

INDIREG

FINAL REPORT – ANNEX

Indicators for independence and efficient functioning of audiovisual media services regulatory bodies for the purpose of enforcing the rules in the AVMS Directive” (SMART 2009/0001)

Annex III – Issue Tables
Checks and balances
(Tables 28–35)

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VI. CHECKS AND BALANCES

Table 28 - Formal accountability

This table shows to whom the regulatory body is accountable to and through which means (e.g. reports, parliamentary questions).

Country	Body	Body accountable to		Accountability means	Legal basis
Austria	Federal Communications Board (BKS)	Parliament	Yes	Information right of Parliament restricted to questions of management	Art. 52 B-VG
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	Yes, Federal Chancellor	Information right of Chancellor restricted to questions of management	Art 20 B-VG, § 36 (6) KOG
	KommAustria	Parliament	Yes	Information right of Parliament restricted to questions of management Reporting obligation: Duty to deliver an annual report to the Federal Chancellor who presents the report to the National Assembly. Subsequently the report has to be published.	Art. 52 B-VG (information right); § 19 KOG (reporting obligation)
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	yes, Federal Chancellor	Reporting obligation/Annual report (see above). Federal Chancellor can request information of all matters pertaining to the competence of KommAustria.	§ 19 KOG (reporting obligation); Art. 20 BV-G; § 15 (1) KOG (information right for the Federal Chancellor)
		Public at large	Yes	Reporting obligation/Annual report (see above).	§ 19 KOG
		Other	Yes, Public Audit Office	KommAustria is subject to audit of the Public Audit Office.	§ 15 (2) KOG
Belgium	BE-VL: VRM	Parliament	Yes	<ul style="list-style-type: none"> Yearly activity report 	VL-media-act (218 §4 en 5); art. 15 act administrative governance (18/07/2003)
		Government as a whole	Yes	<ul style="list-style-type: none"> Yearly activity report Policy supervision (incl. "general interest considerations") by government representative in management board (1/3), possibility to appeal 	VL-media-act (218 §4 en 5), art. 15 & 23 act administrative governance (18/07/2003), art. 20 management agreement

Country	Body	Body accountable to		Accountability means	Legal basis
				<ul style="list-style-type: none"> and suspend a decision Specific reporting obligations regarding personnel and finances and evaluation of management agreement 	
		Specific ministers (e.g. Media, finance, etc.)	Yes	<ul style="list-style-type: none"> Minister Media: receives copy of every decision of VRM Supervision over decisions with financial or budget impact by government representative in management board 	VL-media-act (218 §4 en 5), art. 15 & 23 act administrative governance (18/07/2003), art. 20 management agreement
		Public at large	Yes	<ul style="list-style-type: none"> Yearly activity report Website 	VL-media-act (218 §4 en 5), management agreement
		Other	No	N/A	N/A
	BE-FR: CSA	Parliament	Yes	<ul style="list-style-type: none"> Yearly report on financial aspects Yearly activity report on performing of tasks and sanctions 	FR-media-act (146, 153)
		Government as a whole	Yes	<ul style="list-style-type: none"> government commissioner: supervision of administrative and financial management (can issue appeal to government) Yearly activity report 2 representatives of government and/or administration and 3 representatives of council of media-education participate in meetings CAV 1 representative of administration participates in meetings CAC 	FR-media-act (146, 152)
		Specific ministers (e.g. Media, finance, etc.)	Yes	<ul style="list-style-type: none"> Yearly activity report on performing of tasks and sanctions 	FR-media-act (146)
		Public at large	Yes	<ul style="list-style-type: none"> Yearly activity report on performing of tasks and sanctions Website and information bulletin 	FR-media-act (146), rules of procedure (56)
		Other	No	N/A	N/A
	BE-DE: MRat	Parliament	Yes	<ul style="list-style-type: none"> Yearly activity report 	DE-media-act (88), art. 14 rules of procedure
		Government as a whole	Yes	<ul style="list-style-type: none"> MRat under hierarchical supervision of government 	DE-media-act (96)

Country	Body	Body accountable to		Accountability means	Legal basis
		Specific ministers (e.g. Media, finance, etc.)	Yes	<ul style="list-style-type: none"> Yearly activity report Specific financial and budget reporting obligations 	DE-media-act (88), art. 14 rules of procedure
		Public at large	Yes	<ul style="list-style-type: none"> Yearly activity report Publication of information about regulatory framework, decisions, authorisations etc. on internet 	DE-media-act (88), art. 14 rules of procedure DE-media-act (104)
		Other	No	N/A	N/A
Bulgaria	CEM	Parliament	Yes	Reports	Art. 39, Law for Radio and TV
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	Up to this March CEM would hold 2 public discussions per year. Since this March its meetings are public, i.e. everyone could attend.	As in the Law for Radio and TV, art 1, paragraph 2 it is said that " in its activities takes into consideration the public interest, by defending the freedom of speech, pluralism of information and the independence of the providers of the media services"
		Other	Yes	Reports to Parliamentary Media Committee	Law for the Internal Auditing in the Public Sector, published in State Gazette, issue 27, 31.03.2006
Cyprus	Cyprus Radio-Television Authority	Parliament	Yes	Audit report	Act 7(I)/98
		Government as a whole	Yes	Audit report	Act 7(I)/98
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	Yes	Supreme Court	Article 146 of the Constitution of Cyprus
		Other	Yes	Audit report of the Auditor General of the Republic	

Country	Body	Body accountable to		Accountability means	Legal basis
Czech Republic	RRTV	Parliament	Yes	Annual Report about the state of broadcasting in the Czech Republic and about the activities of the Broadcasting Councils	Broadcasting Act , Article 6
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Denmark	The Radio And Television Board	Parliament	No	N/A	N/A
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	(Annual report – the same as to the public in large – to the Minister of Culture)	
		Public at large	Yes	Annual report + press releases after meetings or in special cases	The Order of Business of the RTB. ('Bekendtgørelse om forretningsorden for Radio- og tv-nævnet' – 28.01. 2010.)
		Other	No	N/A	N/A
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Parliament	No	N/A	N/A
		The Parliament's Committee of Cultural Affairs.	Yes	Yearly report	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A

Country	Body	Body accountable to		Accountability means	Legal basis
		Public at large	Yes	Yearly report	Estonian Public Broadcasting Act www.riigiteataja.ee/ert/act.jsp?id=12786086 English: www.kul.ee/index.php?path=0x296x323
Finland	FICORA	Parliament	No	N/A	<i>No information available</i>
		Government as a whole	No	FICORA is responsible for running the State Television and Radio Fund for Council of State and the Ministry of Transport and Communications - and reports to them. However, FICORA does not have to report about every issue to the whole government.	
		Specific ministers (e.g. Media, finance, etc.)	Yes	The Finnish Communications Regulatory Authority is an agency under the Ministry of Transport and Communications. The Ministry sets yearly general goals to the regulator in a form of a contract.	
		Public at large	No	N/A	
		Other	No	N/A	
France	CSA	Parliament	Yes	Annual report on activity and various reports on sector-related issues	Article 18, law 86-1067
		Government as a whole	Yes	Idem	Article 18, law 86-1067
		Specific ministers	No	No, though relation with the Ministry of Culture and Communication (which provides a lot of bodies and expertise to the CSA and drafts the laws) is very close to the Council.	
		Public at large	No	(No in addition to complaints handling procedure).	
		Other	No	N/A	
Germany	State Media Authorities and public broadcasting entities	Parliament	No	N/A	N/A
		Government as a whole	No	State government provides a legal supervision with limited powers	e.g. § 18 MStV BB; § 37 MDR-Interstate Treaty
		Specific ministers (e.g. Media, finance, etc.)	Yes	The regulation bodies are under legal supervision of certain state ministries, usually the State Chancellery of the Minister President ("Staatskanzlei"); respective government agency is responsible for ensuring that	e.g. § 18 MStV BB; § 37 MDR-Interstate Treaty

Country	Body	Body accountable to		Accountability means	Legal basis
				the regulatory bodies exercise their powers within the framework of the established legal and regulatory provisions. Reports	
		Public at large	Yes	Reports	Media laws
		Other	No	N/A	N/A
	BR council	Public at large	Yes	There is no formal means of reporting, such as reports or parliamentary questions	Art. 6 Abs. 1 BayRG
	WDR council	Public at large	Yes	There is no formal means of reporting, such as reports or parliamentary questions	§ 15 Abs. 12 Satz 2 WDR-Gesetz
	MDR council	Public at large	Yes	There is no formal means of reporting, such as reports or parliamentary questions	
	Rbb council	Public at large	Yes	There is no formal means of reporting, such as reports or parliamentary questions	§ 12 rbb-Interstate Treaty on Broadcasting
	(...)				
Greece	NCRTV	Parliament	Yes	<ul style="list-style-type: none"> The NCRTV presents an annual report to the President of the Hellenic Parliament who forwards it to a Parliamentary Committee (e.g. the Permanent Committee of Institutions & Transparency). The Committee's deliberations are submitted to the President of the Hellenic Parliament who forwards them to the NCRTV and, also, to the Minister who is competent for the Media sector. The Committee's deliberations may be debated at the Plenary, without a vote procedure. Besides, the Committee hold hearings of the NCRTV's Chairman and members of the Board and may render a report with recommendations to the regulatory authority (the minority's opinions are included). <p>The Committee's report, as a result of the hearings, is submitted to the Parliament's Plenary and it may become an object of a parliamentary control session, without a vote procedure.</p>	Law 2863/2000, Art.4 (4) Art. 101A § 3 Constitution of Greece, art. 2 § 1 law 3051/2002, art. 138A, 38 § 1α, 41A, 43A §§ 2 ^a & 6 standing orders of the Hellenic Parliament
		Government as a whole	No	N/A	N/A

Country	Body	Body accountable to		Accountability means	Legal basis
		Specific ministers (e.g. Media, finance, etc.)	Yes	The Media Minister	Law 2863/2000, Art.4(4)
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Hungary	National Radio and Television Board (ORTT)	Parliament	Yes	Annual report	Art I. of 1996 on Radio and Television Broadcasting
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Ireland	BAI	Parliament	Yes	The Joint Parliament/Senate Committee receives the Authority's annual report as provided by the Minister	Broadcasting Act 2009, Part 2, Section 37
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	Yes	Minister for Communications, Energy and National Resources The Minister reviews an annual report and financial report provided by the BAI.	Broadcasting Act 2009, Part 2, Section 37
		Public at large	Yes	The BAI must publish its financial accounts publicly on an annual basis	Broadcasting Act 2009, Part 2, Section 37
		Other	No	N/A	N/A
Italy	Agcom	Parliament	Yes	Annual report to Parliament But Parliament has no power to formally adopt or reject it. Annual report to the Parliament presented via the President of the Council of Ministers.	Art. 1(6) lit b), no. 12 , law no. 249/97 www.normattiva.it/dispatcher?task=attoCompleto&service=212&datagu=1997-07-31&redaz=097G0287&parControllo=si&connote=false&aggiorn=si&datavalidita=20100618 (in Italian)
		Government as a whole	No	But see above	

Country	Body	Body accountable to		Accountability means	Legal basis
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Latvia	National Broadcasting Council	Parliament	No	N/A	N/A
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	Yes	Annual report submitted to State Audit Office and later published on website www.lrvk.gov.lv and in official gazette (Latvijas Vestnesis) www.lv.lv	Radio and TV law
Lithuania	LRTK	Parliament	Yes	Report and analytical survey	PIP Art 47 Part 1 and Part 17 PIP Art 48 Part 1 Para 16
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Luxembourg	SMC/CNP	Parliament	No		
		Government as a whole	No		
		Specific	Yes, Minister of	The Minister supervises the work of the SMC as the	

Country	Body	Body accountable to		Accountability means	Legal basis
		ministers (e.g. Media, finance, etc.)	Communications and the Media	latter is to assist the former. The SMC forms the link between CNP and the Minister (see in more detail Country Report).	
		Public at large	No		
		Other	No		
Malta	Broadcasting Authority	Parliament	Yes	Annual Report including External Audited Accounts	Broadcasting Act, Arts 28 and 30
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	Full Annual Report is published on Authority's website.	Broadcasting Act, Art. 30(3)
Netherlands	CvdM	Parliament	No	But Minister of Education Culture and Science must sent their annual report to Parliament	Framework Act Independent Administrative Authorities
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	Yes	Minister f or Education Culture and Science Submission of annual report before March 15 th ; Submission of financial statement by September 1 st	Media Act 2008 Framework Act Independent Administrative Authorities
		Public at large	Yes	Obligation to publish financial report annually	Media Act 2008
Poland	National Broadcasting Council	Parliament	Yes	By the end of March each year, KRRiT has an obligation to submit to the Sejm, Senate and President an annual report on its activities during the preceding year, as well as information concerning key issues in radio and television broadcasting, 1992 Broadcasting Act, Article 12 (1). By way of resolutions, the Sejm and the Senate accept or reject the annual report. Article 12(3). In a case of rejection of the report by both the Sejm and the Senate, the term of office of KRRiT members shall expire within 14 days from the date of the last resolution to this effect. Article 12 (4).	1992 Broadcasting Act

Country	Body	Body accountable to		Accountability means	Legal basis
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	Yes	Prime minister. Each year, the KRRiT is obliged to present to the Prime Minister an annual account of its activities as well as information on key issues in radio and television broadcasting, 1992 Broadcasting Act, Article 12 (2).	1992 Broadcasting Act
		Public at large	No except customary practice	N/A	N/A
		President	Yes	By the end of March each year, KRRiT has an obligation to submit to the Sejm, Senate and President an annual report on its activities during the preceding year, as well as information concerning key issues in radio and television broadcasting, Article 12 (1). KRRiT's term of office shall not expire unless so approved by the President. Article 12(5).	1992 Broadcasting Act
Portugal	ERC	Parliament	Yes	Annual report of regulation, annual report of activities and budget (both presented and discussed before the competent Parliamentary Commission (XIII Commission on Ethics, Society and Culture), monthly information of deliberations and activities. Meetings with the competent Parliamentary Commission, whenever asked by it.	ERC Statute (Art. 73)
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	Informal accountability mechanism through public diffusion of an annual report about the general situation of the media sector, as well as activities of ERC regarding media regulation and media supervision. Site on the Internet, where all the relevant	ERC Statute

Country	Body	Body accountable to		Accountability means	Legal basis
				information, decisions, deliberations and recommendations, as well as legal and statutory norms and rules, must be publicly accessible.	
		Other	Yes	<p>Consultative Council and Court of Auditors (<i>Tribunal de Contas</i>) - exclusively as regards financial and accountability issues.</p> <p>Within the regulatory body, there is a Consultative Council, composed of 16 members representing various sectors of media activity, both public and private (other regulators, industry, unions, consumers' associations, advertisers, journalists, etc.), to whom the Regulatory Board is supposed to give some account of its work and from whom the Regulatory Board can receive opinions and suggestions.</p> <p>Court of Auditors: submission of the annual accounts for approval.</p>	ERC Statute (Art. 76)
Romania	CNA	Parliament	Yes	The NAC is a public autonomous authority under the control of the Parliament. The activity of the NAC is analysed by the Parliament by debating upon the annual report that is presented for the prior year and whenever the specialised commissions of the Parliament request from the President of the Council specific reports.	Audiovisual Law
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	Yes	Ministry of Finance	State Budget Law
		Public at large	No	N/A	N/A
Slovakia	Council for Broadcasting and Retransmission	Parliament	Yes	information about its activities and on situation in broadcasting, budgetary issues, Status, Organizational Order rada požiada,	§ 5 ACT308/2000
		Government as a whole	No	N/A	N/A
		Specific ministers	Yes	Ministry of Finance, The Council shall present to the Ministry of Finance its budget proposal for the	§ 13 ACT308/2000

Country	Body	Body accountable to		Accountability means	Legal basis
		(e.g. Media, finance, etc.)		following year and final budget report together with its justification in accordance with special regulation.	
		Public at large	Yes	to enforce the interests of the public in the exercise of the rights to information and freedom of speech, and rights of access to cultural values and education	§ 4, ACT308/2000
		European Commission	Yes	To report regularly fulfilment of specific duties by broadcasters and providers of AVMS, and cooperate with the Commission To submit for approval list of important events To report share of European works and independent productions in TV, at least every two years. At least every four years in case of AVMS sends information about European works.	§ 5 and 6 ACT308/2000
		Ministry of Culture	Yes	To provide analysis of advertising in programmes for children up to 12 years, and to provide data on media literacy. To report share of European works and independent productions in TV, at least every two years. At least every four years in case of AVMS sends information about European works.	§ 5 ACT308/2000
		Ministry of Education	Yes	To provide data on media literacy	§ 5 ACT308/2000
		Ministry of Culture	Yes	To provide data on media literacy and data on advertising in programmes for children up to 12 years	§ 5 ACT308/2000
Slovenia	APEK	Parliament	No	N/A	N/A
		Government as a whole	Yes	APEK submits Government of the Republic of Slovenia its annual report and financial plan.	Act on the APEK's establishment http://zakonodaja.gov.si/rpsi/r09/predpis_SKLE2099.html
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	APEK publishes all information of general interest on its website and provides the interested public with information also upon individual requests. The regulator is also obliged to publish all reports and adopted general acts in the Official Gazette of the	APEK Statutes www.uradni-list.si/1/objava.jsp?urlid=200568&stevilka=3018

Country	Body	Body accountable to		Accountability means	Legal basis
				Republic of Slovenia.	
		Other	Yes	APEK submits its statuses for preliminary opinion to Broadcasting Council and Electronic Communications Council, reports to them on its activities on the field of broadcasting and electronic communications and provides them with information on issues of their interest.	Act on the APEK's establishment http://zakonodaja.gov.si/rpsi/r09/predpis_SKLE2099.html
	Broadcasting Council	Parliament	Yes	Broadcasting Council submits to the Parliament annual report or assessment of the situation in the area of broadcasting and proposals for improving the situation	Mass Media Act, Art. 100
	Ministry of Culture	Parliament	Yes	Parliamentary questions (to the responsible minister)	Act on Members of the Parliament, Art. 20 www.uradni-list.si/1/objava.jsp?urlid=200524&stevilka=825
		Public at large	Yes	Ministry of Culture publishes its annual financial reports on its web site.	Access to Public Information Act (2004), Art. 10 www.ip-rs.si/index.php?id=324
	Ministry of Culture – Inspectorate for Culture and Media	Ministry for Culture	Yes	Inspectorate and a Head of the Inspectorate have to report to the Minister on regular basis and on the Minister's request.	Public Administration Act, Art. 23 and 24
Spain	CEMA	Parliament	Yes	Presentation to the Parliament of an Annual Report, which has to include a description of CEMA's activities and of the Spanish audiovisual sector. Parliament (and specifically the Committee in charge of audiovisual matters) has the right to ask questions to CEMA on audiovisual matters or the activities of the authority.	Law 7/2010 of March 31, 2010 , Art. 53
		Government as a whole	No	N/A	
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	
		Public at large	No	N/A	
	CoAN	Parliament	Yes	Advice and preparation of reports and opinions. Presentation of the Annual Report describing its activities and the audiovisual sector situation.	Art. 26. Foral Law 18/2001 of July 5 , "Regulation of audiovisual activity in Navarra and creation of Navarra Audiovisual Council"

Country	Body	Body accountable to	Accountability means	Legal basis	
		Government as a whole	Yes	Advice and preparation of reports and opinions. CoAN has to be able to answer requests of Government to make reports and opinions on audiovisual matters. The same is true if two members of parliamentary groups ask CoAN.	Regional Law 18/2001, Art. 26.1.a)
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	
		Public at large	No	N/A	
		Other	Yes	Economic and Financial Report (to the "Cámara de Comptos")	
	CAC	Parliament	Yes	Presentation to the Parliament of an Annual Report, which has to include a description of CAC's activities and of the audiovisual sector in Catalonia.	Art.12. Catalan Audiovisual Council Law 2/2000 of May 4
		Government as a whole	Yes	Presentation to the Government of an Annual Report.	
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
	CAA	Parliament	Yes	Presentation to the Parliament of an Annual Report. This report has to include a description of CAA activities.	Art. 11. Law 1/2004 of December 17, 2004 "Creación del Consejo Audiovisual de Andalucía" .
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A

Country	Body	Body accountable to		Accountability means	Legal basis
Sweden	Swedish Broadcasting Commission (until July 31, 2010)	Parliament	No	Reports	www.notisum.se/rnp/sls/lag/20021022.HTM
		Government as a whole	Yes	Reports	www.notisum.se/rnp/sls/lag/20021022.HTM
		Specific ministers (e.g. Media, finance, etc.)	No	Reports	www.notisum.se/rnp/sls/lag/20021022.HTM
		Public at large	No	Reports	www.notisum.se/rnp/sls/lag/20021022.HTM
		Other	No	N/A	N/A
	Swedish Radio and TV Authority	Parliament	No	N/A	N/A
		Government as a whole	Yes	Reports, both yearly and as a result of special assignments	www.notisum.se/rnp/sls/lag/20021022.HTM
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	The Administrative Procedural Act
		Public at large	No	N/A	N/A
		Other	Yes	The Swedish National Audit Office	<i>No information available</i>
UK	Ofcom	Parliament	Yes	Annual Financial Report (statement of accounts) to be sent to Secretary of State and Comptroller and Auditor General to be placed before Parliament as soon as possible after end of financial year. Annual Report to be send to Secretary of State and placed in Parliament as soon as possible after end of financial year. Annual oral evidence session with Chair and CEO to House of Commons Culture and Business Select Committees Written and oral evidence to House of Commons Select Committees as part of various inquiries	Clause 11 Office of Communications Act 2002 Clause 12 Office of Communications Act 2002 No legal basis – informal requirement of both committees, though instigated by OFCOM Committees can request a witness attends committee to give oral evidence – standing Order 152
		Government as a whole	No	While there is no formal overall legal accountability, OFCOM takes its public accountability and transparency seriously, and reflects in its day-to-day practices a number of best practice approaches	N/A

Country	Body	Body accountable to		Accountability means	Legal basis
				identified by Government. HM Treasury sets a cap for OFCOM's budget.	
		Specific ministers (e.g. Media, finance, etc.)	Yes	A number of reporting requirements to Secretary of State – e.g. on illegal file sharing and infrastructure (DEA 2010) and Annual and Financial Reports (as above) Ofcom also obliged to take direction from Ministers in some specific cases (as above)	Communications Act 2003 Digital Economy Act 2010
		Public at large	Yes	Wide range of public consultation requirements Opportunity for Legal Review of OFCOM decisions	Communications Act 2003
Candidate countries					
Croatia	Agency for electronic media	Parliament	Yes	Yearly reports	Zakon o elektroničkim medijima (Law on electronic media, Official Gazette 153/09 http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html)
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Former Yugoslav Republic of Macedonia	Broadcasting Council	Parliament	Yes	Annual Report and Annual Financial Plan has to be submitted The Parliament can review the Annual Financial Plan and if detects irregularities it can obligate the Broadcasting Council to submit a new one within 60 days.	Law on Broadcasting Activity
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A

Country	Body	Body accountable to		Accountability means	Legal basis
		Public at large	Yes	Annual Report and Annual Financial Plan has to be published The BC works and decides in meetings open to the public. The BC is obliged to publish the public competitions, the number of applicants, the decisions and minutes of its meetings, and the proposed agendas of its meetings in the media and on the web-site of the Broadcasting Council, as well as to inform the public about its work, through the media, at least once every three months. The BC is obliged to organize public meetings with all the stakeholders, at least once every three months to enable them to be informed about the work of the Council and to provide the stakeholders with an opportunity to present their views and opinion on the situation in the field of broadcasting.	Law on Broadcasting Activity (Art. 33 and 35)
		Other	No	N/A	N/A
Turkey	RTÜK	Parliament	Yes	RTÜK has to submit an official response to queries submitted by MPs during the parliamentary sessions.	<i>No information available</i>
		Government as a whole	No	Relations of the government with the Supreme Council are conducted by the Prime Minister	Law No. 3984 (Art. 14)
		Specific ministers (e.g. Media, finance, etc.)	No	The state minister responsible of media is also responsible of the regulator.	N/A
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Potential candidate countries					
Albania		Parliament	Yes	KKRT must report each year to the Parliament. The Parliamentary Commission on Education and Public Informing Means holds a hearing about the KKRT report. A draft resolution is then drafted and the annual report of the Chairman is sent to the plenary session of Parliament. The reporting does not cover the financial aspects.	Law 8410, dated 30.09.1998, with its changes and additions
		Government	No	N/A	N/A

Country	Body	Body accountable to		Accountability means	Legal basis
		as a whole			
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Bosnia and Herzegovina	Communications Regulatory Agency	Parliament	Yes	The Parliament nominates the members of Agency's Council and hence they are accountable to the Parliament. Their obligation is to submit replies to all parliamentary questions. Parliament considers annual auditory report of the Communications Regulatory Agency.	Art. 39 of the Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03 Law on the Auditing of the Financial Operations of the Institutions of BiH, (Official Gazette of BiH no.17/99, 12/06)
		Government as a whole	Yes	The Council of Ministers receives from the Agency the annual report of its finances and activities to.	Art. 44 of the Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	Having public consultations before making the rules and codes. Access to information, documents and decisions further to Freedom of Access to Information Act.	Art. 38 of the Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03 Freedom of Access to Information Act , Official Gazette no 28/00
		Other	Yes	Industry. Having public consultations before making the rules and codes.	Art. 38 of the Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03
Montenegro	Broadcasting Agency of Montenegro	Parliament	Yes	Submit proposal of the annual financial plan for the next year (art. 23. Para 3 Law on Budget). Submit the proposal of the annual financial report with the annual activity report for the previous year before April 30 of the current year (art. 50. Paras 2 and 3 Law on Budget).	Law on Budget
		Government as a whole	No	N/A	N/A
		Specific	Yes	Submit the Financial Report to the Ministry of Finance	Law on Budget

Country	Body	Body accountable to		Accountability means	Legal basis
		ministers (e.g. Media, finance, etc.)		(Article 53 Para 1 Law on Budget).	
		Public at large	Yes	<p><i>Article 8</i> In order to carry out the broadcasting development strategy, the Agency shall adopt instructions in accordance with the European standards in compliance with principles contained in the Article 3 of this Law. Instruction shall be adopted with the aim to regulate in detail the relations and procedures regulated by the provisions of this Law in the cases of unauthorized practices of broadcasters that can refer to technical aspects of broadcasting, advertising, sponsorship, programme quotas, etc. The instructions shall be adopted transparently, along with obligatory public debate, and published in the "Official Gazette of the Republic of Montenegro".</p> <p><i>Article 21</i> The Agency Council shall: adopt and publicize operating reports and interim and annual statement of accounts of the Agency;</p> <p><i>Article 22</i> The activities of the Agency Council shall be public. The Agency Council shall meet when needed, at least once a month (regular session).</p> <p><i>Article 28</i> The financial plan shall be public and publicized in the manner prescribed by the Agency Statute. All income and expenditure accounts of the Agency shall be subject to annual audit by the independent authorized auditor, hired by the Agency Council. The Agency is obliged to publish in the Operating Bulletin, not later than within three months from the end of the fiscal year, the annual operating report and the report of the authorized auditor on the annual</p>	Broadcasting Law

Country	Body	Body accountable to		Accountability means	Legal basis
				account, as well as to make them available in a convenient manner to every interested party.	
		Other	No	N/A	N/A
Serbia	Republic Broadcasting Agency	Parliament	No	(Agency publishes annual reports)	N/A
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	This is only general accountability applicable to all state authorities – e.g. through freedom of information act Also Agency publish Annual reports	Broadcasting Law, art. 29, 36. Statute art. 30-31
		Other	No	N/A	N/A
Kosovo	IMC	Parliament	Yes	Submission of annual reports, Amending and adaption of the Laws and strategies, Selection of the Council Members	The Law on IMC www.assembly-kosova.org/common/docs/ligjet/2005_02-L15_en.pdf
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	Sending document for public comments	www.assembly-kosova.org/common/docs/ligjet/2005_02-L15_en.pdf
		Other	No	N/A	N/A
EFTA countries					
Iceland	Broadcast Licensing Committee	Parliament	No	N/A	N/A
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A

Country	Body	Body accountable to		Accountability means	Legal basis
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Liechtenstein	Media commission	Parliament	Yes	Parliamentary questions Financial control commission Annual report of media commission to government and parliament (parliament takes note of the report)	Media Law of October 19, 2005, LGBl. 2005 Nr. 250 Law on the Promotion of Media of September 21, 2006, LGBl. 2006 Nr. 223
		Government as a whole	Yes	State control over media commission Appeal to government in case of complaints against decisions of the media commission	See above
		Specific ministers (e.g. Media, finance, etc.)	No	Minister of traffic and communication in practice is the first address in government concerning media	N/A
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Norway	The Media Authority and Norwegian Post and Telecommunications Authority (NPT)	Parliament	No	Auditing by the Office of the Auditor General of Norway	<i>No information available</i>
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	Yes	Reporting	Unwritten parts of the Constitution + the Public Administration Act
		Public at large	No	N/A	N/A
		Other	No	N/A	N/A
Switzerland	Ofcom	Parliament	Yes	Reports, parliamentary questions, consultations	Federal Act on Government and Administration
		Government as a whole	Yes	Reports, questions	
		Specific ministers (e.g. Media, finance, etc.)	Yes	Consultations, reports	

Country	Body	Body accountable to		Accountability means	Legal basis
		Public at large	No	N/A	
		Other	No	N/A	
	ICA	Parliament	Yes	The ICA has to reply to the parliamentary interventions regarding itself.	<i>No information available</i>
		Government as a whole	Yes	The ICA has to submit an annual report on its activities to the Federal Council.	Art. 83 par. 2 RTVA Art. 22 ICA regulation
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	The ICA has to inform the public of its position and its activities. It makes public the decisions on its website. It publishes its report in the four Swiss official languages.	Art. 87 RTVA Art. 20 ICA regulation
		Other	No	N/A	N/A
Selected third countries					
Australia	Australian Communications and Media Authority	Parliament	Yes	Financial Statements, Annual report, Communication Report, Portfolio Budget Statements, Industry information, e.g. statistical and information journals	Legislative <i>No further information available</i>
		Government as a whole	Yes	Financial Statements, Annual report, Communication Report, Portfolio Budget Statements, Industry information, e.g. statistical and information journals	
		Specific ministers (e.g. Media, finance, etc.)	Yes	Minister for Broadband, Communications and the Digital Economy	
		Public at large	Yes	Annual Report, Communications Report, Industry Publications	
		Other	No	N/A	
USA	Federal Communications Commission	Parliament	Yes	US Congress (legislature) can demand investigation or audit by Government Accountability Office, semi-annual audits by Office of the Inspector General	Inspector General Act of 1978 Budget and Accounting Act of 1921
		Government as a whole	Yes	(same as above)	(same as above)

Country	Body	Body accountable to		Accountability means	Legal basis
		Specific ministers (e.g. Media, finance, etc.)	Yes	(same as above)	(same as above)
		Public at large	Yes	Transparency and publication procedures	Administrative Procedure Act of 1946 Freedom of Information Act of 1966 Government in the Sunshine Act of 1972
		Other	No	N/A	N/A
Japan	MIC	Parliament	Yes	Answer parliamentary questions and/or submit reports	The Diet Act
				Submit policy evaluation report*	The Government Policy Evaluations Act
		Government as a whole	Yes	Mutual coordination and liaison among the Administrative Organs of the State	The National Government Organization Act
		Specific ministers (e.g. Media, finance, etc)	Yes	Submit information upon request of the Board of Audit**	The Constitution The Board of Audit Act
				Submit policy evaluation report to the MIC (Administrative Evaluation Bureau)*	The Government Policy Evaluations Act
		Public at large	Yes	public consultation disclose policy evaluation reports	The Administrative Procedure Act The Basic Act on Central Government Reform
		Other	Yes	Seek opinions from advisory bodies that have outside experts as members	The Law establishing the Ministry of Internal Affairs and Communications
				Publish policy evaluation reports in press releases and pick-up copies held at PR centres, as well as posting on an Internet web site	The Government Policy Evaluations Act
<p>Although not required by law, the MIC publishes a white paper each year for the general public.</p> <p>* All ministries are required to conduct policy evaluation. Report containing all results is prepared and submitted by the MIC to the Diet as well as the public each summer, before the closing of budgetary requests. .</p> <p>** Final accounts of the expenditures and revenues of the State shall be audited annually by a Board of Audit and submitted by the Cabinet to the Diet, together with the statement of audit, during the fiscal year immediately following the period covered. The organization and competency of the Board of Audit shall be determined by law. (Article 90 of the Constitution). The board of audit does not belong to any ministry and is independent from the Cabinet. (Art. 1 & 2 of the Board of the Audit Act). See www.jbaudit.go.jp/engl/pdf/contents01_status.pdf</p>					

Country	Body	Body accountable to		Accountability means	Legal basis
Singapore	Media Development Authority	Parliament	Yes	Annual report	S.50 MDA Act
		Government as a whole	Yes	Annual report, Auditor-General report	S.50 MDA Act
		Specific ministers (e.g. Media, finance, etc.)	Yes	Annual report and regular reports as the Minister may want	S.50 MDA Act
		Public at large	Yes	Parliamentary Questions, Feedback mechanisms	<i>No information available</i>
		Other	No	N/A	N/A

Table 29 - Reporting obligation

This table is aimed at understanding the scope of the reporting obligation.

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
Austria	KommAustria	Federal Chancellor and Minister for Transport, Innovation and Technology. The Federal Chancellor shall submit the report to the Parliament and, in addition, shall publish the report in an appropriate manner.	Annual	Regulatory environment; decisions taken; information on a multitude of particular regulatory activities (e.g., digital broadcasting, mobile TV, frequency spectrum, licenses, monitoring of advertising, dispute resolution, etc.); market development (data; statistics), staff and budget.	No	No	No	§ 19 KOG For the latest report see: www.rtr.at/de/komp/KBericht2009/K-Bericht_2009.pdf
Belgium	BE-VL: VRM	Parliament / government / general public	Annual	General reporting obligation (activities, budget, finances...) art. 15 adm. governance act 18/7/2003	No	No	No	2009: www.vlaamseregulatormedia.be/media/12535/jaarverslag%202009.pdf Source: art. 218 VL-media-act
		Minister Media	Sending copy of every decision	"Every decision"	No	No	No	VL-media-act (218 §4 en 5)
		Different ministers	Different periodicities	<ul style="list-style-type: none"> Staff and HR decisions Reporting on progress management contract 	Yes	No	No	Art. 20 management contract VRM

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
	BE-FR : CSA	Parliament / government	Annual	<ul style="list-style-type: none"> Report on financial aspects Activity report on performing of tasks and sanctions 	Yes, about complaints handling	No	No	FR-media-act (146)
	BE-DE : MRat	Parliament / Government	Annual	Activity report	No	No	No	DE-media-act (88), art. 14 rules of procedure
Bulgaria	CEM	Parliament	Twice a year: by October 31 and by March 31.	Main activities: <ul style="list-style-type: none"> licensing monitoring digitalization regulation Financial activities International cooperation	Yes Though this is not specified. The statistics always cover decision taken by the Council, number of monitored operators, number of complaints, number of sanctions (and fines), number of sanctions appealed etc.	Not specified	No	www.cem.bg/cat.php?id=106
Cyprus	Cyprus Radio-Television Authority	Parliament/ and Auditor General of the Republic and Cabinet of ministers	Annual	<i>No information available</i>	Not provided in the Law	Yes	<i>No information available</i>	<i>No information available</i>
Czech Republic	RRTV	Chamber of Deputies	Annual	Activities, state of affairs	Yes	Yes	Yes – in the past Consequence: After repeated disapproval by Parliament (Chamber of Deputies), the whole Czech	www.rrtv.cz/cz/static/zpravy/index.htm

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
							Broadcasting Council is dismissed.	
Denmark	The Radio And Television Board	The Radio And Television Board	Annual	The Board's activities within the areas covered by the Board's regulation	No	No	No	Executive Order Concerning rules of procedure for the Radio And Television Board www.retsinformation.dk/Forms/R0710.aspx?id=130031 (not available in English) Section 18 The newest available annual report is from 2009, see www.bibliotekogmedier.dk/medieo/mraadet/radio-og-tv-naevnet/aarsberetninger/
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	The Parliament's Committee of Cultural Affairs.	Annual	Fulfilment of PsB remit	No	No	No	
Finland	FICORA	Ministry of Transport and Communications	Plan of annual objectives every year Report every 6 months Financial statements every year	<ul style="list-style-type: none"> internal financial auditing performance linked to objectives/clearly defined indicators 	Yes: detailed information about functions and services	No The Ministry gives a statement to the report, not a formal approval/disapproval. (But if FICORA would fail to reach the goals really badly, that could be a reason to give the director general a	No	www.ficora.fi/index/viestintavirasto/suunnittelujaseuranta.html (in Finnish) www.ficora.fi/attachments/suomial/5oLBIVTjD/Liikenne-ja_viestintaministerion_ja_Viestintaviraston_valinen_tulossopimus_vuodelle_2010.pdf (in Finnish)

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
						warning for neglecting his/her duties).		
France		Parliament	Yearly	Activities	No (some information contained in the annual Loi de Finances	No	N/A	?
		Government as a whole	?	?	?	?	?	?
Germany	SMA	Parliament/ministry/body/sector/public (if more than one, cover in separate rows)	Between annual and five years	<i>No information available</i>	Yes	No	No	reports on financing and activities; see e.g. www.lpr-hessen.de/default.asp?m=309 or the "Schlussberichte" at http://www.alm.de/258.html
	BR council	no formal reporting obligation to a parliament, ministry, government body or specific sector exists	N/A	N/A	N/A	N/A	N/A	N/A
	WDR council	no formal reporting obligation to a parliament, ministry, government body or specific sector exists	N/A	N/A	N/A	N/A	N/A	N/A
	rbb council	no formal reporting obligation to a parliament, ministry, government body or specific sector exists	N/A	N/A	N/A	N/A	N/A	N/A
Greece	NCRTV	Annual report: The Hellenic Parliament & also the Minister who is competent for the Media sector Special reports: The Hellenic Parliament	Annual	Supervision activities Annual report: scope not defined Special reports: scope not defined	No	No	No	www.esr.gr

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
		(<i>N.B.</i> Optional reporting)						
Hungary	National Radio and Television Board (ORTT)	Parliament/ministry/body/sector/public (if more than one, cover in separate rows) Parliament	Annual	<p>Previous year activity with an evaluation of:</p> <ul style="list-style-type: none"> the status of freedom of opinion and the dissemination of information in terms of balance changes in the ownership structure media companies frequency management linked to broadcasting the market for broadcasting. <p>The report must be published in the official journal of the ministry directed by the minister in charge of cultural affairs.</p>	Yes see previous column	Yes	No	www.ortt.hu
Ireland	BAI	Minister for Communications, Energy and National Resources – Financial report submitted	Annual	Financial auditing, income and expenditure	All financial records must be made available	No	No	Broadcasting Act 2009, Part 2, Section 37
		Minister for Communications, Energy and National Resources - Annual Report	Annual	A progress report on BAI's activities, its strategies for the future and records of board and committee attendance	Details of board attendance required	No	No	Broadcasting Act 2009, Part 2, Section 37

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
Italy	Agcom	Parliament	Annual	Evaluation of activities carried out and work programmes Audiovisual, electronic communications, publishing, human resources and organisation	The report shall contain indication on activities carried out and work programmes; data and statements in the sector of competence, with regard to technological development, resources, revenues and capital, the diffusion potential and actual audience shares, the plurality of views in the information system, the cross-ownership between radio, television, newspapers, magazines and other media.	No	No	www.agcom.it/Default.aspx?message=contenuto&DCId=5
Latvia	National Broadcasting Council	State Audit Office	Annual	Financial – i.e. use of state subsidy and overall performance but not linked to specific indicators.	Yes Monitoring performance, licences issued, sanctions applied, international cooperation	Yes	No	www.lrvk.gov.lv
Lithuania	LRTK	the Seimas during its plenary sitting	Annual	General report and a statement on financial activities	No	Not specified in laws, but in practice, approval takes place	<i>No information available</i>	PIP Art 47 Part 1 and Part 17

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
		the Seimas	Every 2 years	Analytical survey on the implementation of Lithuania's audiovisual policy, the development and prospects for expansion of national audiovisual services` market, statistics and reasoning concerning broadcasters` compliance with requirements on European works, necessary remedies	No, only about performance of broadcasters	Not specified in laws	<i>No information available</i>	PIP Art. 48 Part 1 Para 16
Luxembourg	CNP	Parliament/ministry/body/sector/public (if more than one, cover in separate rows)						
		There are no specific reporting obligations. Yet, the CNP voluntarily publishes its annual reports on its website and provides the Minister / SMC with information required by these.						
Malta	Broadcasting Authority	Parliament	Annual	Operational, Financial, and Audiences	No	Yes	No	Broadcasting Act, Art. 30 www.ba-malta.org/annual_reports
Netherlands	CvdM	Annual report to be sent by Commissariaat voor de Media to Minister of Education Culture and Science by March 15 Minister must send the annual report to Parliament Annual publication of financial statement by Commissariaat voor de Media before	Annual	The report describes the task performance and policies. The report also describes the policies concerning the quality	Yes	Yes, by Minister of Education Culture and Science	No	http://wetten.overheid.nl/BWBR0020495/geldigheidsdatum_04-01-2010#Hoofdstuk3

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
		September 1.						
Poland	National Broadcasting Council	Parliament and President	Annual	By the end of March each year, KRRiT has an obligation to submit to the Sejm, Senate and President an annual report on its activities during the preceding year, as well as information concerning key issues in radio and television broadcasting, 1992 Broadcasting Act, Article 12 (1).	No (no legal requirement) Note: Statistical information is in fact always included in the annual report. The 1998 Broadcasting Act states that it should give "information concerning key issues in radio and television (article 12.1) which can be interpreted as statistical data being necessary.	Yes	Yes In 2008 both Sejm and Senate disapproved the annual report, but the President did not support this disapproval. Also, in 2004 Sejm disapproved the KRRiT annual report, but the report was accepted by the Senate. In sum, the term of KRRiT has never been shortened as a result of reports' disapproval.	1992 Broadcasting Act www.krrit.gov.pl/bip/Portals/1/Documents/Broadcasting_Act.pdf
		Prime Minister	Annual	Each year, the KRRiT is obliged to present to the Prime Minister an annual account of its activities as well as information on key issue in radio and television broadcasting, 1992 Broadcasting Act, Article 12 (2),	As above	No	As above	As above

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
Portugal	ERC	Parliament	Annual (Besides that, monthly information must also be sent o the Parliament)	State of the media sector; Regulation and supervision activities; Monitoring activities; Financial and budgetary information.	Statistical data about own performance are usually provided in the annual reports of ERC, although no specific legal or statutory obligation on that exists.	No	No	ERC Statute (see Article 73 ⁹) Regulation Reports Annual Accounts
			Monthly	Compendium of decisions	No	No	No	Source: Article 73 of ERC Statute
		Court of Auditors (<i>Tribunal de Contas</i>)	Annual	Annual Accounts	no	Yes	No	Annual Accounts
Romania	CNA	Parliament	Annual and whenever the Parliament request from the NAC specific reports.	Overview of the NAC's activity - The report of the Parliament upon the annual activity report of the NAC refers to the legality of the Council's activities, as well as to the accuracy and transparency of the financial operations.	No	Yes	No	www.cna.ro/-Annual-reports-.html
Slovakia	Council for Broadcasting and Retransmission	Parliament	Annual	information about its activities and on situation in broadcasting, budgetary issues, Status, Organizational Order	Yes, in yearly report, there is a number of data required	Yes	No	Act 308/2000, § 5

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
		Ministry of Finance	Annual although this is not explicitly provided.	The Council shall present to the Ministry of Finance its budget proposal for the following year and final budget report together with its justification in accordance with special regulation	Yes, actual spending	Yes	No	Act 308/2000, § 5
		Ministry of Education	Term not mentioned in law. Is on demand.	To provide data on media literacy	No	No	No – this is a new duty	Act 308/2000, § 5
		Ministry of Culture	Term not explicitly mentioned in the law.	To provide data on media literacy and data on advertising in programmes for children up to 12 years	No	No	No – this is a new duty	Act 308/2000, § 5
Slovenia	APEK	Government	Annual	Annual plan, financial plan and annual report	Yes	Yes	No	Act on establishment of APEK http://zakonodaja.gov.si/rpsi/r09/predpis_SKLE2099.html
	Broadcasting Council	Parliament	Annual	Annual report or assessment of the situation in the area of broadcasting and proposals for improving the situation	No, but some statistical data on own performance have been included in previous reports.	No	No	Report on 2008 available here: www.srdf.si/sl/aktualno_porocila_o_delu
	Ministry of Culture – Inspectorate for Culture and Media	Ministry/Minister	Annual (at least) and on the request of Minister	Report on the work of the inspectorate and on all relevant issues from the scope of the work of the inspectorate.	Not specified in the law.	Not specified in the law.	No	Public Administration Act, Art. 23 and 24

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
Spain	CEMA	Parliament	Annual	Description of its activities and analysis of audiovisual sector	No explicit rule	No	N/A	Art. 53 Law 7/2010 of March 31 2010
	CAC	Parliament/Government	Annual	Description of its activities and analysis of audiovisual sector	No explicit rule	No	N/A	Art.8.3 Catalan Audiovisual Council Law 2/2000 of May 4
	CoAN	Parliament	Annual	Description of its activities and analysis of audiovisual sector (especially on media pluralism, protection of minors and human dignity)	Yes Activity indicators.	No	N/A	Art. 26. Foral Law 18/2001 of July 5, "Regulation of audiovisual activity in Navarra and creation of Navarra Audiovisual Council"
		Cámara de Comptos	Annual	Financial auditing	Yes	No	No	Cámara de Comptos
	CAA	Parliament	Annual	Description of its activities	No explicit rule	No	N/A	Art. 11. Law 1/2004 of December 17, 2004 "Creación del Consejo Audiovisual de Andalucía".
Sweden	Swedish Broadcasting Commission (until July 31, 2010)	Ministry of Culture	Annual	Financial, reports, number of cases and results, self-evaluation, etc.	Yes (financial data, number of cases examined and results, investments, etc.)	Yes	No	http://www.grn.se/upload/PDF-filer/info/%C3%85rsredovisning%202009.pdf
	Swedish Radio and TV Authority	Ministry of culture	Annual	Yes, for decisions taken on certain expenses and investments.	Yes, for decisions taken on certain expenses and investments.	Yes, by external auditing.	No	www.rtv.se/_upload/infomaterial/Årsredovisning%202009_webb.pdf
UK	OFCOM	Parliament	Annual	All activity	Yes: KPI's in relation to performance: statistical record of all activity	No	No	Obligations are set out in a number of governing Acts of Parliament including: <ul style="list-style-type: none"> Office of Communications Act 2002 Communications Act 2003

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
								<ul style="list-style-type: none"> Wireless Telegraphy Act 2006 Broadcasting Act 1996 Enterprise Act 2002 Digital Economy Act 2010
Candidate countries								
Croatia	Agency for electronic media	The director of the agency once a year reports to the Croatian parliament on the work of the agency, which report is part of the report on the work of the Council. The report is submitted to the Committee on information, computerization and the media of the Croatian Parliament, the plenary parliamentary session.	Annual	Work and budget	No	Yes	No	www.sabor.hr/Default.aspx?sec=2665
Former Yugoslav Republic of Macedonia	Broadcasting Council	Parliament Public	Annual	All operations	Financial data Data on measures undertaken against broadcasters Market data	No The Parliament can only review the Annual Financial Plan and if detects irregularities it can oblige the Broadcasting Council to submit a new one within 60 days.	No	Law on Broadcasting Activity (Art.33 and 35)

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
Turkey	RTÜK	Parliament and Turkish Court of Accounts	Annual	General	Yes	No	No	Parliament achieves
Potential candidate countries								
Albania	KKRT	Parliament/ministry/body/sector/public (if more than one, cover in separate rows) Parliamentary Commission on Education, and Public Informing Means	Annual	As defined by the law 8410, with its changes and additions	Yes	Yes	Yes No further information available	No information available
Bosnia and Herzegovina	Communications Regulatory Agency	Council of Ministers of Bosnia and Herzegovina	Annual	Annual report of Agency's finances and activities	Yes	Yes	No	Article 44 of the Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03
Montenegro	Broadcasting Agency of Montenegro	Parliament	Annual See Table 28	Financial aspects and annual activity report	No	No	No	
		Public	Semi-annual and Annual See Table 28	Financial aspects, annual operating report and report of the independent auditor.	No	No	No	
Serbia	Republic Broadcasting Agency	The BA stipulates that the RBA publishes annual report on its work as defined by the RBA Statute, which in return only refers to the publication on the RBA's website.	Annual	Not defined	No	No	No	RBA Report for 2008 www.rra.org.rs/files/1240576576Izvestaj%20o%20radu%20RRA%20za%202008.pdf (in Serbian) RBA Report for 2007 www.rra.org.rs/files/1240576515Izvestaj%20o%20radu%20RRA%20za%202007.pdf (in Serbian)

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
								RBA Report for 2006 www.rra.org.rs/files/1233762843lzvestaj%20o%20radu%20RRA%20za%202006.%20godinu.pdf (in Serbian)
Kosovo	IMC	Parliament	Annual	Regulatory Activities and Budget Expenses	No	Yes	Yes	www.assembly-kosova.org/common/docs/ligjet/2005_02-L15_en.pdf
EFTA countries								
Iceland	Broadcast Licensing Committee	Parliament/ministry/body/sector/public (if more than one, cover in separate rows).	None	None	N/A	N/A	N/A	Broadcast Licensing Committee
Note: There are no formal reporting obligations on the Broadcast License Committee. The committee has not published a report since for the years 1995–1997.								
Liechtenstein	Media commission	Government	Annual	Members of media commission Decisions of media commission Activities of media commission Allocation of financial means to support media	No	Yes	No	www.llv.li/pdf-llv-rk_rb2008_verkehr_und_kommunikation.pdf
Norway	The Media Authority	Ministry of Culture	Annual	All decisions with regard to licensing, violation of regulations etc. are public Reports on the economy of the media, etc.	No	No	No	www.medietilsynet.no/no/Om-Medietilsynet/Arsmeldinger1/

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
Switzerland	Ofcom	Parliament/ministry	Annual	Financial auditing, performance linked to objectives and clearly defined indicators	Yes Results of cost and activity accounting, achievement of objectives	Yes Approval of the Federal Finance Administration	No	www.bakom.admin.ch/org/jahresberichte/
		Public	Annual	Same as above	Yes Same as above	No	No	www.bakom.admin.ch/org/jahresberichte/
	ICA	The Federal Council	Annual (art. 83 par. 2 RTVA)	ICA composition, financial state, complaints proceedings, legal precedents, decisions of the Supreme Court, international activities	No	Yes	No	www.ubi.admin.ch (Cf under "documentation") www.ubi.admin.ch/de/dokumentation_jahresberichte.htm
Selected third countries								
Australia	Australian Communications and Media Authority	Parliament Ministers Other specific hearings	Annual and targeted	Compliance and performance	Yes	No	No	Specific requirement in Australian Communications and Media Authority Act. However, the main requirements are those which apply to all statutory authorities under federal law, not specific to communications.
USA	Federal Communications Commission	US Government at large (accessible to public)	Annual or on demand	Annual report (general), performance budget, financial reports, accountability reports	Yes, particularly for financial data per the relevant US regulations	Per internal procedures; no outside approval from legislature required, though the legislature can demand updates or improvement	Unknown. If so, a corrected report would have been released to the public within the legally mandated time frame.	www.fcc.gov/omd/strategicplan/

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
Japan	MIC	MIC (Administrative evaluation Bureau)	Annual	Performance linked to objectives and clearly defined indicators	Broadly yes The law requires the evaluation should 1) use as quantitative a method as possible, 2) employ outside experts as appropriate. (Statistical data may be considered necessary but the indicator may vary depending on each policy objective e.g.broadband coverage, airtime ratio of subtitled programmes for those with hearing impairment, overseas seminars organised by the MIC)	Yes	No	www.soumu.go.jp/english/aeb/index.html www.soumu.go.jp/main_sosiki/hyouka/seisaku_n/pes.html (in English)
		No Ministries may hold public consultation if needed						
Singapore	Media Development Authority	Parliament	Annual	Report of "proceedings and policy"	The 2003/4 annual report seems to mark a change. That report was the usual annual report with financial information. The annual report from 2004	The Minister must accept before it goes to Parliament.	No	www.mda.gov.sg/AboutUs/Pages/Annualreports.aspx
		Minister						

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
					<p>onwards did not have such any financial information. Further, reports on the work done on such controversial areas as censorship is missing. In the 2009/10 annual report, the word censorship is completely absent.</p> <p>(source: research of the consortium)</p> <p>According to MDA, the full set of annual financial reports are included in all the annual reports submitted to parliament. It explains the fact the post 2004 reports do not cover censorship by the fact that MDA was focusing on classification and co-regulation.</p>			

Table 30 - Auditing of work undertaken

This table shows if the regulatory body is subject to periodic external auditing, either by a private or a national audit office.

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
Austria	KommAustria + RTR-GmbH (broadcasting)	Yes (cf. Table 27)	Annual	No	Yes Private audit firm appointed by the general assembly	No	Limited liability company law (GmbH-Gesetz)
Belgium	BE-VL: VRM	Yes	Continuous, after request of the minister or government	Yes Management board VRM, government representative, revisor, administration of finance and budget, internal audit Flemish community, inspection of finance, Rekenhof, government, parliament	Yes Budget has to be checked by commissioner-revisor	No	Art. 19 management agreement VRM
	BE-FR : CSA	Yes	Continuous	Yes Bureau CSA (internal), government representative (presence at meetings), revisor, administration of finance and budget, inspection of finance, Rekenhof (monitoring financial reporting), government, parliament	Yes Budget has to be checked by commissioner-revisor	No	Art. 152-152 FR-media-act
	BE-DE : MRat	Yes	Continuous	Yes Internal audit	No	N/A	Art. 44-47 act on administrative management

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
				service & budget and financial supervision by Rekenhof			(25-05-2009)
Bulgaria	GEM	Yes	Annual	Yes National Audit Office	No	Yes Internal audit	Law for the Internal Auditing in the Public Sector
Cyprus	Cyprus Radio-Television Authority	Yes	Annual	Yes Auditor General of the Republic	No	No	Constitution Reply CRTA: Act 7(I)/98
Czech Republic	RRTV	No	N/A	N/A	N/A	N/A	N/A
Denmark	The Radio And Television Board	No	N/A	N/A	N/A	N/A	N/A
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Yes	Annual	No	Yes	No	Estonian Public Broadcasting Act
Finland	FICORA	Yes	Annual	Yes National Audit Office of Finland <ul style="list-style-type: none"> financial audit performance audit www.vtv.fi/en (in English)	Yes KPMG Oy	No	The Constitution Act on the National Audit Office 676/2000 www.finlex.fi/fi/laki/ajantasa/2000/20000676 (in Finnish)
France	CSA	No	N/A	N/A	N/A	N/A	N/A
Germany	SMA	Yes	<i>No information available</i>	Yes Audit court	No	No	e.g. § 113 LMedienG NRW; § 54 Abs. 2 ThürLMG; § 49 Abs. 4 MStV HSH
	BR as body itself (including Broadcasting Council)	Yes	Annual	Yes Audit court	No	No	Art. 13 BR-G

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
	WDR as body itself (including Broadcasting Council)	Yes	Annual	Yes Audit court	No	No	§ 42 WDR-G
	rbb as body itself (including Broadcasting Council)	Yes	Annual	Yes Audit court	Possible; audit courts decides	No	§ 30 rbb StV
Greece	NCRTV	No	No	No	No	No	No
Hungary	National Radio and Television Board (ORTT)	Yes	Annual	Yes The State Audit Office shall audit the financial management of the Board.	Yes Private Audit Company	No	Art I. of 1996 on Radio and Television Broadcasting Audit by private company not stated by law.
Ireland	BAI	Yes	The Minister can determine the frequency.	No	No	Yes Any individual appointed by the Government	Broadcasting Act 2009, Part 2, Section 37
Italy	Agcom	No (in addition to budget, see above)	N/A	N/A	N/A	N/A	N/A
Latvia	National Broadcasting Council	Yes (as in Table 27)	Annual	Yes State Audit Office	No	No	Law on the State Audit Office
Lithuania	LRTK	No Note: LRTK is subject to non-periodic audit by National Audit Office of Lithuania as specified under the Law on State Control, <i>Official Gazette</i> , No. 112-4070, 30 December 2001, last amended on 14 November 2008, No.	N/A	N/A	N/A	N/A	N/A

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
		X-1827, text available in English at www.vkontrole.lt/en/regulatory_law.shtml (access 2010-04-06)					
Luxembourg	CNP	No		There is no formal auditing, but the work is followed by the SMC and Ministry of Communication and the Media			Art. 29(2) Loi 1991
Malta	Broadcasting Authority	Yes	No fixed date	Yes	No	No	National Audit Office Act, 1997
Netherlands	CvdM	Yes	Every 5 years Minister sends a report every five years to both houses of parliament in order to assess the effectiveness and efficiency of the functioning of an independent administrative	Yes Minister of Education Culture and Science; who sends the evaluation report to Parliament. The report is prepared by a private audit firm.	No	No	Art. 39 Framework Act Independent Administrative Authorities
Poland	National Broadcasting Council	Yes	Annual	Yes Financial accountability of KRRiT is controlled by the national audit office (Supreme Chamber of Control - NIK). For more details, see the country report on Poland.	No	No	Public Finances Act of 30 June 2005, Official Gazette, No 249, item 2104 The Constitution of the Republic of Poland, Articles 202 – 207 Act on Supreme Chamber of Control 23 December 1994 (Official Gazette No 13, item 59)
Portugal	ERC	Yes	Monthly/ annual	Yes A permanent auditor is appointed by	No	No	ERC Statute ; Art. 73

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
				Parliament.			
Romania	CNA	Yes	Annual	Yes	No	No	State Budget Law (Law no. 94/1992 on the organization and functioning of the Romanian Court of Accounts, republished in the Romanian Official Journal no. 282/29.04.2009 AND Government Decision no. 34 of 22 January 2009 on the organization and functioning of the Ministry of Finance)
Slovakia	Council for Broadcasting and Retransmission	No	Power is given in theory, it is unknown if it has been used	Yes Supreme Audit Office	No	No	Powers of the Supreme Audit Office.
		Yes	Annual	Yes Final budget report Ministry of Finance	No	No	Act 308/2000
Slovenia	APEK	No APEK is not subject of regular external auditing by the Court of Audit. Still, some of its operations/actions might be subject of occasional audit by the Court of Audit, depending on the case selected by the Court for auditing.	Depends on case selected for auditing by the Court of Audit (last time in 2008 in pre-audit procedure on a spectrum-related controversial issue)	Yes Court of Audit of Republic of Slovenia	No	No	Court of Audit Act (2001)
	Ministry of Culture	Yes	Annual (as all other direct users of the state budget)	Yes Court of Audit of Republic of Slovenia	No	No	Court of Audit Act (2001)
Spain	CEMA	No, except for financial accountability, see	N/A	N/A	N/A	N/A	N/A

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
		Table 27					
	CAC	No, except for financial accountability, see Table 27	N/A	N/A	N/A	N/A	N/A
	CoAN	No, except for financial accountability, see Table 27	N/A	N/A	N/A	N/A	N/A
	CAA	No, except for financial accountability, see Table 27	N/A	N/A	N/A	N/A	N/A
Sweden	Swedish Broadcasting Commission (until July 31, 2010)	Yes	Annual	Yes	No	No	Regulatory brief of the Broadcasting Commission
	Swedish Radio and Television Authority	Yes	Annual	Yes	No	No	<i>No information available</i>
UK	OFCOM	Yes	Every 2 years	Yes National Audit Office	No	No	Office of Communications Act 2002
Candidate countries							
Croatia	Agency for electronic media	No (only financial, as in table 27)	N/A	N/A	N/A	N/A	N/A
Former Yugoslav Republic of Macedonia	Broadcasting Council	Yes	Annual	Yes State Audit Office	Yes	No	Art. 35 of the Law on Broadcasting Activity
Turkey	RTÜK	Yes	The last report published in 17/02/2010 covered the years 2006-2007-2008	Yes State Audit Board of the Presidency of the Republic (not regular)	No	No	Art. 10 of Law no 3984

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
				Turkish Court of Accounts (Regular)			
Potential candidate countries							
Albania	KKRT	Yes	Every 3 to 4 years	Yes The Supreme State Audit	No	No	The law on Supreme State Audit
Bosnia and Herzegovina	Communications Regulatory Agency	Yes	Annual	Yes State Audit (mandatory)	Yes But optional. Based on the Law on Communications, the Agency may decide to engage an independent auditor	No	Art. 44 of the Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03
Montenegro	Broadcasting Agency of Montenegro	Yes	Annual	No	Yes	No	External auditing is regulated only for all income and expenditure accounts.
Serbia	Republic Broadcasting Agency	Yes However, not undertaken due to S.A.I. lack of resources	Annual	Yes State Audit Institution	Yes in 2007 www.rra.org.rs/files/izvestaj_revizora_za_2007.pdf (in Serbian)	No	Art. 34 Broadcasting Law
Kosovo	IMC	Yes Note, however, that no audit was undertaken in the past three years.	<i>No information available</i>	Yes Office of General Auditor	No	No	Law on Auditing
EFTA countries							
Iceland	Broadcast Licensing Committee	Yes	Annual	Yes Ríkisendurskoðun (The Icelandic National Audit Office)	No	No	Law on the National Audit Office 1997 (English translation not available)
Liechtenstein	Media commission	No	N/A	N/A	N/A	N/A	N/A

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
Norway	The Media Authority	Yes	<i>No information available</i>	Yes Routine audit made by National Audit Office	No	No	The Public Administration Act
	Norwegian Post and Telecommunications Authority (NPT)	No	<i>No information available</i>	Yes Routine audit made by National Audit Office	No	No	The Public Administration Act
Switzerland	Ofcom	Yes	No	Yes Parliamentary Commissions	No	No	Art. 7 Federal Act on the Federal Assembly (Parlamentsgesetz - ParlG (SR 171.10))
Selected third countries							
Australia	Australian Communications and Media Authority	Yes	Annual	Yes The Australian National Audit Office	No	No	The ACMA is subjected to the same audit requirements as apply to all bodies seen as forming part of the federal government. These are contained in a number of financial, budget and audit Acts and delegated legislation.
USA	Federal Communications Commission	Yes	Semi-annual or on demand	Yes Office of the Inspector General, Government Accountability Office	No	No	Inspector General Act of 1978, Budget and Accounting Act of 1921
Japan	MIC	No Audit done by MIC itself	Every 3 to 5 years	No	No	No	The Government Policy Evaluation Act
Singapore	Media Development Authority	Yes	Annual	Yes Auditor General's Office	No	No	This is done by the Singapore government of all its agencies.
	ASAS	Yes	Ad hoc	Yes Accountant	No	No	This is done in accordance with company law.

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
				General's Department			

Table 31 - Power to overturn/instruct

This table shows if (regardless of an appeal lodged against a decision) any other body can overturn the decisions of the regulator or give it instructions.

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
Austria	KommAustria	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	§ 36 KOG
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	§ 6 (1) KOG. Members of KommAustria are independent in their official activities and not bound to instructions. Formal independence of KommAustria was introduced in 2010 with amendments to the KommAustria Act (BGBl. I 2010/50 of July 19, 2010; in particular: § 6 (1) KOG) which enters into force by October 1, 2010. Hitherto, KommAustria was bound to instructions of the Federal Chancellor.
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
	Federal Communications Board (BKS)	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	§ 36 (3) KOG
	Federal Communications Board (BKS)	Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	§ 37 (1) KOG Members of BKS are independent in their official activities and not bound to instructions.
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		legal instructions which exclude instructions on political grounds)?						
Belgium	BE-VL: VRM	Does anybody have the power to overturn decisions of the regulator?	Management board	Yes	No	Not without changing regulatory framework	No	VL-media-act (218)
			Chambers	No	No	Not without changing regulatory framework	No	VL-media-act (218)
		Does anybody have the power to give instructions to the regulatory body?	Management board	No	Yes, at least indirect via management contract	Not without changing regulatory framework	No	VL-media-act (218)
			Chambers	No	Yes, government can assign specific tasks	Not without changing regulatory framework	No	VL-media-act (218)
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	Management board	No (supervision including legality check, general interest check ...)	N/A	N/A	N/A	VL-media-act (218)
			Chambers	N/A	N/A	N/A	N/A	VL-media-act (218)
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on	Management board	N/A	Yes, limitations formulated by legal framework for management agreement	N/A	N/A	VL-media-act (218)
			Chambers	N/A	No, government can issue tasks	N/A	N/A	VL-media-act (218)

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		political grounds)?			"when needed"			
	BE-FR: CSA	Does anybody have the power to overturn decisions of the regulator?	Bureau	No	Yes, via appeal lodged by government representative	Not without changing regulatory framework	No	FR-media-act (140-142, 152)
CAC & CAV			No	Yes, via appeal lodged by government representative	Not without changing regulatory framework	No	FR-media-act (135-136, 152)	
Does anybody have the power to give instructions to the regulatory body?		Bureau	No	Yes at least indirect via financial long-term contract	Not without changing regulatory framework	No	FR-media-act (140-142, 152)	
		CAC & CAV	No	Yes at least indirect via financial long-term contract, government can also ask CAC to investigate issues or ask CAV to give advice	Not without changing regulatory framework; parliament can ask CAV for advice on specific issues	No	FR-media-act (135-136, 152)	
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	Bureau	N/A	Yes Limited to decisions and functioning of CSA contrary to regulatory framework or endangering financial equilibrium	N/A	N/A	FR-media-act (140-142, 152)
			CAC & CAV	N/A	Yes Limited to decisions and functioning of CSA contrary to regulatory	N/A	N/A	FR-media-act (135-136, 152)

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
					framework or endangering financial equilibrium			
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Bureau	N/A	Yes, limitations formulated by legal framework	N/A	N/A	FR-media-act (140-142, 152)
			CAC & CAV	N/A	Yes, limitations formulated by legal framework	N/A	N/A	FR-media-act (135-136, 152)
	BE-DE: MRat	Does anybody have the power to overturn decisions of the regulator?	MRat-REG	No	Yes, limited to violations of legal acts	Not without changing regulatory framework	No	DE-media-act (96)
			MRat-ADV	No	No	No	N/A	DE-media-act (111-116)
		Does anybody have the power to give instructions to the regulatory body?	MRat-REG	No	Yes, government can point MRat-REG to infractions on legal framework; also indirect influence via negotiations on budget or staff	Not without changing regulatory framework	No	DE-media-act (96)
			MRat-ADV	No	No	No	N/A	DE-media-act (111-116)
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude	MRat-REG	N/A	Yes, limited to violations of legal acts	N/A	N/A	DE-media-act (96)
			MRat-ADV	No	No	No	N/A	DE-media-act (111-116)

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	MRat-REG	N/A	Yes, limitations formulated by legal framework	N/A	N/A	DE-media-act (96)
			MRat-ADV	No	No	No	N/A	DE-media-act (111-116)
Bulgaria	CEM	Does anybody have the power to overturn decisions of the regulator?	No CEM decisions are subjected to appeals in front of the Supreme Administrative Court.	No	No	No	No	Art. 38 of Law for radio and TV
		Does anybody have the power to give instructions to the regulatory body?	Yes	No	No	No	Yes National Audit Office	Art. 31 and 36 of Law for the Internal Auditing in the Public Sector
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to	Yes Guarantees against any	N/A	N/A	N/A	Yes See first column	Art 20 and 36 of Law for radio and TV

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	political (and economic) interference are given in the Law for radio and TV.					
Cyprus	Cyprus Radio-Television Authority	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	Yes	Yes. The Minister of Interior may give instructions of general nature to the authority in relation to the exercise of its competence which are necessary for the general interest of the Republic. The Minister of Education and Culture also has power to give instructions in the field of the protection of the quality of language used in programs in accordance with the language policy of the Republic.	Yes. The Minister of Interior is the head of the Ministry of Interior which is part of the Government. The Council of Ministers may by order define the issues which pertain to the exercise of public authority and the preservation of general state interests.	Yes, in the sense that the Parliament approves legislation delineating the competence of the authority.	No	Section 10, 32, Radio and Television Law Act 7(I)/98
		Are there limitations in the power to	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		overturn (e.g. limited to legal supervision, which would exclude political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
Czech Republic	RRTV CTU	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Broadcasting Act
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?						
Denmark		Does anybody have the power to overturn decisions of the regulator?	Yes	Yes If the Minister of Culture delegates a specific task to the RTB outside the specified and defined area for the RTB, the Minister can overturn decisions or recommendations. In other cases: No	No	No	No	The Broadcasting Act § 40, 5.
		Does anybody have the power to give instructions to the regulatory body?	Yes	Yes See above	No	No	No	The Broadcasting Act § 40, 5.
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	Yes	Yes See above	N/A	N/A	N/A	The Broadcasting Act § 40, 5.
		Are there	Yes	Yes	N/A	N/A	N/A	The Broadcasting Act § 40, 5.

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?		See above				
Estonia	Estonian Public Broadcasting Council (only responsible for Estonian Public Broadcasting)	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>
Finland	FICORA	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	Yes	Yes Ministry of Transport and Communications The ministry sets the goals for agencies under its supervision.	No	No	No	See for example www.lvm.fi/web/en/40
		Are there limitations in the power to overturn (e.g. limited to legal	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		supervision, which would exclude political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Yes	Yes There is a certain procedure how the Ministry of Transport and Communications supervises FICORA via the annual negotiations on setting the goals for the regulator.	N/A	N/A	N/A	www.ficora.fi/index/viestintavirasto/suunnittelujaseuranta.html
France	CSA	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No (unless through a change of the law)		
		Does anybody have the power to give instructions to the regulatory body?	No	No	Yes to a limited extent. The prime minister can ask a second deliberation on some very specific issues which have frequency implications or involve local governments- Article 6) (In theory there is no room for any power or entity to give instructions to the CSA (within	Yes Can require specific reports on dedicated issues	No	

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
					the framework of its prerogatives as defines by the law). Obviously as the CSA depends on parliament and government for its funding, the government's position is rarely ignored).			
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?						
Germany	State Media Authorities and Public Broadcasting Entities	Does anybody have the power to overturn decisions of the regulator?	No LMA are independent of the state and outside of the control of the government.	No	No	No	No	e.g. § 18 MStV; § 37 MDR-Interstate Treaty

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Does anybody have the power to give instructions to the regulatory body?	No Legal supervision by state government is limited to obvious breaches of legal provisions (limited ex post supervision, no ex ante instructions)	No	No	No	No	<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	BVerfGE 73, S. 118ff. (165).
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
	BR	There is no authority that can instruct the BR Broadcasting Council or its members to make a specific decision or give a specific order; the Bavarian State Ministry of Sciences, Research and the Arts is only entitled to take measures, if the competent organs of the BR (including the internal pluralistic supervisory body of the Broadcasting Council) have failed to fulfil at all or sufficiently their duties within an adequate period of time.						<i>No information available</i>
	WDR	No, see above						

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
	rbb	There is no authority that can instruct the rbb Broadcasting Council or its members to make a specific decision or give a specific order.						
Greece	NCRTV	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Art. 101A § 1 Constitution of Greece, art. 1 § 1 law 2863/2000, art. 2 § 1 law 3051/2002
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	Art. 101A § 1 Constitution of Greece, art. 1 § 1 law 2863/2000, art. 2 § 1 law 3051/2002
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
Hungary	National Radio and Television Board (ORTT)	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Act I. of 1996 on Radio and Television Broadcasting

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	Act C of 2003 on Electronic Communications
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
Ireland	Broadcasting Authority of Ireland	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	Yes	Yes The Minister may confer on the Authority by order any additional functions as he or she may deem necessary	No	No	No	Broadcasting Act 2009, Part 2, Section 26

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	See above	See above	N/A	N/A	N/A	N/A
Italy	Agcom	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Art. 1, para 1, law no. 249/97 www.normattiva.it/dispatcher?task=attoCompleto&service=212&datagu=1997-07-31&redaz=097G0287&parControllo=si&connote=false&aggiorn=si&datavalidita=20100618 (in Italian)
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	Yes (data provided by AGCOM)	No	General principle of constitutional law (data provided by AGCOM)
		Are there limitations in the power to overturn (e.g.	N/A	N/A	N/A	N/A	No	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		limited to legal supervision, which would exclude political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
Latvia	National Broadcasting Council	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Radio & TV law
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	Radio & TV law
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?						
Lithuania	LRTK	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Art. 47.13 of the Law on Provision of Information to the Public
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		grounds)?						
Luxembourg	CNP	Does anybody have the power to overturn decisions of the regulator?	Yes *In fact, the CNP does not have any formal decision-making powers. Yet, it determines whether a case is pursued or not. Only if the CNP becomes active can the Minister become involved. The CNP's action is therefore a prerequisite for the Minister's involvement. The Minister, in turn, is free to follow the CNP's proposition or, otherwise, ignore it.	√*			Court	Art. 35(2) Loi 1991 Art. 3 Règlement 1992 (general Administrative law)
		Does anybody have the power to give instructions to the regulatory body?	√ *The Minister for Communication and the Media may request topics to be included on the agenda of the CNP.	√*				Art. 3 Règlement 1992

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	√					
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	√ The request only refers to the agenda, so the CNP has to deal with the issue. There is no instruction possible as to the outcome of the discussion and decision.					
Malta	Broadcasting Authority	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	Yes	No	No	Yes	Yes The President of the Republic	Constitution of Malta, Article 118
		Are there limitations in the power to overturn (e.g. limited to legal supervision,	N/A	N/A	N/A	N/A	N/A	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		which would exclude political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Yes Limited to legal supervision only	N/A	N/A	Yes See first column	Yes See first column	<i>No information available</i>
Netherlands	CvdM	Does anybody have the power to overturn decisions of the regulator?	Yes	Yes	No	No	No	Framework Act Independent Administrative Authorities Media Act 2008
		<p>According to Section 23 of the Framework Act Independent administrative bodies If the Minister may undertake necessary measures if he has the opinion the authority's tasks are seriously neglected. These arrangements are, except for urgent cases, not taken earlier than after the independent authority had the opportunity, within a period specified by the Minister, to carry out its tasks properly. The Minister shall inform both houses of parliament immediately of steps taken by him.(Framework Act Independent Administrative Authorities Section 23)</p> <p>According to section 7.9 Media Act decisions of the CvdM can be suspended or annulled by the Minister during 8 weeks after reception of copy of decision (Media Act 2008, Chapter 7.9; Framework Act Independent Administrative Authorities Section 22)</p>						
		Does anybody have the power to give instructions to the regulatory body?	No	N/A	N/A	N/A	N/A	Framework Act Independent Administrative Authorities
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude	No	No	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
Poland	National Broadcasting Council	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source	
		legal instructions which exclude instructions on political grounds)?							
Portugal	ERC	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>	
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>	
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Romania	CNA	Does anybody have the	No (But the	No	No	No (But the regulator	No	<i>No information available</i>	

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		power to overturn decisions of the regulator?	regulator says that this is possible)			says that this is possible)		
		Does anybody have the power to give instructions to the regulatory body?	No (But the regulator says that this is possible)	No	No	No (The Parliament could make suggestions to optimize the instructions, but only on the Year Report).		<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
Slovakia	Council for Broadcasting and Retransmission	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
Slovenia	APEK	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
	Ministry of Culture-Inspectorate for Culture and Media	Does anybody have the power to give instructions to the regulatory body?	Yes, power to give directions and instructions	Yes According to the Public Administration Act it is the Minister who has power to give directions and instructions to bodies within competences of his/her ministry. It is limited to legal instructions or instructions aimed at efficient work of the body, and exclude instructions on political grounds	No	No	No	Public Administration Act, Art. 23, Public Officials Act, Art. 23

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
Spain	CEMA	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
	CAC	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
	CoAN	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
	CAA	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A
Sweden	Swedish Broadcasting Commission (until July 31, 2010)	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	Yes	Yes But only in terms of general frameworks, not specific cases	Yes But only in terms of general frameworks, not specific cases	No	No	<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions	Yes Political/ministerial intervention in the activities	Yes See first column	Yes See first column	N/A	N/A	Constitution

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		(e.g. limited to legal instructions which exclude instructions on political grounds)?	of regulators is forbidden by the Swedish constitution					
UK		Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>
		Does anybody have the power to give instructions to the regulatory body?	Yes	Yes Ministers can direct Ofcom in relation to what can and cannot be advertised	Yes (as for minister – no constitutional difference)	No	No	Communications Act 2003 s 321
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Yes See above	Yes See above	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source	
Candidate countries									
Croatia	Agency for electronic media	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>	
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>	
Former Yugoslav Republic of Macedonia	Broadcasting Council	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Law on Broadcasting Activity	
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No		
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A	Law on Administrative Disputes
		Are there limitations in the power to give instructions (e.g. limited to	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source	
		legal instructions which exclude instructions on political grounds)?							
Turkey	RTÜK	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Art. 39 of Law No. 3984	
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No		
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source	
Potential candidate countries									
Albania	KKRT	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>	
		Does anybody have the power to give instructions to the regulatory body?	Yes, it must abide by all The Regulatory body – KKRT has to adhere to the legal provisions of the primary and by pass laws as well as National Strategies being adopted from the government	No	The National Strategies on radio and television broadcasting may be drafted from KKRT and are adopted from the Government	No	No	<i>No information available</i>	
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		instructions which exclude instructions on political grounds)?						
Bosnia and Herzegovina	Communications Regulatory Agency	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03. “Neither the Council of Ministers, nor individual Ministers nor any other person shall in any way interfere in the decision-making of the Agency in individual cases”. Article 36 of the Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03.
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	

Country	Body			Ministry/Minister	Government	Parliament	Other	Source	
Montenegro	Broadcasting Agency of Montenegro	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Broadcasting Law	
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No		
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Serbia	Republic Broadcasting Agency	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	According to the Broadcasting Law, art 6 (2) <i>"The Agency is an autonomous legal person and is functionally independent of any state body, as well as of all organisations and</i>	

Country	Body			Ministry/Minister	Government	Parliament	Other	Source	
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>persons involved in the production and broadcasting of radio and television programmes and/or related activities.</i> " (emphasis added)	
Kosovo	IMC	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	<i>No information available</i>	
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	<i>No information available</i>	
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source	
EFTA countries									
Iceland	Broadcast Licensing Committee	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	The Broadcasting Act (2000)	
		Does anybody have the power to give instructions to the regulatory body?	No	No	No	No	No	The Broadcasting Act (2000)	
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Liechtenstein	Media commission	Does anybody have the power to overturn decisions of the regulator?	Yes	No	Yes Government as a Control body Government has the right to see all	No	No	Art. 88 Media Law of October 19, 2005, LGBl. 2005 Nr. 250	

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
					documents and have all information			
		Does anybody have the power to give instructions to the regulatory body?	Yes	No	Yes Government can force media commission to omit something or to act in order to fulfil legal tasks and respect laws	No	No	Art. 88 Media Law of October 19, 2005, LGBl. 2005 Nr. 250
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	Yes, only legal and financial supervision is allowed, not political supervision	N/A	Yes See first column	N/A	N/A	<i>No information available</i>
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Yes, only legal instructions are allowed by the government, not political instructions	N/A	Yes See first column	N/A	N/A	<i>No information available</i>
Norway	The Media Authority	Does anybody have the power to overturn decisions of the regulator?	Yes	Yes The Ministry of Culture has the power to overturn the Norwegian Media Authority in all decisions	No	No	No	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
				related to audiovisual matters.				
		Does anybody have the power to give instructions to the regulatory body?	Yes	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	Yes <i>No further information available</i>	See first columns	N/A	N/A	N/A	<i>No information available</i>
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Yes The Norwegian Media Authority cannot be instructed when evaluating the Norwegian state public service broadcaster remit, and in decisions according to the act on ownership in Media. The Norwegian Media Authority may be instructed in other	N/A	N/A	N/A	N/A	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source	
			decisions, example decisions relating to audiovisual matters. Instructions in legal matters may only be given on a legal basis. Instructions related to administrative matters may be given on a political ground.						
	Norwegian Post and Telecommunications Authority (NPT)	Does anybody have the power to overturn decisions of the regulator?	Yes	Yes The Ministry of Transportation and Communications	No	No	No	<i>No information available</i>	
Switzerland	Ofcom	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	Federal Act on Radio and Television / Federal Act on the Administrative Procedure	
		Does anybody have the power to give instructions to the regulatory body?	Yes	Yes	Yes	Yes	No	Art. 38(1) Government and Administration Organisation Act (GAOA)*	
		Heads of Departments can resort to unlimited rights to instruct and control staff members of Federal Offices and to encroach tasks to themselves (Art. 38 (1) RVOG).							
		Are there limitations in the power to overturn (e.g.	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		limited to legal supervision, which would exclude political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Yes	Yes Government and Administration have to act on the grounds of the Constitution and the laws.	Yes See previous column	Yes See previous column	N/A	Federal Act on Government and Administration Organisation
Selected third countries								
Australia	Australian Communications and Media Authority	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>
USA	Federal Communications Commission	Does anybody have the power to overturn decisions of the regulator?	Yes	No (there is no relevant ministry/minister in the US)	Yes US President (executive) US President can overturn decisions by special order.	Yes US Congress (legislature) US Congress can overturn decisions with a new statute or alteration to existing statute	No	US Constitution
		Does anybody have the power to give instructions to the regulatory body?	Yes US court system can give instructions within rulings in cases brought by	Same as above	Yes US President (executive) US President can give instructions by special order.	Yes US Congress (legislature) US Congress can give instructions in a new statute or alteration to	No	US Constitution

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
			public (see above).			existing statute.		
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	Yes All must be within the system of check and balances, among the three branches of the federal government, as per the US Constitution.	Same as above	See first column	See first column	N/A	US Constitution
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Yes All must be within the system of check and balances, among the three branches of the federal government, as per the US Constitution.	Same as above	Same as above	Same as above	N/A	US Constitution
Japan	MIC	Does anybody have the power to overturn decisions of the regulator?	Yes	Prime Minister	No	No	No	Art. 8 of the Cabinet Act provides for the Prime Minister's a power to suspend administrative measures Art. 72 of the Constitution states that the Prime Minister exercises control and supervision over various administrative branches
		Does anybody have the power to give instructions to the regulatory body?	Yes	Prime Minister	No	No	No	Art. 72 of the Constitution states that the Prime Minister exercises control and supervision over various administrative branches

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision)?	No (not clear)	N/A	N/A	N/A	N/A	No information available
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	No (not clear)	N/A	N/A	N/A	N/A	No information available
Apart from the above rare cases, administrative decisions may face court challenges. Court decisions may overturn the administrative decisions.								
Singapore	Media Development Authority	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	N/A
		Does anybody have the power to give instructions to the regulatory body?	Yes	Yes Provided not inconsistent with the provisions of the MDA Act.	No	No	No	Section 13 of the MDA Act
		Before the decision of the MDA is carried out, the Minister would ensure that the decision is in line with what he and the Singapore government wants. There has never been a case where a decision of the MDA conflicts with policies of the Singapore government. To the contrary, there have been recommendations by consultative committees of the MDA that have been shot down, quite publicly, by the Minister.						
		Are there limitations in the power to overturn (e.g.	N/A	N/A	N/A	N/A	N/A	N/A

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		limited to legal supervision, which would exclude political supervision)?						
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Yes	Yes	N/A	N/A	N/A	MDA Act, Sec 13(1)

Table 32 - Number of stages in appeal procedure

The following tables are concerned with the appeal procedure relating to decisions taken in relation to the enforcement of the rules listed in the AVMS directive (eg. non-compliance with quota requirements if binding, advertising, protection of minors, etc.). The stages include the internal stages.

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
Austria	Federal Communications Board (BKS)	External	1	Supreme Administrative Court	No	Party	Art. 130, 144 B-VG (Federal Constitutional Law)
			2	Constitutional Court			
	KommAustria	External	1	Federal Communications Board	No	Party	§ 36 KOG

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
			2	Supreme Administrative Court			Art. 130, 144 B-VG (Federal Constitutional Law) The Federal Communications Board is set up at the Federal Chancellery to control the decisions of the KommAustria. It decides as the highest appellate authority on appeals against decisions of KommAustria, with the exception of appeals in administrative penal cases. The decisions of the Federal Communications Board are not subject to revocation or amendment by administrative action. Appeals against decisions of the Federal Communications Board may be filed with the Administrative Court. In matters concerning KommAustria, the Federal Communications Board is the superior authority within the meaning of the regulations governing the proceedings.
			3	Constitutional Court			
Belgium	BE-VL: VRM (chambers) Note: Decisions of management board can be overruled and suspended by minister, including because of "reasons of general interest" and/or legality concerns	Internal: request for reconsidering by relevant chamber	1	Informal appeal	No	All concerned parties	General principle of administrative law
		External: appeal at council of State (administrative court) or civil courts	1	Administrative and civil appeal		All concerned parties	General administrative and civil procedure law
	BE-FR : CSA	Internal: request for reconsidering by relevant chamber	1	Informal appeal	No	All concerned parties	General principle of administrative law
		External: appeal of government representative to government	1	Administrative appeal	No	Government representative	152 FR-media-act

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
		External: appeal at council of State (administrative court) or civil courts	1	Administrative and civil appeal	Yes	All concerned parties, also specific explicit possibility for government	General administrative and civil procedure law, 137 FR-media-act
	BE-DE : MRat-REG	Internal: request for reconsidering	1	Informal appeal	No	All concerned parties	Art. 95 DE-media-act
		All decisions of the MRat-REG can be appealed before the Council of State	1	Administrative appeal	No	All concerned parties	Art. 95 DE-media-act
Bulgaria	CEM	External	1	Supreme Administrative Court-3 member chamber	No internal procedures	The operator	Art. 38 of the Law for radio and TV
			2	Supreme Administrative Court-5 member chamber		Both sides, i.e. operator or CEM	
Cyprus	Cyprus Radio-Television Authority	External	1	Supreme Court	No	Party affected by a violation	Art. 146 of the Constitution
Czech Republic	RRTV	Internal		None	No	Participants involved	<i>No information available</i>
		External	1	Municipal Court			
			2	Supreme Administrative Court			
			3	Constitutional Court			
Denmark	The Radio And Television Board	Internal	1	None	Not relevant	Not relevant	Executive Order Concerning rules of procedure for the Radio And Television Board www.retsinformation.dk/Forms/R0710.aspx?id=130031 (not available in English). Section 11

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
		External	1	(Usually two stages in court cases, special cases may apply for third stage) City court			
			2	Regional court			
			3	High court (in some cases)			
Estonia	Ministry of Culture	No appeal procedure In relation to the enforcement of the rules listed in the AVMS, there is no appeal procedure		N/A	N/A	N/A	N/A
Finland	FICORA	External	1	Administrative Court www.oikeus.fi/17598.htm	No	Person or company whom the agency decisions concern	The Constitution of Finland Act on Television and Radio Operations 9.10.1998/744 www.finlex.fi/fi/laki/ajantasa/1998/19980744 (in Finnish) The Administrative Judicial Procedure Act 586/1996 www.finlex.fi/fi/laki/kaannokset/1996/en19960586.pdf (in English) www.finlex.fi/fi/laki/ajantasa/1996/19960586 (in Finnish)
			2	The Supreme Administrative Court www.kho.fi/en/21404.htm			
France	CSA	Internal		None	No, but the process is generally the following: Letter to the regulatee reminding it of the law and its obligations If breach continues, official	The entity concerned by the decision	General Administrative Law
		External	1	Conseil d'Etat			

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
					notification ("mise en demeure") The regulatee can then lodge a « recours gracieux” If such recourse is not accepted by the CSA and the alleged breach continues, the CSA can take a sanction Such a sanction can be directly appealed before the Conseil d'Etat (no intermediate chamber)		
Germany	SMA	Internal	1	Respective SMA	Objection (procedures based on administration laws) Court proceedings	Addressee of the measures Addressee of the measures; partially competitors, e.g. related to selections; SMA	Media and administration laws
		External	1	Administrative court			Media and administration laws
			2	Higher Administrative Court (Appeal)			
			3	Federal Administrative Court (Appeal)			

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
	PSBs	No appeal procedure Decisions by the council are not binding third parties; hence, there are no external addresses; internally the head of the broadcaster (Intendant) is bound to the decision of the board		N/A	N/A	N/A	N/A
Greece	NCRTV	Internal	1	NCRTV <i>Comment:</i> A formal complaint is brought before the authority which issued the act based on the general right to petition public authorities, as guaranteed by article 10 of the Constitution	No	Those who can plausibly claim that the NCRTV's contested acts cause material or moral damage to their legal interests	Art. 10 Constitution of Greece, art. 24 law 2690/1999
		External	1	Administrative Courts/Interim Relief Committee of the Council of State: Application for the suspension of execution of the NCRTV's contested acts		The persons who can plausibly claim that the NCRTV's contested acts violate their legal interests II. The Minister who	Art. 5 § 8, law 2863/2000

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
			2	Administrative Courts/ The Council of State: Application for substantive judicial review/Application for annulment of the NCRTV's acts		is competent for the Media sector	
Hungary	National Radio and Television Board (ORTT)	External	1	Court 1 - Metropolitan court	No	The party whose right or lawful interest is damaged	The administrative code, Code on civil procedure, Act I. of 1996 on Radio and Television Broadcasting
			2	Court 2 - Budapest High Court of Appeal			
Ireland	BAI	Internal	1	Authority	No	The licence holder	Broadcasting Act 2009, Part 5, Section 54
		External	1	The High Court			
Italy	Agcom	External	1	Administrative Court	No	Anybody who has direct interest in the question	Art. 2, Law n. 481/1995 www.normattiva.it/dispatcher?task=attoCompleto&service=212&datagu=1995-11-18&redaz=095G0522&parControllo=si&connote=false&aggiorn=si&datavalidita=20100616 (in Italian)
			2	Council of State			
Latvia	National Broadcasting Council	External	1	Court of First Instance	No	Those directly affected by a Council decision	Radio & TV law
			2	Appeal Court			
			3	Court of Cassation			

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
Lithuania	LRTK	External	1	Vilnius Regional Administrative Court	No	Those alleging violation of their rights or interests	PIP Art 47 Part 13 Lithuanian Law on Administrative Proceedings, as last amended 22 June 2010, Official Gazette, No. 76-3872, available in Lithuanian at www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=377094 (accessed 06 August 2010) Lithuanian Code of Administrative Violations (ATPK), as last amended on 10 June 2010, Official Gazette, No. 34-1615, available in Lithuanian at www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=376299 (accessed 06 August 2010)
			2	Supreme Administrative Court			
Luxembourg	SMC/CNP	External	1	Tribunal Administratif*		Each natural or legal person being affected by a revocation of his license or restriction of his rights.	Art. 35(6) Loi 1991
			2	Cour administrative			
Malta	Broadcasting Authority	Internal	1	<i>No information available</i>	Yes	<i>No information available</i>	<i>No information available</i>
		External	1	First Court			
			2	Appeals can be lodged even up to the Constitutional Court			
Netherlands	CvdM	Internal	1	CvdM board	Yes	Parties whose interests are (likely to be) affected by the decision	General Administrative Law Act (Chapter 6)
		External	1	Administrative Court			
			2	Council of State, Administrative Jurisdiction Division			
			3	European Court of Human Rights			
Poland	National Broadcasting	Internal	1	no internal appeal body	No	Entities which are	1992 Broadcasting Act

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
	Council	External	1	Appeal to Voivodship Court		subjects of the decisions	Art. 56 of the Broadcasting Act
			2	Appellation Court			
			3	Appeal to Supreme Administrative Court			
Portugal	ERC	Internal	1	Regulatory Board of ERC	No	The entity for which the decision of the Regulatory Board was unfavourable.	Article 161 Decree-Law 442/91, of 15 November
		External	1	Court of Law			ERC Statute (article 75) Article 46 Law 15/2002 of 22 February
Romania	CNA	Internal		None	No	Normative documents issued by the Council may be contested at the competent administrative court by any person who considers itself prejudiced thereby.	Civil and Penal Code Audiovisual Law
		External	1	Local Justice Court			
			2	County Appeal Court			
			3	Highest Court of Justice			
Slovakia	Council for Broadcasting and Retransmission	Internal	1	None	No	Legal or natural person	§ 64 Act 308/2000
		External	1	Only appeal to the Supreme Court			
Slovenia	APEK	Internal	1	None	No	Party of the proceedings	Administrative Dispute Act (art. 17) http://zakonodaja.gov.si/rpsi/r07/predpis_ZAKO497.html
		External	1	Administrative dispute at the Administrative Court of the Republic of Slovenia			
			2	The Supreme Court of the Republic of Slovenia (in case of the appeal or revision)			

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage	Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis	
	Ministry of Culture, Inspectorate for Culture and Media	Internal	1	<i>Internal:</i> Ministry of Culture in case of inspection's rule which does not include fine.	Yes, at first an appeal has to be submitted to the Ministry of Culture and after that an appeal to Administrative Court can follow.	Party of the proceedings	Administrative Procedure Act, Art. 13 www.uradni-list.si/1/objava.jsp?urlid=199980&stevilka=3777 & Public Administration Act, Art. 25 www.uradni-list.si/1/objava.jsp?urlid=200252&stevilka=2526 Administrative Dispute Act (art. 17) http://zakonodaja.gov.si/rpsi/r07/predpis_ZAKO497.html
			2	<i>External :</i> Administrative dispute at the Administrative Court of the Republic of Slovenia			
			3	The Supreme Court of the Republic of Slovenia (in case of the appeal or revision)			
		External	1	District Court in case of inspections' rule which includes fine (issued according to the Minor Offences Act)	No	Party of the proceedings	Minor Offences Act (2002) www.uradni-list.si/1/objava.jsp?urlid=20037&stevilka=238
			2	Higher Court (instance court for appeals after the District Court decisions)			
Spain	CEMA	Internal		(N/A as internal procedures have not been stipulated)			
		External					

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
	CAC	Internal			Yes. Internal Procedure: Before a sanction is issued, an informative period of 20 days is open to hear all parties in conflict. However, not an internal appeal procedure as such is envisaged.		Art. 34.2. "Estatut orgànic i de funcionament del Consell del Audiovisual de Catalunya", approved the 28th February 2001
		External	1	Administrative Court proceedings		Any person/organisation can lodge an appeal against a decision of the regulatory bodies	
	CoAN	External	1	Administrative Court proceedings	Yes Internal Procedure: Instruction of the case by a member of the Board with allegations of the parties. If the case has to be sanctioned according to the instructor, the case is presented to the whole Board to be approved or refused.	The company who was the third interested in the appealed resolution	Art. 18 "Estatuto orgánico y de funcionamiento del Consejo Audiovisual de Navarra" Act 30/1992 and Regional Law 18/2001

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
	CAA	External	1	Administrative Court proceedings	Yes Same as above	Any person/organisation can lodge an appeal against a decision of the regulatory bodies	Art. 13 Law 1/2004 of 17th December 2004 "Creación del Consejo Audiovisual de Andalucía".
Sweden	Swedish Broadcasting Commission (until July 31, 2010)	Internal	1	<i>No information available</i>	Yes, depending on the claim. <i>No information available</i>	All The broadcaster can lodge an appeal against a decision to act under penalty of a fine	The Radio- and Television Act, chapter 13
		External	1	<i>No information available</i>			
	N/A for the Swedish Radio and TV Authority <i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	
UK	OFCOM	Internal	1	Any review granted will be undertaken by the Broadcasting Review Committee, a sub-committee of the OFCOM Board, consisting of members drawn from the OFCOM Content Board.	No	Either party (complainant or Broadcaster)	No legal requirement to allow internal review but Communications Act 2003 (325 (2)) provides that it shall be the duty of OFCOM to establish procedures for the handling and resolution of complaints about the observance of standards. Civil Procedure Rules 1998

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
		External	1	Judicial Review in the High Court (unappealable) for procedural matters. (Decisions can be reviewed by the Competitions Appeal Tribunal for competition matters and decisions relating to the provision of electronic communications services and networks)			
Candidate countries							
Croatia	Agency for electronic media	External	1	Administrative court	No	Media in question	Zakon o elektroničkim medijima (Law on electronic media, Official Gazette 153/09 http://narodne-novine.nn.hr/clanci/sluzbeni/2009_12_153_3740.html)
Former Yugoslav Republic of Macedonia	Broadcasting Council	External	1	Administrative Court	No	Broadcasters Other operators	Law on Broadcasting Activity
			2	Supreme Court			
Art.38 para 8 of the Law on Broadcasting activity states that lawsuit to the competent court may be filed against the decisions of the Broadcasting Council within 15 days from the day of receiving the decision. The procedure in front the competent court shall be urgent. The Lawsuit shall not defer the implementation of the Decision.							
Turkey	RTÜK	External	1	Administrative court	No	Broadcasters, Board Members	Law no: 3984, art. 39, art. 33
			2	Council of State			
			3	Council of State for a second reading of the file			

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
Potential candidate countries							
Albania	KKRT	Internal	1	Any KKRT Decision can initially be challenged before the board of KKRT itself	Yes, according to the rules and regulations being adopted by the regulatory board, in line with the requirements stipulated on the law 8410, the Civil Code and the Code of Administrative Procedure (law 8485, dated 19.05.1999)	Any legal or physical person subject to a certain decision	Law 8410 Internal Rules and regulations
			2	<i>After the Board's expression with an Individual new Decision, the case can be filed at Tirana District Court (Court of first Instance).</i>			
		External	1	Court of First Instance			Law of the Code of the Administrative Procedure
			2	Court of Appeal			
		3	High Court (final Decision)				
Bosnia and Herzegovina	Communications Regulatory Agency	Internal	1	Council of the Agency	Yes The Council of the Agency acts as an appellate body for decisions of the Director	A party interested in administrative procedure, if unsatisfied with the first instance decision by Director General of the Agency	Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03.

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
		External	1	Court of Bosnia and Herzegovina (except if a violation of human rights is involved, in which case, it is possible to lodge an appeal before the constitutional court, and then to the European court of human rights.	General.	A party interested in administrative dispute, if unsatisfied by the second instance decision by the Council of the Agency	Law on Communications of Bosnia and Herzegovina, Official Gazette no 31/03.
Montenegro	Broadcasting Agency of Montenegro	Internal	1	Director – first instance	Yes	See table 14	<i>No information available</i>
			2	The Council – second instance			
		External	1	Administrative Court		See table 31	
			2	Supreme Court			
Serbia	Republic Broadcasting Agency	Internal	1	Council	Yes	Natural/legal person Broadcaster	Broadcasting Law (general rules – Law on Administrative Disputes)
		External	1	Administrative Court (possibility to go to court de cassation in extraordinary cases as an appeal of the administrative court's decision)			
Kosovo	IMC	Internal	1	Media Appeals Board	Yes	Licensees	www.assembly-kosova.org/common/docs/ligjet/2005_02-L15_en.pdf
		External	1	Supreme Court			

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
EFTA countries							
Iceland	Broadcast Licensing Committee	No appeal procedure The Rulings of the Committee are final administrative rulings which cannot be the subject of an administrative appeal, subject to certain exceptions (see last column)		N/A	N/A	N/A	Broadcasting Act 2000, art. 30 para 4 The Rulings of the Committee are final administrative rulings which cannot be the subject of an administrative appeal. However, there are certain limitations to exclusive broadcasting rights to important events: 'The ruling of the Broadcast Licensing Committee as regards the price may be appealed to a court of law. However, an appeal to a court does not postpone the implementation of the Committee's ruling, and the right to broadcast the event in question shall be granted to the television broadcaster who fulfils the coverage requirement, provided that a deposit considered adequate by the Broadcast Licensing Committee is lodged to ensure payment of the price fixed' (The Broadcasting Act, 2000, Art. 23, Para 5). Rulings of the Committee regarding administrative fines against broadcasters who do not follow instructions contained the Broadcasting Act 2000, in Art. 9 (on Democratic Principles) and Art. 11 (on Right of Reply) (Art. 11) and Chapter VI in the Act (advertising, sponsoring and teleshopping) are subject to appeal by broadcasters to a court of law within a three months time limit 'after the party concerned gained knowledge of the Broadcast Licensing Committee's ruling. An appeal suspends the enforcement' (Art. 30, Para 4).
Liechtenstein	Media commission	External	1	Government	No	Whoever is concerned by a decision taken by the media commission	Art. 12 Law on the Promotion of Media of September 21, 2006, LGBl. 2006 Nr. 223
			2	Administrative Court [Verwaltungsgerichtshof]			
			3	Constitutional Court [Staatsgerichtshof]			
Norway	The Media Authority	Internal: The Authority can	1	Norwegian Media Authority	No	Parties having a legal interest	The Public Administration Act

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
	and Norwegian Post and Telecommunications Authority (NPT)	be asked to look at the case again, for instance if new information is provided	2	Norwegian Media Authority			
		External	1	The Ministry of Culture			
			2	The King (Government/ Cabinet)			
			3	Laws of Court (from the lowest level (tingrett), medium level (lagmannsrett) and the supreme court (Høyesterett))			
Switzerland	Ofcom	External	1	Federal Administrative Court	No information available	Decision's addressee	Federal Act on the Administrative Procedure
			2	Federal Court (not in the case of license decisions)			
	ICA	External	1	Appeals may be lodged directly with the Federal Supreme Court (Tribunal fédéral)		The plaintiff and the broadcaster have the right to lodge an appeal.	Art. 99 RTVA
Selected third countries							
Australia	ACMA	External	1	Administrative Appeals Tribunal (AAT), but for most AVMS matters appeals relate only to licence conditions, which are not a major focus of program rules.	No	Generally, only the station licensee.	Section 204 of the Broadcasting Services Act

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
			2	Courts can conduct judicial review of ACMA decisions, rather than appeals. The review does not relate to the merits of decision, but only to whether procedural or legal mistakes have been made		Any person whom the court considers to be affected	The power of the courts to review decisions of the regulator is based on general administrative law, not based on any specific laws relating to the communications area. The main source of authority is the federal Administrative Decisions (Judicial Review) Act, but there are a number of other Acts.
USA	Federal Communications Commission Note: The process described in this table is the judicial process per Table 31 above. Overturning of a decision by US Congress or US President is not considered an “appeal” per US law.	Internal	1	Internal Bureau (e.g. FCC Media Bureau)	Yes	Citizen, Corporation, or Civil Society Group	FCC Internal Regulations, Administrative Procedure Act of 1946 Administrative Procedure Act of 1946
			2	Administrative Law Judge (within FCC)			
			3	FCC Board of Commissioners			
		External	1	District Court (if necessary per nature of complaint)			
			2	Circuit Court of Appeals (this may be the first stage if #1 above is not necessary)			
			3	US Supreme Court			
Japan	MIC <u>Procedure defined for decisions based on the RL*</u>	Internal	1	the Radio Regulatory Council / Commission (‘Commission’ is used in later translation)	Yes	Not specified	RL
		External	1	the Tokyo High Court		Any person	RL
Singapore	Media Development Authority	Internal	1	Submission of written representation	Yes	Broadcasting Licensees	Sec 10(3), 19(4), Broadcasting Act
			2	Collection of public or industry input			

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
			3	Deliberation and decision by MDA			
		External	1	Submission of written representation		Broadcasting Licensees Any person aggrieved by MDA's decision under Part IV of the MDA Act	Secs 10(4), 12(2), 19(5) and 59, Broadcasting Act Sec 27, MDA Act
	2		Collection of inputs from MDA, appeal committee (for content and advertising breaches), and relevant industry players				
	3		Deliberation and decision by Minister				
	Advertising Standards Authority of Singapore	Internal	1	Appeal to ASAS	N/A	Aggrieved party and complainant	Practice though not in Singapore Code of Advertising Practice
		External	1	None			

Table 33 - Does the regulator's decision stand pending appeal?

Country	Body	Does regulator decision stand pending appeal body decision?			
		Yes	No	Yes, unless appeal body suspends it	Other
Austria	Federal Communications Board (BKS)			√	N/A
	KommAustria	√			N/A
Belgium	BE-VL: VRM (chambers)			√	Decisions of management board can be overruled and suspended by minister, including because of "reasons of general interest" and/or legality concerns
	BE-FR : CSA			√	The government representative in CSA can lodge appeal (at the government) against decisions and functioning of CSA contrary to regulatory framework or endangering financial equilibrium

Country	Body	Does regulator decision stand pending appeal body decision?			
		Yes	No	Yes, unless appeal body suspends it	Other
	BE-DE : MRat-REG			√	N/A
Bulgaria	CEM			√	N/A
Cyprus	Cyprus Radio-Television Authority			√	N/A
Czech Republic	RRTV	√			N/A
Denmark	The Radio And Television Board	√			N/A
Estonia	Ministry of Culture No appeal procedure in place	N/A	N/A	N/A	N/A
Finland	FICORA			√	N/A
France	CSA		√		N/A
Germany	SMA			√	N/A
	BR (No external appeals)	N/A	N/A	N/A	N/A
	WDR (No external appeals)	N/A	N/A	N/A	N/A
	Rbb (No external appeals)	N/A	N/A	N/A	N/A
Greece	NCRTV			√	N/A
Hungary	National Radio and Television Board (ORTT)			√	N/A
Ireland	BAI	√			No specific detail given on whether or not decision stands pending appeal process. However, absence of any detail suggests that the decision must stand.
Italy	Agcom			√	N/A
Latvia	National Broadcasting Council		√		N/A
Lithuania	LRTK			√	N/A
Luxembourg	SMC/CNP	√ (Cf. Art. 11 (1) Loi 1999 and Art. 45 in connection with 35 Loi 1996)*		Possibility for Tribunal/Court to decide differently (cf. e.g. Art. 11 (2) Loi 1999)	
Malta	Broadcasting Authority			√	N/A

Country	Body	Does regulator decision stand pending appeal body decision?			
		Yes	No	Yes, unless appeal body suspends it	Other
Netherlands	CvdM			√	N/A
Poland	National Broadcasting Council			√	District Court may subject to motion submitted by party suspend execution of the decision of regulator
Portugal	ERC			√	Internal appeal: unless body suspends it (article 163/2 Decree-Law 442/91, of 15 November). External appeal: unless the appellant files a temporary injunction (<i>providência cautelar</i>) (article 75/4 of ERC's Statutes).
Romania	CNA			√	N/A
Slovakia	Council for Broadcasting and Retransmission	√	√		Suspension of the broadcasting of the programme or a part thereof can be appealed but this does not have the dilatory effect. In the case of fine and decision to take away a licence, there is suspension of execution of this decision until the Court's ruling becomes valid.
Slovenia	APEK			√	N/A
	Ministry of Culture Inspectorate for Culture and Media		√		Inspections Act, Art. 30 & Administrative Procedure Act, Art. 13 (This appeal procedure is applied in case of the appeal to the Ministry of Culture for rules of the inspector which don't include fines)
					√
Spain	CEMA	N/A	N/A	N/A	Not defined in the law. Pending regulation.
	CAC, CoAN, CAA		√		N/A

Country	Body	Does regulator decision stand pending appeal body decision?			
		Yes	No	Yes, unless appeal body suspends it	Other
Sweden	Swedish Broadcasting Commission (until July 31, 2010)	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>
	N/A for the Swedish Radio and TV Authority	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>
UK	OFCOM (Broadcasting Review Committee)	√			N/A
Candidate countries					
Croatia	Agency for electronic media		√		N/A
Former Yugoslav Republic of Macedonia	Broadcasting Council		√		N/A
	Art. 38 para 8 of the Law on Broadcasting activity states that lawsuit to the competent court may be filed against the decisions of the Broadcasting Council within 15 days from the day of receiving the decision. The procedure in front the competent court shall be urgent. The Lawsuit shall not defer the implementation of the Decision.				
Turkey	RTÜK			√	N/A
Potential candidate countries					
Albania	KKRT			√	As defined by the Code of Administrative Procedure
	In case the decision of KKRT is challenged before the Court, to my understanding the KKRT decision holds (remains in effect) unless the Court decides otherwise. An important element to clarify this might well be the Internal Regulation of KKRT, and its subsequent cross references to the Code of Administrative Porcedure. I couldn't manage to get e version of it.				
Bosnia and Herzegovina	Communications Regulatory Agency	√			N/A
Montenegro	Broadcasting Agency of Montenegro			√	N/A
Serbia	Administrative Court		√		N/A
Kosovo	IMC Media Appeals Board			√	N/A
EFTA countries					
Iceland	No appeal procedure	N/A	N/A	N/A	N/A
Liechtenstein	Media commission	√			N/A

Country	Body	Does regulator decision stand pending appeal body decision?			
		Yes	No	Yes, unless appeal body suspends it	Other
Norway	The Media Authority and Norwegian Post and Telecommunications Authority (NPT)		√		The decision stands unless it is appealed. An appeal will usually suspend the decision.
Switzerland	Ofcom	√			Licence decisions may be given effect provisionally; decisions on infringements concerning advertising etc. are not observed by the broadcasters at their own risk; But Ofcom may obligate the broadcaster to surrender to the Confederation the revenue derived as a result of the infringement. This provides incentives for broadcasters to comply with the decision even if it is not yet entered into force.
	ICA	√			N/A
Selected third countries					
Australia	ACMA			√	N/A
USA	Federal Communications Commission	√			N/A
Japan	MIC			√	Art. 99, RL
Singapore	Media Development Authority			√	N/A
	Advertising Standards Authority of Singapore	√			N/A

Table 34 - Accepted grounds for appeal

Country	Body	Errors of fact	Errors of law (including failure to follow the due process)	Full re-examination	Other
Austria	Federal Communications Board (BKS)	√	√		N/A
	KommAustria	√	√	√	
Belgium	BE-VL: VRM (chambers)	√	√	√ (in case of informal internal appeal)	Decisions of management board can be overruled and suspended by minister, including because of "reasons of general interest" and/or legality concerns
	BE-FR : CSA	√	√	√ (in case of informal internal appeal)	The government representative in CSA can lodge appeal (at the government) against decisions and functioning of CSA contrary to regulatory framework or endangering financial equilibrium
	BE-DE : MRat-REG	√	√	√ (in case of informal internal appeal)	N/A
Bulgaria	CEM	√	√	√	N/A
Cyprus	Cyprus Radio-Television Authority	√	√		N/A
Czech Republic	RRTV	√	√ errors in procedure	√	N/A
Denmark	The Radio And Television Board	√	√	√	No legal practice in these areas and nothing specified in law.
Estonia	Ministry of Culture No appeal procedure in place	N/A	N/A	N/A	N/A
Finland	FICORA	√	√	√	N/A
France	CSA	√	√	√	√ (No legal competence)
Germany	State Media Authorities	√	√	√ mostly	Scope of court examination depends on grounds and type of body decisions of the Law of Administrative Proceedings of the State

Country	Body	Errors of fact	Errors of law (including failure to follow the due process)	Full re-examination	Other
	BR (No external appeals)	N/A	N/A	N/A	N/A
	WDR (No external appeals)	N/A	N/A	N/A	N/A
	Rbb (No external appeals)	N/A	N/A	N/A	N/A
Greece	NCRTV	√	√	√ <i>Comment:</i> <i>Internal stage</i> The formal complaint leads not only to an examination of the act under legal aspects but also to a substantive control <i>External stage</i> i) Application for annulment: One single ground for annulment: the violation of law, with four different sides <ul style="list-style-type: none"> • The lack of competence • The infringement of an essential formal or procedural requirement • The violation of a substantive provision of law • The abuse of power ii) The application for substantive judicial review is examined by the court not only with regard to the lawfulness but also with regard to the substantive propriety of the contested administrative act.	N/A
Hungary	National Radio and Television Board (ORTT)	√	√		N/A
Ireland	BAI			√	N/A
Italy	Agcom		√	√ In cases falling under the electronic communications package and in cases of request of compensation	N/A
Latvia	National Broadcasting Council	√	√		N/A

Country	Body	Errors of fact	Errors of law (including failure to follow the due process)	Full re-examination	Other
Lithuania	LRTK		√ Law on Administrative Proceedings Art 3		N/A
Luxembourg	SMC/CNP	√	√	√ (source: research of the consortium) According to CNP, a full re-examination by the administrative court is not possible.	
Malta	Broadcasting Authority	√	√		N/A
Netherlands	Board of CvdM	√	√	√	N/A
	Administrative Court and Council of State	√ only when there is no appreciation margin for regulatory authority regarding specific policy	√	√ only when there is no appreciation margin for regulatory authority regarding specific policy	N/A
Poland	National Broadcasting Council	√	√	√ Only in respect to District and Appellation Court proceedings	N/A
Portugal	ERC	√	√	√	No specific grounds for appeal are indicated in the law or ERC Statute
	Court	√	√	√	N/A
Romania	CNA			√	N/A
Slovakia	Council for Broadcasting and Retransmission	√	√	√	Errors in decision (e.g. petit)
Slovenia	APEK	√	√	√	N/A
	Ministry of Culture Inspectorate for Culture and Media	√	√	√	N/A
Spain	CEMA, CAC, CoAN, CAA	√ General provisions of Spanish Administrative law	√ General provisions of Spanish Administrative law	√ General provisions of Spanish Administrative law	N/A

Country	Body	Errors of fact	Errors of law (including failure to follow the due process)	Full re-examination	Other
Sweden	Swedish Broadcasting Commission (until July 31, 2010)	√	√	√	N/A
	N/A according to RTA				N/A
UK	OFCOM	√	√		Decisions that relate to the areas covered by AVMS are typically not appealable to the Competition Appeals Tribunal, only to Judicial Review – which is an appeal on process not merits.
Candidate countries					
Croatia	Agency for electronic media	√	√		N/A
Former Yugoslav Republic of Macedonia	Broadcasting Council	√ It is determined by the Administrative Court	√ It is determined by the Administrative Court	√ It is determined by the Supreme Court (in extraordinary procedure)	Improper implementation of the Material Law
Turkey	RTÜK	√	√	√	N/A
Potential candidate countries					
Albania	KKRT	√	The case is automatically sent at the Court of First Instance	√ Based on the legal grounds of the appeal being submitted	N/A
	<p>If the case after the deliberation of the Court of First Instance is being challenged at the Appeal Court, if KKRT or Court of District did not conduct the proper steps and procedures as stipulated on the Code of Administrative Procedure, the Case will be immediately sent back to the Court of First Instance for full consideration and deliberation.</p> <p>If the case is being accepted for judgement at this Court level, the Court of Appeal may decide on the substance of the case.</p>				
Bosnia and Herzegovina	Communications Regulatory Agency	√	√	√	N/A
Montenegro	Broadcasting Agency of Montenegro	√	√	√	N/A
Serbia	Administrative Court (before the judicial system reform it was the Supreme Court of Serbia – Administrative Division)	√	√	√	N/A
Kosovo	IMC Media Appeals Board	√	√	√	N/A

Country	Body	Errors of fact	Errors of law (including failure to follow the due process)	Full re-examination	Other
EFTA countries					
Iceland	No appeal procedure	N/A	N/A	N/A	N/A
Liechtenstein	Media commission	No (but answer is unclear as no decision has been appealed yet).	No (but answer is unclear as no decision has been appealed yet).	No (but answer is unclear as no decision has been appealed yet).	N/A
Norway	The Media Authority and Norwegian Post and Telecommunications Authority (NPT)	√	√	√	N/A
Switzerland	Ofcom	√ Federal administrative Court	√	√	N/A
		No Federal Court (except for arbitrariness)	√		N/A
	ICA	Federal Court: No, except when the established fact is obviously wrong	√		N/A
Selected third countries					
Australia	ACMA	√ At the AAT stage the appeal is a full merits review in which the decision is made entirely afresh including as to consideration of the facts.	√ At the AAT stage the appeal is a full merits review in which the decision is made entirely afresh, including as to the application of the law.	√ At the AAT stage.	NA

Country	Body	Errors of fact	Errors of law (including failure to follow the due process)	Full re-examination	Other
		√ In a Court appeal the facts may be reconsidered where they affect the legal matters in issue. For example, the Court may need to form a view about facts in order to determine whether there has been jurisdictional error.	√ In a Court appeal all legal aspects may be liable to be tested if pleaded by the parties (including, for example, jurisdictional error, alleged breach of the Constitution, alleged failure to provide procedural fairness, unreasonableness in a legal sense, etc)	No The Court will usually confine itself to particular aspects involving alleged errors of law.	NA
USA	Federal Communications Commission	√	√		Conflicts of interest
Japan	MIC	N/A	N/A	N/A	Not specified in the Radio Law
	Tokyo High Court		√		N/A
Singapore	Media Development Authority	√	√	√	Licensee is aggrieved by (i) any decision of the MDA in the exercise of a discretion vested in it under the Broadcasting Act; or (ii) anything contained in a Code of Practice or direction issued by MDA.
	Advertising Standards Authority of Singapore	N/A	N/A	N/A	In both instances, the decisions often turn on judgment calls -- is this content objectionable? They therefore do not turn on issues of fact or law.

Table 35 - Does the appeal body have power to replace the original decision with its own?

Country	Body	Appeal stage	Yes	No	Comments
Austria	Federal Communications Board (BKS)	1 Supreme Administrative Court		√	The Supreme Administrative Court has the power to cancel the decision and remit it back to the Federal Communications Board for new decision.
		2 Constitutional Court		√	The Constitutional Court has the power to cancel the decision and remit it back to the Federal Communications Board for new decision.
	KommAustria	1 Federal Communications Board	√		The Federal Communications Board has the power to replace the original decision with its own.
		2 Supreme Administrative Court		√	The Supreme Administrative Court has the power to cancel the decision and remit it back to the Federal Communications Board for new decision.
		3 Constitutional Court		√	The Constitutional Court has the power to cancel the decision and remit it back to the Federal Communications Board for new decision.
Belgium	BE-VL: VRM (chambers)	Internal (chambers)	√		Decisions of management board can be overruled and suspended by minister, including because of "reasons of general interest" and/or legality concerns
		External: council of state and courts		√	Courts in principle cannot replace original administrative decisions with their own.
	BE-FR : CSA	Internal	√		General administrative law
		External: council of state and courts		√	General administrative and civil procedure law. Courts in principle cannot replace original administrative decisions with their own.
		External: appeal at government by its representative	√		The government representative in CSA can lodge appeal (at the government) against decisions and functioning of CSA contrary to regulatory framework or endangering financial equilibrium
	BE-DE : MRat-REG	Internal	√		General administrative law
		External: council of state and courts		√	General administrative and civil procedure law. Courts in principle cannot replace original administrative decisions with their own.
		External: government can suspend decision because non-compliance with the law		√	Art. 96 DE-media-act. Government can only suspend a decision of MRat-REG, but not take new decision itself.
	Bulgaria	Supreme Administrative Court	1 Three member chamber		√

Country	Body	Appeal stage	Yes	No	Comments
		2 Five member chamber		√	No. It has the power to accept or cancel the decision. In case of procedural breaches, the appeal body has the power to cancel the decision and remit it back to regulator to remove those breaches and take same or new decision.
Cyprus	Cyprus Radio-Television Authority	1 Supreme Court		√	N/A
Czech Republic	RRTV	1 Municipal Court		√	N/A
		2 Supreme Administrative Court		√	
Denmark	The Radio And Television Board	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>
Estonia	Ministry of Culture No appeal procedure in place	N/A	N/A	N/A	N/A
Finland	FICORA	1 Administrative Court www.oikeus.fi/17598.htm		√	The appeal body has the power to cancel the decision and remit it back to regulator for new decision. Section 67 of the Administrative Judicial Procedure Act 586/1996 www.finlex.fi/fi/laki/kaannokset/1996/en19960586.pdf (in English) www.finlex.fi/fi/laki/ajantasa/1996/19960586 (in Finnish)
		2 The Supreme Administrative Court www.kho.fi/en/21404.htm		√	Same as above
France	CSA	1 Conseil d'Etat		√ (in most cases)	No in most cases. In case of annulment of the decision, the Conseil d'Etat sends it back the decision to the CSA for a new decision. But in some cases Conseil d'Etat has power to replace the original decision (conflicts between channels and operators; Sanctions)
Germany	State Media Authorities	1 Body itself (SMA)	√		Situation depends on interpretation of the Law of Administrative Proceedings of the State.
		2 Administrative court		√	Court can repeal decision of SMA. SMA is obliged to decide again.
		3 Higher administrative court		√	Court can repeal decision of administrative court; administrative court is obliged to decide again
	BR	No external appeals	N/A	N/A	N/A
	WDR	No external appeals	N/A	N/A	N/A
Rbb	No external appeals	N/A	N/A	N/A	
Greece	NCRTV	1 Internal	√		N/A
		2 External		√	The NCRTV is obligated to take the measures called for by the court's judgement, or to refrain from any action declared to be unlawful.

Country	Body	Appeal stage	Yes	No	Comments
Hungary	National Radio and Television Board (ORTT)	Metropolitan Court		√	N/A
		Budapest High Court of Appeal		√	
Ireland	BAI	1 The High Court	√		The High Court can consider an appeal against the Authority's decision to revoke a contractor's licence and can overturn the decision
Italy	Agcom	1 Administrative court		√	The appeal body has the power to cancel the decision and remit it back to regulator for new decision.
		2 The Council of State		√	Same as above
Latvia	National Broadcasting Council	1 Court of First Instance	√		Appeal bodies have the power to cancel the decision and remit it back to regulator for new decision but it could also reduce a fine. In the case of licence applications they could not instruct the Council to award a licence to another applicant or to appoint a different Director General of a PSB.
		2 Appeal Court	√		
		3 Court of Cassation	√		
Lithuania	LRTK	1 Vilnius Regional Administrative Court	√		
		2 Supreme Administrative Court	√		
Luxembourg	SMC/CNP	1		√	No. The appeal body (Trib. admin. / Cour admin.) has the power to cancel the decision and remit it back to regulator for new decision (cf. Art. .2 (4) Loi 1996).

Country	Body	Appeal stage	Yes	No	Comments
Malta	Broadcasting Authority	1	√		<p>The Appeals Court has the power to annul/modify/confirm the decision of the First Court. If this is still not acceptable then recourse can be made to the Constitutional Court.</p> <p>The Republic of Malta has a two tier judicial system, having Superior and Inferior Courts. The Superior Courts are presided over by Judges and the Inferior Courts are presided over by Magistrates.</p> <p>Ref.: http://ec.europa.eu/civiljustice/legal_prof/legal_prof_mlt_en.htm</p> <p>The Superior Courts of Malta are:</p> <ul style="list-style-type: none"> • The Constitutional Court • The Court of Appeal • The Court of Criminal Appeal • The Civil Court • The Criminal Court <p>The only Court directly established by the Constitution is the Constitutional Court. The Courts competent to hear and decides cases dealing with civil and commercial law issues are established by the Code of Organisation and Civil Procedure (Chapter 12 of the Laws of Malta), whilst the Courts entrusted with trying of criminal law cases are set-up under the Criminal Code (Chapter 9 of the Laws of Malta).</p> <p>The Constitutional Court and the Courts of Appeal (both Criminal and Civil) in their Superior Jurisdiction are presided by the Chief Justice and two other judges, whilst all the other Superior Courts, including the Courts of Appeal (both Criminal and Civil) in their Inferior Jurisdiction are presided over by 1 judge.</p> <p>The Inferior Courts of Malta are known as the Court of Magistrates (Malta) and the Court of Magistrates (Gozo). These Courts are presided over by 1 Magistrate and an appeal from a decision given by this Court is to be lodged before the respective Court of Appeal in its inferior jurisdiction</p>
Netherlands	CvdM	1 District Court	√		The appeal body has the power to cancel the decision and refer the case back to the regulator for a new decision or replace the original decision by a new one
		2 Council of State	√		N/A
		3 European Court of Human Rights		√	N/A
Poland	National Broadcasting Council	1 Voivodship Court	√		N/A
		2 Appeal Court	√		
		3 Supreme Administrative Court	√		
Portugal	ERC	Internal: 1 Regulatory Board of ERC	√		N/A

Country	Body	Appeal stage	Yes	No	Comments
		External: 1 Court of law	√		In certain cases replacement is not possible (for instance, in tendering procedures for the award of television licences).
Romania	CNA	1 Local Justice Court 2 County Appeal Court 3 Highest Court of Justice		√	Could annul the decision of the Council, but not to formulate a new decision
Slovakia	Council for Broadcasting and Retransmission	1 Supreme Court		√	The appeal body has the power to cancel the decision and remit it back to regulator for new decision. Although the Act does not mention it, even in the case the Supreme Court agrees with the Council, it is still possible to appeal this decision in exceptional cases at the Constitutional Court.
Slovenia	APEK	1 Administrative dispute at the Administrative Court of the Republic of Slovenia 2 The Supreme Court of the Republic of Slovenia (in case of the appeal or revision)	√		The Administrative Court has the power to cancel the decision and remit it back to regulator for new decision. The Court can also replace regulator's decision if the conditions provided for in Administrative Dispute Act are met (rarely).
	Inspectorate for Culture and Media (within the Ministry of Culture)	Cases that do not involve fines: 1 Ministry of Culture in case of inspection's rule which does not include fine.	√		The Ministry as an appeal body has the power to replace the original decision of the Media Inspector with its own.
		2 Administrative dispute at the Administrative Court of the Republic of Slovenia 3 The Supreme Court of the Republic of Slovenia (in case of the appeal or revision)		√	The Administrative Court as an appeal body (on the next stage) has the power to cancel the original decision of the Ministry of Culture (which replaced the decision of the Media Inspector) and remit it back to regulator for new decision.

Country	Body	Appeal stage	Yes	No	Comments
		Cases that involve fines: 1 District Court in case of inspections' rule which includes fine (issued according to the Minor Offences Act) 2 Higher Court (instance court for appeals after the District Court decisions)		√	The District Court as an appeal body has the power to cancel the original decision of the Media Inspector (with regard to fines charged by the Inspector according to the Minor Offences Act).
Spain	CEMA	1 Administrative Court proceedings		√	The appeal body has the power to cancel the decision and remit it back to the regulator for a new decision.
	CoAN	1 Administrative Court proceedings		√	
	CAC	1 Administrative Court proceedings		√	
	CAA	1 Administrative Court proceedings		√	
Sweden	Swedish Broadcasting Commission (until July 31, 2010)	1 Courts	√		For example, courts can adjust fines that were issued by the regulatory authority
		2	√		
		3	√		
	N/A for the Swedish Radio and TV Authority				
UK	Internal: OFCOM (Broadcasting Review Committee)	1	√		The Broadcasting Review Committee may uphold the decision of the OFCOM Executive; or quash the earlier decision in whole or in part and remit the decision back to the OFCOM Executive with reasons for the OFCOM Executive to reconsider in light of those reasons; or substitute its own decision for the Decision of the OFCOM Executive.
	External: the High Court (Judicial review)	1		√	Court may refer a decision back to Ofcom for reconsideration on the grounds of faulty process or insufficient consideration of matters of fact – but it cannot replace the original decision.
Candidate countries					
Croatia	Agency for electronic media	1 Administrative court	√		Article 39 Paragraph 3 of the Administrative Disputes Act (Official Gazette 53/91, 9/92, 77/92): the Administrative Court may establish the facts of the case and on the basis of the established facts deliver a sentence or decision.

Country	Body	Appeal stage	Yes	No	Comments
Former Yugoslav Republic of Macedonia	Broadcasting Council	1 Administrative court 2 Supreme court	√	√	According to the Law on Administrative Disputes, with a Court's verdict, certain appeal can be either accepted or rejected. If the appeal is accepted the administrative act gets annulled. If the very nature of the circumstances allows and if the data give a solid base, the Court can solve the administrative procedure, only in those cases where it has been proved that the law had been improperly implemented. If the Court determines errors of fact, it will cancel the decision and remit it back to regulator for new decision. If the Court determines errors of law, it can remit back for new decision or it can replace the original decision with its own.
Turkey	RTÜK	2-3 Council of state		√	The appeal body has the power to cancel the decision.
Potential candidate countries					
Albania	KKRT	Internal	√		N/A
	KKRT	1 Court of First Instance 2 Court of Appeal 3 High Court (final Decision)		√	The appeal body (the Court) has the power to cancel the decision and remit it back to regulator for new decision
Bosnia and Herzegovina	Communications Regulatory Agency	Internal: 1 Council of the Agency	√		N/A
		External: 2 Court of Bosnia and Herzegovina	√		Court of Bosnia and Herzegovina, except if a violation of human rights is involved, in which case, it is possible to lodge an appeal before the constitutional court, and then to the European court of human rights.
Montenegro	Broadcasting Agency of Montenegro	1 Administrative Court		√	The appeal body has the power to cancel the decision and remit it back to regulator for new decision.
		2 Supreme Court			
Serbia	Republic Broadcasting Agency	1 Administrative Court (before the judicial system reform it was the Supreme Court of Serbia – Administrative Division)		√	The appeal body has the power to cancel the decision and remit it back to regulator for new decision.
Kosovo	IMC	Internal: 1 Media Appeals Board	√		The MAB has the power to cancel the decision and remit it back to the IMC Council for new decision or just take its own decision as a final one.
		External: 1 Supreme Court	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>

Country	Body	Appeal stage	Yes	No	Comments
EFTA countries					
Iceland	Broadcast Licensing Committee	N/A			The Rulings of the Committee are final administrative rulings which cannot be the subject of an administrative appeal. Rulings that impose fines on broadcasters can be appealed by broadcasters within three months, in which case the appeal suspends the enforcement. The appeal body is a court of law.
Liechtenstein	Media commission	1 Government		√	The appeal body has the power to cancel the decision and remit it back to regulator for new decision.
		2 Administrative Court		√	
		3 Constitutional Court		√	
Norway	The Media Authority Norwegian Post and Telecommunications Authority (NPT)	Internal: 1 Re-examination within the Authority	√		N/A
		External: 1 The Ministry	√		
		2 The King	(√)		
		3 Laws of Court (from the lowest level (tingrett), medium level (lagmannsrett) and the supreme court (Høyesterett))	<i>No information available</i>	<i>No information available</i>	<i>No information available</i>
Switzerland	Ofcom	1 Federal Administrative Court	√		N/A
		2 Federal Court (not in the case of licence decisions)	√		
	ICA	1 Appeals may be lodged directly with the Federal Supreme Court	√		The Supreme Court cancels the ICA decision and notes if the programme violates or not the law. If the ICA has declared the case inadmissible, the Supreme Court can return it to the ICA so that it can be judged
Selected third countries					
Australia	ACMA	1 Administrative Appeals Tribunal (AAT)	√		N/A
		2 Courts	√		

Country	Body	Appeal stage	Yes	No	Comments
USA	Federal Communications Commission	Internal: 1 Internal Bureau (e.g. FCC Media Bureau)			N/A
		2 Administrative law judge (within FCC)	√		
		3 FCC Board of Commissioners	√		
		External: US Court System	√		
Japan	MIC	Internal: 1 The Radio Regulatory Council		√	The appeal body has the power to cancel the decision and send it back to regulator for new decision.
		External: 1 The Tokyo High Court		√	
Singapore	Media Development Authority	External: 1 Submission of written representation 2 Collection of inputs from MDA, appeal committee (for content and advertising breaches), and relevant industry players 3 Deliberation and decision by Minister	√		-
	Advertising Standards Authority of Singapore	External: No appeal possible	N/A	N/A	N/A