



AKOS

AGENCY FOR COMMUNICATION
NETWORKS AND SERVICES OF THE
REPUBLIC OF SLOVENIA

Country Report for Slovenia October 2014 - May 2015

1. Key developments in national legislation and status of implementation of EU laws

Ministry of Culture drafted a set of adjustments of AVMS Act, mostly in order to eliminate irregularities in transposition of the AVMS Directive. AKOS provided the assistance in areas corresponding to its competencies.

The main modification affecting the work of AKOS is the envisaged change of watershed for the programmes not suitable for children less than 12 years old. The proposal has been justified by ensuring a level-playing field for the Slovenian broadcasters in relation with their competitors licensed in other member states and consequently increasing the protection of minors. Due to the increasing market share of the foreign dedicated services that are not subjected to the Slovenian media law, the discrepancies between the rules respected by the foreign services, that are mostly allowed broadcasting such content earlier in the evening, and the ones applied to the Slovenian services affect the readiness of the Slovenian providers to respect national requirements, in concrete case to label the AV content correctly and to broadcast it only after 9 pm, as stipulated by the current AVMS Act. Instead of providing the information to which age group a certain programme is suitable, they usually resort to use of a PG label, which is not linked with any limitation in terms of time of airing. The draft bill suggested moving the current threshold from 9 pm to 8 pm, what has been endorsed by AKOS and by broadcasters.

Other changes refer to the right to short reporting in television programmes and the coverage of major events. To ensure greater clarity and legal certainty the bill also contains some nomothetic and editorial corrections.

The public consultation on the bill ends on 24 May 2015.

2. AV Classification and Labelling tool – Cooperation with NICAM

In December 2014, AKOS concluded agreement with the Netherlands Institute for the Classification of Audiovisual Media (NICAM) on adaptation and use of Kijkwijzer rating system in Slovenia. Kijkwijzer will be fully adapted to Slovenian legislation on the protection of children and minors against potentially harmful content and will be used both by AKOS in its assessments of the adequacy of the applied classifications/labels and by the Slovenian AVMS providers for classifying and labelling of their content. Currently, the draft version of the Slovenian questionnaire is being reviewed by AKOS, after which it will be tested by a mixed working group, consisting of



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representatives of AVMS providers and AKOS. In the second half of 2015, AKOS plans to promote and implement the system with NICAM's support. NICAM will provide the helpdesk and train the coders from AKOS and the ones from AVMS providers to use the classification system correctly. Since the use of the tool, dubbed "Gledoskop", will be on a voluntary basis, the Slovenian stakeholders agreed to sign a protocol of cooperation, envisaging the ways of dispute solving without a prejudice to the statutory regulation and the regulatory powers of AKOS. Unification of standards of AV content classification and implementation of uniform labelling system in Slovenia, as well as creation of the Slovenian database of classifications, are among the main anticipated outcomes, which are expected to contribute both to a greater protection of minors as to the financial savings of the broadcasters due to the shared responsibility for classifications and use of a common database.

3. Development and take-up of digital TV and radio services: forthcoming public tenders

AKOS is about to issue two public tenders, one for a national multiplex operator for DAB+ radio and the second one for national digital licenses for radio stations. The objective of creating this new platform for digital radio is to establish an additional platform, alongside the analogue radio broadcasting, and to allow better coverage of the existing radio services, as well as development of new ones. Currently the tender principles are in the process of public consultation, ending on 13 May 2015.

4. Workshop on product placement and sponsorship

In February 2015 AKOS organised a workshop on product placement and sponsorship in cooperation with Bavarian Media Regulatory Authority BLM. Ms. Johanna Fell kindly accepted our invitation and delivered a very comprehensive and insightful presentation of the cases of good and bad practice across Europe, which constituted a good background for exchange of views and sharing of experiences between the regulator, broadcasters and content producers, both on product placement and sponsorship. The common impression of the participants was that the workshop was very informative and that it contributed to strengthening of the much-needed cooperation between all relevant stakeholders.

5. Monitoring: lens on the foreign TV channels dedicated to Slovenian TV market

AKOS continued with monitoring of the compliance of the foreign dedicated channels accessible on the Slovenian digital platforms with the legal provisions on advertising. Since several breaches of the limited advertising time per hour were identified in channels TLC, Sport Klub 1 and Sport Klub 3, and non-permitted advertising interruptions of audiovisual works were discovered in Universal



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Channel, the responsible regulatory authorities were asked to react in accordance with the principles of the AVMS Directive.

Other monitoring activities were focused on compliance with provisions of Slovene music quotas in radio channels, rules on interruptions of news programmes with advertising, quotas of Slovenian and European audiovisual works in television channels and protection of minors in news programmes.

6. Cooperation with other regulators

In February 2015 AKOS hosted a TAIEX workshop on AVMS regulation and monitoring issues for the participants from the Moldavian Regulatory Authority. The meeting was a good opportunity to exchange views on regulation, share the information on monitoring practices between the two regulators, and visit RTV Slovenia to discuss the remit and current projects of the national public service broadcaster. AKOS also presented the mechanisms and practices of cooperation between the EU regulators and provided the overview of the EU *acquis communautaire* related to AVMS.

Since the switchover from analogue to digital terrestrial television is in full swing in Serbia, the delegation from the Serbian Broadcasting Authority visited AKOS in March 2015 to share the experiences from the final phase of the switchover and discuss the future of terrestrial broadcasting. Among other issues, the regulators exchanged their views on implications of the rapidly growing share of the foreign dedicated channels in the national TV markets in the region and discussed the recent cases related to protection of minors.