administrative law, in particular section 3(1) of the Public Administration Act on disqualification. A person is disqualified if there are circumstances that are likely to raise doubts about his or her impartiality. There is no mention of a timeframe. Rules would therefore apply before, during and after the term of office and during the appointment process.			
Incompatibilities	No details.		

10.9.3.2. Dismissal

There are no rules in place regarding the dismissal of the chairperson and board members or that address the prevention of long vacancy periods.

10.9.3.3. Assessing the adequacy of human resources

There are no formal rules for assessing human resources, as the Danish NRA is supported by the Danish Agency for Culture and Palaces, under the Ministry of Culture. Human resource adequacy is evaluated internally according to standard public sector and budgetary procedures. Staff levels are reviewed annually, with adjustments made through internal reallocations or state budget changes.

10.9.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	AVMS and VSP providers that are covered by the NRA's activities must provide it with the necessary information, documents and submit the written statements it requires. The Board may set a deadline for submission. (Art. 39(6), Radio and Television Activities Act)	Suspension or revocation of broadcasting licenses or withholding of public funds (Art. 43-45, Radio and Television Activities Act)
Power to issue warnings / order cessation of infringements			
Warnings		Orders	Procedure
Yes		Yes	No mention of this
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
No	The NRA does not itself have the power to impose fines or periodic penalties, but it can refer cases to competent authorities, including judicial bodies or the police, which may then impose financial sanctions under Danish law.		
Power to request the suspension or termination of services			
Yes	See Art. 42, Radio and Television Activities Act. The Danish NRA may temporarily restrict TV or VOD services under another EU Member State's authority for serious violations such as incitement to hatred, violence, terrorism, or threats to minors, public health, or security. These restrictions apply only in cases of manifest, substantial, and serious breaches of the relevant rules. (Art 4(3), Executive Order on Rules of Procedure for the Radio and Television Board ¹³⁴)		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
Yes			

¹³⁴ [Bekendtgørelse om forretningsorden for Radio- og tv-nævnet](#) (Executive Order on Rules of Procedure for the Radio and Television Board)

**Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction**

No

10.9.5. Transparency

10.9.5.1. Publication of the NRA's decisions

No legal provision requires the publication of the NRA's decisions on its website. However, it routinely publishes its decisions, based on general principles of transparency, good administration, and access to public information.

10.9.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Concerned parties generally have the right to access background documentation concerning decisions made by the NRA. Access is governed by the Public Administration Act¹³⁵ and the Freedom of Information Act¹³⁶.

10.9.5.3. Requirements or procedures for the reporting of the NRA's activities

The NRA is subject to reporting requirements, and its activities are documented and made available to the public through annual reports and other publications. Annual reports include information about decisions summary, complaints handling, supervision activities, funding decisions, international cooperation etc.

10.9.5.4. Appeal mechanisms to challenge NRA decisions

Parties affected by a decision can challenge it by filing a case before the ordinary courts (civil courts) (Art. 63, Danish Constitution¹³⁷). They may also submit a complaint to the Danish Parliamentary Ombudsman.

10.9.6. Debates on the independence of the NRA

No further debate on the independence of the NRA is to be reported.

¹³⁵ [*Forvaltningsloven*](#) (Public Administration Act)

¹³⁶ [*Offentlighedsloven*](#) (Freedom of Information Act)

¹³⁷ [*Danmarks Riges Grundlov*](#) (Danish Constitution)

10.10. EE – Estonia¹³⁸

10.10.1. Mandate and powers

General information	
Name	<i>Tarbijakaitse ja Tehnilise Järelevalve Amet - TTJA</i> , (The Consumer Protection and Technical Regulatory Authority – CPTRA)
Headquarters	Endla 10a Tallinn 10142, EE- Estonia
Date of establishment	1 January 2019
Area(s) of competence	Electronic communications, spectrum management and media services; rail transport and implementation of EU structural instruments; consumer rights; the safety of specific work, equipment and products; buildings, infrastructure and energy efficiency.
Number of employees	155 (in November 2025)
Website	https://ttja.ee/

Legal personality and liability

CRTA is a government agency operating under the Ministry of Economic Affairs and Communications. In carrying out its duties, the Authority acts on behalf of the State but can be held liable in the event of a dispute (§54, Media Services Act¹³⁹ and §§2, 44, 46, Code of Administrative Court Procedure¹⁴⁰).

Powers			
Regulatory	Yes (See: Electronic Communications Act ¹⁴¹ , Media Services Act, Consumer Protection Act ¹⁴²)		
Monitoring	Yes (See: Media Services Act, Information Society Services Act ¹⁴³ , Advertising Act ¹⁴⁴)		
Sanctioning	Yes (See: Media Services Act, Information Society Services Act, Advertising Act)		
Competences ¹⁴⁵			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	No

¹³⁸ The national summary on Estonia incorporates the feedback received from Peeter Sookruus, Adviser, Information Society Division, Consumer Protection and Technical Regulatory Authority (CPTRA).

¹³⁹ *Meediateenuste seadus* (Media Services Act)

¹⁴⁰ *Halduskohtumenetluse seadustik* (Code of Administrative Court Procedure)

¹⁴¹ *Elektroonilise side seadus* (Electronic Communications Act)

¹⁴² *Tarbijakaitse seadus* (Information Society Services Act)

¹⁴³ *Infoühiskonna teenuse seadus* (Information Society Act)

¹⁴⁴ *Reklaamiseadus* (Advertising Act)

¹⁴⁵ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.10.2. Financial autonomy

10.10.2.1. Sources of income

CPTRA's only source of income comes from **state funding**. It operates on the basis of an annual budget, which is submitted by the Government to Parliament for its approval (Articles 38-42, State Budget Act¹⁴⁶).

10.10.2.2. Budget adjustment procedures

Although the NRA's funding is ensured as part of the regular state budgetary framework approved by Parliament, there is no specific procedure in place to ensure that funding is commensurate with its powers and tasks. However, in accordance with the proposal put forward by the Government, Parliament is entitled to make amendments to the state budget through the supplementary budgets, either by increasing or decreasing it. Should this be the case, the NRA budget may also be subject to change (Subsection 4, State Budget Act).

Audit	
Who	The National Audit Office supplies a constitutionally independent layer of external audit, focusing on the legality, efficiency and effectiveness of CPTRA's use of public resources. The Ministry of Economic Affairs and Communications – as CPTRA's parent ministry – exercises continuous administrative supervision and organises the internal audit function, thereby safeguarding day-to-day internal control and compliance with state financial-management standards.
When	External control: no regular requirement Internal control: yearly
Procedure	The National Audit Office carries out thorough investigations and produces audit reports which, in addition to the financial statements, assess the agency's compliance with its legal duties. The Ministry carries out a regular financial audit that complies with the requirements for auditing state agencies (National Audit Office Act ¹⁴⁷).

10.10.3. Operational independence

10.10.3.1. Appointment

Staff: civil servants			
Chairperson ¹⁴⁸			
Name	Number	Term of office	Possibility of renewal
Director General	1	Unlimited	No mention of this
Who appoints	Procedure		Criteria

¹⁴⁶ *Riigieelarve seadus* (State Budget Act)

¹⁴⁷ *Riigikontrolli seadus* (National Audit Office Act)

¹⁴⁸ CPTRA has only one chairperson (Director General). There is no board.



<u>Selection Committee for Senior Civil Servants</u> (the composition of which is determined by the Government)	The Government Office's Competence Centre for Senior Public Servants organises and announces public competitions for senior management positions. Committee members evaluate candidates, confirm the winner or return the list for re-evaluation. The decision is issued as an administrative act, which can be appealed in an administrative court.	The organiser of the competition determines the criteria for each case, depending on the specifics of the position. These criteria are not specified separately in law. However, according to the public procurement policy ¹⁴⁹ , Estonian citizenship, sufficient management experience, education and foreign language skills, and the other specific competencies required for the job are required.
Conflicts of interest		
Estonia's conflict-of-interest regime ¹⁵⁰ is multi-layered and interlocking. The Anti-Corruption Act ¹⁵¹ lays down the substantive duties and sanctions, the Civil Service Act ¹⁵² adapts them to the civil service, and sector-specific statutes (procurement, local government, etc.) add tailored safeguards where the risk is highest. Rules apply before, during and after the term of office, and during the appointment process.		
Incompatibilities	No details in legislation	

10.10.3.2. Dismissal

Chairperson ¹⁵³		
Who dismisses		Procedure
<u>Government</u> (Minister of Economic Affairs)		No mention
Reasons		Judicial review
Unsatisfactory results of probationary period, unforeseeable circumstances, a decrease in capacity for work, a disciplinary offence, circumstances which would preclude recruitment of official (§ 91 to 95, Civil Service Act)		An official may challenge a dismissal decision in accordance with the Administrative Procedure Act ¹⁵⁴ (Article 71-75, 82, 86-97). Where an appeal is unsuccessful, the official may bring an action before the administrative court (Article 1-2, Code of Administrative Court Procedure).
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes	Yes	No mention

10.10.3.3. Assessing the adequacy of human resources

There is no legal basis providing for the assessment of the adequacy of human resources.

¹⁴⁹ Ministry of Finance website.

¹⁵⁰ Ministry of Finance website.

¹⁵¹ *Korruptsioonivastane seadus* (Anti-corruption Act)

¹⁵² *Avaliku teenistuse seadus* (Civil Service Act)

¹⁵³ CPTRA only has a chairperson (Director General). There is no board.

¹⁵⁴ *Haldusmenetluse seadus* (Administrative Procedure Act)

10.10.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	The NRA may request any information required for performing its statutory tasks from media service providers, operators and other persons, except the content of individual messages and certain user data. The request must be in writing, provide reasons, and allow at least 10 working days for compliance (§ 148, Electronic Communications Act). The Administrative Procedure Act sets up general provisions for the NRA to request relevant information necessary for performing its supervisory tasks. (§ 38. Administrative Procedure Act). It may also request from a media service provider documents, programme and broadcast recordings and, from a retransmitter, evidence of the legal basis for the programme it carries (pertinent provision enacted in § 51, (cl 8, Media Services Act).	Yes: financial as well as suspension/revocation
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
CPTRA may submit warnings to infringers, order an infringement to stop, and oblige AVMS providers to carry out any measures needed for compliance (§ 51, § 52, § 55, § 56, Media Services Act). It may also ask for information, issue precepts, order the removal or blocking of unlawful online content (§§ 12-15, Information Society Act). Under the Advertising Act, CPTRA may issue a binding precept that identifies the breach, orders the infringement to stop, and obliges the advertiser, agency or publisher to take specific corrective steps (§ 31, §§ 33–36).			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes, fines and non-compliance levies	CPTRA may impose sizeable coercive penalties and turnover-based fines (§§ 12-15, Information Society Act). There are special provisions for the imposition of fines in the Media Services Act (§§ 57, 58). In cases of violation of requirements of protection of minors or requirements set to commercial communications, CPTRA can impose significant fines. The Media Services Act also introduces maximum penalties (levies) for non-compliance with the binding provisions of the CPTRA (§§ 55, 56).		
Power to request the suspension or termination of services			
Requirements for the termination or suspension of media services are laid down in the Media Services Act and in the General Part of the Economic Activities Code Act ¹⁵⁵ (MSÜS). The Director General of the Consumer Protection and Technical Regulatory Authority shall revoke the activity licence if the person named on the licence has failed			

¹⁵⁵ *Majandustegevuse seadustiku üldosa seadus* (General Part of the Economic Activities Code Act)

to transmit a programme service in compliance with the licence conditions for over one month. (§ 45, Media Services Act).

The Director General may, at the licence holder's request, suspend the licence for the transmission of the programme service for up to one month if technical obstacles to transmission have become evident. (§ 46, Media Services Act).

The General Part of the Economic Activities Code Act (§§ 37, 43) sets out general provisions for the revocation or suspension of an activity licence, including a licence to provide media services.

Public broadcasting may only be liquidated by Parliament repealing the Estonian National Broadcasting Act.

Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement

Yes All parties involved are publicly identified.

Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction

Yes CPTRA may inspect premises, copy documents, remove illegal ads, etc., as far as proportionality allows (§ 31, §§ 33–36, Advertising Act).

10.10.5. Transparency

10.10.5.1. Publication of the NRA's decisions

There is no explicit provision requiring the publication of the NRA's decisions. However, all documents, including warnings, penalties imposed, etc., can be found in the public document register of the Consumer Protection and Technical Regulatory Authority.

10.10.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

All protocols are publicly available. The disclosure of background materials for TTJA decisions is dependent on the nature of the materials in question. Disclosing materials related to business secrets or personal data is generally not permitted.

10.10.5.3. Requirements or procedures for the reporting of the NRA's activities

CPTRA must publish an audited performance-plus-finance annual report and deliver topic-specific annual activity reports.

10.10.5.4. Appeal mechanisms to challenge NRA decisions

A dissatisfied party may file a complaint with CPTRA or its parent ministry within 30 days, which is reviewed within another 30 days. Alternatively, all binding CPTRA decisions (such as penalties or licences) may be challenged in the Tallinn Administrative Court within 30 days, and further appeals are possible. (Administrative Procedure Act and Code of Administrative Court Procedure).

10.10.6. Debates on the independence of the NRA

No current debate on the independence of CPTRA is to be reported.

10.11. ES – Spain¹⁵⁶

10.11.1. Mandate and powers

General information	
Name	<i>Comisión Nacional de los Mercados y la Competencia</i> (National Commission of Markets and Competition - CNMC)
Headquarters	Calle Alcalá, 47, 28014, Madrid
Date of establishment	7 October 2013
Area(s) of competence	TV, radio
Number of employees	534 ¹⁵⁷
Regional structure	Spain is a decentralised State. The national Parliament has the competence to establish the basic regulations (basic norms and principles) regarding the audiovisual sector. National authorities such as the CNMC have the competence to regulate audiovisual media service providers that operate at the national level. Regions (autonomous communities) have the competence to develop and implement basic national legislation in relation to service providers operating within their territory only. On the basis of this distribution of competences, several autonomous communities have enacted their respective regional audiovisual legislation and regulation. In some cases (Catalonia, Andalusia, Valencian Community) the supervision corresponds to a legally established independent regulatory authority while, in others, these tasks are performed by the respective departments of regional Governments.
Website	www.cnmc.es

Legal personality and liability

The CNMC is an independent public authority with legal personality. It is subject to parliamentary and judicial accountability. (Article 153, Law on Audiovisual Communication,¹⁵⁸ and Articles 1 and 3, Law on the creation of the CNMC¹⁵⁹ (LCNMC)).

Powers	
Regulatory	Yes, Articles 5-12 LCNMC. Audiovisual competences are mentioned in Article 9
Monitoring	Yes, Articles 5-12 LCNMC. Audiovisual competences are mentioned in Article 9
Sanctioning	Yes, Articles 5-12 LCNMC. Audiovisual competences are mentioned in Article 9

¹⁵⁶ The national summary on Spain incorporates the feedback received from Pedro Domingo Martín Contreras, Head of Area in the Audiovisual Unit at the CNMC

¹⁵⁷ As of 2023 and according to available data.

¹⁵⁸ *Ley 13/2022, de 7 de julio, General de Comunicación Audiovisual* (Law on Audiovisual Communication, hereafter referred to as “LCA”)

¹⁵⁹ *Ley 3/2013, de 4 de junio, de creación de la Comisión Nacional de los Mercados y la Competencia* (Law on the creation of the CNMC, hereafter referred to as “LCNMC”)

Competences ¹⁶⁰			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	No

10.11.2. Financial autonomy

10.11.2.1. Sources of income

The CNMC's sources of income consist of the state budget, the assets of the CNMC as well as the products and income deriving from them, and any other source of income established by law. (Article 33.2. a), b) and c), LCNMC)

The CNMC operates on the basis of an annual budget, internally approved by the CNMC based on the structure indicated by the Ministry of Finance and Public Administrations. It is then reviewed by the Ministry of Economy and Competitiveness. The budget is discussed and adopted as part of the general State budget. (Article 43.1, Royal Decree approving the Organic Statute of the CNMC¹⁶¹)

10.11.2.2. Budget adjustment procedures

No provision directly ensures commensurability of the budget with the Authority's powers and tasks.

Budget changes up to 3% (excluding personnel increases) are authorized by the President of the CNMC, larger or personnel-related changes by the Ministry of Finance and Public Administration, while changes involving State contributions follow State Budget rules. All authorisations are reported to the Ministry's budget directorate. (Article 43.2, Organic Statute)

Audit	
Who	Court of accounts
When	Annually
Procedure	The CNMC is annually supervised by the Court of Accounts. In addition to this, the internal control of the economic and financial management of the CNMC is the responsibility of the General Intervention of the State in accordance with the provisions of the LGP. In particular, continuous financial control is carried out by the Delegated Intervention within the CNMC, under the jurisdiction of the General Intervention of the State. (Articles 148 to 168, Law on the state budget ¹⁶² and Article 45.2, Organic Statute)

¹⁶⁰ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

¹⁶¹ *Real Decreto 657/2013, de 30 de agosto, por el que se aprueba el Estatuto Orgánico de la Comisión Nacional de los Mercados y la Competencia* (Royal Decree 657/2013 of August 30, approving the Organic Statute of the National Commission on Markets and Competition, hereafter referred to as "Organic Statute")

¹⁶² *Ley 47/2003, de 26 de noviembre, General Presupuestaria* (Law on the state budget)

10.11.3. Operational independence

10.11.3.1. Appointment

Staff: Either civil servants or employees				
Chairperson and Board				
Name		Number	Term of office	Possibility of renewal
Chairperson (<i>Presidente</i>)		1 (+ 1 vice-chairperson)	6 years	No
Board		10	6 years	No
Who appoints	Procedure			Criteria
Government	Members of the CNMC Board, including the President and Vice President, are appointed by the Government, by Royal Decree, at the proposal of the Minister of Economy and Competitiveness, following the hearing of the person proposed for the position before the relevant Committee of the Congress of Deputies. The Congress, through the competent Committee and by agreement adopted by an absolute majority, may veto the appointment of the proposed candidate within one calendar month of receiving the corresponding communication. If this period elapses without any express statement from the Congress, the corresponding appointments shall be deemed accepted. (Article 15 LCNMC)			Board members, the President and vice-President should be individuals of recognized prestige and professional competence in the Commission's field of activity (Article 15 LCNMC)
Conflicts of interest				
Article 22, LCNMC and Articles 5 to 8, Law regulating conflicts of interest involving members of the Government and senior officials of the General State Administration ¹⁶³ . Rules apply during and after the term of office.				
Incompatibilities	Public officials, their spouses or partners, and dependent children or protected persons may not have direct or indirect participations of more than 10% in companies that have agreements or contracts of any nature with the state, autonomous communities, or the local public sector; are subcontractors of said companies; or receive subsidies from the General State Administration. For two years following their resignation, CNMC members and directors may not undertake any private professional activities relating to the regulated sectors or the CNMC's activities.			

10.11.3.2. Dismissal

Chairperson and Boards	
Who dismisses	Procedure
Government	If a particular Board member ceases to hold office before their term of office expires, their successor shall be appointed for the remainder of the duration of such term of office. If they

¹⁶³ [Ley 5/2006, de 10 de abril, de regulación de los conflictos de intereses de los miembros del Gobierno y de los Altos Cargos de la Administración General del Estado](#) (Law regulating conflicts of interest involving members of the Government and senior officials of the General State Administration)



cease to hold office four years after their appointment, the above limit shall not apply, and their successor shall be appointed for the six-year period that is generally applicable. Board members meeting the grounds for dismissal laid down in points (a) and (b) of paragraph 1, Article 23, LCNMC, will continue to hold office until the relevant Royal Decree announcing their dismissal is published in the Official State Gazette. (Article 23 (2) and (3), LCNMC)		
Reasons		Judicial review
Board members shall cease to hold office: a) upon the Government's acceptance of their resignation; b) upon expiry of their term of office; c) in the event of an incompatibility being discovered; d) in the event of conviction for an intentional criminal offence; e) in the event of permanent incapacity; f) in the event of dismissal agreed by the Government due to a serious breach of the duties of the appointment or non-compliance with the obligations concerning incompatibilities, conflicts of interest and the statutory duty of non-disclosure. Removal shall be ordered by the Government, independently of the penalty rules that may, as the case may be, apply, following an investigation by the Minister of Economy and Competitiveness. (Article 23 (1), LCNMC)		Yes
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes (Article 40, Law on the common procedure for public administrations ¹⁶⁴)	In practice, the CNMC publishes on its website the cessations and appointments of members. Appointments of members replacing ceased ones are made via Royal Decree that is published in the official gazette	If a particular Board member ceases to hold office before their term of office expires, their successor shall be appointed for the remainder of the duration of such term of office. If they cease to hold office four years after their appointment, the above limit shall not apply, and their successor shall be appointed for the six-year period that is generally applicable. Board members meeting the grounds for dismissal laid down in points (a) and (b) of paragraph 1, Article 23, LCNMC, will continue to hold office until the relevant Royal Decree announcing their dismissal is published in the Official State Gazette. (Article 23 (2) and (3), LCNMC)

10.11.3.3. Assessing the adequacy of human resources

There is no specific procedure in place for assessing the adequacy of human resources within the CNMC.

¹⁶⁴ [*Ley 39/2015, de 1 de octubre, del Procedimiento Administrativo Común de las Administraciones Públicas*](#) (Law on the common procedure for public administrations)

10.11.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Everyone, including individuals, legal entities, and public administration bodies, must cooperate with the CNMC by providing all necessary data or information upon reasoned and proportionate request, which must specify the needed details, purpose, and intended use of the information. (Article 28.1, LCNMC)	Refusal, resistance, or obstruction that prevents, hinders, or delays the exercise of the supervisory, control, and inspection powers of the CNMC, as well as unjustifiably delaying the provision of the requested data is a serious infraction, penalised, depending on the annual turnover, up to €750 000. (Article 159.3 LCA)
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
No	The CNMC may issue decisions (called requirements) ordering audiovisual service providers to cease behaviours that may be contrary to specific regulations.		
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only fines	The CNMC may impose administrative penalties (fines) for the commission of an infraction (Article 154, LCA)		
Power to request the suspension or termination of services			
No	Such competences are entitled to the Ministry, according to articles 155.1 LCA.		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
Yes	The CNMC has the obligation to make public all provisions, resolutions, agreements and reports issued in application of the laws that regulate them, once notified to the interested parties, after deciding, where appropriate, on the confidential aspects of their content and prior dissociation of personal data. (Article 37, LCNMC).		
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
Yes	The permanent civil servants of the CNMC, duly authorised by the corresponding director, shall have the status of law enforcement agents and may carry out any inspections necessary in companies and business associations for the proper application of this Law. (Article 27, LCNMC) There is no specific reference to accessing the books of AVMS providers.		

10.11.5. Transparency

10.11.5.1. Publication of the NRA's decisions

The CNMC must publish all provisions, resolutions, agreements, and reports issued in application of the laws that regulate them, once the interested parties have been notified, after deciding, where appropriate, on the confidential aspects of their content and after removing the required personal data, except for the names of the offenders. In particular, the following shall be disclosed. (Article 37, LCNMC)

10.11.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

The general procedure established by Article 43 of the Law on the common procedure for public administrations applies.

10.11.5.3. Requirements or procedures for the reporting of the NRA's activities

The CNMC has the legal obligation to produce an annual report of their activities in the audiovisual area as well as an annual report about the audiovisual market. These reports are formally approved and published based on a decision of the plenary of the Commission. (Article 8(13), LCNMC)

10.11.5.4. Appeal mechanisms to challenge NRA decisions

The decisions adopted by the President, the plenary or each of the chambers are susceptible to be appealed before the Administrative Courts system (*jurisdicción contencioso-administrativa*) and ultimately before the Supreme Court (Article 36(2), LCA).

10.11.6. Debates on the independence of the NRA

No current debate on the independence of CRTA is to be reported.

10.12. FI – Finland¹⁶⁵

10.12.1. Mandate and powers

General information	
Name	The Finnish Transport and Communications Agency (TRAFICOM) ¹⁶⁶
Headquarters	Helsinki, Pasila, Opastinsilta 12 A, FI-00520
Date of establishment	2019
Area(s) of competence	Telecommunications, postal service, domains, broadband and telephone, data economy and digital services, communications networks, TV and radio, radio licences and frequencies
Number of employees	Over 1 000 (the high amount of employees is due to the fact that TRAFICOM is a large regulatory entity that covers several other sectors, such as transport)
Website	https://www.traficom.fi/en/

Legal personality and liability

TRAFICOM is an independent agency under the Ministry of Transport and Communications. It is a legal entity, exercising the authority of the state (§ 119 of the Constitution¹⁶⁷ and §§ 303 and 304 of the Act on Electronic Communications Services¹⁶⁸). TRAFICOM can be held liable. Depending on the case, appeals can be made to the market court or to the administrative court.

Powers			
Regulatory	Yes: §§ 303 and 304, Act on Electronic Communications Services		
Monitoring	Yes: §§ 303 and 304, Act on Electronic Communications Services		
Sanctioning	Yes: §§ 303 and 304, Act on Electronic Communications Services		
Competences ¹⁶⁹			
AVMSD	EMFA	DSA	Political Advertising Regulation
Yes	Yes	Yes	No

10.12.2. Financial autonomy

10.12.2.1. Sources of income

TRAFICOM's main source of income is state funding, accounting for 98% of the budget. The remaining 2% comes from secondary sources.

¹⁶⁵ The national summary on Finland incorporates the feedback received from Sanni Jokinen, Legal Counsel at the Finnish Transport and Communication Agency Traficom.

¹⁶⁶ TRAFICOM is competent for transport and communications in Finland.

¹⁶⁷ *Suomen perustuslaki* (731/1999) (Constitution of Finland)

¹⁶⁸ *Laki sähköisen viestinnän palveluista* (917/2014) (Act on Electronic Communications Services)

¹⁶⁹ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

It operates on the basis of an annual budget, decided by the Ministry of Transport and Communications and the Government as a whole, and is implemented by enacting budget laws.

10.12.2.2. Budget adjustment procedures

There is no provision ensuring commensurability of the budget with the powers and tasks of TRAFICOM, nor to allow for its reviewal before the end of the period for which it was allocated.

Audit	
Who	National Audit Office of Finland (NAOF) - § 2, Act on the National Audit Office ¹⁷⁰
When	No mention of this
Procedure	Inspections are based on an inspection plan confirmed by the NAOF. The NAOF has the right to conduct inspections on the premises of the inspected parties and the inspected parties are obliged to assist the inspector if necessary. It may use experts to assist in conducting the inspection. (§ 3, Rules of Procedure ¹⁷¹)

10.12.3. Operational independence

10.12.3.1. Appointment

Staff: civil servants			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Director-General (<i>Pääjohtaja</i>)	1	No mention of this	Yes, no limits
Executive group	10	No mention of this	No mention of this
Who appoints	Procedure		Criteria
<u>Director general (DG):</u> Government <u>Executive group:</u> TRAFICOM	<u>DG:</u> The Ministry of Transport and Communications will open a public search for the position, interview the candidates and make a selection. The Government as a whole will decide on the appointment based on the proposal of the Minister of Transport and Communications. (§ 126, Constitution) <u>Executive group:</u> no mention of this in the law		Finnish citizenship (Section 7 (12), Act on Public Officials in Central Government ¹⁷²). Other criteria are decided by the Ministry of Transport and Communications when the position is announced.
Conflicts of interest			

¹⁷⁰ [Laki valtiontalouden tarkastusvirastosta \(676/2000\) \(Act on the National Audit Office\)](#)

¹⁷¹ [Rules of Procedure](#)

¹⁷² [Virkamieslaki, \(750/1994\) \(Act on Public Officials in Central Government\)](#)

No specific mention of this in the law. A person nominated must, however, provide a list of information before being appointed. See Section 8a of the Act amending the Civil Service Act¹⁷³

Incompatibilities	No mention of this in the law.
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10.12.3.2. Dismissal

No legal provisions cover the dismissal of the chairperson or the Executive group.

10.12.3.3. Assessing the adequacy of human resources

No legal provision provides for procedures for assessing of the adequacy of human resources.

10.12.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	TRAFICOM is entitled to access the information necessary to carry out its duties from anyone whose rights and obligations are governed by the Act on Electronic Communications Services or from anyone acting on their behalf. The information must be supplied without delay, in the form requested by the authority and free of charge. (§ 315, Act on Electronic Communications Services)	A conditional fine or a threat of termination or a threat of having a measure completed at the defaulter's expense may be imposed in line with the obligations set out in sections 330 or 331. (§ 332, Act on Electronic Communications Services)
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
TRAFICOM can issue a warning to anyone who violates the Electronic Communications Services Act or the provisions, orders, decisions and permit conditions issued pursuant to it and oblige them to correct their errors or omissions within a reasonable time limit (§ 330, Act on Electronic Communications Services).			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	If a TV or radio operator violates legal provisions and does not rectify the issue within the set deadline, a penalty payment may be imposed, unless the violation is minor or the penalty would be unjustified. The fine ranges from €1 000 up to €1 000 000, but can exceed this in serious cases, capped at 5% of the operator's previous year's licensed turnover, reflecting the conduct's nature, scope, and duration.		

¹⁷³ [Laki valtion virkamieslain muuttamisesta](#) (283/2015) (Act amending the Civil Service Act)

	The Market court determines the penalty based on a proposal from the authorities, and the amount is paid to the state. (§ 334, Act on Electronic Communications Services).
Power to request the suspension or termination of services	
Yes	TRAFICOM may order the suspension of television operations in whole or in part if the operator seriously and repeatedly commits violations. (§ 338, Act on Electronic Communications Services) In certain cases, the Government can order the suspension of the retransmission of television programmes and on-demand service programmes originating from outside Finland for a period of up to one month. (§ 339, Act on Electronic Communications Services)
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	Although this is not provided in the law. Names may, however, be anonymised if justified and necessary according to the law.
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
No specific mention is made to the possibility to inspect the premises and books of an AVMS provider.	

10.12.5. Transparency

10.12.5.1. Publication of the NRA's decisions

In Finland, official documents are public. The decisions of the authority may be published on the dedicated websites.

10.12.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Considering official documents are public, concerned parties have the right to access background documentation.

10.12.5.3. Requirements or procedures for the reporting of the NRA's activities

There is no legal requirement to report about TRAFICOM's activities.

10.12.5.4. Appeal mechanisms to challenge NRA decisions

Depending on the case, appeals may be made to the Market Court (Section 343, Act on Electronic Communications Services), to the Administrative Court (Section 344, Act on Electronic Communications Services) or to the Supreme Administrative Court (Section 345, Act on Electronic Communications Services).

10.12.6. Debates on the independence of the NRA

No current debate on the independence of TRAFICOM is to be reported.

10.13. FR – France¹⁷⁴

10.13.1. Mandate and powers

General information	
Name	<i>Autorité de régulation de la communication audiovisuelle et numérique</i> (Regulatory Authority for Audiovisual and Digital Communication-Arcom) since 2021; <i>Conseil supérieur de l'audiovisuel</i> (CSA) before 2021.
Headquarters	Paris, 2-10 rue Brahms 75012
Date of establishment	25 October 2021 for Arcom 17 January 1989 for the CSA.
Area(s) of competence	Digital radio and audio, TV, VOD, internet, social media
Regional structure	Article 29-3 of Law No. 86-1067 of 30 September 1986 on freedom of communication ¹⁷⁵ establishes technical committees under Arcom to review and monitor local radio and television authorisation applications and compliance. These committees, chaired by an administrative court member and including up to six qualified experts, can also decide on renewals and minor modifications for local services. Their number, jurisdiction, and procedures are set by decree, with 16 committees currently organised.
Number of employees	363 in 2024
Website	https://www.arcom.fr/

Legal personality & liability

Arcom is an independent public authority (annexe of Law No. 2017-55 of 20 January 2017 relating to the general status of independent administrative authorities and independent public authorities).¹⁷⁶ Arcom has legal personality which incurs its own financial liability in the event of misconduct (Article 2, Law on Independent Authorities).

Powers			
Regulatory	Yes (Article 3-1 §8 of the Law of 30 September 1986)		
Monitoring	Yes (Article 42 of the Law of 30 September 1986)		
Sanctioning	Yes (Article 42-1 of the Law of 30 September 1986)		
Competences ¹⁷⁷			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	Yes

¹⁷⁴ The national summary on France incorporates the feedback received from Fatine Maussang, International Affairs Officer at Arcom.

¹⁷⁵ *Loi n° 86-1067 du 30 septembre 1986 relative à la liberté de communication* (Act No. 86-1067 of 30 September 1986 on freedom of communication - Law of 30 September 1986)

¹⁷⁶ *Loi n° 2017-55 du 20 janvier 2017 portant statut général des autorités administratives indépendantes et des autorités publiques indépendantes* (Law No. 2017-55 of 20 January 2017 relating to the general status of independent administrative authorities and independent public authorities ("Law on independent authorities"))

¹⁷⁷ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.13.2. Financial autonomy

10.13.2.1. Sources of income

Arcom's main source of funding consists of a **state subsidy** (99%). Other collectible revenue mainly comes from reimbursements – 44% from Arcom's partners¹⁷⁸ – for studies on audiovisual equipment, environmental impact, and media financing.¹⁷⁹

Arcom operates on the basis of an annual budget. It is established by the Board on the proposal of its President, who is the authorising officer for revenue and expenditure (Articles 18 and 19 Law on Independent Authorities). The amount of its budget is set by the annual Finance Law which allocates an operating grant to the institution each year.

10.13.2.2. Budget adjustment procedures

The budget may be amended during the year by Arcom, but it remains bound by the annual amount of the subsidy granted by the year's Finance Law. It is possible to amend finance laws during the year but there is no provision for a specific procedure for Arcom.

Audit	
Who	Independent auditor
When	No mention of this
Procedure	Internal budgetary and accounting audits are carried out independently and objectively. They contribute to providing each organisation with assurance on the degree of control over its operations and provide advice on how to improve them. (Articles 215 and 216 of Decree No. 20212-1246 ¹⁸⁰)

10.13.3. Operational independence

10.13.3.1. Appointment

Staff: both private law contracts and civil servants			
Chairperson			
Name	Number	Term of office	Possibility of renewal
Chairperson (Président)	1	6 years	No
Who appoints	Procedure		Criteria
<u>Government and President of the Republic</u>	Appointed by the President of the Republic (who is not a part of the Government) after consulting the competent standing committees of the National Assembly and the		Members are appointed because of their economic, legal or technical skills or their professional

¹⁷⁸ The Directorate-General for Media and Cultural Industries (*La Direction générale des médias et des industries culturelles* - DGMIC) and the National Frequency Agency (*l'Agence nationale des fréquences* - ANFR)

¹⁷⁹ Arcom, *Rapport annuel* 2024, p. 156

¹⁸⁰ *Décret n° 2012-1246* du 7 novembre 2012 relatif à la gestion budgétaire et comptable publique



	Senate. The Prime Minister and Minister of Culture must sign the nomination decree (Article 4 of the Law of 30 September 1986). The appointment of the president of Arcom can thus be rejected by the standing committees responsible for cultural affairs in each assembly by a majority of three-fifths of its members.	experience in the field of communication, particularly in the audiovisual sector, or electronic communications. They cannot be over 65 years old. (Article 4 of the Law of 30 September 1986)	
Conflicts of interest			
See Articles 8 and 10 Law on Independent Authorities, Article 5 Law of 30 September 1986, Arcom internal regulations of 2023. Rules apply during and after the mandate (Article 5 of the Law of 30 September 1986).			
Incompatibilities	Any elected office. Directly or indirectly receive fees, except for services rendered prior to their appointment, hold an interest in, or have an employment contract with, a company in the audiovisual, cinema, publishing, press, advertising, or electronic communications sectors.		
Decision-making bodies			
Name	Number	Duration of term of office	Possibility of renewal
Board	9 including the Chairperson 2 members from two jurisdictions: 1 from the Council of State (<i>Conseil d'Etat</i>) and 1 from the Court of Cassation (<i>Cour de cassation</i>).	6 years	No
Who appoints	Procedure	Criteria	
Parliament, Council of State and Court of cassation	The Presidents of the National Assembly and the Senate each appoint three members. Gender balance rules apply (see Article 4, Law of 30 September 1986). The member of the Council of State is appointed by the vice-president of the Council of State and the member of the <i>Cour de cassation</i> is appointed by the first president of this jurisdiction.	Members are appointed because of their technical skills or their professional experience in the field of communication, particularly in the audiovisual sector, or electronic communications. They cannot be over 65 years old (Article 4, Law of 30 September 1986) For the two members of the Council of State and the Court of cassation: they must be members of these two jurisdictions.	
Conflicts of interest			
The rules applicable to the Chairperson also apply to the decision-making body.			
Incompatibilities	The rules applicable to the Chairperson also apply to the decision-making body.		

10.13.3.2. Dismissal

Chairperson and Board¹⁸¹

¹⁸¹ The same rules apply to the chairperson and Board.



Who dismisses	Procedure	
<u>NRA</u>	The term of office may be suspended for a fixed period or terminated, either at the request of the member concerned, or by the Board, by a three-quarters majority of the other members, upon the proposal of one of them. The vote is held by secret ballot without the person concerned being present. If the case concerns a situation of incompatibility and if no option to put an end to it is indicated within 30 days, the president of the independent administrative authority or independent public authority, or at least one-third of the members of the Board when the incompatibility concerns the Chairperson, shall declare him or her to have resigned.	
Reasons		Judicial review
Inability to perform the duties Serious breach of legal obligations Situation of incompatibility		No mention
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes	Not necessarily, since the administrative act implementing the revocation is not required to be justified upon publication.	In the event of the inability to perform the duties of a member of the Board, the term of office may be suspended <u>for a fixed period</u> .

10.13.3.3. Assessing the adequacy of human resources

No particular procedure assesses the adequacy of human resources. However, the Finance Law of the year concerned determines a ceiling for employment authorisations for independent public authorities with legal personality, expressed in full-time equivalents worked (see Article 147, Finance Law No. 2025-127¹⁸²). For Arcom, the ceiling is set at 379 jobs for 2025.

10.13.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Information collected by Arcom may not be used for purposes other than the fulfilment of the duties and responsibilities entrusted to it by law. Disclosure is prohibited (Article 19, Law of 30 September 1986)	Fines: EUR18 000 (Article 79, Law of 30 September 1986)
Power to issue warnings / order cessation of infringements			
Warnings	Orders	Procedure	
Yes	Yes	Arcom may issue a simple letter or a warning or a formal notice (Article 42, Law of 30 September 1986) - to a TV channel or a video-on-demand service.	

¹⁸² LOI n° 2025-127 du 14 février 2025 de finances pour 2025 (Act No. 2025-127 of 14 February 2025 on finance for 2025)



		It may subsequently impose sanctions on the service provider pursuant to Article 42-1, Law of 30 September 1986.
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures		
Yes	Arcom generally acts on its own motion but, pursuant to Article 42-10 of the Law of 30 September 1986, its Chairperson can apply to the courts for urgent orders if audiovisual services breach legal or EU obligations, especially regarding fundamental principles like dignity, pluralism or the protection of minors. The judge can order the cessation of broadcasts, particularly if the service is controlled by a foreign State and threatens national interests, such as by spreading disinformation. These judicial applications are reviewed by the President of the Litigation Section of the Council of State, who can issue immediately enforceable orders and interim measures.	
Power to request the suspension or termination of services		
Yes	- Suspension, for a maximum of one month, of the publication, broadcasting or distribution of the service(s), a category of programme, a part of the programme or one or more advertising sequences. - Withdrawal of authorisation or the unilateral termination of the agreement (Article 42-1, Law of 30 September 1986)	
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement		
Yes	Arcom must determine in its decision the terms of its publication, which shall be proportionate to the seriousness of the breach (Article 42-1, Law of 30 September 1986).	
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction		
Yes	Information collected by Arcom may not be used for purposes other than the fulfilment of the duties and responsibilities entrusted to it by law. Disclosure is prohibited. (Article 19, Law of 30 September 1986)	

10.13.5. Transparency

10.13.5.1. Publication of the NRA's decisions

Arcom may decide, subject to secrets protected by law, to publish the sanction it has imposed, either in the Official Journal, or on an electronic public communication service published by it, or by both means (Article 42-1, 4°, Law of 30 September 1986).

10.13.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

In principle, only completed administrative documents are accessible, not those still in preparation, although certain opinions forming the basis for decisions on individual rights may be communicated to applicants. Comparative opinions between multiple applicants are only disclosed after the final decision is made. Arcom, as a public administrative body,



must publish or provide access to its documents upon request, according to these rules. (Article L. 311-2 of the French Code of Public-Administrative Relations¹⁸³).

10.13.5.3. Requirements or procedures for the reporting of the NRA's activities

Article 14 of the Law of 30 September 1986 requires Arcom to send the Parliament an annual report assessing how audiovisual services ensure advertising aimed at young people meets public health goals and suggesting improvements for self-regulation. Self-regulatory bodies in the advertising field must also report annually. Article 18 of the Law of 30 September 1986 mandates Arcom to publish an annual report each year. Article 61 requires it to publish an annual report on VSPs and their codes of conduct.

10.13.5.4. Appeal mechanisms to challenge NRA decisions

Agreements between Arcom and companies for terrestrial digital frequencies, as well as certain Arcom decisions (disputes, sanctions, authorisation withdrawals), can be appealed before the Council of State.

Formal notices (*mises en demeure*) and some warnings may also be challenged on the grounds of abuse of power, but the admissibility of appeals against warnings depends on their content and effects.

All of Arcom's regulatory decisions are subject to judicial review by the Council of State.

10.13.6. Debates on the independence of the NRA

No studies or reports on the independence of the French NRA are reported.

¹⁸³ [Code des relations entre le public et l'administration](#) (French Code of Public-Administrative Relations)

10.14. GR – Greece¹⁸⁴

10.14.1. Mandate and powers

General information	
Name	<i>Ethniko Symvoulío Radiotileorasis</i> (National Council of Radio and Television - NCRT)
Headquarters	Amerikis 5, 10564 Athens
Date of establishment	1989
Area(s) of competence	Audiovisual media, radio services, election polls (to safeguard that audiovisual media give the necessary information to their viewers and respect silence periods), advertisements and protection of minors under the DSA
Number of employees	43
Website	http://www.esr.gr

Legal personality and liability

NCRT is qualified as an independent authority.¹⁸⁵ It does not have its own legal personality but belongs to that of Greek state.

According to Article 5 par. 8 (5) of the NCRT Act, NCRT has the capacity to appear in any type of trial concerning the legality of its acts or omissions.

Powers			
Regulatory	Yes, although limited and concern procedural issues of second importance (Article 3(6), 32 (10) and 37 (1) of the 4779/2021 Act ¹⁸⁶) and internal aspects of the NCRT (financial and internal organisation) (Article 2 (3 and 7) of the 3051/2002, NCRT Act ¹⁸⁷). NCRTV is also responsible for drafting codes of conduct for audiovisual and radio programmes and for audiovisual and radio commercial communications (Article 51 par. 7) of Law 4779/2021).		
Monitoring	Yes (Article 4 par. 1 (b), NCRT Act).		
Sanctioning	Yes (Article 4, Act 2328/1995, Article 12, Act 2644/1998 (concerning pay-tv platforms), Article 36, Act 4779/2021 (concerning AV services and VSPs))		
Competences ¹⁸⁸			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	No	Yes	No

¹⁸⁴ The national summary on Greece incorporates the feedback received from Persa Lampropoulou, Legal Advisor at NCRTV.

¹⁸⁵ Article 15 §2 *Constitution* and Article 1 §1, *Εθνικό Συμβούλιο Ραδιοτηλεόρασης και άλλες αρχές και όργανα του τομέα παροχής ραδιοτηλεοπτικών υπηρεσιών* (Act on the National Council of Radio and Television and other authorities and bodies in the field of radio and television services, hereafter referred to as “NCRT Act”)

¹⁸⁶ *Νόμος 4779/2021* (4779/2021 Act)

¹⁸⁷ *Νόμος 3051/2002* (3051/2002 Act)

¹⁸⁸ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.14.2. Financial autonomy

10.14.2.1. Sources of income

NCRT's main source of income is **state funding** (€2 303 000).¹⁸⁹ NCRT is also financed through **license fees** paid by terrestrial broadcasters (€50 000 per year and per channel of general interest and national coverage. €30 000 for channels of other categories. €5 000 – 10 000 for channels of regional coverage (depending on population coverage)¹⁹⁰, and **authorisation fees** paid by pay-tv broadcasters.¹⁹¹

It operates on the basis of an annual budget.¹⁹² The President of the NRA itself submits a budget proposal to Parliament and the Government takes the final decision.¹⁹³

10.14.2.2. Budget adjustment procedures

There is no specific procedure in place to ensure its commensurability with the tasks and powers of NCRT or to adjust it before the end of the financial year. In practice, if the President of the NCRT considers that there is a special need to increase the budget, he must make a request to the Minister of Economy and Finance.

No legal provision refers to a financial audit of the NCRT.

10.14.3. Operational independence

10.14.3.1. Appointment

Staff: civil servants + private law contracts			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson	1	6 years	No
Plenary	9 (including Chairperson)	6 years	No, but the Vice-President or an ordinary member may be appointed for a full term to a higher-level position (Article 3 §2, Law 3051/2002)
Who appoints	Procedure		Criteria

¹⁸⁹ [Annual report](#) for 2023, p. 35

¹⁹⁰ Article. 13 par. 3 (5), [Νόμος 4339/2015](#) (4339/2015 Act), and authorisation fees paid by pay-tv broadcasters – see Article. 9 par. 7, [Νόμος 2644/1998](#) (Law 2644/1998) (as modified by Article. 43 par. 3, Law 4779/2021).

¹⁹¹ Article. 9 par. 7, Law 2644/1998 (as modified by Article. 43 par. 3, Law 4779/2021). Article 9(8) of Law 2644/1998 concerning pay-tv platforms also provides that yearly fees are paid to the State and thirty percent of them is attributed, through the State Budget, to the E.S.R. to strengthen its supervisory role. However, this fee has not yet started to be paid to NCRTV as the issuance of a relevant Ministerial Decision is still pending.

¹⁹² Article. 1 par. 2, NCRT Act

¹⁹³ Article. 2 par. 2, 3051/2002 Act



<u>Parliament</u>	The College of Presidents of the Parliament selects the NCRT members, upon the suggestion of the President of the Parliament and a majority vote of 3/5 of its members (Article 101 A of the Constitution). The President of the Hellenic Parliament transmits the selection decision to the Minister of Press and Mass Media, who issues the decision, which is published in the Government Gazette. (Article 14 (d), <u>Regulation of the Parliament</u>¹⁹⁴; Article 2 par. 2 (c,d) of the NCRT Act).	Persons distinguished for their scientific qualifications or professional experience or their contribution to public life, especially in areas that are related, directly or indirectly, to the mission and content of the authority's responsibilities (Article 2 par. 3 of the NCRT Act).
Conflicts of interest		
Article 3 par. 3 and 4, NCRT Act. Rules apply during and after the term of office.		
Incompatibilities	Member of the Council of Ministers, Deputy Minister, Member of Parliament, General or Special Secretary of a Ministry or an independent General Secretariat, active military personnel, person serving in the security forces, civil servant (in general), holding office or position in any political party, partner, shareholder, member of the board of director or employee (with or without remuneration and with any legal relationship) in a company or enterprise whose activities are subject, directly or indirectly, to the supervision of the NCRT, person subject to final conviction	

10.14.3.2. Dismissal

Chairperson and Board		
Who dismisses	Procedure	
<u>Parliament</u> (Article 3 par. 6, Law 3051/2002)	Dismissal as a result of a final conviction is made by decision of the competent Minister in each case within a period of 15 days from the notification to him/her of the decision of the College of Presidents of the Parliament (Article 3 par. 6, Law 3051/2002).	
Reasons		Judicial review
Issuance of a criminal court decision: final conviction for the acts referred to in Article 3 (4), Law 3051/2002		Yes, before administrative courts
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes, a hearing is held before the decision is taken	Yes	The term of office of the members of the independent authorities is extended until the appointment of new members (Article 101A par.2 (5), Constitution)

¹⁹⁴ Κανονισμός της βουλής (Parliament rules)

10.14.3.3. Assessing the adequacy of human resources

No special procedure for independent authorities exists. However, <https://www.kodiko.gr/nomothesia/document/797906/nomos-4940-2022> the Law on “target setting, evaluation and reward system to enhance the efficiency of public administration, regulations for public sector human resources” applies.¹⁹⁵

10.14.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	NCRT may request any information relevant to the operation, administration and management of free to air radio or television companies and, in particular, in relation to the staff, program, equipment, technical specifications, all types of facilities, the network, assets, shareholders and the financial means they have made available for the acquisition of their shares, when these exceed 1% of the capital, and the financial means they have made available for their participation in the company, the loan, tax and insurance obligations of the station, the advertisements it broadcasts and the terms of transmission, the sponsorships of its broadcasts, its income and expenses, by way of derogation from any other provision, as well as to order an audit by certified accountants or experts or technicians of the Ministries of Economy and Finance, Employment and Social Protection, Development, Transport and Communications or of E.R.T. S.A. (the Greek public broadcaster) for the verification of these data (Article 1 par. 17 of the Law 2328/1995 and Article 32(9) of law 4779/2021).	Yes: including suspensions, revocations or fines (Article 4 par. 1 (e) of the NCRT Act)
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		No	
Procedure			
NCRT may issue: - recommendations for compliance with a specific provision of the legislation with a warning of the imposition of other sanctions, - moral sanctions (such as mandatory broadcasting of an announcement regarding the other sanctions imposed). Such decisions must contain full and specific justification and be formulated after hearing the interested parties during at least one meeting of the Plenary Session of the body. (Article 4 par. 1, Law 2328/1995)			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			

¹⁹⁵ [Νόμος 4940/2022](#) (Law 4940/2022)

Yes	NCRT can issue a fine of €14 673 to €1 467 300. (Article 4 par. 1 (b), Law 2328/1995) As a digital services coordinator, NCRT may issue periodic penalty payments (Article 11 (1d), Law 5099/2024).
Power to request the suspension or termination of services	
Yes	NCRT may impose: - temporary suspension of up to three months or the permanent cessation of the transmission of a specific broadcasting, - temporary suspension of up to three months of the transmission of any television program, - revocation of the station's operating licence (Article 4 par. 1 (c, d, e), Law 2328/1995).
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
No	There is no obligation to publish a statement of this kind. Greek law implementing the General Data Protection Regulation ¹⁹⁶ applies, and no reference of the name (of natural or legal persons) for any infringements (for ex. not these regarding changes in ownership status) are published.
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Yes (Article 1 par. 17, Law 2328/1995).	

10.14.5. Transparency

10.14.5.1. Publication of the NRA's decisions

All decisions are posted online, provided that they are anonymised in the cases provided for by the legislation on the protection of personal data.

10.14.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

As part of the pre-hearing procedure, copies of the case-file documents are provided to interested parties before a decision is issued.

10.14.5.3. Requirements or procedures for the reporting of the NRA's activities

According to Article 4 par. 4 of the NCRT Act, by 31 March of each year, NCRT must draw up a report of the activities of the previous year, which is discussed and approved at a special plenary session of the authority and submitted to the Hellenic Parliament and to the Minister of Press and Mass Media, currently to the Deputy Minister to Prime Minister, responsible for the General Secretariat of Information and Communication.

¹⁹⁶ [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data

10.14.5.4. Appeal mechanisms to challenge NRA decisions

Pursuant to Article 5 par. 8 (d), NCRT Act, an application for annulment may be filed against NCRT decisions before the Council of State (High Administrative Court), as well as an administrative [non judicial] appeal provided for in the Constitution and legislation.

10.14.6. Debates on the independence of the NRA

The independence of NCRT has been put into question by several reports and research:

- Vouliwatch, “νομική Αναλυση Vouliwatch Εκλογη Μελων Αδσε Και Εσρ Παρέμβαση Στην Ανεξαρτησία Των Ανεξάρτητων Αρχών;” (Election of the members of the Hellenic Authority for Communication Security and Privacy and of ESR. Interference with the independence of independent authorities? A legal analysis)», 16 October 2023
- International Press Institute, Media Capture Monitoring Report: Greece, 19 November 2024
- Alexandros Oikonomou, Η αναβάθμιση του ΕΣΡ: πρόταση τροποποίησης του (The upgrade of the ESR: proposal for amendment of NCRT Act), 2022
- Contiadis, X., Introductory speech at the event “Εισαγωγική ομιλία στην εκδήλωση «Quo Vadis Εθνικό Συμβούλιο Ραδιοτηλεόρασης;»” (Quo Vadis National Broadcasting Council?), 2020
- Oikonomou. A., “Εισαγωγική ομιλία στην εκδήλωση «Quo Vadis Εθνικό Συμβούλιο Ραδιοτηλεόρασης;” Quo Vadis National Council of Radio and Television? A proposal for the future of the Independent Authority , E-Politeia, 2023

10.15. HR – Croatia¹⁹⁷

10.15.1. Mandate and powers

General information	
Name	<i>Agencija za elektroničke medije</i> (Agency for Electronic Media - AEM)
Headquarters	Jagićeva 31, 10000 Zagreb, Croatia
Date of establishment	2004
Area(s) of competence	Audiovisual media services providers, electronic publications, VSPs: Conducting the licensing procedure; taking decisions on the withdrawal of concessions and permissions; conducting the authorisation procedure for providing audio and/or audio-visual media services on-demand and for satellite, Internet, cable and other forms of transmission of audio-visual and/or radio programmes; issuing notices in case of non-compliance with the provisions of the Electronic Media Act (EMA) and by-laws and/or submitting indictment proposals, adopting regulations, ensuring supervision over the implementation of the provisions on programme principles and obligations laid down by law; ensuring the supervision of media service providers' programmes and statutory information programme quotas, European works and independent producer works; dedicated use of the Fund for pluralism and media diversity, consideration of citizens' complaints.
Number of employees	34
Website	www.aem.hr

Legal personality and liability

The AEM is an autonomous, independent and non-profit legal entity with public powers within the scope and competences prescribed by this Act. Any form of influence on the work of the Agency that could jeopardise its autonomy and independence is prohibited (Article 73, EMA¹⁹⁸). Besides, the AEM is held liable for its own obligations with all of its assets, and the Republic of Croatia is held liable without limitation for the obligations of the Agency (Article 81(3), EMA).

Powers			
Regulatory	Yes, Article 77, EMA		
Monitoring	Yes, Article 77, EMA		
Sanctioning	Yes, Article 77, EMA		
Competences ¹⁹⁹			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	No	Yes	Yes

¹⁹⁷ The national summary on Croatia incorporates the feedback received from the Agency for Electronic Media (AEM)

¹⁹⁸ *Zakona o elektroničkim medijima* (Electronic Media Act - EMA)

¹⁹⁹ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.15.2. Financial autonomy

10.15.2.1. Sources of income

The AEM's main sources of income consist of revenues deriving from industry fees.²⁰⁰

The Agency operates on the basis of an annual budget. The annual work program, the annual financial plan and projections for the next two years, and the annual work report and financial reports of the Agency are submitted by the Agency's Director to the Council for approval, before being submitted to the Ministry of Finance. (Article 81(1), EMA)

10.15.2.2. Budget adjustment procedures

Commensurability of the budget with the AEM's powers and tasks is ensured in the sense that the regulator prepares and submits a budget proposal to the Ministry.

There exists no specific procedure for revising the financial plan before the end of the period for which it was allocated.

Audit	
Who	State Audit Office (Law on the State Audit Office ²⁰¹) and private auditing companies;
When	The audits by the State Audit Office are performed periodically (the last one was in 2018); the audits performed by private auditing companies are done annually.
Procedure	Audits are performed by authorised state auditors, according to the methodology, way of working and procedures, which are established by the auditing standards of the International Organization of Supreme Audit Institutions and the Code of Professional Ethics of State Auditors. The yearly audit is being done by auditing companies via public procurement.

10.15.3. Operational independence

10.15.3.1. Appointment

Staff: Civil servants			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson (<i>Predsjednik Vijeća</i> – President of the Council / <i>Ravnatelj</i> – Director of the Agency) ²⁰²	1	5 years	Yes
Board (Council)	7 (including the President)	5 years	Yes

²⁰⁰ Electronic Media Agency, [Activity Report 2024](#), p. 102, 15.09.2025

²⁰¹ [Zakon o državnom uredu za reviziju](#) (Law on the State Audit Office), 15.9.2025

²⁰² The President of the Council is also the Director of the Agency



Who appoints	Procedure	Criteria
Parliament	The President and other members of the Council shall be appointed and dismissed by the Croatian Parliament upon the proposal of the Government of the Republic of Croatia. In the procedure for nominating members of the Council, the Government of the Republic of Croatia shall publish a public call for nominations of candidates for members of the Council. (Article 76 (2), EMA)	Council members must be Croatian citizens with a graduate or specialist graduate degree and professional expertise in areas such as media, journalism, technology, economics, sociology, or law. They should also be public figures recognised for upholding democratic principles, the rule of law, civil society, human rights, freedoms, and freedom of expression. (Article 76(5)(6), EMA)
Conflicts of interest		
Article 76 (7)-(11), Electronic Media Act. Rules apply during the appointment process, and during the term of office.		
Incompatibilities	May not be state officials, persons holding office in bodies of political parties, bodies of local and regional self-government units or trade unions. May not be owners, shareholders, members of management boards, supervisory boards or members of administrative councils and other appropriate management bodies, directors, managers or other managers of the business of legal entities to which the provisions of this Act apply and which relate to audio and audiovisual media services and network operators. May not be employees or have a contractual or other relationship with any legal entity or service related to audio and audiovisual media services and network operators, nor persons who perform tasks that could give rise to a conflict of interest. May not receive gifts from media service providers, accept services or enter into relationships that put them in a conflict of interest in relation to the tasks prescribed by this Act. May not be convicted of a criminal offence by a final judgment.	

10.15.3.2. Dismissal

Chairperson and Boards		
Who dismisses	Procedure	
Parliament	The Croatian Parliament dismisses the President or member of the Council before the expiry of the term for which they were appointed, upon the proposal of the Government. (Article 76(14), EMA)	
Reasons		Judicial review
- requests his/her own dismissal - has provided false information about themselves or failed to provide information about circumstances relevant to the determination of the proposal - their work or conduct brings into question their own or the Agency's reputation, or their own or the Agency's autonomy and independence - they are unable to properly perform their duties for more than six consecutive months - they are permanently prevented from performing their duties due to illness - they are convicted of a criminal offence - they prevent the achievement of the objectives and tasks set out in the annual work programme of the Agency - the occurrence of circumstances referred to in paragraphs 7 to 10 of Article 76. (Article 76(14), EMA)		Yes, depending on reasons for dismissal



Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
No mention in law	Since, the decision must be made in parliament (with a majority vote), and these sessions are public, it can be concluded that decisions are made available to the public	The President and members of the Council are appointed for a period of five years, which is extended until the appointment of a new President and/or member of the Council if a new President and/or member of the Council has not been elected by the date of expiration, for a maximum of six months; they may be reappointed. (Article 76(3), EMA)

10.15.3.3. Assessing the adequacy of human resources

There is no rule in place to assess the adequacy of human resources at the AEM.

10.15.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	The Council is authorised to request all information it does not have from the media service providers (Article 7(12), EMA)	Fines between 100 000 and 1 000 000 Croatian kuna (HRK) (€13 270 to 132 720) (Article 98, EMA)
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
Yes	The Agency is responsible for issuing warnings, binding orders and reprimands in the event of non-compliance (Article 77, EMA)		
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only fines	The Council can impose fines between 100 000 - 1 000 000 Croatian kuna (HRK) (€13 270 and 132 720) on a legal entity, depending on the violation (Article 98, EMA)		
Power to request the suspension or termination of services			
Yes	The Agency is responsible for revoking concessions and permits, or temporarily restricting the freedom to transmit AVMS (Article 77, EMA), VOD services (Article 26, EMA) and satellite, internet, cable transmission and other forms of audiovisual program transmission (Article 92, EMA)		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
No			
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
No			

10.15.5. Transparency

10.15.5.1. Publication of the NRA's decisions

The AEM must regularly publish, free of charge, information and data on its website, including decisions and other administrative Acts (Article 80, EMA).

10.15.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

According to the Law on the right to access information²⁰³ concerned parties have the right to access background documentation concerning the decisions of the NRA with the exception prescribed in Article 80(5).

10.15.5.3. Requirements or procedures for the reporting of the NRA's activities

The AEM must publish an annual report on its work and submit it to the Croatian Parliament. (Articles 75(3) and 79, EMA)

10.15.5.4. Appeal mechanisms to challenge NRA decisions

According to Article 82(2) of the EMA, no appeal is allowed against decisions, warnings and other administrative acts of the AEM, but an administrative dispute may be initiated against them before the administrative court with local jurisdiction. With regards to misdemeanour orders issued by EMA, concerned parties may initiate proceedings before misdemeanour court.

10.15.6. Debates on the independence of the NRA

No current debate on the independence of the AEM is to be reported.

²⁰³ [Zakon o pravu na pristup informacijama](#) (Law on the right to access information)

10.16. HU – Hungary²⁰⁴

10.16.1. Mandate and powers

General information	
Name	Nemzeti Média- és Hírközlési Hatóság (National Media and Infocommunications Authority - NMHH)
Headquarters	Budapest
Date of establishment	2010
Area(s) of competence	Audiovisual media, radio, printed and online press; telecommunication; postal services; digital signature; trust services; online intermediaries; Digital Services Coordinator (DSC)
Number of employees	760 (November 2025)
Website	https://nmhh.hu/

Legal personality and liability

NMHH is a so-called independent regulatory body (autonomous regulatory agency). According to the Hungarian Constitution, the Parliament may establish independent regulatory bodies in a cardinal law. The bodies composing NMHH (the President, the Media Council and the Media Office) are independent.²⁰⁵

Powers			
Regulatory	Yes (§ 182 (3), Act C of 2003 on Electronic Communications ²⁰⁶)		
Monitoring	Yes (§ 182-184, Mttv., 12/B, 14/B, 15/D-I Ekertv. ²⁰⁷ , § 10-12 Act CIV of 2023 on certain rules governing internet intermediary services ²⁰⁸)		
Sanctioning	Yes (§ 185-187, Mttv., 12/B, 15/D-I Ekertv., § 8, 16 Act CIV of 2023 on certain rules governing internet intermediary services)		
Competences ²⁰⁹			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	No	Yes	Yes

²⁰⁴ The national summary on Hungary incorporates the feedback received from Dr. György Ocskó, international legal advisor at the NMHH.

²⁰⁵ § 109 (3) and § 182-184, *2010. évi CLXXXV. törvény a médiaszolgáltatásokról és a tömegkommunikációról* (Act CLXXXV of 2010 on Media Services and Mass Communication, hereafter "Mttv")

²⁰⁶ *2003. évi C. törvény az elektronikus hírközlésről* (Act C of 2003 on Electronic Communications – Eht)

²⁰⁷ *2001. évi CVIII. törvény az elektronikus kereskedelmi szolgáltatások, valamint az információs társadalommal összefüggő szolgáltatások egyes kérdéseiről* (Act CVIII of 2001 on certain issues related to electronic commerce services and information society services)

²⁰⁸ *2023. évi CIV. törvény az internetes közvetítő szolgáltatások egyes szabályairól* (Act CIV of 2023 on certain rules governing internet intermediary services)

²⁰⁹ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.16.2. Financial autonomy

10.16.2.1. Sources of income

NMHH's main source of income is **state funding** (including public authority revenues and operating subsidies from within the state budget). It is also funded by a set of fees (frequency fees, supervision fees, identification fees, fees for administrative services, and operating fees). The NMHH's budget is completed with operating revenues, accumulated income, late payment surcharge and funds received for accumulation purposes.²¹⁰

NMHH operates on the basis of an annual budget (Mttv §134 (2)). The draft budget, approved by the Media Council, must be proposed by the President of NMHH by 15 September each year and submitted by the parliamentary committee responsible for budgetary matters by 31 October of the previous year. Until a new budget is approved, operations continue under the last approved budget. The Parliament approves final accounts by 31 May each year, deciding on the allocation of any surplus from the previous year. Surplus funds, if committed by 31 December, can be used according to their original purpose. (§ 134 (3) and (10), Mttv).

10.16.2.2. Budget adjustment procedures

There are no rules or procedure to ensure the commensurability of the budget with the NRA's powers and tasks. The NMHH President may, however, transfer appropriations between the expenditure estimates of the approved unified budget, provided that the authorisation of the Media Council is given for transfers affecting its budget (§ 134 (2) Mttv).

Audit	
Who	NMHH's Internal Audit Department (§ 134 (2) Mttv)
When	Annually
Procedure	According to Act CXCV of 2011 on public finances, the head of the budgetary agency is responsible for establishing, operating and developing the internal control system. The process is supported by methodological guidelines published by the minister responsible for public finances. ²¹¹

10.16.3. Operational independence

10.16.3.1. Appointment

Staff: civil servants			
Chairperson and Boards			
Name	Number	Term of office	Possibility of renewal

²¹⁰ [2024. évi LXIII. Törvény a Nemzeti Média- és Hírközlési Hatóság 2025. évi egységes költségvetéséről](#) (Act LXIII of 2024 on the unified budget of the National Media and Infocommunications Authority for 2025)

²¹¹ [Belső ellenőrzési kézikönyv minta](#) (Internal audit manual)



President of NMHH	1	9 years	No
Media Council	5 (including President)	9 years	No
Office of NMHH (director general)	1	Indefinite	No mention of this
Who appoints	Procedure		Criteria
<u>President</u> : President of the Republic on the nomination of the Prime Minister <u>Media Council</u> : Parliament <u>Office</u> : NMHH President	<u>President</u> : The President is appointed by the President of the Republic upon nomination by the Prime Minister <u>Media Council</u> : The President and the 4 members are elected by Parliament. The President of NMHH becomes the candidate for the position of President of the Media Council upon appointment. <u>Office</u> : The Director General is appointed by the President. (§ 111/A, Mttv)		Be eligible for election to the Parliament, have no criminal record or professional disqualifications, and hold a higher education degree. At least 5 years' experience in official media supervision or communications or have a related academic degree or at least 10 years of higher education teaching experience. (§ 111/A (2) Mttv)
Conflicts of interest			
§ 118, § 113 (2) and (8)-(9), § 129 (9)-(10), Mttv. If a conflict of interest arises and is not resolved within 30 days, the President of the Republic can dismiss the President; post-mandate, these officials face a one-year period restricting employment or business relations with entities affected by their decisions. In the event of termination pursuant to points a) or b) of § 113, the President shall be entitled to severance pay equal to twice his or her monthly salary at the time of termination.			
Rules apply during and after the term of office.			
Incompatibilities	Holding political, governmental, or media-related positions or ownerships that could create conflicts of interest, nor engage in party political activities or speak on behalf of parties.		

10.16.3.2. Dismissal

President	
Who dismisses	Procedure
<u>President</u> : President of the Republic	The President of the Republic must take the decision on the proposal of the Prime Minister. In the event of termination pursuant to points a) or b) of § 113, Mttv, the President is entitled to severance pay equal to twice his or her monthly salary at the time of termination. § 113, Mttv
Reasons	
See: § 113, Mttv a) the conflict of interest specified by law is not eliminated within 30 days of his or her appointment or of the emergence of the cause of the conflict of interest, b) on the date on which the judgment becomes final, if, as a result of criminal proceedings against the President, they are found guilty by a final judgment of the court, which includes a sentence of imprisonment or disqualification from the President's office, c) they have been placed under guardianship affecting their legal capacity,	



d) if, for reasons attributable to them, they fail to perform the duties arising from their mandate for more than six months.

Judicial review	Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
No	Only in cases of conflict of interest (the member concerned has 30 days to remedy the conflict).	Yes	Yes, if the Parliament fails to elect the new President of the Authority as President of the Media Council within 30 days of his or her appointment, the former President of the Media Council will remain in office until the election of the new President of the Media Council. Without any time limit, even until the end of his/her life. This situation can easily arise if the ruling parties do not have a two-thirds majority in a new parliament. In practice, this means that the President appointed by the current ruling parties could remain in office until the end of his/her life. (§ 216 (8), Mttv)

Boards			
Who dismisses		Procedure	
<u>Media Council:</u> Media council itself or Parliament if a decision is not reached <u>Office:</u> President of NMHH		If a conflict of interest involving the President or a member of the Media Council is not resolved within 30 days, the plenary session must declare their mandate ended. The termination is announced by the President for certain cases (resignation or death) and by the plenary session for others (incompatibility, dismissal, exclusion); the President’s own termination is always determined by the plenary session. On conflicts, dismissal, or exclusion, the affected person cannot vote; a unanimous decision is required, and if unanimity isn't reached after a repeat vote, Parliament makes the final decision. (\$ 129 Mttv for the Media Council and § 115 (5) Mttv for the Office).	
Reasons			
§ 129, Mttv a) conflict of interest b) being placed under guardianship affecting legal capacity c) failing to perform the duties arising from the mandate for more than six months for reasons attributable to the member of the Media Council d) the court has found the president or member guilty of an offence punishable by imprisonment or disqualification from the activities			
Judicial review	Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
No	Only in cases of conflict of interest (the member concerned has 30 days to remedy the conflict).	Yes	No

10.16.3.3. Assessing the adequacy of human resources

The President of NMHH determines the system of positions necessary for the performance of the Authority's tasks and the amount of resources necessary for the performance of those tasks (§ 110/A, Mttv).

10.16.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	NMHH has the authority to inspect and copy all tools, records, and documents related to media services, including business secrets, to clarify facts. It may oblige clients, their representatives, employees, and, in exceptional cases, others to provide statements, information, or data within set deadlines and issue warnings about legal consequences for non-compliance. Clients must not supplement missing evidence on their own unless NMHH specifically requests it and may be required to provide original or certified copies of documents. Communications between clients and their legal representatives are protected and cannot be inspected or used as evidence unless the client waives this protection. NMHH cannot force media content providers or their staff to disclose data that would reveal confidential informants' identities, a protection that continues even after their legal relationship ends. Under Act CL of 2016 on Public Administration, NMHH may request other bodies to act or provide data, with a minimum notice of five-days, but those bodies must refuse or forward requests outside their competence; this procedure applies to NMHH/Media Council proceedings as well. (§ 155 and § 156, Mttv). § 15/I Ektv. § 5 (2), 12 Act CIV of 2023 on certain rules governing internet intermediary services	Procedural fines (max: 25 million Hungarian forints (HUF) for legal persons, and up to 1 million HUF for natural persons). in the event of a repeat infringement: up to 3 million HUF on the infringing senior officer. (§ 155, § 144, Mttv, and § 25, Act CL of 2016 on the General Rules of Public Administration.²¹²
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			

²¹² 2016. évi CL. törvény az általános közigazgatási rendtartásról (Act CL of 2016 on the General Rules of Public Administration (Ákr.))



§ 186 Mttv., § 16 Act CIV of 2023 on certain rules governing internet intermediary services	
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures	
Only fines	Fines for violations, with maximum amounts ranging from 3 million to 200 million HUF depending on the type and reach of the media service provider (§ 186 Mttv). Sanctions in relation to other competences: § 12/B, 15/C (9), 15/I (2), 16/D Ekertv., § 8, 16 Act CIV of 2023 on certain rules governing internet intermediary services
Power to request the suspension or termination of services	
Yes	The Media Council and the Office can require infringers to publish corrective statements or decisions on their website or in relevant media and may suspend media service rights for periods ranging from 15 minutes to one week, depending on the severity and repetition of the violations. For repeated serious breaches by linear media service providers, they can delete the service from the register or immediately terminate relevant contracts, making further public availability illegal. Removal from the register does not apply to on-demand or ancillary media services. (§ 186 Mttv) Sanctions in relation to other competences: § 15/C, 15/I Ekertv. § 16 Act CIV of 2023 on certain rules governing internet intermediary services
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	
§ 187 (3) point b) Mttv., § 16 (7) Act CIV of 2023 on certain rules governing internet intermediary services	
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Only the books	In the course of clarifying the facts, NMHH may inspect the books of the service providers (§ 155 (3), (3c), Mttv).

10.16.5. Transparency

10.16.5.1. Publication of the NRA's decisions

If the group of clients affected by a decision cannot be precisely identified, the authority must publicly announce its decision, summarising the operative part and reasons, and state where the full decision can be inspected; this notice must be posted on the authority's website. The NMHH must comply with the rules on public disclosure (§ 162 and Ákr. § 82).

10.16.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Concerned parties may inspect proceeding documents during and after the process, with third parties allowed access to protected data only if legally necessary; copies may be requested for a fee and certified by the authority (§ 33-34, Ákr).

10.16.5.3. Requirements or procedures for the reporting of the NRA's activities

NMHH and the Media Council prepare separate reports for Parliament each year. The President of NMHH must submit a report on the Authority's activities in the previous year to the Parliament by May 31 of each year. The report shall be published in printed form and on the websites of NMHH and the ministry responsible for electronic communications. The Media Council must submit its report on its activities in the previous year to the National Assembly by 31 May of each year. The report must be published in printed form and on the websites of the ministry responsible for audiovisual policy and NMHH. (§ 119 and § 133, Mttv)

As a Digital Services Coordinator, NMHH must annually publish its report on activities carried out under the DSA. The report must be published in a machine-readable format, considering rules on the confidentiality of information, and forwarded to the European Commission and the European Digital Services Board (Art. 55, DSA).

10.16.5.4. Appeal mechanisms to challenge NRA decisions

Legal remedies vary according to the decisions taken. Media Council first-instance decisions may only be challenged in administrative court by clients or affected participants within 15 or 30 days, according to the type of case. NMHH Office first-instance decisions may be appealed to the Media Council by participating clients, while Media Council second-instance decisions may be challenged administratively within 30 days, with no suspensive effect and courts are required to decide promptly. Reporters of violations are not parties to proceedings and have no procedural or document access rights. Special appeal rules apply to electronic communications cases involving the President's decisions. (§ 145, 163, 165, Mttv and § 44, Eht).

With regard to the supervision of intermediary service providers, legal remedies are also provided. A decision may be challenged according to the general rules (§ 112, 114 Ákr. and Act I of 2017 on Code of Administrative Court Procedure) (special rules apply to the possibilities for legal remedy against orders imposing provisional measures or orders requiring the provision of data (§ 9 (4), 12 (8) Act CIV of 2023 on certain rules governing internet intermediary services).)

10.16.6. Debates on the independence of the NRA

Several analyses have been conducted on the independence of the Hungarian regulatory body:

- Polyák, G., Monitoring the independence of the media regulatory body as an effective enforcement mechanism for the implementation of the AVMSD Journal of Digital Media & Policy, Volume 15, Issue 1, 2024.
- Bleyer-Simon, K., Polyák, G., Urbán, Á. Monitoring media pluralism in the European Union: results of the MPM2025. Country report: Hungary, 2025.
- European Commission 2024 Rule of Law Report Country Chapter on Hungary, 2024.
- Venice Commission, Opinion On Media Legislation (Act Clxxxv On Media Services And On The Mass Media, Act Civ On The Freedom Of The Press, And The Legislation On Taxation Of Advertisement Revenues Of Mass Media) of Hungary adopted by the



Venice Commission at its 103rd Plenary Session (Venice, 19 - 20 June 2015). Strasbourg. Opinion no. 798 / 2015, 2015.

- Council of Europe - Commissioner for Human Rights (2021).
- International Press Institute, Media and Journalism Research Center, Media Capture Monitoring Report: Hungary, 2024.
- Human Rights Watch, Hungary: Media Curbs Harm Rule of Law - EU Action Needed to Tackle Declining Press Freedom, 2024.

It may be noted, that the criticisms regarding the Hungarian NRA's independence has been contested by the NMHH.

10.17. IE – Ireland²¹³

10.17.1. Mandate and powers

General information	
Name	<i>Coimisiún na Meán</i> (The Media Commission – the Commission)
Headquarters	1 Shelbourne Buildings, Shelbourne Road, Dublin 4, D04 NP20, Ireland
Date of establishment	15 March 2023 (before that, the predecessor organisation, the Broadcasting Authority of Ireland was established in 2009)
Area(s) of competence	Regulation of broadcasting, VOD, VSPs and ISP; enforcement of online safety under national and European legislation; media literacy; funding public service content; media development and funding, advisory role on media mergers, competent authority with respect to the EU Accessibility Act and the Transparency and Targeting of Political Advertising Regulation.
Number of employees	250 (approximately: the Commission is still recruiting new staff).
Website	http://www.cnam.ie

Legal personality and liability

Section 6 of the Broadcasting Act 2009²¹⁴ describes the Commission as “a body corporate with perpetual succession and a seal” and states that it may “sue and be sued in its corporate name”. In Ireland, a body corporate describes an organisation legally recognised as having its own separate identity from its members. Such an organisation can own property, enter into contracts, and sue or be sued in its own name.

Powers			
Regulatory	Yes, Section S7(2)(d), S7(3)(d) Broadcasting Act		
Monitoring	Yes. It should however be noted that the Commission’s monitoring powers generally come into play in response to a complaint about regulated media service providers.		
Sanctioning	Yes, Section 139ZS, Broadcasting Act		
Competences ²¹⁵			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	Yes

²¹³ The national summary on Ireland incorporates the feedback received from Brian Moran, Assistant Director, Regulatory Policy at the Irish national media regulatory authority (*Coimisiún na Meán*).

²¹⁴ [Broadcasting Act 2009](#) (as amended)

²¹⁵ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.17.2. Financial autonomy

10.17.2.1. Sources of income

Between March 2023 and April 2024, the first year in which the Commission operated, it was directly funded by the Central Exchequer. The Commission is principally funded by a levies imposed on the media service providers (Section 21 (1), (4) and (5), Broadcasting Act) but also receives exchequer funding for media development activities and to support functions not currently falling under the levy system, such as the European Accessibility Act. Specific details on how the levies are applied are contained in annually updated statutory instruments.

The Commission operates on the basis of an annual budget, which is subject to scrutiny by the Minister for Culture, Communications, and Sport and the Comptroller and Auditor General. It must submit estimates of income and expenditure to the Minister and furnish any information which the Minister may require in relation to those estimates, including proposals and future plans relating to the performance by the Commission of its functions over a specified period of years (Section 26 Broadcasting Act).

10.17.2.2. Budget adjustment procedures

The Commission is required to ensure that the levies collected from regulated entities (listed in Section 21, Broadcasting Act) are sufficient to cover its expenses and working capital (both not funded by any other means) for the given period. The Commission issues guidance notes on how it calculates the annual levies. (Article 21(4), Broadcasting Act).

The Commission must submit its annual accounts, detailing reason for all expenses, to the Comptroller and Auditor-General, to the Minister for Culture, Communications, and Sport for submission to the Parliament and to be published on its website. Any surplus from levies can be retained and set against future levy payments or refunded proportionally. (Sections 21 (11) and 26, Broadcasting Act).

Additional funding during the financial year can include direct Exchequer advances authorised by the Minister for Culture, Communications, and Sport with consent from finance ministers, and borrowing powers for the Commission's functions (Sections 23 and 24, Broadcasting Act).

Audit	
Who	External comptroller and auditor-general
When	Annually
Procedure	The Commission must submit a copy of its annual accounts to the Comptroller and Auditor-General within three months of the conclusion of the financial year to which those accounts refer. These accounts must include "reason for all expenses" (Section 26(2)(a), Broadcasting Act).

10.17.3. Operational independence

10.17.3.1. Appointment

Staff: appointed by the Commission, not government ministers or departments, distinguishing them from civil servants. Classified as public servants.			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson	1	5 years	Yes, once
Board (<i>The Commission</i>)	5	5 years	Yes, once
Who appoints	Procedure		Criteria
<u>Government</u> : Minister for Culture, Communications, and Sport	Appointed by the Minister for Culture, Communications, and Sport on the recommendation of the Public Appointments Service, acting as a central recruitment agency. It advertises the position, interviews candidates and makes a recommendation to the Minister (Section 11 Broadcasting Act).		No mention
Conflicts of interest			
Sections 12 (13), (14) and (15), Sections 15 and 37, Broadcasting Act. Rules apply during the appointment process, as well as before, during and after the term of office.			
Incompatibilities	- Being a member of either the Tithe an Oireachtas (Irish Parliament), of the European Parliament, or of a local authority (local government public representative). - Having a relevant interest in a provider of communication media. - Having a family or marital connection to someone meeting any of the above criteria Section 37 requires disclosure of any likely benefits from matters related to the Commission and mandates that affected persons should refrain from participation, influence, or recommendation decisions on such matters.		

10.17.3.2. Dismissal

Chairperson and Boards		
Who dismisses	Procedure	
<u>Government</u> (Section 12(5) Broadcasting Act)	If the Government proposes to remove a Commissioner, it must notify them in writing with reasons and allow at least 20 days for a response. If removal proceeds, the Government must notify the Commissioner of the decision and reasons, and provide a written statement to both houses of Parliament and to the Commissioner. (Section 12 (6), (7), (8), (9) and (10) Broadcasting Act)	
Reasons		Judicial review
They become incapable of performing their duties due to ill-health or other reasons, engage in serious misconduct, have a significant conflict of interest, or fail without reasonable cause to perform their functions for at least three continuous months. (Section 12(5), Broadcasting Act)		No mention
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes Section 12 (6)	Yes	The Minister for Culture, Communications, and Sport may appoint a member of staff to perform the function of a Commissioner or, in the

Broadcasting Act	Section 12 (10) Broadcasting Act	case of a vacancy in the office of the Chairperson, may appoint a Commissioner to perform the functions of the chairperson. (Sections 13 and 14, Broadcasting Act)
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10.17.3.3. Assessing the adequacy of human resources

The Commission can appoint its own staff subject to approved sanction from relevant government departments. The DPENDR (government department) has approved a delegated sanction for the Commission's parent department based on a clear workforce plan detailing each role per division. The Commission must adhere to the maximum headcount per grade cohort. Any additional staffing will require a further request for sanction and approval. We can appoint consultants as deemed necessary.

10.17.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	The Commission has authority to perform its regulatory functions, including imposing levies, maintaining registers, and requiring media service providers to keep and provide relevant records and information. It can, to this end, request information, conduct investigations, inspect premises, and require production of programme material, complaint records, and documents to ensure compliance, including from online and hosting service providers. (Section 7(1), Section 21, S. 46a, S. 46P, Section 47(7), Section 50, S. 139F, Section 139O, Section 139P, Section 139ZE(5), Section 139ZGA, Section 139ZZE(3), Section 139ZK, Section 139ZU(2)(3), Section 159C(6)Broadcasting Act).	The Commission can impose penalties for failing to provide requested information or for supplying false or misleading data, classifying these as category 1 offences with fines up to €500 000 or imprisonment up to 10 years on indictment. Tampering, hiding, or destroying relevant materials constitutes a category 2 offence punishable by fines up to €50 000 or imprisonment up to 5 years, with non-compliance also subject to administrative financial sanctions. (Section 139F((2), 139O(6), Section 139ZZH(1), Section 139ZK(8), Section 139ZR(9), Section 139ZZH(2) Broadcasting Act).
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
No	Where issues arise, the Commission can order providers to remedy contraventions, produce further data or cease activities via written notice or compliance order. In certain cases, however, this power is indirect, as it requires an application to be made to the Irish High Court. (Section 139ZLB(2), Chapter 5, Section 139ZZC, Section 139ZZD, Section 139ZZGA Broadcasting Act).		
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	The Commission can impose administrative financial sanctions (Section 139ZLA, Broadcasting Act). It may also impose daily penalty payments on persons obstructing investigations during Digital Services		

	inquiries, with a formal written notice specifying obligations, deadlines, and penalty limits. (Section 139ZLA, Broadcasting Act).
Power to request the suspension or termination of services	
Yes	Section 51, Broadcasting Act. Termination refers only to those services which are licenced by the Commission under Part 6 (broadcasters) and Part 8 (Digital Multiplex operators) of the 2009 Broadcasting Act as amended.
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	Section 139ZT(5), Broadcasting Act.
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Yes	Section 139ZK(1)(a), Section 139K(1)(aa), Section 139ZK, S. 139ZL Broadcasting Act.

10.17.5. Transparency

10.17.5.1. Publication of the NRA's decisions

The Commission must, as soon as is practicable, give notice in writing of the decision to the inquiry subject (Section 139ZT, Broadcasting Act) and publish it on a website maintained by it (Section 139ZT(5), Broadcasting Act). It must also publish a notice of its decisions on broadcasting/VOD complaints (Section 48(8), Broadcasting Act).

10.17.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Once an investigation has been completed, the subject of the inquiry must be given a copy of the authorised officer's report (Section 139ZR, Broadcasting Act). Commission decisions on broadcasting and VOD complaints must be notified to the complainant within 30 days of the decision (Section 48(6), Broadcasting Act). Where the Commission decides to dismiss a complaint, the notification to the complainant must include a statement of reasons for the dismissal (Section 48(7), Broadcasting Act).

10.17.5.3. Requirements or procedures for the reporting of the NRA's activities

The Commission must prepare and submit an annual report of its activities to the Minister for Culture, Communications, and Sport by the 30 June each year, who then lays copies before the Irish Parliament. It may also provide additional reports or information about its function performance to the Minister as deemed appropriate or upon request. Additionally, it must submit income and expenditure estimates, including future plans related to its functions, ensuring ongoing transparency and accountability. (Section 31(5)(6) and Section 26, Broadcasting Act)

10.17.5.4. Appeal mechanisms to challenge NRA decisions

Appeals can be made to the appropriate court within 28 days of notification. The court may confirm, set aside, or modify the decision, including altering or removing any administrative



financial sanctions, or remit it back to the Commission for reconsideration with directions. A decision can only be overturned if the court finds that Commission made a “serious and significant” error in reaching its decision. (Section 139ZX, Broadcasting Act)

10.17.6. Debates on the independence of the NRA

No current debate on the independence of the Commission is to be reported.

10.18. IT – Italy²¹⁶

10.18.1. Mandate and powers

General information	
Name	<i>Autorità per le garanzie nelle comunicazioni</i> (Italian Communications Authority – AGCOM)
Headquarters	Naples, Centro direzionale, Isola B5 - 80143 Napoli (NA) Rome, Via Isonzo, 21b, 00198 Roma (RM)
Date of establishment	31 July 1997. The first AGCOM Board was appointed in February 1998.
Area(s) of competence	Electronic communications, Media, Online platforms, Postal services
Number of employees	As of 30 June 2025, AGCOM employs 452 people (managers, officials, operational staff, executives) of which 337 are currently in service.
Regional structure	Regional Communications Committees (Co.re.com) act as decentralised arms of AGCOM, carrying out functions delegated by AGCOM at the regional level under a five-year Framework Agreement formalised in 2023. Their delegated media-related tasks include the protection of users (especially minors, through media education initiatives decentralized throughout the country), handling rights of rectification, local media supervision, enforcing rules on programming and advertising (with emphasis on minority and child protection), and managing the Register of Communication Operators. Each of Co.re.com's delegated activities are set out in bilateral agreements with their respective regions. See: Article 1(13), Law No. 249 of 31 July 1997 ²¹⁷ , Resolution No. 52/99 of 28 April 1999 ²¹⁸ , Annex A of Resolution No. 53/99/CONS of 28 April 1999 ²¹⁹ , Annex A of Resolution No. 427/22/CON of 14 December 2022 ²²⁰
Website	https://www.agcom.it/

Legal personality and liability

AGCOM is an independent public authority with legal personality and liable in the event of a dispute. No legal provision expressly attributes legal personality to AGCOM but, in the Italian legal system, the conferral of legal personality upon independent administrative authorities²²¹ (like AGCOM) is deemed a general principle of administrative law, even in the absence of any legal provision in this respect. (Law No. 481 of 14 November 1995²²² and Law No. 249 of 31 July 1997)

²¹⁶ The national summary on Italy incorporates the feedback received from Francesco Di Giorgi, Senior Legal Officer, Digital Services Department, AGCOM.

²¹⁷ *LEGGE 31 luglio 1997, n. 249* (Law No. 249 of 31 July 1997)

²¹⁸ *Delibera 52/99 del 28 aprile 1999* (Resolution No. 52/99 of 28 April 1999)

²¹⁹ *Allegato A alla delibera n. 53/99 del 28 aprile 1999* (Annex A of Resolution No. 53/99/CONS of 28 April 1999)

²²⁰ *Allegato A alla Delibera n. 427/22/CONS* (Annex A of Resolution No. 427/22/CON of 14 December 2022)

²²¹ *List of public administrations*

²²² *LEGGE 14 novembre 1995, n. 481* (Law 14 November 1995, No. 281)

Powers			
Regulatory	Yes. See: Law No. 249 of 31 July 1997, Articles 14, 15, 15-bis, 17, 18, AGCOM Resolution No. 223/12/CONS ²²³ .		
Monitoring	Yes. See: Law No. 249 of 31 July 1997, Articles 14, 15, 15-bis, 17, 18, AGCOM Resolution No. 223/12/CONS.		
Sanctioning	Yes. See: Law No. 249 of 31 July 1997, Articles 14, 15, 15-bis, 17, 18, AGCOM Resolution No. 223/12/CONS.		
Competences ²²⁴			
AVMSD	EMFA	DSA	Political Advertising Regulation
Yes	Yes	Yes	Yes

10.18.2. Financial autonomy

10.18.2.1. Sources of income

Although state funding is mentioned in national law as a possible source of funding, Agcom does not receive any funding from the state at this moment in time. (Article 1 (65) of Law No. 266 of 23 December 2005²²⁵). In practice, as resulting from AGCOM's consolidated financial statements, the entirety of AGCOM's income derives from contributions from regulated entities. Each year, it adopts various resolutions establishing the contribution quotas applicable per regulated sector (e.g. the media sector, the electronic communications sector, etc.). These resolutions are always accompanied by a technical report in which it forecasts the costs that it will incur to regulate a given sector.²²⁶

AGCOM operates on the basis of an annual budget. By no later than 31 October of the year preceding the fiscal year to which the budget refers, the individual AGCOM departments must submit their budget proposals for carrying out their institutional powers to the *Servizio programmazione finanziaria e bilancio* (the Department of Financial Planning and Budgeting). Within the following 30 days, all documentation is collected and coordinated. The annual budget document and the forecast budget are then submitted to the AGCOM Board for their review, who then approves the annual budget through their own resolution by 31 December. (Article 10, Annex B, AGCOM Resolution No. 17 of 16 June 1998²²⁷)

10.18.2.2. Budget adjustment procedures

The commensurability of the budget with AGCOM's powers and tasks is ensured in the sense that AGCOM itself forecasts and adopts its own budget.

²²³ [Delibera No. 223/12/CONS](#) (Resolution No. 223/12/CONS)

²²⁴ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

²²⁵ [LEGGE 23 dicembre 2005, n. 266](#) (Law No. 266 of 23 December 2005)

²²⁶ In the current [2026 Draft Budget Law](#) (still under parliamentary discussion), a comprehensive revision of AGCOM's funding mechanism is envisaged. Starting from 1 January 2026, the operating expenses of AGCOM will be covered through an annual levy, in the form of a tax, payable by 31 March of each year and equal to 0.2% of the revenues generated from electronic communications, postal, media, online services and digital publishing activities.

²²⁷ [ALLEGATO B alla delibera n. 17 del 16 giugno 1998](#) (Annex B, AGCOM Resolution No. 17 of 16 June 1998)

Changes to the annual budget, even if they are compensatory within the overall allocation assigned to individual AGCOM departments, must be decided by resolutions of the AGCOM Board. They are usually adopted by 31 October each year using the same procedure as for the budget. Requests for withdrawals from the reserve fund must explicitly state why compensation is not an option. (Article 10, Annex B, AGCOM Resolution No. 17 of 16 June 1998)

Audit	
Who	<i>Commissione di garanzie e controllo</i> (Guarantee and Oversight Committee) - composed of five external members, including a Chairperson, appointed by AGCOM's Board upon the proposal of the AGCOM Chairperson and selected from among retired judges of the Council of State (<i>Consiglio di Stato</i>) or the Court of Auditors (<i>Corte dei Conti</i>), former members of the judiciary or legal professions, senior state officials and certified auditors listed in the official register with at least 10 years' professional experience.
When	No mention of this, but the Commission conducts cash and balance sheet audits every 3 months.
Procedure	No mention of this.

10.18.3. Operational independence

10.18.3.1. Appointment

Staff: Civil servants				
Chairperson and Board				
Name	Number	Representative of (civil society, government, parliament...)	Term of office	Possibility of renewal
Chairperson	1	Parliament	7 years	No
Board (AGCOM Board)	5	Parliament	7 years	Only for an AGCOM Board Member who takes over from another who has left office, when there are less than three years remaining until the end of the term. (Article 2(8), Law 14 November 1995, No. 281 ²²⁸)
Who appoints	Procedure			Criteria
<u>Chairperson</u> : President <u>Board</u> : President	<u>Chairperson</u> : formally appointed by the President of the Italian Republic through a Presidential Decree (<i>Decreto del Presidente della Repubblica</i>). based on a proposal from the Prime Minister, in agreement with the Minister of Enterprises and Made in Italy and subject to the favourable confirmation of the relevant parliamentary committees by a qualified majority.			Individual with high recognised professional standards and expertise in the field. (Article 2(8), Law 14 November 1995, No. 281)

²²⁸ [LEGGE 14 novembre 1995, n. 481](#) (Law 14 November 1995, No. 281)

	<u>Board</u>: the Senate of the Republic and the Chamber of Deputies. Each elects 2 commissioners, who are formally appointed by decree of the President of the Republic. Each senator and deputy casts his or her vote by indicating one name only (this is aimed at allowing the Parliamentary Opposition to elect two commissioners). See: Article 1(3), Law No. 249 of 31 July 1997	
Conflicts of interest		
See Article 2(8) (9), Law 14 November 1995, No. 481. Rules apply during and after the term of office.		
Incompatibilities	- Direct or indirect professional, consulting, or employment activities, holding public office, or having interests in companies within AGCOM's regulatory scope during their term. - Public administration employees must take leave of absence for the duration of their AGCOM appointment. - For at least two years after leaving office, former members and managers cannot work with or consult for companies in the regulated sector to prevent conflicts of interest.	

10.18.3.2. Dismissal

Chairperson and Board		
Who dismisses	Procedure	
<u>Government and NRA</u>	If any conflict-of-interest situation arises, the Board reviews it, hears the individual, and sets a deadline for resolving the issue or resigning. If the incompatibility persists, relevant authorities (such as the President of the Council of Ministers or parliamentary leaders) are notified for further action. The individual concerned cannot participate in related Board decisions. Resignations are submitted to the Authority, which may comment, and must then be communicated to the appropriate national authorities depending on the position involved. Article 1(3), Law No. 249 of 31 July 1997, Article 2, AGCOM Resolution No. 223/12/CONS	
Reasons		Judicial review
Conflict of interests (Article 2(8) (9), Law 14 November 1995, No. 481)		No mention of this
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes	Only the appointment decisions are made available to the public. Dismissal decisions are communicated to the public but are not published in their entirety.	No mention of this

10.18.3.3. Assessing the adequacy of human resources

AGCOM's Department for Human and Instrumental Resources is tasked with a variety of activities, including outlining a plan for human resources, establishing and managing the employment of AGCOM staff. In addition, if AGCOM is given new institutional powers (e.g. appointments as Digital Services Coordinator for Italy under the DSA), through ad hoc legislation, it can take on more staff to exercise those new institutional powers. (Article 11, AGCOM Resolution No. 223/12/CONS)

10.18.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	AGCOM can require the provision of data, documents, or information by sending a reasoned request that specifies what information is needed, the scope and method of the request, the deadline for compliance, and the possible sanctions for non-compliance. (Article 1, paragraph 30, of Law No. 249/1997 and Article 7, paragraph 2 of Annex A, Resolution No. 410/14/CONS ²²⁹)	Administrative fine between ~ €516 and €103 000. (Article 1, paragraph 30, Law No. 249 of 31 July 1997 and Annex A, Resolution NO. 410/14/CONS). Under the DSA, AGCOM can impose fines up to 1% of a provider’s worldwide annual turnover for submitting inaccurate data, non-compliance with replies/corrections, or inspection orders. Periodic penalty payments reach up to 5% of average daily worldwide turnover; fines consider violation gravity, duration, recurrence, and are not eligible for the reduced payment mechanism provided for under Article 16 of Law No. 689 of 24 November 1981. ²³⁰
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
Yes	AGCOM exercises the power to issue warnings and orders ex officio and directly. However, the specific powers to do so are afforded in sector-specific legislation.		
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	AGCOM exercises the power to impose sanctions ex officio and directly. It may not, however, request the imposition by a judicial authority of fines, periodic penalties or other financial measures. Law No. 689 of 24 November 1981 lays down the general principles regulating administrative sanctions (including those issued by AGCOM as an independent administrative authority). Annex A to Resolution No. 410/14/CONS, as amended, lays down the rules of procedure for the issuance of administrative sanctions by AGCOM. AGCOM’s sanctioning powers are then regulated by specific legislation. Its sanctioning powers with reference to the AVMS sector are provided, among others, in the Italian AVMS Code (Legislative Decree No. 208/2021 ²³¹ , as amended); AGCOM’s sanctioning powers with reference to direct or indirect advertising of gambling products are provided under Legislative Decree No. 87/2018 ²³² , as amended.		

²²⁹ *Allegato A alla delibera n.410/14/CONS* (Annex A, Resolution No. 410/14/CONS)

²³⁰ *LEGGE 24 novembre 1981, n. 689 (LAW No. 689 of 24 November 1981)*

²³¹ *DECRETO LEGISLATIVO 8 novembre 2021, n. 208* (Legislative Decree No. 208/2021)

²³² *DECRETO-LEGGE 12 luglio 2018, n. 87* (Legislative Decree No. 87/2018)

Power to request the suspension or termination of services	
Yes	AGCOM may order the suspension or termination of a service if entities do not comply with orders it has issued (including requests for information), if the infringements are particularly serious or repeated. (Article 1(32), Law No. 249 of 31 July 1997) ²³³
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	The anonymization of parties is not expressly regulated under primary or secondary legislation. However, based on AGCOM's practice, natural persons are systematically anonymised in AGCOM's decisions, whereas legal entities are generally identified by their full corporate name.
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Yes	AGCOM has the power to carry out inspections of the premises and the books of the AVMS providers under its jurisdiction. (Article 2, paragraph 12, let. G) of Law No. 481/1995)

10.18.5. Transparency

10.18.5.1. Publication of the NRA's decisions

AGCOM's decisions are published on its website. The General Secretariat ensures that the decisions and acts are duly made public. (Article 11, AGCOM Resolution No. 223/12/CONS)

10.18.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Parties are afforded the right to access documents and information that may be used by AGCOM to support its decision. However, AGCOM may refuse access to certain documents and/or information if the document/information must remain confidential in the public or private interest: AGCOM shall – in any case – provide a reason for doing so and its decision can be challenged before the administrative courts. (Articles 22 and following, Law No. 241 of 7 August 1990²³⁴, Articles 5 and following, Legislative Decree No. 33 of 14 March 2013²³⁵, Resolution No. 383/17/CONS²³⁶)

10.18.5.3. Requirements or procedures for the reporting of the NRA's activities

AGCOM publishes once a year an Annual Report²³⁷ with an extensive overview of the activities undertaken in a given year as well as a summary of its work plan.

²³³ With regard to VSPs, pursuant to Legislative Decree 208/2021, Article 41 – as implemented by AGCOM Resolution No. 298/23/CONS – introduced a new power concerning the removal of individual pieces of content for the purposes of:

1. protecting minors from content that may harm their physical, psychological or moral development;
2. combating incitement to racial, sexual, religious or ethnic hatred, as well as violations of human dignity;
3. protecting consumers, including investors.

²³⁴ *LEGGE 7 agosto 1990, n. 241* (Law No. 241 of 7 August 1990)

²³⁵ *DECRETO LEGISLATIVO 14 marzo 2013, n. 33* (Legislative Decree No. 33 of 14 March 2013)

²³⁶ *Allegato A alla delibera n. 383/17/CONS* (Resolution No. 383/17/CONS)

²³⁷ *Annual Report*



an for the coming year. The annual report is presented by AGCOM's Chairperson to the Italian parliament.

10.18.5.4. Appeal mechanisms to challenge NRA decisions

Decisions issued by AGCOM can be challenged before the administrative courts. The appeal procedure requires private parties to lodge an appeal

al before the *Tribunale Amministrativo Regionale per il Lazio* (T.A.R. Lazio) as a court of first instance whose decision may be challenged before the *Consiglio di Stato* acting as a court of last instance. (Legislative Decree No. 104 of 2 July 2010²³⁸)

10.18.6. Debates on the independence of the NRA

There is no current debate on the independence of AGCOM is to be reported.

²³⁸ [DECRETO LEGISLATIVO 2 luglio 2010, n. 104](#) (Legislative Decree No. 104 of 2 July 2010)

10.19. LT – Lithuania²³⁹

10.19.1. Mandate and powers

General information	
Name	<i>Lietuvos radijo ir televizijos komisija</i> (Radio and Television Commission of Lithuania – the Commission)
Headquarters	Šeimyniškių g. 3A, LT-09312 Vilnius, Lithuania
Date of establishment	1996
Area(s) of competence	Radio and television broadcasters, on-demand audiovisual media service providers, and video-sharing platform service providers within the jurisdiction of the Republic of Lithuania
Number of employees	31
Website	https://www.rtk.lt/

Legal personality and liability

The Commission is an independent body and public legal entity. It is accountable to the *Seimas* (Parliament of the Republic of Lithuania).²⁴⁰

Powers			
Regulatory	Yes, Article 47 of the Law on the provision of information		
Monitoring	Yes, Article 48 (1)(7) of the Law on the provision of information		
Sanctioning	Yes, Articles 31, 33, 341, 48 of the Law on the provision of information		
Competences ²⁴¹			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	No

10.19.2. Financial autonomy

10.19.2.1. Sources of income

The Commission's sources of income consist of contributions from broadcasters, retransmitters, on-demand audiovisual media service providers, video-sharing platforms, and online television distributors in Lithuania, excluding the Lithuanian National Radio and

²³⁹ It was not possible to receive feedback on Lithuania during the checking round with the national regulatory authority.

²⁴⁰ *Lietuvos Respublikos visuomenės informavimo įstatymas* (Žin., 1996, Nr. 71-1706; 2006, Nr. 82-3254) (Law on the provision of information to the public of the Republic of Lithuania - Official Gazette, 1996, No. 71-1706; 2006, No. 82-3254 (hereafter referred to as Law on the provision of information), Articles 47(1) and (3).

²⁴¹ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

Television. These entities pay 0.8% of their income from advertising, subscriptions, and other activities related to broadcasting and audiovisual services to the Commission's bank account. The Commission's additional funding sources include state budget appropriations, support funds, publishing revenue. Funds collected under Article 47(16) of the Law on Public Information and paid into the state budget may be used only for programs included in the Commission's strategic activity plan.²⁴²

The Commission operates on the basis of an annual budget, although estimations for the following two years are also provided.²⁴³ Each year, the Commission's chairperson must prepare an estimate of the Commission's planned annual income and expenditure and submit it to the Commission for consideration and approval. The Parliament must then confirm and approve the budget.²⁴⁴

10.19.2.2. Budget adjustment procedures

There is no specific procedure to ensure that funding is commensurate with powers and tasks of the NRA other than the Commission's Chairperson having to estimate its income and expenditure.

There exists no procedure for allowing to review the amount of funding before the end of the period for which it was allocated.

Audit	
Who	Independent auditor
When	Annually
Procedure	The chair of the Commission organises an independent audit of the previous year's financial statements every year. By April 1 each year, the Commission must submit to the Seimas a report on the Commission's activities for the previous year and a set of financial statements, together with an independent auditor's opinion and audit report. (Articles 19.14, 49.13 and 62, Resolution No. XII-189)

²⁴² [Lietuvos Respublikos Seimo nutartimas Nr. XII-189 "Dėl Lietuvos radijo ir televizijos komisijos nuostatų patvirtinimo"](#) / Resolution No. XII-189 of the Seimas of the Republic of Lithuania "On the Approval of the Regulations of the Lithuanian Radio and Television Commission", Article 3

²⁴³ [Lietuvos Respublikos 2025–2027 metų biudžeto patvirtinimo įstatymas](#) (Law on the Approval of the Budget of the Republic of Lithuania for 2025–2027)

²⁴⁴ [Lietuvos radijo ir televizijos komisijos 2006 m. rugsėjo 27 d. sprendimas Nr. 97 „Dėl Lietuvos radijo ir televizijos komisijos nuostatų patvirtinimo“ \(Žin., 2006, Nr. 106-4041\)](#) / Decision No. 97 of the Lithuanian Radio and Television Commission of September 27, 2006, "On the Approval of the Regulations of the Lithuanian Radio and Television Commission" (Official Gazette, 2006, No. 106-4041), Article 49(10)

10.19.3. Operational independence

10.19.3.1. Appointment

Staff: civil servants and employees			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson (<i>Pirmininkas</i>)	1	4 years	Once
Board (<i>Komisija</i>)	11	4 years	Once
Who appoints	Procedure	Criteria	
Chairperson: Parliament Board: President of the Republic, Parliament, Lithuanian Artists' Association, Lithuanian Catholic Bishops' Conference, Lithuanian Journalists' Union and the Lithuanian Journalists' Association.	The Chairperson of the Commission is appointed by the <i>Seimas</i> for a four-year term from among the members of the Commission, as proposed by the Seimas Committee on Culture. (Article 32, Resolution No. XII-189) Members of the Board are appointed by The President of the Republic (2 members), Seimas Committee on Culture (3 members, 1 of whom is from the opposition factions), Lithuanian Artists' Association (3 members), Lithuanian Catholic Bishops' Conference (1 member), Lithuanian Journalists' Union (1 member), Lithuanian Journalists' Association (1 member).	Only citizens of the Republic of Lithuania with an impeccable reputation, a university degree, and at least five years of experience in audiovisual policy, public information production or dissemination, or professional or academic experience in the fields of public information, education, culture, science, or human rights can be appointed Chairperson or member of the Commission's management Board. (Article 19, Resolution No. XII-189) Commission members are also subject to the criteria applicable to civil servants, set out in the Law on Civil Service of the Republic of Lithuania.	
Conflicts of interest			
Article 20 (Board members) and 33 (Chairperson), Resolution No. XII-189. Rules apply during the appointment process, as well as before and during the term of office.			
Incompatibilities	The following persons cannot be appointed as Commission members: Members of the Seimas or Government; members of the Lithuanian National Radio and Television Council; civil servants in political position; managers or shareholders of companies active in regulated sectors within the past year; persons with close relatives or associates (as defined by the Law on the Reconciliation of Public and Private Interests) having employment or contractual ties with entities in those same regulated sectors; persons connected by employment, copyright, or contractual relationships with radio or television broadcasters, retransmitters, internet-based TV or program distribution providers in Lithuania, on-demand audiovisual media service providers, video-sharing platform service providers or their participants. Members of political parties appointed to the Commission must suspend their party membership and activities for the duration of their term.		



	The Chairperson may not work in business, commercial, companies, or any other institutions. They may not receive any remuneration other than: their official salary based on current duties; payments for scientific or pedagogical work; royalties for creative activities unrelated to the regulated sector. The restriction on additional remuneration does not apply to income from economic rights of authorship acquired before their appointment as Chair or deputy Chair.
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10.19.3.2. Dismissal

Chairperson and Boards		
Who dismisses	Procedure	
Chairperson: Parliament Board: the institution that appointed them	A member of the Commission is dismissed by the organization or institution that appointed him or her, after the Commission has referred the matter to it, by a majority of not less than two-thirds of all members of the Commission, having recognised that the member of the Commission has committed a serious breach of duty. (Article 29.8, Resolution No. XII-189)	
Reasons		Judicial review
– Misses Commission meetings for more than four consecutive months without valid reason. – Is convicted by a court of law. – Loses Lithuanian citizenship. – Is declared legally incompetent in a specific area by a court. – Cannot perform duties due to health reasons. – Death. The appointing organisation or institution dismisses the member upon the Commission's request, backed by at least two-thirds of all members, finding a gross breach of duty, such as: – Discrediting the Commission or humiliating human dignity in relation to Commission duties. – Disclosing state, service, or commercial secrets. – Abusing member duties or grossly violating public/private interest reconciliation laws. – Participating in incompatible activities or not meeting legal requirements as set in rules. – Missing more than three official meetings in a year without valid reason. – Being intoxicated or under the influence while performing member duties. (Article 29, Resolution No. XII-189)		General administrative law remedies apply
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
No mention	No mention	In cases where the powers of a member are terminated prematurely, the Commission must contact the institution or



		organisation that appointed that member, requesting the appointment of a new one until the end of the term for which the member whose term of office was terminated prematurely was appointed. (Article 30, Resolution No. XII-189)
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10.19.3.3. Assessing the adequacy of human resources

There is no specific provision to ensure the adequacy of human resources within the Commission.

10.19.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	The Commission has the right to receive, free of charge, all information including commercial secrets from broadcasters, retransmitters, on-demand and video-sharing service providers, as well as state and municipal institutions, necessary for fulfilling its functions and investigating legal violations. (Article 17, Resolution No. XII-189)	No mention
Power to issue warnings / order cessation of infringements			
Warnings			
Yes			
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only fines	The Commission can impose fines, by a simple majority, for violations of the Law on the Provision of Information to the Public. (Article 48, Law on the provision of information to the public and Article 477, of the Code of Administrative Offenses of the Republic of Lithuania ²⁴⁵)		
Power to request the suspension or termination of services			
Yes	The Commission may suspend a broadcasting or retransmission license for up to three months for repeated violations such as non-payment of fines, breaching license terms, or failure to protect minors. It may revoke the license if violations persist, the license is refused, or broadcasting stops for extended periods, with courts overseeing these decisions and license holders required to notify the Commission of suspensions or terminations in advance. (Article 31(15)-(19), Law on the provision of information to the public)		

²⁴⁵ *Lietuvos Respublikos administracinių nusižengimų kodeksas* (TAR, 2015-07-10, Nr. 2015-11216) (Code of Administrative Offenses of the Republic of Lithuania (TAR, 2015-07-10, No. 2015-11216))

Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	No mention
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Yes	The Commission can “conduct on-site inspections, subject to court authorization”. (Art. 48(22)(5) Law on the provision of information to the public).

10.19.5. Transparency

10.19.5.1. Publication of the NRA's decisions

The Commission's decisions on the launch of competitions (Article 31 (10), Law on the provision of information to the public) and information about the composition of the Commission and any changes thereto (Article 47 (6), Law on the provision of information to the public) are published on the Commission's website. Decisions adopted by the Commission shall be published on the Commission's website, an information society media outlet managed by the Commission, and shall enter into force on the date of their publication, unless a later date of entry into force is specified therein. (Article 47 (14), Law on the provision of information to the public)

Concerned parties' right to access background documentation concerning the decisions of the NRA

Persons suspected of violating the law can review the investigation file except for parts deemed state or commercial secrets, which can be appealed in court. Before deciding on a violation, the Commission must hear explanations from suspects and interested persons in public meetings, which may be closed to protect secrets if necessary. (Article 48 (13)-(16) Law on the provision of information to the public)

10.19.5.2. Requirements or procedures for the reporting of the NRA's activities

By April 1 each year, the Commission submits to the Seimas a report on the Commission's activities for the previous year and a set of financial statements, together with an independent auditor's opinion and audit report. These reports are heard by the Seimas Committee on Culture. (Article 47 (18), Law on the provision of information to the public)

10.19.5.3. Appeal mechanisms to challenge NRA decisions

The Commission's decision not to allow access to part of the materials constituting a state or official secret or a commercial secret of another economic entity may be appealed to the administrative court of first instance within 30 days of the date of receipt of the notification of such a decision. The Commission's decisions on the imposition of fines may also be appealed to the administrative court of first instance. Appeals against the Commission's decisions shall not suspend the enforcement of those decisions. (Article 48 (14) and (18), Law on the provision of information to the public)

10.19.6. Debates on the independence of the NRA

No further information on the independence of the NRA is to be reported.

10.20. LU – Luxembourg²⁴⁶

10.20.1. Mandate and powers

General information	
Name	<i>Autorité luxembourgeoise indépendante de l'audiovisuel</i> (Independent Audiovisual Authority of Luxembourg - ALIA)
Headquarters	Luxembourg (18, rue Erasme; L – 1468 Luxembourg)
Date of establishment	2013
Area(s) of competence	AVMS, radio stations, cinema, political polls
Number of employees	15 (14.1 full-time equivalent [FTE])
Website	https://alia.public.lu/

Legal personality and liability

ALIA is a public institution of independent administrative type with a legal personality.²⁴⁷

It is liable in the event of a dispute, its chair representing "the Authority at the judicial and extra-judicial level." (Article 35*bis* A.(2) §2, LEM). Decisions taken by the ALIA and resulting in a sanction may be appealed before the administrative courts (Article 35*sexies* (7), LEM).

Powers			
Regulatory	No, with one exception: granting permissions for low-power transmitter radio services (1991 LEM Articles 15 to 18, in particular Article 15 (2) and (5) LEM).		
Monitoring	Yes: AVMS, radio stations, cinema (content classification), political opinion polls (accessibility of essential information forming the basis of the polls), airtime for political parties and candidates during election campaigns (powers related to elections apply only to AVMS and radio stations with a public service mission).		
Sanctioning	Yes. See Article 35sexies (3) and (5), LEM.		
Competences ²⁴⁸			
AVMSD	EMFA	DSA	Political advertising Regulation
Yes	No	No	No

²⁴⁶ The national summary on Luxembourg incorporates the feedback received from ALIA.

²⁴⁷ Article 35, *Loi modifiée du 27 juillet 1991 sur les médias électroniques* (Law of 27 July 1991 on Electronic Media, hereafter referred to as « LEM »)

²⁴⁸ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.20.2. Financial autonomy

10.20.2.1. Sources of income

ALIA's main sources of income are: **state funding**²⁴⁹ and **licence fees**.²⁵⁰

For 2025, state funding represents €1 850 m (70%) and license fees €800 000 (30%).

ALIA operates on the basis of an annual²⁵¹ budget. Multi-annual²⁵² budgets are also drawn up for planning purposes. The budget is decided upon by the Parliament when the annual state budget is adopted. Each year before 30 April, ALIA's director prepares a draft budget (Articles 35bis B (2) 6 and 35quinquies (5), LEM) which the Board of Directors approves (Article 35bis A (1) 5, LEM) before submitting it to the Government (Article 35bis A (1), last paragraph, LEM).

10.20.2.2. Budget adjustment procedures

The budget of public establishments is voted on annually. It can therefore be adjusted from year to year based on needs and any possible increase in the missions and competences of the public establishment. If, during the year, unforeseeable circumstances (in very few, very exceptional cases) make a budget revision absolutely necessary, there is a procedure to follow for budget overruns, but the conditions to be met are inherently very strict and numerous approvals must be requested.

Audit	
Who	An auditor appointed for a renewable mandate of three years by the Board of Directors who must meet the conditions required by the Law of 18 December 2009 on the audit profession. ALIA is also subject to the supervision of the Court of Auditors (<i>"Cour des Comptes"</i>).
When	Annually – submitted to the Board of directors before 1 April and to the Government before 1 May.
Procedure	The auditor is in charge of auditing the accounts of ALIA and the regularity of the operations that were carried out as well as of the accounting records.

²⁴⁹ [Loi du 20 décembre 2024](#) concernant le budget des recettes et des dépenses de l'État pour l'exercice 2025 (Law of 20 December 2024 on the State revenue and expenditure budget for the financial year 2025), p. 52.

²⁵⁰ [Règlement grand-ducal modifié du 2 février 2015](#) fixant le montant et les modalités de paiement des taxes à percevoir par l'Autorité luxembourgeoise indépendante de l'audiovisuel en matière de surveillance des services de médias audiovisuels et sonores (Grand Ducal Regulation of 2 February 2015 on setting the amount and payment modalities of the fees to be collected by ALIA for the supervision of audiovisual and radio media services).

²⁵¹ [Loi du 20 décembre 2024](#) concernant le budget des recettes et des dépenses de l'État pour l'exercice 2025 (Act of 20 December 2024 on the State budget for revenue and expenditure for the financial year 2025), p. 52.

²⁵² [Budget Pluriannuel 2025-2028](#) (Pluriannual budget 2025-2028), Chambre des Députés / Doc. parl. n°8445, Session ordinaire 2024-2025, p. 107.

10.20.3. Operational independence

10.20.3.1. Appointment

Staff: civil servants				
Chairperson and Board				
Name		Number	Term of office	Possibility of renewal
Chair (<i>Président</i>)		1	5 years	Yes, no limit
Board of Directors (<i>Conseil d'administration</i>)		5 including the Chair	5 years	Yes, no limit
Who appoints		Procedure		Criteria
Government: Appointment by the Grand Duke upon proposal by the Government		Technically speaking, the chair is appointed by the Grand Duke upon proposal by the Government. In fact, the decision is taken by the council of the Government members (<i>“gouvernement en conseil”</i>).		No mention of this
Conflicts of interest				
Article 35bis A(2) §4, LEM. Rules apply during the term of office.				
Incompatibilities	Member of Government, Parliament (<i>“Chambre des députés”</i>), State Council (<i>“Conseil d'Etat”</i>) or European Parliament; Municipal office or a position or office in an entity subject to the NRA’s supervision; In/direct interest in a company or other body falling within the Board of Directors’s remit.			

10.20.3.2. Dismissal

No legal provisions cover the dismissal of the chairperson or the Board of Directors. However, rules cover the prevention of long vacancy periods. If the chair resigns, passes away or is permanently incapacitated, the appointment of his/her successor must occur within the shortest possible time. The Government must submit the name of a new chair to the Grand Duke who then appoints him/her for the remaining time of the mandate of the chair he/she is replacing (Article 35bis A. (2), §5, LEM).

10.20.3.3. Assessing the adequacy of human resources

The director prepares the budget, including, where applicable, requests for additional staff to meet the needs and new missions of ALIA, which he/she subsequently submits to the board of directors for approval (Article 35bis B (2) 6, LEM).

The Board of Directors also approves the staff inventory and submits, in case of a vacancy, proposals to the competent authorities upon opinion of the director. (Article 35bis A (1) 10, LEM).²⁵³

²⁵³ It should be noted that Bill 8625 provides for numerous amendments, including changes to the governance of ALIA – Link: [Dossier parlementaire | Chambre des Députés du Grand-Duché de Luxembourg](#)

10.20.4. Enforcement powers and mechanisms²⁵⁴

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	No	ALIA must indicate the legal basis and the purpose of the request and fix the period within which the information must be provided (no less than one month) (Article 35octies, LEM).	Periodic penalty payments between €200 and €2 000 per day of delay, as of the date set by the NRA in its decision. The amount shall take into account the economic capacity of the person concerned (Article 35nonies, LEM).
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
No		No	
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	Article 35nonies, LEM: ALIA may impose a reprimand, a reprimand with the obligation to read out a statement, prepared by the NRA, on air, or a fine of between €250 and €25 000. If the legal violations continue after the decision is handed down, the NRA may, depending on the circumstances, either double the amount of the fine or ask the Government to suspend, temporarily or completely, the licence of the media service provider. ALIA may also impose penalty payments between €200 and €2 000 per day of delay as of the date set by the NRA in its decision.		
Power to request the suspension or termination of services			
Yes	Article 35sexies (5), LEM: if the legal violations continue after the decision to sanction a media service provider is handed down, the NRA may, depending on the circumstances, either double the amount of the fine or ask the Government to suspend, temporarily or completely, the licence of the media service provider;		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
Yes	ALIA is empowered to impose a formal reprimand upon a service provider, accompanied by a mandatory requirement to broadcast a public statement on air; furthermore, all decisions are published on the ALIA website.		
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
No			

²⁵⁴ Bill 8625 provides for numerous changes on this matter, such as significantly more dissuasive financial penalties than the current ones, the right for ALIA to issue temporary takedown orders for illegal content, formal notices, and to withdraw an approval in cases provided for by law.

10.20.5. Transparency

10.20.5.1. Publication of the NRA's decisions

The decisions of the Board of Directors concerning the dismissal of a complaint or an investigation, those ordering further investigations or those imposing a penalty are published (Article 35*bis* A (3), §5, LEM). In addition, decisions relating to the allocation of a radio frequency are published.

10.20.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

According to Article 35*bis* A (3), §5, LEM, the deliberations of the Board of Directors are secret. In this sense, the parties concerned do not receive any additional information about the Board's decision-making process.

10.20.5.3. Requirements or procedures for the reporting of the NRA's activities

The Board approves the annual financial statement and the business report ("rapport de gestion") (Article 35*bis* A (1) 6.) which it submits, together with the auditor's report to the Government for approval (Article 35*quinquies* (6)).

10.20.5.4. Appeal mechanisms to challenge NRA decisions

The NRA's decisions may be challenged before administrative courts (Article 35*sexies* (7), LEM).

10.20.6. Debates on the independence of the NRA

The independence of ALIA constitutes a central issue of the reform of the media law. The draft bill aims at strengthening its competencies and powers, and introduces substantial modifications at governance level to ensure autonomous regulation in the face of the evolving digital media landscape.

10.21. LV – Latvia²⁵⁵

10.21.1. Mandate and powers

General information	
Name	<i>Nacionālā elektronisko plašsaziņas līdzekļu padome</i> (National Electronic Mass Media Council – NEPLP)
Headquarters	Doma laukums 8A, Rīga
Date of establishment	28 September 1995
Area(s) of competence	Electronic Mass Media
Number of employees	5 members elected by the parliament and 20 subordinate employees
Website	https://www.neplp.lv/lv

Legal personality and liability

NEPLP is an independent, autonomous institution with full rights which, in accordance with the competence thereof, represents the interests of the public in the field of electronic mass media. NEPLP is a derived public entity, which could be liable in the event of a dispute.²⁵⁶

Powers			
Regulatory	Yes (Sections 60 and 61, Electronic Mass Media Law)		
Monitoring	Yes (Sections 60 and 61, EMLL)		
Sanctioning	Yes (Section 82, EMLL, Article 29 of the Law on Administrative Penalties for Offences in the Field of Administration, Public Order and Use of the Official Language ²⁵⁷ , Article 36 of Pre-election Campaign Law ²⁵⁸ , Article 13 of the Advertising Law ²⁵⁹ , Article 33 of the Law on the Press and Other Mass Media ²⁶⁰ , Article 40 of the Law on National Referendums, Legislative Initiatives and European Citizens' Initiative ²⁶¹)		
Competences ²⁶²			
AVMSD	EMFA	DSA	Political Advertising Regulation
Yes	Yes	No	Yes

²⁵⁵ The national summary on Latvia incorporates the feedback received from Māra Madara Lūse, Head of the International Cooperation and Information Analytics Division.

²⁵⁶ Section 57, *Elektronisko plašsaziņas līdzekļu likums* (Electronic Mass Media Law – hereafter referred to as EMLL)

²⁵⁷ *Administratīvo sodu likums par pārkāpumiem pārvaldes, sabiedriskās kārtības un valsts valodas lietošanas jomā* (Law on Administrative Penalties for Offences in the Field of Administration, Public Order, and Use of the Official Language)

²⁵⁸ *Priekšvēlēšanu aģitācijas likums* (Pre-election Campaign Law)

²⁵⁹ *Reklāmas likums* (Advertising Law)

²⁶⁰ *Par presi un citiem masu informācijas līdzekļiem* (Law On the Press and Other Mass Media)

²⁶¹ *Par tautas nobalsošanu, likumu ierosināšanu un Eiropas pilsoņu iniciatīvu* (Law On National Referendums, Legislative Initiatives and European Citizens' Initiative)

²⁶² This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.21.2. Financial autonomy

10.21.2.1. Sources of income

NEPLP's only source of income is **state funding**. The financing necessary for the fulfilment of its functions is granted from the state budget (Section 57(3), EMML).

It operates on the basis of an annual budget, the plan of which it drafts and submits to the Ministry of Finance in accordance with the basic principles set out in the programme of the state budget. It is then reviewed by the Cabinet of Ministers, and examined and adopted by the Parliament as part of the state budget law.

10.21.2.2. Budget adjustment procedures

The commensurability of the budget with the NRA's mandate is ensured in that the NEPLP submits in writing its opinion on the draft budget prepared by the Ministry of Finance. During the Cabinet of Ministers' review of the draft budget, it may also present its views (Sections 18¹ (8) and 20(4¹), Law on Budget and Financial Management). The amount of funding may, in certain cases, be reviewed before the end of the period for which it has been allocated (Section 26, Law on Budget and Financial Management).

Audit	
Who	Chair of the NEPLP (Section 46(1), Law on Budget and Financial Management)
When	No mention of this
Procedure	No mention of this

10.21.3. Operational independence

10.21.3.1. Appointment

Staff: employees under private law contracts			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson (<i>Priekšsēdētājs</i>)	1	5 years, unless otherwise decided by the members of the Council	Yes, maximum two consecutive mandates
Board (<i>Padome, hereafter "Council"</i>)	5 (including the Chair)	5 years	Yes, maximum twice in a row
Who appoints	Procedure		Criteria
Chairperson: NEPLP Members of Council: Parliament	Chairperson: Elected by members of Council, by public or secret ballot. ²⁶³		A citizen of Latvia who has a declared place of residence in Latvia, higher education, at least 5 years

²⁶³ *Nacionālās elektronisko plašsaziņas līdzekļu padomes darbības iekšējā kārtība* ([National Electronic Mass Media Council's Internal Rules of Procedure](#))



	<u>Members of Council</u>: Nominated by the Commission for Human Rights and Public Affairs of the <i>Saeima</i> (the Latvian parliament), in consultation with associations and foundations working in the fields of media, education, culture, science and human rights. The nominated members are elected by decision of <i>Saeima</i>. (Section 56(2), EMML)	professional or academic experience in the field of mass media, education, culture, science or human rights, a good reputation and who, in accordance with the requirements of this Law, is entitled to receive a special permit for access to official secrets. (Section 56(2), EMML)
Conflicts of interest		
Section 56 (3) (4), EMML. Rules apply during the term of office.		
Incompatibilities	- an official of a political party or association of political parties - an owner of capital shares (shares) of the electronic mass medium	

10.21.3.2. Dismissal

Chairperson and Board		
Who dismisses	Procedure	
<u>Parliament</u> (Section 59(3), EMML)	If the circumstances outlined in the law have arisen, the parliament shall dismiss a member of the NEPLP from office.	
Reasons	Judicial review	
- Not participating in the work of NEPLP, including not attending more than half of its meetings without justification, or impossibility to fulfil his or her office duties due to illness or other reasons for more than six consecutive months. - Incompatibilities set out in Section 56 (4), EMML - Resignation of his or her own free will	Yes	
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
The law does not expressly provide for such obligation. However, as such matters are addressed during parliamentary sessions, information about a potential decision may be obtained from the published agenda of an upcoming parliamentary committee or session (Section 42, Rules of Order of <i>Saeima</i>).	Yes (Section 147, Rules of Order of <i>Saeima</i>)	No

10.21.3.3. Assessing the adequacy of human resources

There are no rules for assessing the adequacy of human resources.

10.21.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	No	NEPLP may issue a sanction for the failure to provide information, inadequate provision of information, or provision of false information. This only applies to the information that is necessary for the work of the media regulator.	A warning or a fine of up to one hundred and forty units of fine may be imposed on a natural person, but on a legal person – a fine from fourteen up to two thousand and eight hundred units may be imposed. (Section 3, Law on Administrative Penalties for Offences in the Field of Administration, Public Order, and Use of the Official Language)* One unit of fine is €5.
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
NEPLP conducts the administrative offence proceedings and may impose a warning or fine for the violations referred to in Sections 76, 77, 78, 79, 80 and 81 of the Electronic Mass Media Law. If the infringement continues after the warning has been issued, it has the right to suspend the operation of an electronic mass medium or to annul a broadcasting permit or retransmission permit in accordance with Section 21 of the EMLL.			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only Fines	NEPLP conducts the administrative offence proceedings and may impose a warning or fine for the violations referred to in Sections 76, 77, 78, 79, 80 and 81 of the EMLL. In addition, fines may also be implemented based on Article 29 of the Law on Administrative Penalties for Offences in the Field of Administration, Public Order, and Use of the Official Language, Article 36 of Pre-election Campaign Law, Article 13 of Advertising Law, Article 33 of On the Press and Other Mass Media, Article 40 of On National Referendums, Legislative Initiatives and European Citizens' Initiative.		
Power to request the suspension or termination of services			
Yes	NEPLP may annul a broadcasting or retransmission permit if a broadcaster ceases operation without returning the permit, operates irregularly (excluding brief technical issues), or fails to pay required state fees. It may suspend a broadcaster's operations for up to 7 days if it repeatedly and seriously violates electronic mass media laws or the main permit conditions within a year. Permits may also be annulled for repeated or serious legal violations, ignoring council warnings, endangering national security or public order, submitting false or missing information on beneficial ownership, or being owned/controlled by sanctioned persons. (Section 21, EMLL)		



Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement

Yes

The law stipulates that decisions must be published, for example, in the official gazette. However, in accordance with data protection regulations, NEPLP does not publish decisions regarding natural persons.

Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction

NEPLP may conduct on-site inspections, including unannounced visits, to ensure legal compliance. With a judge's decision and in the presence of police and media representatives, NEPLP may carry out forcible searches of premises, property, and electronic data to fulfil its administrative oversight functions (Sections 61(4) and 61, EMLL).

10.21.5. Transparency

10.21.5.1. Publication of the NRA's decisions

NEPLP must publish certain decisions – including annulment of broadcasting/retransmission permits or termination of operations – on its website, in the official gazette *Latvijas Vēstnesis*, and for local media, also in a local newspaper. Decisions prohibiting distribution of electronic mass media programmes, on-demand audiovisual services, or audioprogrammes must be published in *Latvijas Vēstnesis*.²⁶⁴ (Section 21(4), EMLL).

10.21.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Concerned parties can access the case file at any stage of the process. This right also extends to documents that served as the basis for the decision, except in cases where disclosure is restricted.²⁶⁵

10.21.5.3. Requirements or procedures for the reporting of the NRA's activities

In order to inform the public of the objectives and results of the institution's activities and use of state budget funds allocated in the previous year, the ministries and other central state institutions, all the bodies financed from the budget subordinated thereto, the institutions non-financed from the budget and local governments must, by 1 July of the year following the financial year, prepare annual public statements and publish them on their websites. The annual report shall include the following sections: background information, information about the financial resources and performance of the institution, staff, communication with the public and activities planned for the coming year. (Section 14, Law on budget and financial management)

²⁶⁴ [Latvijas Vēstnesis](#)

²⁶⁵ Section 61 and 54, [Administratīvā procesa likums](#) (Administrative Procedure Law)

10.21.5.4. Appeal mechanisms to challenge NRA decisions

As the NEPLP decisions are considered administrative acts, they may be challenged in court in accordance with the Administrative Procedure Law. NEPLP can also issue a decision on administrative offence cases, and these decisions may also be appealed in court.

10.21.6. Debates on the independence of the NRA

No current debate on the independence of NEPLP is to be reported.

10.22. MT – Malta²⁶⁶

10.22.1. Mandate and powers

General information	
Name	<i>L-Awtorita ta' Xandir</i> (Broadcasting Authority – the Authority)
Headquarters	7 Mile End Road, Hamrun, HMR 1719, MALTA
Date of establishment	1961
Area(s) of competence	TV, radio
Number of employees	20
Website	ba-malta.org

Legal personality and liability

The Authority is an independent entity, enshrined in the Constitution²⁶⁷ (Articles 118 and 119) and, according to Article 4 of the Broadcasting Act,²⁶⁸ holds a distinct legal personality, capable of entering into contracts, acquiring, holding and disposing of any kind of property for the purposes of its functions, of suing and being sued, and of doing all such things and entering into all such transactions, commitments and obligations, as are incidental or conducive to the exercise or performance of its functions.

Powers			
Regulatory	Yes, Article 3, Broadcasting Act		
Monitoring	Yes, Article 13, Broadcasting Act		
Sanctioning	Yes, in particular Article 41, Broadcasting Act		
Competences ²⁶⁹			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	No	No

10.22.2. Financial autonomy

10.22.2.1. Sources of income

The Authority's sources of income consist of a government subvention, revenues deriving from licence fees, Master Antenna fees (Article 24, Broadcasting Act) and administrative fines (Schedule 5 of the Broadcasting Act).

The Commission operates on the basis of an annual budget, prepared by the Senior Management Team led by the Chief Executive. It is then approved by the Authority's Board

²⁶⁶ The national summary on Malta incorporates the feedback received from Joanna Spiteri, chief executive at the Broadcasting Authority

²⁶⁷ [Constitution of Malta](#)

²⁶⁸ Chapter 350, [Broadcasting Act](#)

²⁶⁹ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

itself. The Minister responsible for broadcasting presents the estimates in Parliament during the Annual Budget debate.

10.22.2.2. Budget adjustment procedures

While no provision directly ensures commensurability of the budget with the Authority's powers and tasks, there is a clause which guarantees that the Authority must receive a minimum (€582,350) yearly from the Consolidated fund. (Article 24 (1b), Broadcasting Act)

The Broadcasting Act does not establish a specific procedure for revising the financial plan during the year.

Audit	
Who	A private firm
When	Annually (Article 28, Broadcasting Act)
Procedure	The Authority issues a call for proposals for interested independent auditors to submit their bid and the Authority then decides on the appointment of the Auditor to conduct the audit.

10.22.3. Operational independence

10.22.3.1. Appointment

Staff: Civil servants / Senior Management members have separate work contracts which align with employment regulations in Malta			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson	1	5 years (Article 118(5), Constitution)	Not specified in law
Board	4	5 years	Not specified in law
Who appoints	Procedure		Criteria
President of the Republic	Appointment of the Chairperson and board members is done by the President of the Republic, in accordance with the advice of the Prime Minister after consulting the leader of the Opposition. (Article 118(2), Constitution)		No mention
Conflicts of interest			
Article 118(3) and (4) of the Constitution, and Article 8(8) and (9) of the Broadcasting Act. Rules apply during the appointment process, and during the term of office.			
Incompatibilities	- Taking part in broadcasting - Being a shareholder of any broadcasting operator, licensee or contractor - Being involved in the management of any broadcasting service - A person shall not be qualified to hold office as a member of the BA if he/she is a Minister, a Parliamentary Secretary, a member of, or candidate for election to the House of Representatives, a member of a local government authority or if he/she is a public officer. (Article 118 (3))		

10.22.3.2. Dismissal

Chairperson and Boards			
Who dismisses		Procedure	
President of the republic		A member of the Broadcasting Authority may be removed from office by the President, acting in accordance with the advice of the Prime Minister. (Article 118(6), Constitution)	
Reasons		Judicial review	
Infirmity of mind or misbehaviour (Article 118(6), Constitution)		No mention	
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods	
No mention	Such decisions are in the public domain and published on the Government Gazette.	If the office of a member of the Broadcasting Authority is vacant or if a member is for any reason unable to perform the functions of his office, the President, acting in accordance with the advice of the Prime Minister given after consulting the Leader of the Opposition, may appoint a person who is qualified to be appointed to be a temporary member of the Authority. Any person so appointed shall, cease to be such a member when a person has been appointed to fill the vacancy or, as the case may be, when the member who was unable to perform the functions of his office resumes those functions. (Article 118(7), Constitution) The functions of the Authority should not be hindered in the absence of a member (Article 8(2), Broadcasting Act)	

10.22.3.3. Assessing the adequacy of human resources

There is no specific rule for assessing the adequacy of human resources. However, Article 9 of the Broadcasting Act provides that the Authority may appoint a secretary and such other officers and employees as it may deem necessary.

10.22.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	The Authority may require from time to time from broadcasting licensees or contractors such declarations, returns, accounts, documents and other information as it may consider necessary or advisable for the purpose of ensuring that the requirements of the Broadcasting Act are complied with. (Article 16(2), Broadcasting Act)	The Authority may suspend or terminate a licence (Article 16(4), Broadcasting Act)
Power to issue warnings / order cessation of infringements			



Warnings	Procedure
Yes	If the Authority is satisfied that a person has committed an offence, it may: - issue a warning in writing to such person; or - direct such person not to broadcast for a specified period of time and, if the Authority so directs, order such person to transmit, free of charge during the time within which it is not broadcasting, a notice to the effect that the station has been put off air for such period of time by order of the Authority. (Article 41, Broadcasting Act)
Orders	
Yes	
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures	
Fines only	Any administrative penalty imposed by the Authority is due to the Authority as a civil debt, constituting an executive title for the purposes of Title VII of Part I of Book Second of the Code of Organization and Civil Procedure as if payment of the amount of the fine had been ordered by a judgement of a court of civil jurisdiction. (Article 41(8) and Schedule 5, Broadcasting Act)
Power to request the suspension or termination of services	
Yes	The Authority may direct broadcasters not to carry out their activity for a specified period of time and may order them to transmit free of charge a notice to the effect that the station has been put off air for such period of time by order of the Authority. (Article 16(4) and 41(b), Broadcasting Act)
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	Decisions are published, identifying the parties to the case. The 'guilty' party may have to communicate this decision to listeners/viewers/followers/users of its service. (Article 41(7), Broadcasting Act)
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Yes (books)	The Authority may require from time to time from broadcasting licensees or contractors such information (including accounts), as the Authority may consider necessary or advisable for the purpose of ensuring that the requirements of the Broadcasting Act are complied with (Article 16(2), Broadcasting Act)

10.22.5. Transparency

10.22.5.1. Publication of the NRA's decisions

The Authority must afford a fair and public hearing to both parties concerned. It must give reasons for its decisions, and it make them public. (Article 13, Subsidiary legislation 350.06)

10.22.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

No specific provision provides for the right to access background documentation.

10.22.5.3. Requirements or procedures for the reporting of the NRA's activities

The Authority must compile an Annual Report dealing generally with the activities of the Authority during the previous financial year and of its plans for subsequent years. The report is submitted to the Prime Minister and tabled in Parliament.

10.22.5.4. Appeal mechanisms to challenge NRA decisions

Aggrieved parties can challenge the decision of the Authority in a Court in two instances:

In case a broadcasting licence has been refused to an applicant (Article 11(3), Broadcasting Act) or the applicant feels that the Authority has not acted in conformity with the rules of natural justice, or that it has acted in a manner which is grossly unreasonable or with undue discrimination, or whose application has been pending for at least four months, may appeal such decision or delay to the Court of Appeal in accordance with the procedures laid down in Article 16 (5), (6), (7), (9) and (10) of the Broadcasting Act (Article 11 (3) of the Broadcasting Act).

In case a licence holder has been found guilty of an infringement, the Authority's decision shall be final, provided that compliance shall not be interpreted as a renunciation to the right to seek judicial review. (Article 41(6), Broadcasting Act)

10.22.6. Debates on the independence of the NRA

No current debate on the independence of the NRA is to be reported.

10.23. NL – The Netherlands²⁷⁰

10.23.1. Mandate and powers

General information	
Name	<i>Commissariaat voor de Media</i> (The Dutch Media Authority, CvdM)
Headquarters	P.O. box 1426, Hoge Naarderweg 78, NL - 1200 Hilversum
Date of establishment	1988
Area(s) of competence	Media (both public and private): activities concerning market access, supervision, research, and policy advice.
Number of employees	98 (in 2025)
Website	www.cvdm.nl

Legal personality and liability

The CvdM is a legal person under public law, established by the Media Act (see Article 7.1 of the Media Act²⁷¹), and functions as an autonomous administrative authority (non-departmental public body), subject to the Framework Act on Independent Administrative Bodies²⁷². It is entrusted with administrative tasks. The Government is not authorised to give instructions to the CvdM.

The CvdM can be held liable for damages resulting from unlawful administrative decisions (Article 8:88 of the General Administrative Law Act²⁷³). It may also be liable under civil law for contractual errors or breach of duty of care (Article 6:162 of the Dutch Civil Code²⁷⁴).

Powers			
Regulatory	The CvdM does not have the independent authority to issue generally binding regulations. However, on the basis of Article 4:81 of the Dutch General Administrative Law Act, it can establish policy rules and attach specific conditions to activities under the Media Act 2008 (e.g., Article 2.108 paragraph 2 and 3, Article 2.137, Article 2.139, Article 3.7, Article 3.1, Article 3.19b, Article 3.29 e, Article 6.9 of the Media Act) .		
Monitoring	Yes. See Article 7.11 of the Media Act		
Sanctioning	Yes. See Article 7.12 of the Media Act		
Competences ²⁷⁵			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	No	Yes

²⁷⁰ The national summary on the Netherlands incorporates the feedback received from Britt de Vries, Advisor at the Dutch Media Authority.

²⁷¹ *Mediawet 2008* (Media Act 2008, hereafter referred to as “Media Act”)

²⁷² *Kaderwet zelfstandige bestuursorganen* (Framework Act on Independent Administrative Bodies)

²⁷³ *Algemene wet bestuursrecht* (General Administrative Law Act)

²⁷⁴ *Burgerlijk Wetboek* (Dutch Civil Code)

²⁷⁵ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.23.2. Financial autonomy

10.23.2.1. Sources of income

The CvdM's main sources of income are: state funding (Article 7.6 of the Media Act 2008 and Article 26 of The Framework Act on Independent Administrative Bodies) and licence fees (Article 17 of the Media Act 2008).

The annual report shows that, for 2025, state funding represented €9 606 000 and license fees €3 000 000. State funding covers approximately three quarters of the total budget.²⁷⁶

The CvdM operates on the basis of an annual budget submitted by the media authority itself and approved by the Minister of Education Culture and Science (Articles 7.6, 7.8 and 18 of the Media Regulations²⁷⁷ and Article 26 of the Framework Act on Independent Administrative Bodies). Although the CvdM has set out a multi-annual strategy, its budget continues to be determined on an annual basis.²⁷⁸

10.23.2.2. Budget adjustment procedures

The commensurability of the budget with the tasks of the CvdM is ensured by explaining the policy objectives, the instruments used to achieve them and the associated expenditure in the budget (Article 2.26, paragraph 1 of the Government Accounts Act 2016 and Article 7.6 of the Media Act).

The principles of due care and of proportionality (Articles 3:2 and 3:4 of the General Administrative Law Act) imply that an independent administrative body can properly perform its duties only if it is provided with sufficient resources.

While there is no explicit mention of the possibility of reviewing the amount of funding before the end of the allocated period, the Framework Act on Independent Administrative Bodies does provide a general basis for the CvdM to report significant discrepancies between actual and budgeted expenditures (Article 30 of the Framework Act on Independent Administrative Bodies).

Audit	
Who	An independent external accountant
When	CvdM shall prepare an annual report each year by 15 March. The audit shall be performed before this date. (Article 18 of the Framework Act on Independent Administrative Bodies)
Procedure	The annual accountability is accompanied by: - The auditor's opinion on the financial statements. For the audit, the auditor must follow the instructions laid out in the Audit Protocol for the Dutch Media Authority 2023 (see Annex B).

²⁷⁶ [Jaarverslag 2024](#) (2024 Annual report)

²⁷⁷ [Mediaregeling 2008](#) (Media Regulations)

²⁷⁸ [Meerjarenstrategie 2025-2030](#) (Multi-annual Strategy 2025-2030)



- Auditor's Report: If the auditor has prepared a report of findings, the CvdM must include it with the annual accountability documentation.

(Article 2.1.3 of the Accountability Regulation of the Dutch Media Authority 2023²⁷⁹)

10.23.3. Operational independence

10.23.3.1. Appointment

Staff: civil servants			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chair (<i>Voorzitter</i>)	1	5 years	Once, for 5 years
Members (<i>Leden</i>)	3 including the Chair	5 years	Once, for 5 years
Who appoints	Procedure		Criteria
Government: Minister of Education, Culture and Science	CvdM drafts vacancy profiles, approved by the Minister and published by CvdM. An independent advisory committee composed equally of independent members, Supervisory Board representatives, and Minister’s representatives selects candidates and gives a binding, unanimous recommendation to the CvdM. The CvdM nominates a candidate to the Minister, who must accept unless there are legal or serious procedural concerns.		The criteria are set out in the profile that the CvdM prepares and that is approved by the Minister.
Conflicts of interest			
See Article 7.4 of the Media Act 2008 and Article 13 of the Framework Act on Independent Administrative Bodies which is specified in Article 12 of Regulation on the Legal Status of the Dutch Media Authority and the Journalism Promotion Fund. Rules apply during the appointment process and during the term of office.			
Incompatibilities	Membership of one of the houses of the States-General, a provincial or municipal administration; Employment by a ministry, department, institution or company under the responsibility of a minister; and Membership of a body forming part of, or employment by a public media institution, a broadcasting association represented in a cooperative broadcasting service, a commercial media organisation or a publisher of a newspaper or periodical. In addition, members of an autonomous administrative body must notify the Minister if they intend to accept a secondary role in any way other than by virtue of their primary role.		

²⁷⁹ [Regeling financiële verantwoording Commissariaat voor de Media 2023](#) (Accountability Regulation of the Dutch Media Authority 2023).

10.23.3.2. Dismissal

Chairperson and Board ²⁸⁰		
Who dismisses	Procedure	
Government: Minister of Education, Culture and Science	No publication or source about a dismissal procedure is to be found.	
Reasons	Judicial review	
Unsuitable or incompetent for the position held. Other compelling reasons relating to the person concerned. Members may also be removed at their own request.	Despite the dismissal of a CvdM member in 2019, a footnote in the CvdM's 2020 annual report indicated that the member's appointment had been temporarily reinstated. Although a newspaper reported on both the dismissal and the member's successful appeal, no official public documentation of the procedure is available.	
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
No mention	While the decision of the 2019 case cannot be found, the Minister informed the parliament about the suspension and the dismissal of the CvdM member. ²⁸¹	No mention

10.23.3.3. Assessing the adequacy of human resources

No rules are in place but there is a mechanism to evaluate human resources.

Every five years the CvdM is evaluated by an independent third party.²⁸² This evaluation assesses the handling of human resources. The last evaluation stated that the high costs of external hiring, high rate of sick leave, and high staff turnover make the organisation of the CvdM vulnerable.

Art. 39 Paragraph 1 of the Framework Act on Independent Administrative Bodies states that every five years, the Minister must send a report to the houses of the States-General to assess how efficiently and effectively an autonomous administrative body is operating.

²⁸⁰ Article 12, paragraph 2 of the Framework Act on Independent Administrative Bodies. The same rules apply to the chairperson and Board.

²⁸¹ *Vaststelling van de begrotingsstaten van het Ministerie van Onderwijs, Cultuur en Wetenschap (VIII) voor het jaar 2019* (Adoption of the budget statements of the Ministry of Education, Culture, and Science (VIII) for the year 2019)

²⁸² *Evaluatie Commissariaat voor de Media* (Evaluation of the Media Authority)

10.23.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Everyone is obliged to cooperate fully with the CvdM who may reasonably demand this in the exercise of its powers (Article 5:20 of the General Administrative Act)	Administrative fines, subject to max. €225 000 / violation of article 5:20 (Article 7.12 Paragraph 1 of the Media Act 2008)
Power to issue warnings / order cessation of infringements			
Warnings	Orders	Procedure	
Yes	Yes	See Article 7.11 Paragraph 1 and 2, Media Act 2008	
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	Article 7.12 Media Act 2008 + 2019 Policy Rules on Administrative Fines ²⁸³ provide further elaboration		
Power to request the suspension or termination of services			
Yes	CvdM may request suspension or termination of regional and local public broadcasters and commercial media organisations (Article 2.67 and 2.68 of the Media Act), but not commercial media services on demand (Article 3.4 and 3.29d Media Act). For national public broadcasters, the Minister of Education, Culture and Science decides about suspension or termination after consultation of the CvdM.		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
No	The decisions of the CvdM contain the name of the service providers concerned. In its decisions the personal data of natural persons are made anonymous.		
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
Yes	The CvdM is authorised to demand information and to request access to business data and documents (Article 5:16 and 5:17 of the General Administrative Act).		

10.23.5. Transparency

10.23.5.1. Publication of the NRA's decisions

The CvdM publishes decisions and legal opinions unless there are compelling reasons not to (§4 §3 of the CvdM Working Method²⁸⁴). Addressees are notified of the intent to publish and have 10 days to identify confidential information under the Open Government Act.²⁸⁵ If the CvdM disagrees with the confidentiality claim and still wishes to publish, it informs the addressee, who then has five days to request a court suspension of publication. Decisions

²⁸³ [Dutch Media Authority Policy Rules of 25 June 2019 on administrative fines for violations of the 2008 Media Act](#)

²⁸⁴ [Werkwijze Communicatie commissariaat voor de Media](#) (CvdM Working method)

²⁸⁵ [Wet open overheid](#) (Open Government Act)

are published no sooner than 14 days after notification, unless the addressee consents to earlier publication or has already disclosed the decision. During this period, the addressee may legally challenge the publication. Upon publication, the CvdM includes the date of the decision and information on possible follow-up actions (objection or appeal) (7.10 Media Act and §3 of the CvdM Working Method).

10.23.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

The Open Government Act grants citizens and stakeholders the right to access government documents from all Dutch government bodies. Information must be provided unless specific exceptions apply, such as commercial confidentiality or privacy concerns. The Act also promotes proactive publication of information.

10.23.5.3. Requirements or procedures for the reporting of the NRA's activities

Article 2.1.2 of the Regulation on Financial Accountability of the Dutch Media Authority 2023 outlines several obligations regarding the annual management report: to provide operating results, the financial position, a qualitative review of activities and their achievements, a risk analysis, an assessment of compliance with efficiency requirements, to discuss factors affecting continuity and functioning, and address points from the funding decision. Deviations from laws or regulations in the financial statements or report must be disclosed and explained.

10.23.5.4. Appeal mechanisms to challenge NRA decisions

Possibility to file an internal objection with the CvdM within six weeks of receiving the decision. The CvdM must decide on the objection within six weeks, which can be extended by another six weeks. If an independent advisory body is consulted, the decision period is 12 weeks, with possible extensions if the appellant agrees.

If dissatisfied with the outcome of the internal objection, the appellant may appeal to the district court within six weeks. A further appeal may be made to the Administrative Jurisdiction Division of the Council of State.

10.23.6. Debates on the independence of the NRA

Currently, although the Framework Act on Independent Administrative Bodies states that members should not be subordinate to the Minister, the Media Act 2008 allows the Minister to annul CvdM decisions. In a letter to Parliament on 4 April 2025, the Minister of Education, Culture and Science acknowledged this contradiction and expressed the intention to strengthen the regulator's institutional independence. The Minister stated that ministerial powers to suspend or annul CvdM decisions are incompatible with true independence and plans to remove any possibility of inappropriate government interference in the regulator's work.

10.24. PL – Poland²⁸⁶

10.24.1. Mandate and powers

General information	
Name	<i>Krajowa Rada Radiofonii i Telewizji</i> (National Broadcasting Council - KRRiT)
Headquarters	Skwer Kard. S. Wyszyńskiego 9, 01-015 Warsaw
Date of establishment	1 March 1993
Area(s) of competence	Supervision over the media services providers and VSP providers, participation in the process of financing public media remit
Number of employees	Around 160
Website	https://www.gov.pl/web/krrit

Legal personality and liability

KRRiT is the state authority competent for radio and television broadcasting. It has legal personality and is liable in the event of a dispute. (Article 5 of the Broadcasting Act²⁸⁷)

Powers			
Regulatory	Yes (Article 6 of the Broadcasting Act)		
Monitoring	Yes (Article 6 of the Broadcasting Act)		
Sanctioning	Yes (Article 6 of the Broadcasting Act)		
Competences ²⁸⁸			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	No	No	No

10.24.2. Financial autonomy

10.24.2.1. Sources of income

KRRiT's only source of income is state funding. (Art. 9 (1) of the Act on Public Finance²⁸⁹)

The initial proposals are submitted by the administrators of individual budget sections, including KRRiT. The final amount allocated to KRRiT, as part of the state budget for a given year, is determined by Parliament through the adoption of the budget act. Once adopted, the budget act is signed into law by the President. (Article 138 (2) of the Act of on Public Finance, and Article 219 (1) of the Constitution²⁹⁰)

²⁸⁶ The national summary on Poland incorporates the feedback received from Albert Woźniak, an expert from the Department of Strategy of the National Broadcasting Council (*Krajowa Rada Radiofonii i Telewizji* – KRRiT).

²⁸⁷ *Ustawa z dnia 29 grudnia 1992 o radiofonii i telewizji* (Broadcasting Act of December 29, 1992)

²⁸⁸ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

²⁸⁹ *USTAWA z dnia 27 sierpnia 2009 r. o finansach publicznych* (Act on Public Finance)

²⁹⁰ The *Constitution* of the Republic of Poland of 2 April, 1997

10.24.2.2. Budget adjustment procedures

No procedure exists to ensure commensurability of the budget with the NRA's powers and tasks or to review the amount before the end of the period for which it was allocated. In the instance of savings or cancellation of some planned expenditures, KRRiT must return unused funds to the state budget. In objectively justified cases in a particular year, the financing of the KRRiT may be increased from the so-called budget reserve. (Articles 140, 143 and 171 of the Act on Public Finance)

Audit	
Who	Chief Accountant (Article 54 of the Act on Public Finance and the employment agreements of the Chief Accountant and Director General of KRRiT Office) Minister of Finance (Article 174 (1) of the Act on Public Finance)
When	Annually, in the middle of the budget year
Procedure	Each expenditure is controlled internally. Furthermore, The Minister of Finance exercises general control over the implementation of income and expenditure and revenues and expenditures of the state budget. For this purpose, in the middle of the budget year, a review of expenditures of public finance sector entities, including the KRRiT, is carried out in terms of the degree of budget implementation and possible savings or waivers of expenditures planned in the second half of the year in order to provide the Minister of Finance with information on the planned budget implementation.

10.24.3. Operational independence

10.24.3.1. Appointment

Staff: civil servants and employees with private law contracts			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson (<i>Przewodniczący KRRiT</i>)	1	6 years	No
Council (<i>Krajowa Rada Radiofonii i Telewizji</i>)	5 (including Chairperson)	6 years	No
Who appoints	Procedure	Criteria	
Chairperson: Council Council: Parliament and President (<i>Sejm</i> (lower chamber): 2; Senat (higher chamber): 1; President: 2)	The Chairperson is elected by the Council from amongst its members.	People distinguished by their knowledge and experience in the field of media (Article 7 (1) of the Broadcasting Act)	
Conflicts of interest			
Article 214 (2) of Polish Constitution and Article 8 (4) of the Broadcasting Act. Rules apply during the appointment process and during the term of office.			

Incompatibilities	Belonging to a political party, a trade union or conduct public activities that are incompatible with the dignity of the function performed.
	Combining the function of a member of the Council with the possession of shares or stocks in a company or to participate in any other way in an entity that is a media service provider or radio or television producer or any other profit-making activity, with the exception of didactic and scientific work as an academic teacher or creative work.

10.24.3.2. Dismissal

Chairperson and Board		
Who dismisses		
Chairperson: Council (Art. 7 (2b), Broadcasting Act) Council: From a formal point of view, the Council may be dismissed during its term by the body which is empowered to appoint each member.		
Procedure	Reasons	Judicial review
See above	The members of the Council may be dismissed solely in the cases when the said person: has resigned, has become permanently unable to discharge of duties for reasons of ill health, has been convicted of a deliberate criminal offence by a final and binding judgement, has submitted an untruthful screening statement, as confirmed by a final and binding ruling of the court, has committed a breach of the provisions of the Act and the said breach has been confirmed by a ruling of the Tribunal of State. Furthermore, the rejection of the annual report on the Council's activities by both chambers of Parliament (the Sejm and the Senate), which has been approved by the President, leads to the dismissal of the Council (Article 12(3)–(5), Broadcasting Act).	No
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
No mention	There is no obligation stipulated in the law but, in practice, decisions are made available to the public.	No mention

10.24.3.3. Assessing the adequacy of human resources

There are no rules for assessing the adequacy of human resources.

10.24.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	The Chairman may impose on media service providers an obligation to present materials, documents and provide explanations necessary for controlling compliance of the activities of the service provider. (Art 10 (2) of the Broadcasting Act)	A fine (up to 6 months' salary) may be imposed on a person managing the activities of a media service provider; if such a person does not provide or provides unreliable information upon request by the Chairman of KRRiT (Art. 54 (1)-(2), Broadcasting Act)
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
The Chairman of KRRiT may call on a media service provider or video-sharing platform to stop activities that breach the Broadcasting Act, Council resolutions, concession terms, or the provider's own regulations. If the provider fails to comply, and the Council passes a relevant resolution, the Chairman may issue a formal order to cease such activities. (Article 10 (3) and (4) of the Broadcasting Act)			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Fines only	Fines may be imposed on: - Broadcasters (Article 53 (1)-(2) of the Broadcasting Act) - VOD providers (Article 53c (1) of the Broadcasting Act) - VSP providers (Article 53e (1) of the Broadcasting Act)		
Power to request the suspension or termination of services			
Yes	Possibility to revoke a licence in the case of broadcasters and to remove VOD providers from a list kept by the KRRiT's Chairperson. (Article 38 pt 2 and 3 and Article 47 ca and ja (1), Broadcasting Act)		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
No			
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
No			

10.24.5. Transparency

10.24.5.1. Publication of the NRA's decisions

While no rule provides for the publication of decisions, they are made available through a special database available from the KRRiT website. Administrative decisions are also available on the basis of the provisions on access to public information at the request of the interested party. Some important decisions of the KRRiT, e.g. regarding the resolution

of complaints about the services providers' activities, are published on the website by the KRRiT Spokesperson on the order of the KRRiT Chairperson. Information on decisions made by the KRRiT (without the content of the entire administrative decision) is also available in the form of short messages made available immediately after the KRRiT meeting in which they were made.

10.24.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

The parties to the proceedings have the right to access the files at any stage of the proceedings (Article 73 of the Administrative Procedure Act²⁹¹).

10.24.5.3. Requirements or procedures for the reporting of the NRA's activities

Every year, KRRiT must present a report on its activities to Parliament and to the President, together with information on the key issues facing the audiovisual services market. The report is discussed in both chambers of Parliament, after which they vote on whether to approve or reject KRRiT's activities in the previous year. (Article 12 (1)-(3) of the Broadcasting Act)

10.24.5.4. Appeal mechanisms to challenge NRA decisions

Appeals against KRRiT decisions imposing fines for breach of media law regulations may be lodged with the District Court in Warsaw (Article 56 (1) of the Broadcasting Act). The decisions concerning the concession for broadcasting or entries in the registries may be subject to appeal to the administrative courts (first instance with the Regional Administrative Court in Warsaw, and second instance with the Supreme Administrative Court).

10.24.6. Debates on the independence of the NRA

Information on the actual state of independence of KRRiT can be found in:

- The [Rule of Law Report 2024](#)
- The audit "[Implementation of tasks by the National Broadcasting Council and the National Media Council](#)", carried out by the Supreme Audit Office at the request of the *Sejm* of the Republic of Poland

It may be noted that the criticisms regarding the Polish NRA's impartiality and independence have been contested by the KRRiT.

²⁹¹ [USTAWA z dnia 14 czerwca 1960 r. Kodeks postępowania administracyjnego](#) (Administrative Procedure Act)

10.25. PT – Portugal²⁹²

10.25.1. Mandate and powers

General information	
Name	<i>Entidade Reguladora para a Comunicação Social</i> (Regulatory Authority for the Media Regulatory Authority for the Media - ERC)
Headquarters	Av. 24 de Julho 58, PT 1200 - 869 Lisboa PORTUGAL
Date of establishment	2005
Area(s) of competence	Press, news agencies, periodical publications (regardless of the means of distribution), radio and television broadcasters, radio and television programmes broadcast exclusively by the internet, on-demand audiovisual service providers, video sharing platforms; pluralism and diversity, media concentration, free content distribution, protection of minors and sensitive audiences, commercial communications, ownership transparency, state institutional advertising.
Number of employees	86 ²⁹³
Website	https://www.erc.pt/pt/

Legal personality and liability

The ERC is a legal person governed by public law, and operates as an independent administrative authority, which pursues the duties attributed to it under the Constitution, independently determining the orientation of its activities, without being subject to any instructions or guidelines from political authorities (Article 1 (2), ERC Statutes²⁹⁴). The ERC's may be held liable in that its decisions may be challenged in court (Articles 75 (2) (3) (4) and 76, ERC Statutes).

Powers			
Regulatory	Yes (Articles 1 and 24 of the ERC Statutes)		
Monitoring	Yes (Articles 1 and 24 of the ERC Statutes)		
Sanctioning	Yes (Articles 1 and 24 of the ERC Statutes)		
Competences ²⁹⁵			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	No	No

²⁹² The national summary on Portugal incorporates the feedback received from Renata Rosa, Support Office to the Regulatory Board

²⁹³ At the end of 2024, according to the latest *Relatório de Atividades e Contas* (Activity and Financial Report)

²⁹⁴ *Lei n.º 53/2005 de 8 de novembro Cria a ERC – Entidade Reguladora para a Comunicação Social, extinguindo a Alta Autoridade para a Comunicação Social* (Law no. 53/2005 of 8 November Creating the Regulatory Authority for the Media (*Entidade Reguladora para a Comunicação Social* - ERC), and terminating the High Authority for the Mass Media (*Alta Autoridade para a Comunicação Social* - AACs)).

²⁹⁵ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.25.2. Financial autonomy

10.25.2.1. Sources of income

ERC's main source of income is state funding (60%). It is also funded by regulatory fees (30%), other fees (including registration - 5%), fines (5%), any other revenues or financial gains resulting from its activities, or those assigned to it by law or contracts, including subsidies or financial support, income from selling its assets or from creating rights over those assets, interest earned from financial investments and any surplus (balance) remaining from the previous year's operations (proportions not available).

Annual transfers from the Telecommunications Regulator (ANACOM) are also planned every year (see Decree 507/2023²⁹⁶). However, such transfers did not happen in 2023 and are not accounted for in the latest Activity and Financial Report. ERC operates on the basis of an annual budget, drafted by the NRA's Executive Board and approved by the Regulatory Board. The budget is then submitted to the National Assembly to be included in the State budget for the following year (Articles 32 and 48 of the ERC Statutes).

10.25.2.2. Budget adjustment procedures

The commensurability of the budget with the NRA's powers and tasks is ensured by the fact that the budget is decided by the NRA itself (Articles 32 and 48 of the ERC Statutes). The Regulatory Board is also competent to decide on budgetary changes, such as "deactivation" of funds or "horizontal budgetary changes".²⁹⁷

Audit	
Who	Auditor (Article 36 of the ERC Statutes)
When	No mention
Procedure	No mention

10.25.3. Operational independence

10.25.3.1. Appointment

Staff: employed under private law contracts			
Chairperson and Boards			
Name	Number	Term of office	Possibility of renewal
Chairperson	1	5 years	No
Regulatory Board	5 (including Chairperson)	5 years	No

²⁹⁶ [Portaria n.º 507/2023, de 27 de setembro \(Decree 507/2023\)](#).

²⁹⁷ Although there is no specific reference to this matter in the law, the Activity and Financial Report (2023) provides that "By decision of the ERC Regulatory Board, on February 15, 2023, as these are captives exclusively on own revenues, it was determined that 587,886 euros would be deactivated, keeping only the aforementioned amount registered as a reserve captive".



Executive Board	3 (Chair, Deputy-Chairperson and Executive Director)	5 years	No
Who appoints	Procedure		Criteria
Regulatory Board: 4 members (including chairperson): Parliament 1 member: other members of the Board	4 members are elected by Parliament. Within no more than five days following publication of the list in the official news bulletin, the designated members must meet, after being convened by the eldest member, to co-opt the fifth member. After prior discussion, they must decide, by consensus, on the name of the co-opted member. If it is impossible to reach a consensus, the person who receives the highest number of votes shall be co-opted. (Articles 15 and 17 of the ERC Statutes).		Persons of recognised reputation, independence and technical and professional competence (Article 18 of the ERC Statutes)
Executive Board: <u>Chair and Deputy-Chair:</u> according to rules in place for the Regulatory Board (Parliament) <u>Executive Director:</u> Regulatory Board	The executive management board is comprised of the chairperson and deputy chairperson of the Regulatory Board and by the executive director. The executive director is hired subject to a decision taken by the Regulatory Board. (Article 33 of the ERC Statutes)		<u>Chair and Deputy-Chair:</u> according to rules in place for the Regulatory Board <u>Executive Director:</u> no mention
Conflicts of interest			
Articles 18, 44, 54 of the ERC Statutes. ERC has a <u>Code of Conduct</u> for staff. Rules apply before, during and after the term of office, and during the appointment process.			
Incompatibilities	Anyone who is or has been a member of the management bodies of companies, trade unions, business associations or confederations in the media sector in the last two years; Anyone who is or has been a member of the government, of the executive bodies of the autonomous regions or of the local governments in the last two years; Incompatibilities and impediments of the holders of senior public positions; During their term of office, members of the Regulatory Board cannot: 1) have interests of a financial nature or stakes in entities which carry out media activities; 2) hold any other public position or professional activity, except teaching duties in higher education on a part-time basis; 3) hold any position endowed with executive duties in companies, trade unions, business associations or confederations in the media sector for a two-year period after the date on which they terminate their term of office.		

10.25.3.2. Dismissal

Chairperson and Boards ²⁹⁸	
Who dismisses	Procedure
Parliament (Article 22(e) of the ERC Statutes)	Dismissal is decided by resolution of the Parliament, approved by two-thirds of the deputies, provided that it exceeds the absolute majority of the deputies in effective office.

²⁹⁸ There are no applicable rules for the dismissal of the Executive Director.



Reasons	Judicial review	
Serious violation of their statutory duties, demonstrably committed in the performance of duties or in the fulfilment of any obligation inherent to the position.	Yes, the activity of ERC's governing bodies and agents are subject to administrative jurisdiction under the terms and limits specifically foreseen by the Statute of the Administrative and Tax Courts (Article 75, ERC Statutes).	
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
No mention	No mention	Any vacancy which occurs shall be filled through co-opting or designation by a parliamentary resolution adopted within no more than 10 days (Article 22(3), ERC Statutes)

10.25.3.3. Assessing the adequacy of human resources

There are no rules for assessing the adequacy of human resources.

10.25.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	All public or private entities must help ERC retrieve the information and documents requested for pursuit of its responsibilities. Any entity pursuing media activities must provide ERC with all the cooperation required for performance of its duties and supply all requested information and documents within a maximum of 30 days, without prejudice to the need to safeguard professional and commercial confidentiality. (Articles 10 (1), 45 and 53 (5) of the ERC Statutes)	Yes: fine of between €5 000 and €25 000 when committed by an individual, or between €50 000 to €250 000 when committed by a corporate body (Article 68 of the ERC Statutes)
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
Article 65 (2) to (5) of the ERC Statutes. ERC's recommendations (warnings) and decisions (orders) must be published, free of charge and be clearly identified, in the relevant media within strict word limits: 500 for print/online, 300 for radio/TV. Publication must occur promptly – within 48 hours for daily media, or in the next issue for non-dailies – and in prominent, easily visible places (front pages, main news, etc.). On TV, the decision must be both displayed and read aloud, and in all editorial online services, publication must ensure necessary visibility.			

Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures	
Yes	ERC may apply fines in case of refusal to collaborate, refusal of access to an entity or place for carrying out investigations and examination, failure to comply with the obligation to maintain records, refusal to accept or deficient compliance with a decision (Articles 68, 69, 70, 71 of the ERC Statutes). The addressees of an individual decision may be subject to payment of a monetary sanction for each day of delay in compliance, from the date when the decision enters into force (€100 when the infringement is committed by an individual, €500 when committed by a corporate body). (Article 72, ERC Statutes)
Power to request the suspension or termination of services	
Yes	Article 24 (3) f) of the ERC Statutes
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	Article 53 (8) of the ERC Statutes
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Yes	Articles 45 (1) and 53 (4) of the ERC Statutes

10.25.5. Transparency

10.25.5.1. Publication of the NRA's decisions

The ERC's website is its main channel of external communication, through which the legal obligations of information and transparency regarding its regulatory activity and administrative modernisation are fulfilled. It must make available all relevant data, namely the founding diploma, the Statutes, regulations, decisions and guidelines, as well as the composition of its bodies, plans, budgets, reports and accounts for the last two years of its activity and any decisions that do not concern its current management (Article 77 of the ERC Statutes).

10.25.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

While this is not provided by law, the Committee of Access to Administrative Documents (CADA) allows concerned parties to request access to administrative documents ([Law 26/2016](#)).²⁹⁹ The 2023 ERC report states it handled several access requests.

10.25.5.3. Requirements or procedures for the reporting of the NRA's activities

ERC must regularly inform the Parliament, sending monthly summaries and submitting annual reports on its activities and accounts by 31 March for committee review within 30 days. ERC members appear before parliamentary committees when requested to provide information or clarifications on their work. Financial matters are reported annually to the

²⁹⁹ [Lei n.º 26/2016. Aprova o regime de acesso à informação administrativa e ambiental e de reutilização dos documentos administrativos](#) (Law No. 26/2016 Approving the regime for access to administrative and environmental information and the reuse of administrative documents).

Court of Auditors, while the Advisory Council issues non-binding opinions on ERC's general policies. (Articles 73, 76, and 40 of the ERC statutes)

10.25.5.4. Appeal mechanisms to challenge NRA decisions

ERC's decisions may be challenged in competent courts (Article 75 (2) to (4) of the ERC Statutes).

10.25.6. Debates on the independence of the NRA

No further debate on the independence of the NRA is to be reported.

10.26. RO – Romania³⁰⁰

10.26.1. Mandate and powers

General information	
Name	Consiliul Național al Audiovizualului (National Audiovisual Council – CNA)
Headquarters	Bd. Libertatii n°14, Sector 5 RO - 050706 Bucharest
Date of establishment	1992
Area(s) of competence	Licensing of linear audiovisual media services and notification of on-demand audiovisual media services (and VSPs) under the Audiovisual Law no. 504/2022, as amended; adopting secondary legislation in the audiovisual field; monitoring and sanctioning content of audiovisual media services, including on-demand services and, to a limited extent, content on VSPs (hate speech, minors' protection, political balance, etc.); ensuring compliance with EU and national media regulations. Partial competence as regards: transparency of ownership of audiovisual media service providers (through licensing and notification obligations). In other areas such as copyright, competition, consumer protection and data protection, CNA has no formal competence and cooperates with the competent authorities.
Number of employees	117
Website	http://www.cna.ro

Legal personality and liability

The CNA is the sole regulatory authority in the field of audiovisual media services and exercises its powers impartially and transparently, in accordance with the Audiovisual Law³⁰¹ and European Union law, without seeking or accepting instructions from any other institution or entity in the performance of its tasks (Article 10(1)–(2) of the Audiovisual Law). As an autonomous public authority under parliamentary control, CNA has legal personality and its decisions may be challenged before the administrative courts.

Powers			
Regulatory	Yes (Art. 10 (3), Audiovisual Law)		
Monitoring	Yes (Art. 10 (3) l), Audiovisual Law)		
Sanctioning	Yes (Art. 90 – 96, Audiovisual law)		
Competences ³⁰²			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	No	No	No

³⁰⁰ The national summary on Romania incorporates the feedback received from Ruxandra Minea-Cristea, Head of Inspection and Local Monitoring Service.

³⁰¹ Lege nr. 504 din 11 iulie 2002 (Legea audiovizualului) modificată prin Legea nr. 232 din 19 iulie 2024 de modificare a Legii nr. 148/2000 privind publicitatea și a articolului 29 din Legea audiovizualului nr. 504/2002 (Law no. 504/11 July 2002, referred to as “Audiovisual Law”)

³⁰² This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.26.2. Financial autonomy

10.26.2.1. Sources of income

CNA's only source of income is state funding (Article 16 of the Audiovisual Law).

CNA's budget is part of the state budget and is approved annually by Parliament under the general budgetary procedure. Within this framework, CNA submits its budgetary needs, which are then examined and decided upon in the annual budget law.

10.26.2.2. Budget adjustment procedures

There is no specific legal mechanism in the Audiovisual Law to guarantee that the budget is commensurate with the Council's powers and tasks. Budget adjustments are possible during the financial year under the general national budgetary rules (budget revision/rectification). CNA may request changes to its budgetary allocations, which are subject to the approval of the competent budgetary authorities.

Audit	
Who	The Internal Audit Department (<i>Compartimentul Audit Intern</i>)
When	At least every 3 years, for certain issues, regularly for others (Arts. 52-55, Regulation on the Organisation and Functioning of the National Audiovisual Council - ROF)
Procedure	The Internal Audit Department reports to the President of the CNA. Art. 54 and 55, ROF

10.26.3. Operational independence

10.26.3.1. Appointment

Staff: Staff: civil servants and contractual staff, recruited through open competition under general public sector rules.

Chairperson and Boards			
Name	Number	Term of office	Possibility of renewal
President	1	6 years	No mention
Council	11	6 years	No mention
Who appoints	Procedure		Criteria
President: Parliament Members of the Council: Parliament	The president holds a position equivalent to that of a minister and is appointed by the Parliament upon proposal of the Council members (Article 14(1) of the Audiovisual Law). Council members are appointed by the Parliament upon recommendation of the Senate (3 members), the Chamber of Deputies (3 members); the President of Romania (2 members); the Government (3 members). Candidates for the positions of titleholder and deputy		No specific appointment criteria are laid down in the Audiovisual Law.



	must be proposed and their proposals sent to the standing offices of both Chambers within 15 days of starting the assignment procedure. These standing offices forward the proposals to specialised commissions for candidate hearings in a joint session. After hearings, the commissions prepare a joint notification for the Chambers' joint session, where candidacies are approved by majority vote, provided both Chambers have quorum. (Article 11 of the Audiovisual Law)	
Conflicts of interest		
Article 12 of the Audiovisual Law. Rules apply during the appointment process and during the mandate.		
Incompatibilities	- Holding public or private positions, except for teaching roles, provided these do not give rise to conflicts of interest. - During the exercise of their mandate, being part of political parties or other political structures. Holding shares or equity interests, directly or indirectly, in commercial companies operating in fields where they would be in a conflict of interest with their position as Council members.	

10.26.3.2. Dismissal

Chairperson and Boards³⁰³		
Who dismisses	Procedure	
Parliament (Articles 12 (6), 13 (1) a) – c) and 20 (4 ¹) of the Audiovisual Law)	No mention	
Reasons	Judicial review	
President: rejection of the annual Activity Report and the Budget Execution of the National Audiovisual Council by the Parliament³⁰⁴ Council members: incompatibilities or incapacity to exercise their duties in the case of a criminal conviction handed down by a final court decision.	No mention	
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Under Article 20 (4 ¹ , Audiovisual Law), the Parliament's decision to reject the annual activity report must be notified to the person concerned	Debates on the annual report are public. Under Article 20 (4¹), the Parliament's decision to reject the annual activity report must be	In the absence of the President, the Council shall be led by the Vice President (Article 14 (2), Audiovisual Law). If a seat on the Council becomes vacant before the expiration of the term, it will be filled by the deputy until the expiration of the initial 6-year

³⁰³ There are no applicable rules for the dismissal of the Executive Director.

³⁰⁴ In 2021, the report was rejected, leading to the dismissal of the President of the CNA. See: [Decision No. 34/2021](#) on the rejection of the Activity Report and the Budget Execution of the National Audiovisual Council for the year 2020.



	duly justified, notified to the person concerned, and published in the Official Gazette of Romania.	term (Article 11(5), (7), (8), Audiovisual Law).
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10.26.3.3. Assessing the adequacy of human resources

There are no rules for assessing the adequacy of human resources.

10.26.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Supervisory personnel may request information from media service providers or distributors for law enforcement, specifying legal grounds, purposes, and deadlines, with sanctions for non-compliance. For VSPs, the CNA can demand data when video content explicitly incites to violence or hatred, or publicly incite terrorist offences or seriously endanger public security or public health; the platform must provide these data within 48 hours. To enforce sanctions, the CNA may require VSPs to provide user contact details within 48 hours, with fines up to 30 000 Romanian lei (RON) per day for delays. (Article 88 (3) and 91^2 (4) (5), Audiovisual Law)	Fines up to 30 000 RON per day for delays. (Art. 91^2(5), Audiovisual Law)
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
Articles 90(3) and 91(2), of the Audiovisual Law [corroborated by Articles 90(1) and Art 91(1)] Articles 93 and 93^1 provide details on the procedure and publicity of decisions adopted under Articles 90 and 91.			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only fines	The CNA may impose administrative fines under Articles 90(2), 90^1 (2) and 91(3) of the Audiovisual law.		
Power to request the suspension or termination of services			
Yes	Article 95^1 of the Audiovisual Law		



Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	CNA must make public the decision, including details about the offender (whether a legal entity or individual) and the infringement committed (Articles 15 and 93 ¹ of the Audiovisual Law)
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
No	

10.26.5. Transparency

10.26.5.1. Publication of the NRA's decisions

Decisions of the CNA, including their reasoning, as well as instructions and recommendations issued by the Council, are made public (Article 15(6) of the Audiovisual Law).

10.26.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Transparency of CNA's decisions is supported by public meetings (as a rule, Tuesdays and Wednesdays) live-streamed on CNA's official Facebook page and subsequently made available on CNA's website; the agenda and adopted decisions are also published in the "CNA Agenda" section. Under Article 15(6) of the Audiovisual Act, CNA decisions (other than those referred to in Article 15(5)), including their reasoning, as well as the Council's instructions and recommendations, are made public; however, this provision does not establish a general right for concerned parties to access the case-file documentation underlying a decision. Where a broadcaster is invited to a CNA public meeting to present its views, the relevant monitoring report is provided, as a rule, at least one day in advance of the public meeting, in order to allow the broadcaster to prepare its observations.

10.26.5.3. Requirements or procedures for the reporting of the NRA's activities

The CNA's activity is subject to parliamentary oversight. Under Article 20 of the Audiovisual Law, CNA must submit its annual activity report, together with the budget execution, by 15 April of the following year. The annual report and budget execution are debated in joint meetings of the parliamentary committees for culture and media and the committees for budget and finance of both Chambers, and the joint committees' report is submitted for debate and approval in a joint sitting of the two Chambers. Rejection by Parliament of the annual activity report results in the dismissal of the CNA President; in such a case, the Parliament's decision of rejection must be duly reasoned, notified to the person concerned and published in the Official Gazette of Romania, Part I (Article 20(4)–(4¹)). The parliamentary committees for culture and media may also request specific reports from CNA whenever considered necessary (Article 20(7)).

10.26.5.4. Appeal mechanisms to challenge NRA decisions

Decisions by the CNA imposing sanctions under Articles 90 and 91 of the Audiovisual Law may be challenged directly before the administrative litigation section of the Court of Appeal within 15 days from notification (Article 93(3) of the Audiovisual Law).

Decisions adopted under Articles 95 and 95¹ (such as reduction or withdrawal of licences) may be challenged before the Court of Appeal, which must rule within 15 days. The appeal does not automatically suspend the sanction, but the court may order suspension, upon request, after 24 hours from the registration of the appeal, until the final decision. The Court of Appeal's decision may be further appealed to the High Court of Cassation and Justice, which must decide within 10 days; this decision is final (Article 95² of the Audiovisual Law).

10.26.6. Debates on the independence of the NRA

Information on the independence of the CNA can be found in the following studies:

- The International Press Institute (IPI); the Media and Journalism Research Center (MJRC), [Media Capture Monitoring Report: Romania - Measuring compliance with the European Media Freedom Act](#), October 2024

10.27. SE – Sweden³⁰⁵

10.27.1. Mandate and powers

General information	
Name	<i>Mediemyndigheten</i> (Swedish Agency for the Media – the Agency)
Headquarters	Hammarbybacken 31, Stockholm, 120 30
Date of establishment	2024 (following the merger of the Swedish Press and Broadcasting Authority (<i>Myndigheten för press, radio och tv</i> – MPRT) and the Swedish Media Council (<i>Statens medieråd</i> – SMC))
Area(s) of competence	- Allocation of financial aid to news media - Supervision of compliance with national media regulations - Coordination efforts in media and information literacy - Establishment and maintenance of registers of publishers - Issues permits for media outlets
Number of employees	Currently 83 in total
Website	https://mediemyndigheten.se/english/

Legal personality and liability

The Agency is an independent public authority that has the legal status of a normal national authority (*statlig förvaltningsmyndighet*) (Chapter 12, Sections 1 and 2 of the Instrument of Government³⁰⁶). It may be held liable for breaches of either administrative law – applicable to public authorities – or in some cases, civil law.

Powers			
Regulatory	Yes. For example: § 5, Radio and Television Ordinance (2020:878); § 2, Ordinance (1998:32) on standards for digital radio and television; § 38-39, Ordinance (2023:740) on media support; § 17, Regulation (2021:1205) on support for newspaper distribution in connection with the transition to biweekly mail delivery.		
Monitoring	Yes. See Ordinance [2023:844] ³⁰⁷ with instructions for the Agency for the Media.		
Sanctioning	Yes. For example: Chapter 17, Radio and Television Act (2010:696); § 13, Act (1998:31) on standards for digital radio and television; § 37, Act (2023:254) on the accessibility of certain products and services; Chapter 3 § 2, Act (2024:954) containing supplementary provisions to the EU Regulation on digital services.		
Competences ³⁰⁸			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	Yes

³⁰⁵ The national summary on Sweden incorporates the feedback received from Jessica Durehed, international coordinator at Mediemyndigheten.

³⁰⁶ [Kungörelse om beslutad ny regeringsform](#) (1974:152) (*The Instrument of Government*).

³⁰⁷ [Förordning \(2023:844\) med instruktion för Mediemyndigheten](#) (Regulation (2023:844) containing instructions for the Media Authority).

³⁰⁸ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.27.2. Financial autonomy

10.27.2.1. Sources of income

The Agency's main sources of income consist of Government funding, and revenues from fees and other remuneration, as well as contributions for the Agency's projects (e.g. media literacy).³⁰⁹

The Agency operates on the basis of an annual budget. The executive branch of Government submits a budget proposal to Parliament, which then votes to approve or reject it by a simple majority. (Chapter 9, §§2-3, Instrument of Government)

10.27.2.2. Budget adjustment procedures

The commensurability of the budget with the Agency's powers and tasks is ensured in the sense that funding is normally reviewed twice a year (Chapter 9 § 4, Instrument of Government). If the Government believes that the state budget needs to be changed, it may submit a proposal to the *Riksdag* (Parliament) in the form of an "amending budget". If the Government considers that there are special reasons, for example, in the event of an economic crisis, a bill with a proposal for an extra amending budget may be submitted on other occasions.

Audit	
Who	<i>Riksrevisionen</i> (Swedish National Audit Office) (Chapter 13 § 7-8, Instrument of Government (1974:152))
When	Annually
Procedure	The procedure follows a traditional external audit procedure, stemming from an official instruction (Act (2002:1023) containing instructions for the Swedish National Audit Office)

10.27.3. Operational independence

10.27.3.1. Appointment

Staff: Civil servants			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson (<i>Generaldirektör</i> - Director General)	1	6 years	The employment may be extended (23 § Ordinance 2023:844).
Board (<i>Granskningsnämnden</i> (GRN) - Swedish Broadcasting Commission)	7	4 years	No mention

³⁰⁹ See: [Annual financial statement](#)



Who appoints	Procedure	Criteria
Government	There is no specific procedure in place. (Chapter 12 § 5, Instrument of Government (1974:152))	Decisions on government appointments are based solely on objective grounds, such as merit and competence. (Chapter 12 § 5, Instrument of Government (1974:152))
Conflicts of interest		
§ 16-18, Administrative Procedure Act. Rules apply during the appointment process, as well as during and after the term of office.		
Incompatibilities	- The person or a close relation is a party in the matter or significantly affected by the decision. - The person or a close relation is or has been a representative or counsel for a party or someone else significantly affected. - The person previously took part in the final decision of the matter as part of another authority in a superior role. - There is any other special circumstance that raises doubts about the person's impartiality. - The authority must disregard disqualification if it is obvious that impartiality is not relevant.	

10.27.3.2. Dismissal

Chairperson and Boards		
Who dismisses	Procedure	
Government	The State Liability Board decides on matters of disciplinary responsibility, prosecution and dismissal in relation to : 1. employees who are employed by decision of the Government, 2. employees who, without being employed by decision of the Government, hold a managerial or comparable position. The Government may prescribe that the Board shall also decide on such matters in relation to other employees. (§34, The Public Employment Act)	
Reasons		Judicial review
If it is required for organisational reasons or is otherwise necessary in the best interests of the authority. (§ 33, The Public Employment Act)		Yes
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
No mention	Yes, unless they are classified (Chapter 2 § 1, The Freedom of the Press Act)	No mention

10.27.3.3. Assessing the adequacy of human resources

There is no rule in place to assess the adequacy of human resources at the Agency.

10.27.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	For example, anyone who broadcasts television and provides on-demand television is required to report certain matters to the Agency (Chapter 16, Sections 5-6a, Radio and TV Act) and the Agency has the right to request information, documents, product samples or similar items from anyone who provides digital radio and television services professionally or for commercial purposes. (Section 12, <u>Act (1998:31) on standards for digital radio and television</u>)	In case of non-compliance with certain provisions, the Agency may impose orders in combination with a conditional fine (see, for example, Chapter 17 Section 11).
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
Yes	In case of non-compliance, the Agency may impose orders to ensure compliance (Chapter 17 Section 3a, 11 and 11a, Radio and Television Act)		
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	In case of non-compliance, the Agency may impose orders to ensure compliance, in combination with a conditional fine (Chapter 17 Section 3a, 11 and 11a, Radio and Television Act). In addition, Chapter 17, Sections 5 and 5a of the Radio and Television Act states that anyone who does not comply with some of the provisions and conditions set out in the Radio and Television Act may be required to pay a special fee. The Administrative Court will examine questions concerning the imposition of such special fee at the request of the Broadcasting Commission.		
Power to request the suspension or termination of services			
A license to broadcast television or searchable teletext, or a licence granted by the Government to broadcast audio radio, may be revoked if the licensee has materially violated certain provisions of the Act or if a licence condition has been materially disregarded. In some cases, the revocation of licences is decided upon by a general court and, in other cases, by the Agency. (Chapter 18, Section 2 of the Radio and Television Act)			
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
Yes			
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
No			

10.27.5. Transparency

10.27.5.1. Publication of the NRA's decisions

Although the Agency's website is regularly updated, the publication of decisions is not formally regulated.

10.27.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Concerned parties may access material that has been added to the case and the reason for the decision, unless classified. (§§ 10 and 33, Administrative Procedure Act)

10.27.5.3. Requirements or procedures for the reporting of the NRA's activities

The Agency must submit an annual report and budget documentation to the government each year (Chapter 1, Section 3 of the Ordinance on Annual Reports and Budget Documentation). There is no other legal obligation for the Agency to report on its own activities. However, according to Section 3 of the Ordinance (2023:844) with Instructions for the Agency for the Media, the authority shall publish statistics and other information on ownership, industry structure, technology, access, consumption and economic conditions in the media sector. Additionally, the authority must annually report to the government on the economic developments and conditions of media companies and newspaper distribution, as well as other significant changes in the daily press.

10.27.5.4. Appeal mechanisms to challenge NRA decisions

According to Chapter 20 of the Radio and Television Act, certain decisions made by the Agency pursuant to the same Act may be appealed to an administrative court. The same applies to, for example, decisions made by the authority under the Act on standards for digital radio and television (see Section 17 of that Act).

10.27.6. Debates on the independence of the NRA

No current debate on the independence of the Agency is to be reported.

10.28. SI – Slovenia³¹⁰

10.28.1. Mandate and powers

General information	
Name	<i>Agencija za komunikacijska omrežja in storitve Republike Slovenije</i> (The Agency for Communication Networks and Services of the Republic of Slovenia – AKOS)
Headquarters	Stegne 7, 1000 Ljubljana, Slovenia
Date of establishment	2001
Area(s) of competence	Regulates and supervises the electronic communications market, manages and oversees the radio frequency spectrum in Slovenia, carries out tasks in the field of radio and television activities, acts as the coordinator for digital services, performs the function of handling the dissemination of terrorist online content, and regulates and supervises the postal services market and railway traffic services in Slovenia.
Number of employees	115
Website	https://www.akos-rs.si/

Legal personality and liability

AKOS is established as a legal entity governed by public law. It acts autonomously as an independent regulatory authority, while the Government of the Republic of Slovenia performs the rights and obligations of the founder on behalf of the State (Article 230, Electronic Communications Act³¹¹).

Powers			
Regulatory	Yes, Electronic Communications Act, Media Act ³¹² , AVMS Act ³¹³ (several articles)		
Monitoring	Yes, Electronic Communications Act, Media Act, AVMS Act (several articles)		
Sanctioning	Yes, Electronic Communications Act, Media Act, AVMS Act (several articles)		
Competences ³¹⁴			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	No

³¹⁰ The national summary on Slovenia incorporates the feedback received from Igor Žabjek, expert in electronic media regulation at AKOS.

³¹¹ *Zakon o elektronskih komunikacijah* (ZEKom-2) (Electronic Communications Act)

³¹² *Zakon o medijih* (ZMed-1) (Media Act)

³¹³ *Zakon o avdiovizualnih medijskih storitvah* (ZAVMS) (Act on Audiovisual Media Services)

³¹⁴ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.28.2. Financial autonomy

10.28.2.1. Sources of income

AKOS' sources of income are revenues deriving from payments of fees determined by Article 252 of the Electronic Communications Act. The work programme and financial plan for 2024 notably foresees fees for the use of radio frequencies, regulatory notifications, the use of numbering space³¹⁵, television activity or official register entry, postal services, revenues from the sale of "no delivery" postal stickers, railway services.

Funds for DSC tasks are provided by the state budget, and all accounting for these activities is kept strictly separate from fee-funded work by AKOS, ensuring both regulatory independence and autonomous financial management. (Act on the Implementation of the Regulation (EU) on a Single Market for Digital Services³¹⁶)

The Commission operates on the basis of an annual budget. Each year by 31 May, ministries may provide guidance for AKOS' next work programme and financial plan. AKOS then publishes the draft plans for public consultation, and by 30 September, AKOS' Director submits the proposal to AKOS' Council. By 31 October, the latter must adopt the programme and financial plans, sending the first for information and the second for government approval. (Articles 252-254, Electronic Communications Act)

10.28.2.2. Budget adjustment procedures

Commensurability of the budget with AKOS' powers and tasks is ensured in the sense that the Director prepares the draft financial plan and the programme of activities, which is then adopted by the Agency's Council.

The Electronic Communications Act does not establish a specific procedure for revising the financial plan during the year. For any new activities required by new laws and not envisaged in the AKOS annual plan and budget, the Government would normally ensure financing from the state budgetary funds.

Audit	
Who	Independent authorised auditor (Article 254, Electronic Communications Act)
When	Annually
Procedure	The authorised auditor examines AKOS' financial statements and business report and must also give approval for the allocation of general costs to each regulated sector.

³¹⁵ "Numbering space" refers to the system of allocated telephone numbers managed by the national regulatory authority. Operators pay fees for the right to use specific ranges of numbers (for example, mobile numbers, fixed-line numbers, or service numbers).

³¹⁶ [Zakon o izvajanju Uredbe \(EU\) o enotnem trgu digitalnih storitev \(ZIUETDS\)](#) (Act on the Implementation of the Regulation (EU) on a Single Market for Digital Services)

10.28.3. Operational independence

10.28.3.1. Appointment

Staff: Civil servants			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson (Direktor agencije - Director of the Agency)	1	5 years	Yes (no detail as to how many times)
Board (Svet – Council)	5	5 years	Yes (no detail as to how many times)
Council President (Predsednik Sveta agencije)	1	5 years	Yes (no detail as to how many times)
Who appoints	Procedure		Criteria
Director: Government Council: Government Council President: NRA	Director: appointed by the Government on the proposal of the responsible minister after the proposal of the responsible minister after a public competition (Article 242(1), Electronic Communications Act). The procedure requires a public call published by the agency and the ministry at least 60 and no more than 90 days before the expiry of the incumbent’s mandate (Article 242(2)). The selection is carried out by a special competition commission appointed by the Civil Service Council (Article 242(3)). Council: appointed by the Government of Slovenia, on the basis of a public call organised by the competent ministry; members are selected according to expertise and professional competence, not as representatives of political or societal groups. (Article 234(2), Electronic Communications Act) Council President: elected by the Council members from among themselves by majority vote and secret ballot (Article 234(3), Electronic Communications Act)		Director: Slovenian citizenship, full legal capacity, a second-cycle degree, at least ten years of work experience in a relevant post, recognised expertise in the agency’s field, international experience, managerial skills, advanced English proficiency, no final conviction for intentional criminal offences, and a submitted declaration of interests and connections (Article 243(1) and 246, Electronic Communications Act). Council members + President: be EU citizens with permanent residence in Slovenia, hold at least a second-cycle university degree, have a minimum of five years of relevant professional experience, and recognised expertise in at least one field of AKOS’ remit, not have been convicted of a serious criminal offence and be required to submit a declaration of interests. (Article 234(4) and 235, Electronic Communications Act)
Conflicts of interest			
Articles 235 – 237 (Council members and President) and Articles 244–245 (Director), Electronic Communications Act. Rules apply during the appointment process, as well as before and during the term of office.			



Incompatibilities	- Being a member of political party bodies, - Holding public office under the Public Sector Salary System Act, - Being an employee or member of management/supervisory boards of companies active in sectors regulated by AKOS or hold ownership stakes in such companies, - Close relatives up to the second degree, spouses or partners of such persons are also disqualified.
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10.28.3.2. Dismissal

Chairperson and Boards		
Who dismisses	Procedure	
Director: Government Council: Government Council President: In practice, the Chairperson can be replaced, if necessary, by the Council members themselves.	Dismissal of the Director and Council members is decided by the Government through an administrative decision, either on its own initiative or on the basis of a reasoned proposal from the Council (Article 239 (Council members and President) and Article 248(4) (5) (Director), Electronic Communications Act; Article 10(2) and (3), AKOS Statute³¹⁷). Temporary suspension of the Director is also possible under Article 249 if criminal proceedings are initiated. Council President: N/A (no direct legal reference)	
Reasons		Judicial review
- Loss of conditions for appointment, - Permanent incapacity, - Incompatibility, - Failure to perform duties for more than six months (Article 239 (Council members and President) and Article 248 (Director), Electronic Communications Act)		Judicial review before the Administrative Court is available (Article 239(4), Electronic Communications Act)
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes, they must be granted at least eight days to prepare after being informed of the proposal (Article 10, AKOS Statute)	In practice, such acts become part of official records, but no explicit obligation of public disclosure is foreseen.	Director: If the Director's mandate ends or he/she is dismissed and no successor is appointed, the Government appoints an acting Director for a maximum of six months without a public competition (Article 242(5)). Council: No mention

10.28.3.3. Assessing the adequacy of human resources

AKOS determines the adequate number of staff required for the performance of its tasks within the annual work programme, based on its operational needs (Article 250, Electronic Communications Act).

³¹⁷ *Statut Agencije za komunikacijska omrežja in storitve Republike Slovenije* (AKOS Statute)

10.28.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Both the Electronic Communications Act (Article 265) and the AVMS Act (Article 41) require entities to provide the regulatory agency, upon written request, with all necessary data, documents, and access for regulatory, compliance and oversight purposes. These obligations apply to operators and other relevant entities, must be proportionate, and information must be supplied free of charge, accurately, and within the set deadlines.	A fine ranging from €500 to €15 000 shall be imposed on a legal entity. A fine ranging from €20 000 to €50 000 shall be imposed on a legal entity that is considered a medium-sized or large company under the law governing companies (Article 300 (66) Electronic Communications Act and Article 45 (11) Audiovisual Media Services Act).
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
Yes	AKOS may order corrective measures: an authorised officer has the right and duty to require the elimination of irregularities within a manner and deadline it sets, to conduct misdemeanour proceedings, to report criminal offences, and to propose measures to other competent authorities (Article 39(2), Audiovisual Media Services Act).		
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	Under the Audiovisual Media Services Act, AKOS has the authority to impose financial measures in the form of misdemeanour sanctions. The sanctions include fines of varying amounts depending on the type of infringement and the entity concerned (legal or natural persons). AKOS's authorised officers may issue penalty decisions directly, and in certain cases may also forward matters for judicial proceedings, particularly if the infringement requires escalation beyond administrative misdemeanour competence. (Articles 39, 43-46, AVMS Act) AKOS may also impose periodic penalty payments. (General Administrative Procedure Act ³¹⁸)		
Power to request the suspension or termination of services			
Yes	Article 39(3), AVMS Act		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
Yes	AKOS must publish on its website completed supervisory proceedings in compliance with confidentiality rules, particularly the protection of business secrets and personal data, as well as the rights of children. (Electronic Communications Act, Article 271 (1/11))		
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
Yes	AKOS has direct inspection powers under the AVMS Act, complemented by the procedural framework of the General Inspection Act. Where coercive measures exceed the Agency's direct remit (e.g., forced		

³¹⁸ [Zakon o splošnem upravnem postopku \(ZUP\)](#) (General Administrative Procedure Act)

entry into premises), judicial authorisation may be required, in line with the general inspection and administrative procedure law. (AVMS Act, Article 39; Inspection Act³¹⁹; General Administrative Procedure Act)

10.28.5. Transparency

10.28.5.1. Publication of the NRA's decisions

AKOS must publish on its website completed supervisory proceedings in compliance with confidentiality rules, particularly the protection of business secrets and personal data (Electronic Communications Act, Article 271 (1/11)).

10.28.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Parties have the right to access background documents behind NRA decisions, subject to transparency principles and limitations in multiple laws. Access is allowed under the Electronic Communications Act, General Administrative Procedure Act, Administrative Dispute Act, and Access to Public Information Act, but restricted for business secrets, personal data, and other protected information. Judicial review processes also allow courts to examine background materials during challenges of agency decisions.

10.28.5.3. Requirements or procedures for the reporting of the NRA's activities

AKOS must prepare an annual work programme and financial plan, subject to public consultation and Council adoption before government approval. It must also produce an annual report comprising work and financial components, which the Government consents to before informing the National Assembly (Articles 253 and 254, Electronic Communications Act).

10.28.5.4. Appeal mechanisms to challenge NRA decisions

NRA decisions may be challenged before the Administrative Court. Parties may also seek judicial remedies for misdemeanour cases, replacing administrative appeals with requests for judicial protection. Further appeals are possible to higher courts, and extraordinary remedies (such as reopening proceedings or protection of legality) are available in certain circumstances.

10.28.6. Debates on the independence of the NRA

Information on the independence of AKOS can be found in:

- Indicators for independence and efficient functioning of audiovisual media services regulatory bodies (INDIREG), a study conducted on behalf of the European Commission, 2011.

³¹⁹ [*Zakon o inšpekcijskem nadzoru \(ZIN\)*](#) (Inspection Act)



- Cappello M. (ed.), The independence of media regulatory authorities in Europe, IRIS *Special*, European Audiovisual Observatory, Strasbourg, 2019
- Rule of Law Reports

10.29. SK – Slovakia³²⁰

10.29.1. Mandate and powers

General information	
Name	<i>Rada pre mediálne služby</i> (Council for Media Services – RPMS)
Headquarters	Palisády 36 SK - 811 06 Bratislava
Date of establishment	2022
Area(s) of competence	Broadcasting, retransmission, provision of on-demand audiovisual media services, content-sharing platforms, publishing press periodicals, news websites, press agency services.
Number of employees	51 (on 31 December 2024)
Website	https://rpms.sk/en

Legal personality and liability

RPMS must perform its activities independently and transparently (Article § 109 (4) of the Media Services Act³²¹). As a state budgetary organisation, the RPMS has full legal personality, which allows it to act as an independent legal entity in its own name. It can therefore be held liable in case of dispute.

Powers			
Regulatory	Yes (Article 109 (3c) of the Media Services Act)		
Monitoring	Yes (Article 109 (2) of the Media Services Act)		
Sanctioning	Yes (Article 110 (1d) of the Media Services Act)		
Competences ³²²			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	Yes	Yes	Yes

³²⁰ The national summary on Slovakia incorporates the feedback received from Ivan Tarabčák, Head of Legal Department at the Council for Media Services.

³²¹ *ZÁKON, z 22. júna 2022, o mediálnych službách a o zmene a doplnení niektorých zákonov (zákon o mediálnych službách)* (ACT of June 22, 2022, on media services and on amendments to certain acts, hereafter referred to as “Media Services Act”)

³²² This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.29.2. Financial autonomy

10.29.2.1. Sources of income

RPMS' only source of income is the state budget (Article § 126 (2), Media Services Act).

RPMS operates on the basis of an annual budget. The Chair proposes its budget and final accounts to the Ministry of Finance of the Slovak Republic and submits its budget and final accounts to the relevant committee of the National Council of the Slovak Republic (national Parliament). The National Council then approves the budget. (Article § 110 (4f) (4g), Articles 121 (1f) and 126 (1), (2), (3) of the Media Services Act)

10.29.2.2. Budget adjustment procedures

The commensurability of the budget with the NRA's powers and tasks is ensured in the sense that it is the NRA that submits the draft budget together with a justification. However, the decision pertains to Parliament. (Articles 113 (1c), 122 (3) a) 2 and 126 (3) of the Media Services Act).

In terms of the procedures in place to allow adjustments to be made to the budget before the end of the period for which it was allocated, the Council cannot change binding indicators within the approved budget (e.g. salaries and remuneration for Council members), but it is possible to move funds between budget items after approval by the Ministry of Finance of the Slovak Republic. Additionally, the Ministry of Finance of the Slovak Republic can increase or decrease the Council's budget.

Audit	
Who	The internal control and financial audit of state budgetary organisations is carried out through a multi-level system: State budget chapter administrators (for internal control and audit), Ministry of Finance (methodological and regulatory role) and the Supreme Audit Office of the Slovak Republic (external control).
When	Annually
Procedure	Audits are to be conducted as either internal audits or governmental audits. Administrative and on-site financial controls or audits start with the first act towards the obligated party.

10.29.3. Operational independence

10.29.3.1. Appointment

Staff: civil servants			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson	1	6 years	Yes, once
Council	9 (including the Chair)	6 years	Yes, once
Who appoints	Procedure		Criteria



Chairperson: NRA (Council) Council: Parliament	The Council elects a chairperson and vice-chairperson from among its members. Council members are elected by Parliament. It elects them after a public hearing that is organised by the respective parliamentary committee (broadcast live on the Parliament's website) of candidates nominated. Article 114 (1) (2) (3) (4) of the Media Services Act	- Natural persons of legal age with full legal capacity. - "Good character" (no conviction for intentional criminal offenses, proven by a criminal record extract). - Provision of necessary data for the record check; foreigners supply an extract or equivalent, not older than three months, from their home country. The National Council sends this information to the Slovak General Prosecutor's Office for verification. (Article § 115 (1), Media Services Act)
Conflicts of interest		
Article § 115 (2), (3), (4) of the Media Services Act. Rules apply during the appointment process and during the term of office.		
Incompatibilities	- Holding high state, judicial, regulatory, or local government positions, as well as roles in specific cultural and media bodies. - Holding political office, having interests or roles in relevant media or tech companies (or related enterprises), or provide paid services to them; these restrictions also apply to close relatives. - The chairperson cannot have other employment except for scientific, educational, journalistic, literary, or artistic activities.	

10.29.3.2. Dismissal

Chairperson and Boards		
Who dismisses	Procedure	
Parliament (Media Services Act, Art. § 114 (1))	Parliament may dismiss a member of the RPMS Council (including the Chair) on the proposal of the relevant committee of the Parliament if the said member has not performed their function for more than six consecutive months (Article § 117 (3), Media Services Act)	
Reasons		Judicial review
- They engage in prohibited activities or violate the RPMS' Council statute. - They fail to perform their duties for over six consecutive months.		Yes, through a proposal to the Constitutional Court under the Slovak Constitution



- A member's office ends if they assume an incompatible role, are convicted of certain crimes, or have their legal capacity restricted. Article § 117 (2), (3), (4), (5), (6) of the Media Services Act.		
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes (Art. § 117 (3), (4) of the Media Services Act)	Yes	Yes, if the chairperson is absent, the vice-chairperson or another board member authorised by the chairperson assumes their rights and duties, unless the vice-chair cannot do so. If no chairperson has been elected, the vice-chairperson performs all chairperson duties. (Article § 121 (2), (3) of the Media Services Act)

10.29.3.3. Assessing the adequacy of human resources

There are no rules for assessing the adequacy of human resources for the NRA to carry out its tasks.

10.29.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Broadcasters must keep continuous, high-quality records of broadcasts for 45 days and provide them to the regulator within 15 days upon request, along with submitting quarterly statistics and specific data on Slovak musical works on radio when requested. Broadcasters are required to notify the regulator promptly about the start, termination, or changes in broadcasting services across terrestrial, satellite, or other means, including broadcasting abroad and supplementary or ancillary services. Video-sharing platform providers must publicly display key identification and regulatory information, submit yearly user statistics, and cooperate with the regulator by providing data and explanations regarding suspected regulatory breaches.	Yes: a) warning b) publication of a notice of violation of the law, c) suspension of broadcasting or provision of a program or part thereof, d) a fine, e) corrective measures, f) revocation of authorization for serious breach of duty. Article 134 of the Media Services Act



	Additionally, broadcasters must supply the regulator with accessibility compliance data (such as subtitles and sign language interpretation) and on-demand service providers must report European works included in their services. The regulator can request cooperation and detailed information from intermediary service providers and related persons during supervision, requiring truthful and complete responses under specified conditions. Article § 20 (4e) (5c) (6b), Article § 21 (1), (2); Article § 47 (1), (2), (3); Article § 56 (1), (2), (3); Article § 70 (8); Art. § 133b (1), (2), (3) of the Media Services Act,	
Power to issue warnings / order cessation of infringements		
Warnings	Procedure	
Yes	Article 134, Media Services Act	
Orders		
Yes		
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures		
Only fines	The regulator must decide on sanctions within six to twelve months of detecting a breach and enforce them after final court decisions, with pauses in time limits during judicial or compliance proceedings; sanctions do not remove the underlying obligations. Sanctions include warnings for first-time or infrequent violations and may require publishing notices of law violations, with fines up to €160 000 and penalties for delayed compliance. When imposing penalties, the regulator considers specific criteria laid out in special regulations to ensure proportionality and fairness. Articles 135 through 140 of the Media Services Act	
Power to request the suspension or termination of services		
Yes	In case of repeatedly and seriously breaching obligations. Articles 138, 139 and 146 (1), (2) of the Media Services Act	
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement		
Yes		
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction		
Yes		

10.29.5. Transparency

10.29.5.1. Publication of the NRA's decisions

RPMS must publish all its decisions, generally binding legal regulations and information contributing to an open and functional competitive market on its website and update this information on an ongoing basis (Article 110 (6), Media Services Act). The minutes of board meetings, including the voting record, must be published on the regulator's website no later than five working days after the end of the meeting (Article 120 (1) (2) of the Media Services Act).

10.29.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

All relevant information concerning decisions taken by RPMS are made public, including valid authorizations, registrations, licenses, frequency spectrum usage status, and available frequencies for broadcasting, templates for certification applications, revocations, trusted reporter status requests, verified researcher status, and data access termination and decisions regarding certification and withdrawal of alternative dispute resolution bodies, trusted reporter status, verified researcher status, and data access termination. (Article 110 (4) c), d), e) of the Media Services Act).

10.29.5.3. Requirements or procedures for the reporting of the NRA's activities

RPMS must submit an annual report on broadcasting and its activities to the National Council within 90 days after each calendar year and provide additional information upon request (Article 110 (4a) of the Media Services Act).

10.29.5.4. Appeal mechanisms to challenge NRA decisions

Appeals may be lodged against first-instance decisions of the regulator, except regarding decisions to suspend proceedings concerning compliance with obligations or decisions related to terrestrial radio licences. (Article § 225 (2); Article 133e (1); Article 201 (1), (2), (3) of the Media Services Act)

10.29.6. Debates on the independence of the NRA

Information on the independence, or lack thereof, of RPMS can be found in: Urbaníková M., [Monitoring media plurality in the digital age: Application of the Media Plurality Monitor in the European Union, Albania, Montenegro, North Macedonia, Serbia, and Turkey in 2022](#), Brno: Masaryk University in Brno, 2023.

10.30. NO – Norway³²³

10.30.1. Mandate and powers

General information	
Name	Medietilsynet (Norwegian Media Authority - NMA)
Headquarters	Nygata 4, N-1607 Fredrikstad, Norway
Date of establishment	1 January 2005
Area(s) of competence	- Ensuring compliance with the Act relating to broadcasting and audiovisual on-demand services and the Act relating to the protection of minors against harmful audiovisual programmes and related secondary legislation. - Managing various financial support schemes for entities in the media sector. - Certain tasks related to cinemas and video rental and publication of election results.
Number of employees	41 (in 2025)
Website	https://www.medietilsynet.no/

Legal personality and liability

The NMA functions as a state body under the Ministry of Culture and Equality with statutory independence. Neither the Ministry nor the Government may instruct the NMA in individual cases, or reverse its decisions, except in relation to certain national broadcasting supervision decisions (Section 2-15, Broadcasting Act³²⁴). In all other cases, appeals go to the independent complaints body, Media Appeals Board (*Medieklagenemnda*).

The NMA does not hold legal personality. In the event of a dispute, legal action is taken against the government, not the authority itself. (Section 2-14, Broadcasting Act).

Powers			
Regulatory	No		
Monitoring	Yes, Section 1-8, Broadcasting Regulation		
Sanctioning	Yes, Sections 10-2, 10-3, 10-4 and 10-5, Broadcasting Act and Chapter 10, Broadcasting Regulation		
Competences ³²⁵			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	No	No	Yes

³²³ The national summary on Norway incorporates the feedback received from Lars Erik Krogsrud, Senior advisor at Medietilsynet.

³²⁴ *Lov om kringkasting og audiovisuelle bestillingstjenester mv. (kringkastingsloven)* (Act on Broadcasting and Audiovisual On-Demand Services, etc. (hereafter referred to as "Broadcasting Act"))

³²⁵ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.30.2. Financial autonomy

10.30.2.1. Sources of income

The NMA's sources of income come from **state budget**³²⁶ and **revenues deriving from payments of fees**, in particular related to the cinema and videogram³²⁷ levy.³²⁸

The NMA operates on the basis of an annual budget, which is determined through the national budget process. The NMA submits a budget proposal to the Ministry for the following year. The Ministry of Culture and Equality then decides on a proposal for the NRA's funding allocation, which the government includes in the draft state budget. The final appropriation is decided by Parliament (*Stortinget*). The allocation is then formalised through the annual Letter of Allocation to the NMA. (Article 75 d), Norwegian Constitution³²⁹)

The Appropriations Regulation³³⁰ provide overarching guidelines for the national budget, government accounts, and the management of cash holdings.

10.30.2.2. Budget adjustment procedures

Commensurability of the budget with the NMA's powers and tasks is ensured in the sense that the NMA itself prepares the draft budget proposal. The final decision is, however, taken by the Parliament.

Concerning adjustments to the foreseen budget, additional funds may be allocated through the Parliament's annual Revised National Budget, which is an annual update of the original state budget. It is presented by the Government in the spring to provide an updated overview of the economic situation, forecast changes, and any adjustments to the government's economic policy for the remainder of the year. (Article 11, Appropriations Regulation)

Audit	
Who	The Office of the Auditor General (<i>Riksrevisjonen</i>), Act on the Office of the Auditor General (Auditor General Act ³³¹)
When	Annually
Procedure	The NMA accounts are audited annually by the Office of the Auditor General, which reviews the financial statements for accuracy and compliance by the NMA.

³²⁶ [Statsbudsjettet 2025 - Medietilsynet - tildelingsbrev](#) (Letter of allocation to the NMA)

³²⁷ A videogram is an electronic signal for the storage and reproduction of live images that are recorded on a medium or information carrier.

³²⁸ [Lov om film og videogram](#) (Act on film and videogram)

³²⁹ The [Constitution](#) of the Kingdom of Norway

³³⁰ [Bevilgningsreglementet](#) (Appropriations Regulation)

³³¹ [Lov om Riksrevisjonen \(riksrevisjonsloven\)](#) (Auditor General Act)

10.30.3. Operational independence

10.30.3.1. Appointment

Staff: Civil servants			
Director ³³²			
Name	Number	Term of office	Possibility of renewal
Director	1	No Fixed term	No mention
Who appoints	Procedure		Criteria
Government	The Director is appointed by the Ministry. There are no specific requirements regarding appointment of the Director of the NMA; it follows general recruitment procedures for civil servants. The process is regulated by the Public Administration Act ³³³ , which requires proper and fair case handling, as well as the Freedom of Information Act ³³⁴ and the Civil Servants Act ³³⁵ to ensure transparency.		Recruitment processes for public leadership positions are subject to the principle of merit, whereby the best-qualified candidate must be appointed. (Article 3, Civil Servants Act)
Conflicts of interest			
General provisions regarding conflict of interest are set out in chapter 2 of the Public administration Act. Rules apply during the term of office.			
Incompatibilities	A public official must abstain from involvement in a case if they are: - personally connected (as a party or close relative to a party), represent a party, or hold leadership or board positions in involved organizations. Disqualification also applies where there are any other special circumstances which may undermine the public trust in their impartiality. In the assessment, due consideration shall be given to whether the case may give any special advantage, loss, or disadvantage, personally or for anyone they have a close personal connection to. Due consideration shall also be given to whether an objection about impartiality is raised by a party. Exceptions exist if it is clear that the connection cannot influence the official's role. If a superior official is to be disqualified, a direct subordinate in the same body may not decide the case.		

10.30.3.2. Dismissal

Director	
Who dismisses	Procedure
Government	There are no specific requirements regarding the dismissal of the Director of the NMA. Rules follow general dismissal procedures for civil servants. The Ministry would be responsible for the dismissal of the NMA Director. Although there is no

³³² The NMA does not have a board, it is lead by a Director.

³³³ [Lov om behandlingsmåten i forvaltningssaker \(forvaltningsloven\)](#) (Public Administration Act)

³³⁴ [Lov om rett til innsyn i dokument i offentlig verksemd \(offentleglova\)](#) (Freedom of information Act)

³³⁵ [Lov om statens ansatte mv. \(statsansatteloven\)](#) (Civil Servants Act)



	specific provision for this, it is due to the fact that it is the Ministry that has hired the Director. Dismissals may occur by administrative decision or judgment, in which case the employee may be offered another suitable position, or (if the Director is appointed by the King in Council, by Court order), involving legal action where unfitness or disqualification is proven. (Articles 20, 26, 27 and 28, Civil Servants Act)	
Reasons		Judicial review
- due to illness (permanently unfit to properly perform his or her duties) - no longer possesses the qualifications necessary or prescribed for the office, or for other reasons is permanently unfit for the office - has demonstrated gross incompetence in service - has grossly violated his or her service duties - despite written warning, has repeatedly violated his or her service duties, or - through improper conduct in or outside of service, proves unworthy of the office or undermines the respect or trust necessary for the office. (Articles 27 and 28 of the Civil Servants Act)		Yes (Article 34, Civil Servants Act)
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes (Chapter 3, Civil Servants Act)	Yes (Freedom of information Act)	No mention

10.30.3.3. Assessing the adequacy of human resources

There exists no provision requiring assessment of the adequacy of human resources.

10.30.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Everyone is obliged to provide the information that the NRA needs in order to carry out its duties (Section 2-11, Broadcasting Act)	The NMA may impose financial penalties or coercive periodic fines if the provider does not comply (Sections 10-3 and 10-4, Broadcasting Act)
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
Yes	The NMA has the power to issue warnings and take measures to ensure compliance by AVMS providers. When provisions or conditions established in or pursuant to the Broadcasting Act are violated, the Authority can issue a warning to the responsible party for the breach. (Section 10-2, Broadcasting Act)		
Orders			
Yes			

Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures	
Yes	The NMA may impose administrative fines (Section 10-3, Broadcasting Act) for violations of Sections 2-1 to 2-11, Sections 2-13 to 2-19, Chapter 3, Sections 5 A-2, 5 A-5, 6-4, 8-1, and 8-2 of the Broadcasting Act or regulations or individual decisions issued pursuant to these provisions. Chapter 10 of the Regulation on Broadcasting and on-demand services provides additional rules, including regarding calculation of fines. The NMA may impose coercive fines (Section 10-4, Broadcasting Act), to ensure compliance with duties under Chapter 2 of the Broadcasting Act (except Section 2-20), Chapters 3, 4, and 5 A, and Section 6-4, 8-1, 8-2, and 8-5, either as a one-time or recurring payment.
Power to request the suspension or termination of services	
Yes	Where a provision in Chapter 3 of the Act on Broadcasting or Chapter 3 in its accompanying Regulation (provisions regarding marketing/advertisements) have been infringed, the NMA may prohibit a broadcaster from broadcasting advertisements for a limited time (Section 10-5, Broadcasting Act). In the event of repeated or serious infringements of the Broadcasting Act or its Regulation by someone acting on behalf of a person or undertaking that has been granted a licence related to terrestrial broadcasting, the NMA may revoke the licence. Such revocation may be time-limited. (Section-5, Broadcasting Act)
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	All formal decisions by the NMA are available to the public (Freedom of information Act). In practice, parties in the form of companies and other legal entities are not anonymised. Conversely, names of private individuals (physical persons) are often anonymised.
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
No mention	

10.30.5. Transparency

10.30.5.1. Publication of the NRA's decisions

The NMA's website is regularly updated with news and developments within its fields of responsibility, although no provision specifically guarantees publication of the decision on its website.

10.30.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

A concerned party has the right to access the documents of the case, unless otherwise provided by the exceptions set out in Articles 18 and 19 of the Norwegian Public Administration Act.

10.30.5.3. Requirements or procedures for the reporting of the NRA's activities

The NMA must submit an annual report documenting whether the main objectives set out in the allocation letter have been achieved. The annual report is also used to inform the public about the measures and activities carried out during the previous year. It includes an evaluation of goal attainment, an overview of activities and performance outcomes, an assessment of management and internal control, and a review of financial accounts. It is the Ministry's annual letters of funding allocation to the NMA that require the latter to prepare an annual report of its activities.

10.30.5.4. Appeal mechanisms to challenge NRA decisions

The NMA's decisions may be appealed to the independent complaints body, the Media Appeal Board (*Medieklagenemnda*)³³⁶, pursuant to Section 2-14 of the Broadcasting Act, the Act on Audiovisual Programmes, the Act on Transparency of Media Ownership, the Regulation on Grants to Local Radio and Television Media, the Regulation on Production Grants for News and Current Affairs Media, the Regulation on Innovation and Development Grants for News and Current Affairs Media, and the Regulation on Grants to Sámi Newspapers.

10.30.6. Debates on the independence of the NRA

The Ministry of Culture and Equality made an assessment of the independence of the NMA in relation to Article 30 (1) of directive 2018/1808/EU in the Ministry's proposal for changes to the Act on Broadcasting and on demand services (which, *inter alia*, concerned implementation of directive 2018/1808/EU).³³⁷

³³⁶ Link to the 2024 [Annual report](#) of the Appeals Board.

³³⁷ See chapter 14 in [Prop 66 LS](#) (2023- 2024) (available only in Norwegian).

10.31. AL - Albania³³⁸

10.31.1. Mandate and powers

General information	
Name	<i>Autoriteti i Mediave Audiovizive</i> (Authority of Audiovisual Media - AMA)
Headquarters	Papa Gjon Pali II Street, no 15, Mail Box 1010, Tirana, Albania
Date of establishment	2013
Area(s) of competence	Linear audiovisual broadcasts, non-linear audiovisual broadcasts and their supporting services, video distribution platform services
Number of employees	58
Website	https://ama.gov.al/

Legal personality and liability

AMA is a public, independent legal entity. AMA acts on the basis of and for the implementation of the provisions of the Law on Audiovisual Media³³⁹ and other legislation in force. Its decisions can be appealed in the Court, consequently, it is liable for its decisions (Article 6 and Article 53(15) of the Law on Audiovisual Media).

Powers			
Regulatory	Yes (Articles 19 (1)(d); (e); (ë); (g); (gj), and 19(12) and 47, Law on Audiovisual Media)		
Monitoring	Yes (Articles 19(2)(a);(b), 19(3), 19(4), 19(15) 23(b) and (c), Law on Audiovisual Media)		
Sanctioning	Yes (Articles 19(3) and 132, Law on Audiovisual Media)		
Competences ³⁴⁰			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	No	No	No

10.31.2. Financial autonomy

10.31.2.1. Sources of income

AMA's sources of income include: payments for obtaining and renewing licenses and/or authorisations, annual payments for licenses and/or authorisations, administrative processing of application requests, revenues from fees for broadcasting services specified

³³⁸ The national summary on Albania incorporates the feedback received from Ronelda Rrapollari, Secretary General of AMA and Ledjona Dalipaj, Director of the Department of International Law and EU Integration of AMA.

³³⁹ *Ligji 97/2013 'Për mediat Audiovizive në Republikën e Shqipërisë'/2013 (ndryshuar së fundmi në 2023)* (Law on Audiovisual Media)

³⁴⁰ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

in fiscal laws, funding from the state budget³⁴¹, and other legal incomes. No proportions are specified (Article 24(1) (a) (b) (c) (ç) (d) and Article 24(2) of the Law on Audiovisual Media).

AMA operates on the basis of an annual budget, proposed by AMA and approved by Parliament (Article 19(13), Law on Audiovisual Media).

10.31.2.2. Budget adjustment procedures

No specific procedure ensures that funding is commensurate with the powers and tasks of AMA or allows to adjust the budget before the end of the period for which it was allocated. However, some decisions review the annual budget.³⁴² They refer to Article 19(13) of the Law on Audiovisual Media as a legal reference.

Audit	
Who	Internal: Chairperson (Article 8(8)(dh) of the Law on financial management and control ³⁴³) / External: Articles 2 and 6(2), Law on the Organisation and Functioning of State Supreme Audit ³⁴⁴
When	Annually (Article 14(c) of the Law on internal audit in the public sector ³⁴⁵)
Procedure	The procedure is elaborated in detail in the Manual on Internal Audit ³⁴⁶ adopted by the Ministry of Finance.

10.31.3. Operational independence

10.31.3.1. Appointment

Staff: civil servants			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson (<i>Kryetari</i>)	1	5 years	Yes (once)
AMA Board members (<i>Anëtarët e AMA-s</i>)	7 (including Chair)	5 years	Yes (once)
Who appoints	Procedure		Criteria
Parliament	The Parliament opens applications 30 days before the incumbent's term ends. Citizens meeting legal criteria may apply, and the Education and Public Information Commission verifies eligibility, shortlisting four candidates with the highest Commission support. Parliamentary		At least 10 years of work experience in a list of possible fields and no conflict of interest (Articles

³⁴¹ AMA receives funding from the State Budget in cases where it assesses that certain expenses are necessary for the exercise of its functions, of a specific nature and for which no other funding option exists.

³⁴² AMA decision.

³⁴³ *LIGJ Nr.10 296, datë 8.7.2010 për menaxhimin financiar dhe kontrollin* (Law on financial management and control).

³⁴⁴ *LIGJ Nr. 154/2014 për organizimin dhe funksionimin e kontrollit të lartë të shtetit* (Law on the Organisation and Functioning of State Supreme Audit).

³⁴⁵ *LIGJ Nr. 114/2015 për auditimin e brendshëm në sektorin publik* (Law on internal audit in the public sector)

³⁴⁶ *Manuali i auditimit të brendshëm* (Manual on internal audit).



	minority representatives exclude two candidates, and the Assembly elects the Chair from the remaining two by a majority vote of all deputies. The Chairperson is elected within 10 days after the election of other Board members. For Board members, the committee takes into account the preservation of the balance, with three candidates supported by the parliamentary majority, three supported by the opposition. For Board members, the Parliamentary Commission for Education and Public Information, within 30 days of the creation of a vacant position, invites, through public information means, the following entities to submit candidacies: electronic media associations and groups; print media associations; electrical and electronic engineering professorships and associations; law, journalism-communication and economics professorships, lawyers' associations and the National Bar Association; non-profit organisations operating in the field of human rights, children's rights or public policy research, or representatives of associations operating in the field of protection of persons with disabilities. The above entities shall propose candidacies within 30 days of receiving the invitation. (Article 9(2) (3) (4) and Article 10 of the Law on Audiovisual Media)	7 and 8(2) of the Law on Audiovisual Media)
Conflicts of interest		
Article 7(1), Law on Audiovisual Media. Rules apply before and during the term of office, and during the appointment process.		
Incompatibilities	- Members of political parties and associations, individuals running for deputy or having been elected as such during the last 2 legislatures, having competed for mayor of local units in the last elections or having exercised the office of mayor, member of the Council of Ministers or prefect during the last 3 years, as well as those who are members of the Appeals Council, the Electronic and Postal Communications Authority (AKEP) or employees of the latter; - Related persons, according to the definitions of the law on the prevention of conflict of interest in the exercise of public functions³⁴⁷ or who own capital shares or shares of commercial companies, as well as other rights in the field of audiovisual broadcasting, advertising, audiovisual broadcasting content production, electronic communication networks or persons employed during the last year, members of the management or advisory bodies of these entities or linked to any license with these entities.	

10.31.3.2. Dismissal

Chairperson and Board	
Who dismisses	Procedure
<u>Parliament</u> (Article 12, Law on Audiovisual Media)	Dismissal may be requested by the Education and Public Media Committee or by no less than 5 members of the AMA. Parliament shall consider the request within 10 days. (Article 12(2) and (3) of the Law on Audiovisual Media)

³⁴⁷ [LIGJ Nr .9367, datë 7.4.2005 për parandalimin e konfliktit të interesave në ushtrimin e funksioneve publike](#) (Law on the prevention of conflict of interest in the exercise of public functions)



Reasons		Judicial review
- Being convicted by a court with a final decision for committing a criminal offense. - Becoming permanently incapable of performing their duties due to health reasons. - Being absent without reason from more than one third of the AMA meetings within 1 year. - Proof that conflict-of-interest rules have been violated. - Being deprived of their capacity to act. (Article 12(1), Law on Audiovisual Media)		No mention
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes (Article 12(3), Law on Audiovisual Media)	Yes (Article 12(3), Law on Audiovisual Media)	The Assembly reviews dismissal requests within 10 days. A replacement is elected for a period equal to the remaining term of the predecessor. No later than 30 days before the end of the term of office of the Chairperson of AMA, the Assembly of Albania publishes the announcement for the vacant position. (Articles 12(2), 12(6) and 10(2) of the Law on Audiovisual Media) However, the law does not mention the possibility to prolong this period if no decision can be taken by the Assembly, nor does it prohibit it.

10.31.3.3. Assessing the adequacy of human resources

There are no rules for assessing the adequacy of human resources.

10.31.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	AMA requests from the state administration, courts, banks and other relevant organisations, as well as from the heads of licensed entities, information that it deems necessary to verify the veracity of the data submitted by the applicants. This data is used only for the implementation of the tasks assigned by this law. Their dissemination and publication are not permitted. (Article 19(7) of the Law on Audiovisual Media)	Fines of 120 000 ALL to 2 000 000 ALL (approximately €1 200-20 000 (Article 133(2)(dh), Law on Audiovisual Media)
Power to issue warnings / order cessation of infringements			
Warnings	Orders	Procedure	
No	No	Warnings and ordering cessation are not mentioned as measures that can be taken by AMA in cases of infringements under Articles 133 and 134 of the Law on Audiovisual Media. However, AMA has <u>addressed</u> public warnings to AVMS providers.³⁴⁸	

³⁴⁸ [AMA website](#).

Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures	
Only Fines	Article 132, Law on Audiovisual Media
Power to request the suspension or termination of services	
Yes	Articles 132, 133(9), 133(7), 89(1), Law on Audiovisual Media
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
No	
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
Yes	AMA can inspect the programmatic, financial, technical, and organisational activities of licence/authorization holders without infringing freedom of expression, conducting checks when there are grounds for non-compliance, interference, unlicensed activity, or justified third-party complaints, and also through periodic inspections with or without notice. Licensees must cooperate, grant access to premises and equipment, provide requested records, and may respond to findings in an inspection report; refusal to sign triggers formal notification by mail or email. (Article 78(1), (2), (3), (4), (5) and (6), and Article 51(8), Law on Audiovisual Media)

10.31.5. Transparency

10.31.5.1. Publication of the NRA's decisions

The Law on Audiovisual Media does not explicitly regulate publication of AMA decisions, but AMA's Transparency Programme³⁴⁹ classifies them as "information that is often required" under the Right to Information Law³⁵⁰, meaning they must be made public without a request. According to the Transparency Programme, decisions are published on AMA's website immediately after approval by the Chairperson.

10.31.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

According to Article 12 of the AMA's Regulation on Audiovisual Activity Inspection Procedures on AVMS Providers³⁵¹, the parties subject to inspections have the right to access the Inspection Decision (before the inspection takes place), the Inspection Record, and to make contestations on the assessment of the administered evidence.

10.31.5.3. Requirements or procedures for the reporting of the NRA's activities

By 31 March of each year, AMA submits an annual report to the Assembly and its Education and Public Media Committee, detailing its activities, financial plan implementation, and

³⁴⁹ [AMA website](#).

³⁵⁰ [LIGJ Nr. 119/2014 për të drejtën e informimit](#) (Right to Information Law)

³⁵¹ [Rregullorja e AMAs Për procedurat e Inspektimit të veprimtarisë audiovizive të ofruesve të shërbimit mediatik audio dhe/ose audioviziv](#) (Regulation on Audiovisual Activity Inspection Procedures on AVMS Providers)



developments in broadcasting, including for persons with special sensory needs. The report also covers compliance with legal obligations by public and private networks and records AMA members' participation in meetings. AMA may provide additional reports to the Parliamentary Committee upon request. (Article 19(14) and 28 of the Law on Audiovisual Media)

10.31.5.4. Appeal mechanisms to challenge NRA decisions

Appeals may be filed within 30 days from the date of the announcement or notification to AMA, who announces its decision within 30 days. An appeal may also be filed against AMA decisions with the court of the judicial district where the administrative body is headquartered. AMA decisions are executed by the bailiff service, according to the provisions of the Code of Civil Procedure. (Article 132 (4) (5), Law on Audiovisual Media).

10.31.6. Debates on the independence of the NRA

The EU Commission 2024 Progress Report for Albania³⁵² notes no legislative developments since AMA's new Broadcasting Code approval in July 2023 and calls for better material and technical resources to strengthen AMA's media monitoring and reporting capacity. The 2024 EU Rule of Law³⁵³ highlights concerns over AMA's independence due to partisan board appointments, political influence, and recommend legal reforms to ensure AMA's autonomy, merit-based appointments, and pluralistic composition to safeguard media freedom and regulatory impartiality.

³⁵² [Albania Report 2024](#).

³⁵³ [2024 Rule of Law Report - Country Chapter Albania](#)

10.32. ME – Montenegro³⁵⁴

10.32.1. Mandate and powers

General information	
Name	<i>Agencija za audiovizuelne medijske usluge</i> (Agency for Audiovisual Media Services or the Agency) The name of the authority was changed in 2024 following the adoption of a new legal framework. The former name was <i>Agencija za elektronske medije</i> (Agency for Electronic Media).
Headquarters	81000 Podgorica, Bulevar Svetog Petra Cetinjskog 9
Date of establishment	2003
Area(s) of competence	Keeps official registers of broadcasters, on-demand audiovisual media service providers, linear audiovisual media service distributors, and video-sharing platform service providers, protection of media pluralism and the diversity of audiovisual media services, promotion of media literacy, authorisation of the allocation of radio frequencies, by supervising the implementation of the Law on Audiovisual Media Services; it imposes sanctions for prohibited conduct and also has competencies related to promotion during election campaigns.
Number of employees	30 at the end of 2024
Website	https://amu.me

Legal personality and liability

The Agency is an independent legal entity. It acquires legal personality by being registered in the Central Register of Business Entities, an unusual approach (as the Agency does not engage in commercial activity), but not uncommon within the Montenegrin institutional framework. In the event of a dispute, under general legal rules, the Agency bears liability. (Article 139, [Law on Audiovisual Media Services](#)).³⁵⁵

Powers			
Regulatory	Yes (Article 1, Law on AVMS)		
Monitoring	Yes (Article 141, Law on AVMS)		
Sanctioning	Yes (Article 141, 179, 181, 183, Law on AVMS)		
Competences ³⁵⁶			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	No	No	No

³⁵⁴ The national summary on Montenegro incorporates the feedback received from Jadranka Vojvodić, Deputy Director, Agency for Audiovisual Media Services or the Agency.

³⁵⁵ [Zakon o audiovizuelnim medijskim uslugama](#) (Law on Audiovisual Media Services, hereafter referred to as “Law on AVMS”)

³⁵⁶ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.32.2. Financial autonomy

10.32.2.1. Sources of income

The Agency's main source of income consists of revenues from fees for distribution, the provision of on-demand audiovisual media services, and video-sharing platform services (66.7%). It is also made of revenues from broadcasting fees (30.6%), from the Fund for the Promotion of Media Pluralism and Diversity (2.71%) and from registration fees (Law on AVMS Article 171).³⁵⁷

The Agency operates on the basis of an annual budget. The financial plan is proposed by the Director of the Agency and approved by the Council (Law on AVMS Article 143 (1) and 172 (1)). According to the Article 32 (2) (3) of the Law on Budget and Fiscal Responsibility³⁵⁸ the financial plan along with the work plan is submitted to the Parliament for adoption.

10.32.2.2. Budget adjustment procedures

Article 172(2) of the Law on AVMS states that the Agency's total operating costs covered by the financial plan, including reserves for unforeseen expenses, must reflect the actual costs necessary for the successful performance of its functions. There is, however, no provision regulating the adjustment of the budget before the end of the period for which it was allocated. Any excess of income over expenses can be used by the Agency exclusively for the fulfillment of legal obligations related to the performance of its function (Article 171(3) of the Law on AVMS).

Audit	
Who	Independent authorised auditor (Article 172 (3), 143 (1) line 28 and 144 (2) line 2, Law on AVMS)
When	Annually
Procedure	No mention of this

10.32.3. Operational independence

10.32.3.1. Appointment

Staff: employed under private law contracts			
Chairperson and Board			
Name	Number	Term of office	Possibility of renewal
Chairperson (Direktor)	1	4 years	Yes, once

³⁵⁷ Proportions are provided according to the Agency's Financial Plan for 2025.

³⁵⁸ [Zakon o budžetu i fiskalnoj odgovornosti](#) (Law on Budget and Fiscal Responsibility)



Board (<i>Savjet-Council</i>)	5 (1 representative of universities, 1 representative of NGOs dealing with the protection of human rights and freedoms, 1 representative of NGOs in the field of media, 1 representative of the Montenegrin Academy of Sciences and Arts or the Montenegrin P.E.N. Centre ³⁵⁹ , 1 representative of the Bar Association of Montenegro)	4 years	Yes, once
Who appoints	Procedure	Criteria	
<u>Chairperson</u> : Council <u>Council</u> : Parliament	<u>Chairperson</u> : Appointed on the basis of a public competition. In addition to proof of fulfilling the requirements, the applicant must submit in written his/her vision for the development of the audiovisual media sector. (Law on AVMS, Article 167 (1) (3)) <u>Council</u> : Authorised nominators submit a proposal for appointment following the public call issued by the Parliament. The latter decides on all candidates simultaneously (Article 154, 155, 157 and 158, Law on AVMS)	Holds Montenegrin citizenship and has permanent residence in Montenegro; holds at least a level VII1 qualification; has at least ten years of work experience in fields relevant to the Agency's activities. (Article 167 (2) and 145 (2) (3), Law on AVMS)	
Conflicts of interest			
Article 167 (3) in relation with Article 146 and 133 (2) line 1, 2 and 3, Law on AVMS. Rules apply before and during the term of office, as well as during the appointment process.			
Incompatibilities	- current/recent (within three years) MPs, government officials, political party leaders, election candidates, and persons appointed by top state bodies from appointment. - individuals with ownership, employment, or other vested interests in media, advertising, electronic communications, or linked to the public broadcaster, as well as relatives of such ineligible persons. - Persons convicted of certain crimes, including corruption, fraud, theft, or offences carrying over six months' imprisonment (while consequences persist)		

10.32.3.2. Dismissal

Chairperson and Board			
Who dismisses	Procedure		
<u>Chairperson</u> : Council (Article 169, Law on AVMS) <u>Council</u> : Parliament (Article 161 (1), Law on AVMS)	<u>Chairperson</u> : Article 169, Law on AVMS <u>Council</u> : Initiated by the Council through the submission of a reasoned proposal to Parliament. (Article 162 (2), Law on AVMS)		
Reasons			Judicial review

³⁵⁹ [PEN International website](#).

<u>Chairperson (Article 169 (1), Law on AVMS):</u> - Fails to act in accordance with the law and the general acts of the Agency - Circumstances related to conflict of interests arise during the term of office - False information was provided during the appointment process or relevant information and circumstances important for the appointment were not disclosed - By the law, in accordance with general labour regulations			Yes (Article and 162 (5) and 169 (3), Law on AVMS)
<u>Council (Article 161, Law on AVMS):</u> - False information was provided during the appointment process or relevant information and circumstances important for the appointment were not disclosed - Fails to attend the meetings of the Council of the Agency for over 6 months - Circumstances related to conflict of interests arise during the term of office - Due to illness, based on appropriate medical documentation, is unable to perform the duties of a member of the Council of the Agency for a period longer than six months			
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods	
Yes (Article 162 (2) and 169 (2), Law on AVMS)	Yes. For the Council - Article 162 (4) Law on AVMS). For the <u>Chairperson</u> - The Agency must publish on its website all decisions that determine the rights and obligations of legal or natural persons (Article 22 (2), Statutes of the Agency ³⁶⁰)	In the event of dismissal of the Agency Director, the Agency Council shall appoint an acting Director from among the employees, until the appointment of the Agency Director in accordance with this Law. (Art. 169, Law on AVMS)	

10.32.3.3. Assessing the adequacy of human resources

The minutes of the Council meeting held on 21 October 2024 indicate that the Council reviewed the implementation of the Rulebook on Internal Organisation and Job Classification, which was adopted on 26 August 2024. The minutes show that the Council concluded it was, *inter alia*, necessary to assess staffing needs in terms of the number and qualification structure of employees, in line with the Agency's new competences.³⁶¹

10.32.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	Service providers must submit all necessary data, information, and documents for oversight and regulation, within a period that may not be shorter than seven days.	Broadcasters who fail to provide requested recordings can be fined between €500 and €20 000.

³⁶⁰ [Statut agencije za audiovizuelne medijske usluge](#) (Statutes of the Agency)

³⁶¹ [Zapisnik sa 398. sjednice Savjeta, održane 21. oktobra 2024. Godine](#) (Minutes of the 398th session of the Council, held on October 21, 2024)



		Broadcasters must keep recordings of all broadcast content for at least 30 days and, if proceedings are initiated, provide them to the Agency immediately and retain them until the proceedings conclude. (Article 23 para 6 in relation with article 187 para 1 line 16, and Article 177 para 1 and 2, Law on AVMS)	For other data or document requests, there is no specific penalty. The Inspection Supervision Law sets fines of between €500 and €15 000 for non-compliance with inspectors (the Agency uses <i>authorised officials</i> rather than <i>inspectors</i>).
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
Article 141 para 2 line 7, Article 182, and Article 184, Law on AVMS			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only Fines	Fines between €500 and €10 000 for service providers who, despite warnings, commits the same violation of an obligation within a period of less than six months. The deadline for payment must not be shorter than eight days or longer than 30 days from the date the decision is delivered. (Article 183, Law on AVMS)		
Power to request the suspension or termination of services			
Yes	Can be imposed on AVMS, VOD and VSP providers. Decisions can be appealed to the Agency's Council within 15 days, with further recourse to the Administrative Court. Final decisions must be enforced, with non-compliance subject to enforcement measures. (Article 181 para 1 and 2, Article 185 para 1, and Article 140 para 1, Law on AVMS)		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
Yes			
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
Yes (Article 24 (3) (4) and Article 177, Law on AVMS)			

10.32.5. Transparency

10.32.5.1. Publication of the NRA's decisions

The Agency must publish every decision on imposed administrative-supervisory measures on its website. There is also a general legal obligation requiring the Agency to make all acts concerning the rights and obligations of legal or natural persons, along with their reasoning, available to the public without delay. (Article 181 para 2 and Article 144 para 2, Law on AVMS)

10.32.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Prior to issuing a decision, the Agency is obliged to provide the concerned party with a notice on the results of the investigatory procedure, which includes information about the right to access the case file (Article 111 para 4 line 3, Law on Administrative procedure³⁶²).

10.32.5.3. Requirements or procedures for the reporting of the NRA's activities

The Agency reports to the European Commission on on-demand audiovisual media service providers meeting the 30% European works catalogue quotas. It publishes reports on AVMS providers' compliance with programming and other legal obligations at least once every six months. By June of each year, the Agency issues annual activity and financial reports (including an auditor's review), covering European works presence, programming compliance, legal duties, and financial performance. (Article 61 para 1 and 4, Article 141 para 2 line 10, Article 144 para 1, Article 168 para 1 line 7, Law on AVMS).

10.32.5.4. Appeal mechanisms to challenge NRA decisions

The Council acts as a second-instance body for appeals against first-instance decisions by the Director concerning AVMS providers, distributors, and video-sharing platforms; appeals must be filed within 15 days and have suspensive effect. The Director rules on complaints from individuals or entities about AVMS operations, with appeals to the Council within 15 days. Election-related complaints can be appealed within 48 hours. Council decisions affecting rights and obligations can be challenged before the Administrative Court of Montenegro. (Article 143 para 1 line 17, Article 185 para 1, Article 186, Article 83 para 1 line 4, and Article 2, Law on Administrative Dispute)

10.32.6. Debates on the independence of the NRA

Information on the independence of the Agency can be found in the Accession Document from December 2024³⁶³, or in the European Commission's 2024 Report on Montenegro.³⁶⁴

³⁶² [Zakon o upravnom postupku](#) (Law on Administrative Procedure)

³⁶³ European Commission, [Accession Document](#), Brussels, 13 December 2024

³⁶⁴ European Commission, [Montenegro 2024 Report](#), SWD(2024) 694 final, Brussels, 30 October 2024

10.33. MK – North Macedonia³⁶⁵

10.33.1. Mandate and powers

General information	
Name	Агенција за аудио и аудиовизуелни медиумски услуги (Agency for Audio and Audiovisual Media Services – AVMU)
Headquarters	St. “Macedonia” No.38 1000 Skopje, (Palace Panko Brashnarov)
Date of establishment	Established in 1998 as Broadcasting Council, continued in 2014 as Agency for Audio and Audiovisual Media Services
Area(s) of competence	Licensing and monitoring of broadcasters, notification and monitoring of on-demand audiovisual media services, registration of print and online media
Number of employees	58
Website	https://avmu.mk/

Legal personality and liability

AVMU has a status of independent, non-profit regulatory body, acting as a legal person with public competences (Article 4(2), Law on Audio and Audiovisual Media Services - LAAMS³⁶⁶). Article 5(2) further guarantees that the AVMU must “be independent of any state body or other legal person in its operations”. According to Article 24(2), all AVMU decisions may be subject to an administrative dispute before a competent court.

Powers			
Regulatory	Yes (Articles 6, 7, 9, 18, 20, 26, 41, 47, 50, 52, 53, 54, 56, 60, 62, 67, 80, 89, 91, 92, 93, 98, 141, 144-d, LAAMS and Articles 5, 6, 15, Law on Media) ³⁶⁷		
Monitoring	Yes (Articles 6, 18, 20, 22, 27, 28, 29, 30, 31, 32, 33, 43, 141, 144-f, LAAMS and Articles 5 and 29, Law on Media)		
Sanctioning	Yes (Articles 6, 18, 23, LAAMS and Articles 5 and 29, Law on Media)		
Competences ³⁶⁸			
AVMSD	EMFA	DSA	Political advertising regulation
Yes	No	No	Yes

³⁶⁵ The national summary on North Macedonia incorporates the feedback received from Magdalena Davidovska-Dovleva, Head of Strategic Planning and Authors Rights Department, Agency for Audio and Audiovisual Media Services

³⁶⁶ Закон за аудио и аудиовизуелни медиумски услуги (Law on Audio and Audiovisual Media Services, hereafter referred to as “LAAMS”)

³⁶⁷ Закон за медиуми (Law on the Media)

³⁶⁸ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

10.33.2. Financial autonomy

10.33.2.1. Sources of income

AVMU's sources of income, as stipulated in Article 4(7) of the LAAMS, come from funds provided by the state budget, funds obtained as revenues from the fees, as well as from loans and technical assistance (Articles 4 (7), 105, 80 and 142 of the LAAMS).

AVMU operates on the basis of an annual budget. The amount of the funds from the State Budget for one year, which is the main funding source of the regulator, is calculated according to the formula established in Article 105 of the LAAMS.³⁶⁹ The fees paid by broadcasters is calculated based on the formula determined in Article 80 of the LAAMS, while the fees paid by the operators retransmitting program services and providers of on-demand audiovisual media services are calculated based on Article 142, LAAMS.

10.33.2.2. Budget adjustment procedures

No *ad hoc* procedure exists to ensure commensurability of the NRA's budget with its powers and tasks.

There is no procedure in place allowing to adjust the budget before the end of the period for which it was allocated.

Audit	
Who	Internal Audit Service
When	Annually
Procedure	Issuance of a Letter of Authorization; preparation of a Single Audit Plan; preparing an audit program for each audited process; preparation of an audit report (draft, preliminary and final); preparation of an audit memorandum; preparing a review of given recommendations for their monitoring. See: AAAMS internal procedure – Conducting an audit and preparing an audit report with its monitoring No.03-4058/1 (12.09.2018) ³⁷⁰ .

³⁶⁹ Following the adoption of the amendments to the LAAMS in July 2023, the Government did not pay the entire amount provided to the NRA and MRT (public service media), which is why they filed a lawsuit with the competent court. At the end of 2024, an out-of-court agreement was reached and all remaining funds were paid to them.

³⁷⁰ The procedure is adopted internally and not available online.

10.33.3. Operational independence

10.33.3.1. Appointment

Staff: employed under Labour Relations Law ³⁷¹ and Law on Audio and Audiovisual Media Services			
Director and Council			
Name	Number	Term of office	Possibility of renewal
Director	1	5 years	Yes, once
Council	7	5 years	Yes, once
Who appoints	Procedure		Criteria
<u>Director</u> : NRA (Council) <u>Council</u> : Parliament	<u>Director</u> : elected by the Council through public competition (Article 19 of the LAAMS) <u>Council</u> : members are Council members chosen through public competition, candidate vetting and a public debate. Applicants must show qualifications and obtain support from credible civil, academic or professional organisations. The Assembly appoints members with a two-thirds majority, ensuring representation of non-majority communities, genders, and ethnic groups. (Article 14 of the LAAMS)		Members of the Council can be citizens of North Macedonia with higher education, at least 8 years of work experience in the profession who have distinguished themselves in the field of communication, journalism, IT, culture, economics or law. The Director must also have at least 4 years of experience in managing an organisation (Article 16 (1) and 19 of the LAAMS)
Conflicts of interest			
See Article 19 (2) LAAMS for the Director and Article 16 (2) LAAMS for Council members. Rules apply before and during the appointment process, as well as during the term of office.			
Incompatibilities	<u>Director</u> : - No political or high state/enterprise roles in the past 10 years. - Cannot be active in political party bodies while in office. - Neither the Director, their spouse/partner, nor close relatives can hold shares or interests in organisations under the jurisdiction of the AVMU.		
	<u>Council</u> : - Cannot hold political, governmental, local authority, or religious leadership positions, nor be linked to management of public enterprises. - Cannot hold shares, interests, or positions in entities engaged in audiovisual media, communications, or related services. - Cannot have close family with shares or management roles in broadcasters - Individuals sentenced to imprisonment for over 6 months or prohibited from exercising a profession - held governing positions in political parties within the past 10 years.		

³⁷¹ Закон за работните односи (Labour Relations Law)

10.33.3.2. Dismissal

Chairperson and Board		
Who dismisses	Procedure	
Director: NRA (Council) Council: Parliament	The Director of the AVMU may be dismissed by the Council of the AVMU only under conditions precisely defined in Article 21 (1) LAAMS. The mandate of a member of the Council may be terminated only by force of law under conditions precisely defined in Article 17(1), LAAMS. The Chairperson of the Council or the Deputy must inform the Parliament on the fulfilment of the conditions for dismissals (Article 17 (2) of the LAAMS).	
Reasons		Judicial review
- Director may be dismissed upon request, due to illness over 6 months, taking an incompatible post, criminal conviction/prohibition over six months, violation of LAAMS, or abuse of position identified in reports. (Article 21(1) of the LAAMS) - Council members may be dismissed for similar reasons: upon request, incompatible post, conviction/prohibition, illness over six months, legal impediments, repeated absence from sessions, or providing false/incomplete information during appointment. (Article 17(1), LAAMS)		Yes, for Director (Article 21(6) of the LAAMS)
Prior notification	Decision made available to public	Rules on prevention of long vacancy periods
Yes, for Director (Article 21(3) LAAMS)	Yes, the decision to dismiss the Director must be published on website within 7 days (Article 21(3) of the LAAMS). Sessions of Parliament are made public but not explicit guarantee in the law for Council members.	Yes, if the Director's mandate expires before a new election is completed, he/she remains in office for up to six months maximum. (Article 20 (4) of the LAAMS) For Council members, Parliament must announce a public competition at least six months before terms expire and appoint replacements at least one month before the current mandate ends. (Article 14 (2) (10) of the LAAMS)

10.33.3.3. Assessing the adequacy of human resources

To assess the adequacy of human resources, the AVMU adopted a certified quality management control system. In accordance with the LAAMS (Art. 22(1)) and the quality management system, assessments of available human and technical resources have been conducted in recent years. The AVMU adopted a [Rulebook on the Systematisation of Posts in the Agency for Audio and Audiovisual Media Services](#)³⁷² on this basis.

³⁷² [Правилник за систематизација на работни места во Агенцијата](#) (Rulebook on the Systematization of Posts in the Agency for Audio and Audiovisual Media Services)

10.33.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	By 31 March each year, broadcasters must report to the regulator on their ownership, editors, financing sources, revenues/expenses, and audience data, while digital media publishers must provide ownership, editors, revenues/expenses, and staff numbers. (Article 15 (1) (3) of the Law on Media). AVMU shall issue a written warning to the media publisher that fails to fulfil the obligations provided for in Article 15 and shall grant it an additional deadline that may not be shorter than 45 days. (Article 15 (7) of the Law on Media and Article 23 LAAMS).	Broadcasters that miss reporting deadlines first receive a written warning and a 45-day extension; continued non-compliance may lead to revocation of the broadcasting license. (Article 15(7) of the Law on Media and Article 23, LAAMS) Broadcasters and digital media publishers also face fines of €4 000–€5 000 for failing to submit required data, with penalties imposed by the court upon the procedure initiated by the NRA. (Article 30 of the Law on Media)
Power to issue warnings / order cessation of infringements			
Warnings		Orders	
Yes		Yes	
Procedure			
Article 23, LAAMS			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Only Fines	Articles 23 LAAMS and 30 of the Law on Media. Fines are imposed by the competent courts, upon request of the AVMU.		
Power to request the suspension or termination of services			
Yes	In case the broadcaster fails to fulfil obligations under Article 15 (1) Law on Media. Article 15 (7) of the Law on Media and Article 23 LAAMS.		
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement			
Yes	All decisions are made publicly available, with the personal data of the natural persons concerned anonymised in accordance with the Law on Personal Data Protection ³⁷³		
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction			
Expert supervision (Article 30(1) of the LAAMS) involves inspections of the premises of broadcasters, for the purpose of establishing the fulfilment of the technical requirements determined in the television or radio broadcasting license. (Article 27 of the LAAMS)			

³⁷³ [Закон за заштита на личните податоци бр. 42/20 \(Law on personal data protection\)](#)

10.33.5. Transparency

10.33.5.1. Publication of the NRA's decisions

AVMU must publish on its website the agenda of the Council's sessions, adopted minutes of the sessions (with statements and voting of the members), as well as all adopted decisions and other acts, within seven days. (Article 13 of the LAAMS).

10.33.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

Any party involved in a procedure initiated by the NRA can get access to all background information related to the decision made by the regulator.

10.33.5.3. Requirements or procedures for the reporting of the NRA's activities

AVMU is obliged to publish a report on its website and to submit it to the Parliament not later than 31 March in the current year. The report consists of: an annual report on the implementation of the planned activities, which includes a report on the implementation of the annual programme monitoring plan, a financial report and annual account with detailed revenues, expenses, and obligations, and audit reports from an internationally authorized auditor and, if applicable, from the State Audit Office, along with the AVMU's position on the audit findings. (Article 8 of the LAAMS)

10.33.5.4. Appeal mechanisms to challenge NRA decisions

The decisions adopted by AVMU in cases of violation of the provisions of the LAAMS, licences, by-laws and other AVMU acts may be subject to administrative dispute before a competent court. The administrative dispute complaint shall be submitted within a period of 30 days from the reception of the decision. (Article 24 of the LAAMS).

10.33.6. Debates on the independence of the NRA

Information on the independence of the NRA can be found in:

- Monitoring media pluralism in the European Union: results of the MPM2025. Country report: The Republic of North Macedonia
- Association of Journalists of Macedonia, "Political calculations are unacceptable when electing members of the AVMU", 29 January 2025
- Magleshov V., "Coordinated party-political play for the new composition of the Agency on Media", BIRN Prisma, 30 January 2025
- Commission staff working document, North Macedonia 2024 Report, Brussels, 30 October 2024
- Commission staff working document, 2024 Rule of Law Report, Country Chapter on the rule of law situation in North Macedonia, Brussels, 24 July 2024

10.34. RS – Republic of Serbia³⁷⁴

10.34.1. Mandate and powers

General information	
Name	<i>Regulatorno telo za elektronske medije</i> - Regulatory Authority for Electronic Media (REM)
Headquarters	Belgrade, Serbia, Trg Nikole Pašića 5
Date of establishment	2003 (as the Republic Broadcasting Agency - RRA), reformed in 2014 as REM.
Area(s) of competence	Electronic media regulation (TV, radio and on-demand services), licensing, content supervision, protection of minors, election media coverage.
Number of employees	Around 70-80
Website	https://www.rem.rs

Legal personality and liability

REM is established as an independent regulatory authority with autonomy. It also has its own legal personality, allowing it to act independently in legal matters, enter into contracts, and manage its property. REM is liable for its actions and decisions under the general principles of Administrative Law; it can be subject to judicial review and held accountable in case of disputes. (Article 6 of the Law on Electronic Media)

Powers			
Regulatory	Yes, Articles 5, 6, 7, 17, 22–29, Law on Electronic Media		
Monitoring	Yes, Articles 7(9), 31-35, Law on Electronic Media		
Sanctioning	Yes, Articles 28, 36-45, Law on Electronic Media		
Competences ³⁷⁵			
AVMSD	EMFA	DSA	Political Advertising Regulation
Yes	No	Yes	Yes

10.34.2. Financial autonomy

10.34.2.1. Sources of income

REM's sources of income consist of funds it obtains from fees paid by the media service provider for the right to provide the media service (a continuous operational fee tied to a provider's right to offer media services), as well as fees for the provision of services under the jurisdiction of the Regulator (a transactional fee, charged for specific regulatory actions or administrative services performed by REM. (Article 47, Electronic Media Law)

³⁷⁴ The national summary on Serbia incorporates the feedback received from Milan Todorović – Senior legal advisor for implementation of international acts.

³⁷⁵ This section does not aim to provide any implementation/compliance assessment, but rather an overview of the potential competences of media NRAs.

The first type of fees is paid monthly (1/12 of the annual amount). REM sets details such as fee levels, changes, and calculation method in by-laws. Unpaid fees may accrue interest. (Article 48, Law on Electronic Media and Rulebook on the Amount, Modification of the Amount and Manner of Calculation of the Fee for Media Service Provision)

The second type of fees reflect the cost of the particular service provided (granting, renewing, modifying, or transferring licences, approving status changes, issuing enactments, or implementing regulations). These fees are also governed by REM's by-laws. (Article 49, Law on Electronic Media)

REM operates on the basis of an annual budget. It submits a draft financial plan to the National Assembly committee responsible for finance and media by the 1st of November of the current year for the following year. The financial plan is then approved by the National Assembly within 30 days from the date of submission of the draft. If the financial plan is not adopted, or if the approval by the National Assembly is not given, the previous year's financial plan will be applied. (Article 46, Electronic Media Law)

10.34.2.2. Budget adjustment procedures

REM's Financial Management and Control system is a comprehensive internal control framework set up as required by Serbian budget and public sector regulations. Under this framework, the user of public funds is responsible for ensuring it functions properly, with risk management providing reasonable assurance that all budgetary and other resources are used correctly, ethically, economically, efficiently, and effectively to achieve budget objectives.

Excess income over expenses in a calendar year shall be paid into the budget of the Republic of Serbia. If the difference between income and expenses is negative, the missing funds may be provided from the budget of the Republic of Serbia. The provision of the missing funds shall not affect REM's independence. (Article 46, Electronic Media Law)

Audit

Audit	
Who	Independent certified auditor
When	Annually
Procedure	All income and expenses of the Regulator shall be subject to annual audit by an independent certified auditor and shall be published no later than three months after the end of the fiscal year on the website of the Regulator. (Article 46 para 8, Electronic Media Law)

10.34.3. Operational independence

10.34.3.1. Appointment

<u>Staff</u> : Staff may be employed under private law contracts				
Chairperson and Board				
Name	Number	Representative of (civil society, government, parliament...)	Duration of mandate	Possibility of renewal
Chairperson (<i>Direktor Regulatora</i> - Director of the Regulator)	1	5 years	Yes, up to two additional terms Article 24 (3) Law on Electronic Media	Chairperson (<i>Direktor Regulatora</i> - Director of the Regulator)
Board (<i>Saveta</i> – Council)	9	6 years	No	Board (<i>Saveta</i> – Council)
Who appoints	Procedure		Criteria	
Board (Council): Parliament	9 different authorised nominators must nominate Council members (Article 12, Electronic Media Law)		Council members must be distinguished experts with strong public reputations, advocating freedom of expression, human rights, and democracy. Candidates must have a university degree (minimum 240 ECTS or four years), Serbian citizenship, and permanent residency. Gender equality is taken into account in nominations and elections. Eligible experts include persons with at least ten years of relevant professional experience, including: - Teaching or scientific research staff from journalism, communication, and media faculties with established study programmes - Journalists and editors with experience in production, editing, or management in electronic media, radio, or television - Experts in electronic media business operations or media market activities (lawyers, political scientists, communication science experts and sociologists); - Musical, literary, dramatic, or audiovisual artists and producers with experience in electronic media programmes; - Media researchers;	

Chairperson (Director of the REM): Council	The Director shall be appointed by the Council, based on a public competition announced at least three months before the end of the current term or immediately upon its termination. The notice is published in the Official Gazette and on the Regulator's website. Candidates have 30 days to apply. Within 30 days after the application deadline, the Council compiles a list of eligible candidates and elects the Director by majority vote. (Articles 24 and 25 of the Law on electronic media)	A person who, in addition to the requirements for board members, has at least 10 years of work experience in the field of the Regulator's scope of work shall be selected as the Director.
Conflicts of interest		
Article 15, Law on Electronic Media. Rules apply during the appointment process of the Council members, as well as before and during the mandate . With regard to determining conflicts of interest, the provisions of Article 15 of the Law shall apply accordingly to the Director.		
Incompatibilities	Holding public office at provincial or local self-government level. - Being an official in a political party. - Having ownership, interests, or employment in media service providers or related entities. - Being convicted and sentenced to at least six months of unconditional imprisonment. - Sanctioned individuals for unprofessional or unethical conduct by relevant journalistic/media bodies. - Anyone whose actions jeopardise REM's reputation, autonomy, or independence. Candidates must provide a written statement confirming none of these incompatibilities apply to them.	

10.34.3.2. Dismissal

Chairperson and Board		
Who dismisses	Procedure	
Board (Council): Parliament (National Assembly)	The National Assembly may dismiss a member of the Council upon the proposal of at least 20 deputies of the Assembly if any of the reasons from Article 19, points 1-7 of the Law on Electronic Media exist. Before making a decision on dismissal, the opinion of the Council on the existence of reasons for dismissal must be obtained, unless the procedure for dismissal of more than three members of the Council is conducted at the same time. The decision on dismissal may be issued only on the basis of a reasoned proposal, after a procedure has been carried out to determine all relevant circumstances and in which the Council member concerned has been given the opportunity to give a statement about all the circumstances.	

Chairperson and Board		
	The reason for the dismissal of the Council member may not be based on a political or other belief or membership in a political party. The decision to dismiss the Council member shall be considered passed if a majority of the total number of deputies of the Assembly votes in its favour.	
Chairperson (Director): Council	Provisions of Articles 18 and 19 of the Law on Electronic Media shall apply accordingly to the termination of the term of office of the Director	
Reasons		Judicial review
Article 19 of the Law on Electronic Media: - Deemed medically unfit to perform duties for more than six months; - Found to have submitted false or incomplete information during nomination; - Circumstances of incompatibility under Article 15 of the Law on Electronic Media arise during their mandate; - Fails or refuses to perform duties without justification for at least three consecutive months or six months within a year; - Negligence, misconduct, or unfitness causes significant harm to the Regulator's work; - Their conduct endangers the Regulator's reputation, autonomy, or independence; They violate the Council's Code of Conduct three or more times within a 12-month period.		The candidate who has not been selected to the position of the Director may initiate an administrative dispute against the decision on the election of the Director.
Prior notification	Decision made available to the public	Rules on prevention of long vacancy periods
Yes (Article 19(3), Law on Electronic Media)	In practice, such acts become part of official records, but no explicit obligation of public disclosure is foreseen.	The committee of the National Assembly responsible for information, which has an administrative and technical role, shall announce a public call for the nomination of candidates for the members of the Council no earlier than six months and no later than three months before the expiration of the term of office of the Council member, or within 15 days at the latest before the end of the term of office due to reasons provided for in Article 18(2)(4) of the Electronic Media Law. (Article 13 (1), Electronic Media Law) ³⁷⁶

³⁷⁶ The Electronic Media Law required the replacement of REM Council members. A provision was therefore introduced, requiring the replacement of REM Council members and the appointment of new ones by 4 November 2024, which did not happen. On 4 June 2024, REM requested the Constitutional Court to assess the constitutionality of this provision, arguing that it is discriminatory and only applies to the current Council. The mandate of REM Council members expired on 4 November 2024, and the National Assembly's committee failed to start the election procedure for new members. Due to this failure, four organizations filed a criminal complaint against the committee chair for not launching the election initiative as required by law. As a result, Serbia has lacked a functioning REM Council for the past year. The situation was exacerbated by the withdrawal

10.34.3.3. Assessing the adequacy of human resources

There is no specific provision on the adequacy of human resources at REM.

10.34.4. Enforcement powers and mechanisms

Power to require access to data, documents or other necessary information			
From private entities	From public entities	Procedure	Sanctions for not complying
Yes	Yes	REM monitors compliance with the Law on Electronic Media through direct oversight of media service providers, collecting and analysing data and documentation from them as well as from public authorities, associations, research, and statistics. Media service providers must supply all requested data, information, and programme recordings to ensure effective supervision. (Articles 32 and 35(3), Electronic Media Law)	REM may impose one of the following protection measures: A reprimand, warning, temporary ban on broadcasting programme content or temporary ban on broadcasting advertising messages, a temporary revocation of licence or approval for the provision of media services, or permanent revocation of the licence or approval for the provision of media services.
Power to issue warnings / order cessation of infringements			
Warnings	Procedure		
Yes	If REM determines that the media service provider has breached an obligation envisaged by Articles 61-82 of the Electronic Media Law, or an obligation arising from the requirements set out in the licence or the approval for the provision of media services, it may impose one of the following protection measures: a reprimand, a warning, a temporary ban on broadcasting programme content or temporary ban on broadcasting advertising messages, a temporary revocation of licence or approval for the provision of media services, or a permanent revocation of the licence or approval for the provision of media services. (Article 39, Law on Electronic Media)		
Orders			
Yes			
Power to impose / request the imposition by a judicial authority of fines, periodic penalties or other financial measures			
Yes	Various ranges of fines exist depending on the violation in question. REM must request either the Commercial Court or the Misdemeanour Court to impose the fine. (Articles 123- 125, Law on Electronic Media)		

of candidates due to election irregularities in January 2025, and a subsequent student blockade of RTS led to the annulment of the earlier process. A new competition for Council members began in May 2025. On 12 November 2025, the National Assembly elected 8 members of the Council REM. The procedure to elect the missing council member is underway.

Power to request the suspension or termination of services	
Yes	If REM determines that the media service provider has breached an obligation envisaged by Articles 61-82 of the Electronic Media Law or an obligation arising from the requirements set out in the licence or the approval for the provision of media services, it may impose one of the following protection measures: a reprimand, a warning, a temporary ban on broadcasting programme content or temporary ban on broadcasting advertising messages, a temporary revocation of licence or approval for the provision of media services, or a permanent revocation of the licence or approval for the provision of media services. (Article 39, Law on Electronic Media)
Power to publish a statement identifying the legal and natural person(s) responsible for an infringement and the nature of that infringement	
Yes	The Regulator records all imposed protection measures in the Media Service Register. Media service providers must publicly announce such measures—reprimands, warnings, or temporary bans—at their own expense, using the text provided by the Regulator. The announcement must appear in the relevant programme or on-demand service, as well as in a print medium covering the licensed area. (Articles 42 and 45, Law on Electronic Media)
Power to carry out, or request a judicial authority to order or authorise, inspections of the premises and the books of the AVMS providers under its jurisdiction	
No mention	

10.34.5. Transparency

10.34.5.1. Publication of the NRA's decisions

REM must make publicly available on its website, free of charge, decisions imposing measures in accordance with the Electronic Media Law and judgements in administrative disputes initiated against the Regulator's decisions. (Article 51, Law on Electronic Media)

10.34.5.2. Concerned parties' right to access background documentation concerning the decisions of the NRA

REM conducts its proceedings under the general administrative procedure, ensuring equal access to documentation for all participants, including foreign ones. Additionally, REM's work follows the principles of publicity and transparency under the Law on Free Access to Information, meaning that all information not classified as confidential must be accessible to both parties in the proceedings and the public. (Article 54, Electronic Media Law and Article 5-15, General Administrative Procedure Law)

10.34.5.3. Requirements or procedures for the reporting of the NRA's activities

In its operation, REM must act transparently, respect the demands of the public and be accountable to the public for its actions. In accordance with the law governing free access to information of public importance, it must prepare and publish the Information Booklet

on its operation and make publicly available, on its website, free of charge, the enactments issued, as well as other complete and up-to-date data and information within its scope of work. (Article 51, Law on Electronic Media)

The Council must also submit an annual activity report to the National Assembly (Article 52, Law on Electronic Media)

10.34.5.4. Appeal mechanisms to challenge NRA decisions

A final decision of the Regulator may be challenged through an administrative dispute within 30 days of its delivery. In cases involving licensing, imposition of measures, or licence revocation, the court may not decide independently on the administrative matter but may remit the matter to the Regulator for renewed decision-making (Article 55 of the Law on electronic media).

10.34.6. Debates on the independence of the NRA

Further information on the independence of REM can be found in the "Shadow Report" for 2024, which was prepared by the Independent Journalists' Association of Serbia (NUNS) and the Italian organization OBCT. According to the latter, the main problem in Serbia's media landscape is the dependence of the Regulatory Authority for Electronic Media (REM) on political authorities. The report also highlights the lack of transparency in media ownership.

Additional analyses on the REM Council election procedures and on the work of REM since the new Law on Electronic Media came into force are also available.

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