

Screening Chapter 10
with Croatia and Turkey



Explanatory Session, 13 June 2006

Audiovisual policy

**Protection of Minors and Public
Order - Right of Reply**

European Commission,

Information Society and Media Directorate-General

Audiovisual and Media Policies Unit

Television without Frontiers Directive



Protection of Minors (Article 22)

- 1. Member States shall take appropriate measures to ensure that television broadcasts by broadcasters under their jurisdiction do not include any programmes which might seriously impair the physical, mental or moral development of minors, in particular programmes that involve pornography or gratuitous violence.**
- 2. The measures provided for in paragraph 1 shall also extend to other programmes which are likely to impair the physical, mental or moral development of minors, except where it is ensured, by selecting the time of the broadcast or by any technical measure, that minors in the area of transmission will not normally hear or see such broadcasts.**
- 3. Furthermore, when such programmes are broadcast in unencoded form Member States shall ensure that they are preceded by an acoustic warning or are identified by the presence of a visual symbol throughout their duration.**

Television without Frontiers Directive



Incitement to hatred (Article 22a)

- **Member States shall ensure that broadcasts do not contain any incitement to hatred on grounds of race, sex, religion or nationality.**

Television without Frontiers Directive



Right of Reply (Article 23)

- **1. Without prejudice to other provisions adopted by the Member States under civil, administrative or criminal law, any natural or legal person, regardless of nationality, whose legitimate interests, in particular reputation and good name, have been damaged by an assertion of incorrect facts in a television programme must have a right of reply or equivalent remedies. Member States shall ensure that the actual exercise of the right of reply or equivalent remedies is not hindered by the imposition of unreasonable terms or conditions. The reply shall be transmitted within a reasonable time subsequent to the request being substantiated and at a time and in a manner appropriate to the broadcast to which the request refers.**

1998 Council Recommendation on the Protection of Minors and Human Dignity



- **Council Recommendation of 24 September 1998 on the development of the competitiveness of the European audiovisual and information services industry by promoting national frameworks aimed at achieving a comparable and effective level of protection of minors and human dignity - Official Journal L 270 , 07/10/1998 P. 0048 – 0055**
- **<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31998H0560:EN:HTML>**

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