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*“Indicators for independence and efficient functioning of audiovisual media services
regulatory bodies for the purpose of enforcing the rules in the AVMS Directive”*

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Country Tables Norway

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I. GENERAL INFORMATION

Table 1 - Market data

This table is aimed at gathering information on the number of audiovisual media services that are supervised in the country.

Country	Number of linear commercial services	Number of non-linear commercial services	Number of public service channels (PSBs)
Norway	27 http://medienorge.uib.no/?cat=statistikk&medium=tv&aspekt=&queryID=290	0	3

Table 2 - Audiovisual laws and regulatory bodies

This table lists the regulatory bodies in charge of overseeing the areas covered by the Audiovisual Media Services (AVMS) Directive, in relation to commercial linear television, non-linear audiovisual media services and public service broadcasters (PSBs). It also lists the relevant laws.

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
Norway	Information requirements (art. 5 AVMS Directive)	The Broadcasting Act (Kringkastingsloven – LOV-1992-12-04-127) § 2.-1 Administrative regulation FOR 1997-02-28 No. 153, § 1-3	Media Authority (Medietilsynet)	No such services exist at the moment, but regulation of such services will be included in the Broadcasting Act.	Media Authority
	Audiovisual commercial communication, sponsorship, product placement (Art. 9 – 11 AVMS Directive)	The Broadcasting Act (see above) § 3-1 – 3-5 Main broadcasting act: Broadcasting Act of 4 Dec.1992 no 127, link to unofficial translation of the act: www.medietilsynet.no/Documents/Englishtxtpages/Eng_Kringlov_juli_2005.pdf The translation of the Broadcasting Act from Norwegian to English was last updated in 2005. Please be aware that there have been made a few amendments in the act since the time of translation. The official Broadcasting Act can be found at this address: http://lovdata.no/all/hl-	Media Authority The Ministry of Culture		Media Authority The Ministry of Culture

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
		19921204-127.html The date of adoption of the provisions listed here is July 1, 2005. Please note that this questionnaire only refers to provisions in the broadcasting act. There are more detailed rules in the broadcasting regulations which can be found at this address: www.medietilsynet.no/Documents/Englishtxtpages / Eng_Kringforskr_april_2005.pdf Sponsorship provisions implemented according to the TWF Directive is implemented in the Broadcasting Act sections 3-4 to 3-5. Product placement is forbidden according to sections 3-2 to 3-3. Surreptitious advertising is forbidden according to section 3-3 of the Broadcasting Act. Article 22a of the TWF-directive is implemented in the General Civil Penal Code section 135a. Link to unofficial translation: www.ub.uio.no/ujur/ulovdata/lov-19020522-010-eng.pdf Administrative regulation FOR 1997-02-28 No. 153, § 3-1 – 3-14.			
	Accessibility to people with a disability (Art. 7 AVMS Directive)	No regulation – political issue AVMS Directive not implemented NRK, Norwegian state owned Public Service broadcaster has obligations to subtitle certain programmes according to its statutes.	N/A		The Ministry of Culture
	Broadcasting of major events (Art. 14 AVMS Directive)	The Broadcasting Act (see above) § 2-8 Administrative regulation FOR 1997-02-28 No. 153, § 5-1 – 5-4.	Media Authority		Media Authority The Ministry of Culture
	Access to short news reports (Article 15 AVMS Directive)	Not yet regulated	N/A		N/A
	Promotion of European works (Art. 13, 16, 17)	The Broadcasting Act (see above) § 2-6 Administrative regulation FOR 1997-02-28 No.	Media Authority		Media Authority The Ministry of Culture

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
	AVMS Directive)	153, § 2-1 – 2-7			
	Hate speech (Art. 12 and 6 AVMS Directive)	The Penal Code (Straffeloven - LOV-1902-05-22-10) § 135a	The judicial system		The judicial system
	Television advertising and teleshopping, (Art. 19 – 26 AVMS Directive)	The Broadcasting Act (see above) § 3-1 – 3-5 Administrative regulation FOR 1997-02-28 No. 153, § 3-1 – 3-14	Media Authority		Media Authority The Ministry of Culture
	Protection of minors (Art. 27 AVMS Directive)	The Broadcasting Act (see above) § 2-7 and 3-1 Administrative regulation FOR 1997-02-28 No. 153, § 2-5, 2-6 and 3-6	Media Authority		The Ministry of Culture
	Right of reply (Art. 28 AVMS Directive)	The Broadcasting Act (see above) § 5-1	The Press Council (Pressens faglige utvalg)		The Press Council (Pressens faglige utvalg), NRK's Broadcasting Council (Kringkastingrådet)
	Communication and cooperation with other European regulation bodies and the Commission (Art. 30 AVMS Directive)	The Broadcasting Act (see above) § 2-9 Administrative regulation FOR 1997-02-28 No. 153, § 1-1 and 2-7	Media Authority		Media Authority

Table 3 - Regulatory bodies – general information

This table provides basic information on the regulatory authority (name, website address, date of establishment and location).

Country	Name of regulatory body	Link to website	Date of establishment	Location
Norway	The Ministry of Culture (Kulturdepartementet)	www.regjeringen.no/en/dep/kkd.html?id=545	1982	Oslo
	The Norwegian Media Authority (Medietilsynet)	www.medietilsynet.no/en-gb/	In its present form: 2005	Fredrikstad
	The Press Council (Pressens faglige utvalg)	http://presse.no/Norsk_Presseforbund/	1910 and formalised in the 1930s	Oslo

Table 4 - Sectors covered

This table provides an overview of the areas that are covered by the regulatory authority.

Country	Body	Audiovisual content (radio/TV, on demand media services)	Transmission aspects of audiovisual content (e.g. spectrum)	Distribution aspects of audiovisual content (e.g. must carry, EPG, API)	Spectrum	Electronic communications (networks and services in general)	Others (e.g. energy, post)
Norway	Ministry of Culture	Yes	√	Yes	No	No	Yes
	The Media Authority	Yes	No	Yes	Yes	No	Film classifications, media subsidies and ownership in media.
	Norwegian Post and Telecommunications Authority		Yes	Yes	Yes	Yes	Yes
	The Press Council	Yes	No	No	No	No	No
	NRK's Broadcasting Council	Yes	No	No	No	No	No

Table 5 - Staff and overall budget

This table provides an overview of the staff and overall budget of the regulatory authority. The figures are given for the areas covered by the AVMS directive (where possible) for regulators with a broader area of responsibility.

Country	Body	Total number of staff foreseen in statutes/law	Current staff count	Annual budget (€m) foreseen in statutes/law	Current annual budget	Reference year +source
Norway	Ministry of Culture	Not specified	No information available	Not specified	No information available	
	The Media Authority	Not specified	45 (now)	Not specified	41.8m NOK (2009) €5.29m 45m NOK (2010) €5.7m	State budget
	The Press Council	Not specified	2	Not specified	integrated in The Norwegian Press Association	
	NRK's Broadcasting Council	Not specified	1	Not specified	integrated in the NRK	

II. INSTITUTIONAL FRAMEWORK

Table 6 - Legislation establishing and governing the regulatory body

This table shows the legislation setting up and governing the regulatory authority.

Country	Body	Legislation setting-up the regulatory body	Governing legislation
Norway	The Media Authority	Established in 2005 by an administrative decision. Several administrative and monitoring agencies were merged. The oldest (the Film Censorship Board) was from 1913, the Media Ownership Authority was probably the most recent, from 1998 The responsibilities of the body are given in the Broadcasting Act and other acts and decisions.	The Cinema Act, 1913 The Media Ownership Act 1997 etc. Forvaltningsloven (The Administrative Act) Link to Norwegian official version: www.lovdata.no/all/hl-19670210-000.html

Table 7 - Legal status

This table provides information on the legal status taken by the regulatory authority.

Country	Body	What form does it take?	It is a separate legal entity?	If it is not a separate legal entity, it is part of:	Specific organisational characteristics	Source
Norway	The Media Authority	Directorate	Yes, but it is subordinate to a ministry (Ministry of Culture), which can reverse its decisions. In cases regarding media ownership concentration, the decisions cannot be changed by the Ministry, but a	Ministry of Culture		

Country	Body	What form does it take?	It is a separate legal entity?	If it is not a separate legal entity, it is part of:	Specific organisational characteristics	Source
			special Complaints Board handles complaints.			
	Norwegian Post and Telecommunications Authority (NPT)	Directorate	Yes, but it is subordinate to a ministry (Ministry of Transportation and Communications), which can reverse its decisions.	Ministry of Transportation and Communications		

Table 8 - Independence as a value

This table is intended to capture whether independence of the regulatory body is explicitly or implicitly recognised as a value in the legal framework.

Country	Body	Is independence implicitly or explicitly recognised as a value in the legal framework?		Source (highest formal legal level)
		No	Yes	
Norway	The Media Authority		<p>1) In general: Independence is important when it comes to the relationship between the state and the media. But it is also a part of the Norwegian parliamentary system that a minister has the final responsibility for decisions made by administrative bodies.</p> <p>2) The Authority states in its home pages that it is in favour of more independence in the broadcasting area.</p> <p>3) The legislation (media ownership law) prohibits the Ministry and the Government to interfere in decision regarding media ownership concentration.</p>	2) www.medietilsynet.no/no/Om-Medietilsynet/Om-Medietilsynet-test/Medietilsynet-gar-for-okt-uavhengighet/

III. POWERS OF THE REGULATORY BODIES

Table 9 - Regulatory powers

This table is aimed at understanding the types of decisions that can be taken by the regulatory body.

We have distinguished from a theoretical point of view, between:

- general policy setting powers, i.e. the power to decide on the general orientation of the rules to be followed (for instance the power to decide on the amount of quotas)
- general policy implementing powers, i.e. once the general policy has been adopted, to specify by means of general or abstract rules how this general policy will be implemented (for example to decide in general terms (not connected to a specific case) how the quotas should be applied and monitored)
- third party binding policy application powers, i.e. the power to take in a specific case a decision binding on specific operators

Country	Body		General policy setting	General policy implementing powers	Third party decision making powers
Norway	Ministry of culture	Tick boxes	√	√	√
		Areas:	All areas linked to broadcasting policy	All areas linked to broadcasting policy	All areas linked to broadcasting policy
		Source	General act The Constitution	The Broadcasting Act	General act The Broadcasting Act (but these decisions are in general taken by the Media Authority)
	The Media Authority	Tick boxes	No	No	√
		Areas			Broadcasting (e.g. licensing of local radio and television; penalizing violations of the broadcasting act)
		Source			General act The Broadcasting Act and Administrative regulation FOR 1997-02-28 No. 153

Table 10 - Supervision and monitoring power

This table is aimed at understanding the supervision/monitoring/information gathering powers of the regulatory body.

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
Norway	The Media Authority	Quotas	√	√	√	√		The Broadcasting Act and Administrative regulation FOR 1997-02-28 No. 153
		Advertising	√	√	√	√		

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
		Protection of minors	√	√	√	√		

Table 11 - Powers of sanctions

This table provides an overview of the sanctions that can be adopted by the regulatory body in case of breach of the rules implementing the AVMS Directive on quotas, advertising and protection of minors.

Country	Body	Areas	Warnings/formal objections	Fine (lump sum) If so, list maximum and minimum amounts	Publication of decisions in the media	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)	Others
Norway	The Media Authority	Quotas	√ all sanctions are discretionary	√ Max NOK 2m (€248,969) discretionary	These decisions are in the public domain – it is up to the media whether they publish or not, but they usually do	√ discretionary	√ discretionary	Time-limited prohibition of the broadcasting of advertisements
		Advertising	√	√ Max NOK 2m (€248,969) discretionary		√ discretionary	√ discretionary	Time-limited prohibition of the broadcasting of advertisements
		Protection of minors	√	√ Max NOK 2m (€248,969) discretionary		√ discretionary	√ discretionary	

Table 12 - De facto use of formally granted competences and monitoring powers

This table shows whether the regulatory body has made use of its formally granted powers in the areas covered by the AVMS Directive within the past 5 years.

Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
Norway	The Ministry of Culture	√	√	√	N/A	N/A	N/A	N/A
	The Media Authority				√	√	√	√

Table 13 - De facto use of formally granted sanction powers

This table shows whether the regulatory body has made use of its formally granted sanction powers within the past 5 years.

Country	Body	Warnings	Fine (lump sum)	Publication of decisions in television programmes/on demand services	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)
Norway	The Media Authority	√	√	These decisions are in the public domain – it is up to the media whether they publish or not, but they usually do	Not very often There have been short suspensions, a few every year, but no licences have been permanently withdrawn.	√

Table 14 - Complaints handling

This table shows whether there are procedures for dealing with complaints coming from viewers against conduct of audiovisual media service providers. Briefly explain them.

Country	Body	Do complaints handling procedures exist?	Link to website
Norway	The Media Authority	No	

IV. INTERNAL ORGANISATION AND STAFFING

Table 15 - Highest decision-making organ – composition

This table shows whether the highest decision-making organ of the regulatory body/bodies (i.e. the organ responsible for regulatory tasks, namely supervision and enforcement) is an individual or a board/commission and if it is a board/commission, who are its relevant representative components

Representation does not necessarily mean formal representation of that group. It can mean that the board member is expected to emanate from that group, but does not have to formally represent it during the mandate.

Country	Body	Individual or Board	Legal requirements regarding composition of highest decision-making organ						Implicit representation structures?	Source
			Number of Board members	Representatives of civil society	Representatives of government	Representatives of parliament	Representatives of industry	Experts		
Norway	Norwegian Media Authority	Individual, Director General		n/a						No information available

Table 16 - Highest decision-making organ – competences and decision-making process and transparency

This table shows the main fields of responsibility of the highest decision-making organ of the regulatory body as well as its decision-making process (in particular its transparency and whether minutes and agendas are published).

Country	Body	Competences	Decision-making process	Is the decision making process transparent?	Minutes and agendas published?
Norway	Norwegian Media Authority	<ul style="list-style-type: none"> Administration Regulatory Decisions <p>The NMA has decision making power over both its internal organisation and procedures, in addition to decision making power on human resource. These powers must however, be according to the budget and over all plans for the NMA made by the Ministry of Culture.</p>	The Director General is given the power to take all final decisions.	No	No

Table 17 - Highest decision-making organ – appointment process

This table shows whether there are several stages in the appointment process of the chairman and members of the highest decision-making organ of the regulatory body, for the nomination and appointment phases respectively. It also shows who is involved in each of these two stages (government, minister, parliament, civil society, religious groups, political parties, board members, board chairman, others) and whether the appointer(s) can override the proposals made at the nomination stage.

Country	Body		Nomination stage Yes – No	Nomination stage Specify who is involved in that stage and who has the decisive say	Appointment stage Specify who is involved in that stage and who has the decisive say	If there are two stages, can the appointer ignore the nominations?	Source
Norway	Norwegian Media Authority	Director General (no other board member)	No	n/a	The Ministry of Culture	n/a	No information available

Table 18 - Term of office and renewal

This table shows the term of office of the chairman and members of the highest decision-making organ of the regulatory body and whether the term is staggered not to coincide with election cycles. It also indicates if appointment is renewable and for how many times.

Country	Body		Term of office	Is the term staggered not to coincide with election cycle?	Renewal possible? If so, state how many times	Source
Norway	Norwegian Media Authority	No chairman, the answers given applies to the Director General No other board member	Permanent	n/a	n/a	

Table 19 - Professional expertise/qualifications

This table illustrates the qualifications and professional expertise required to become a chairman or member of the highest decision making organ of the regulatory body.

Country	Body		Qualifications	Professional expertise	Source
Norway	Norwegian Media Authority	Director General (no other board member)	Not general requirements but the Ministry of Culture has specified that the qualifications required of the current Director General were published when the position was announced vacant.		No information available

Table 20 - Rules to guard against conflicts of interest – Appointment process

This table shows whether there are clear rules, in the appointment process of the chairman and members of the highest decision-making organ of the regulatory body, to avoid possible conflicts of interest.

Country	Body		Do such rules exist?		Rules to prevent conflicts of interest with government	Rules to prevent conflicts of interest with political parties	Rules to prevent conflicts of interest with industry	Can other offices be held at the same time?	Others (e.g. obligation to disclose participations in companies)	Source
			Yes	No						
Norway	Norwegian Media Authority	Director General (no other board members)	Yes		Yes	No	Yes	Yes	Yes	The Administrative Act and State Ethical Guidelines for the Public Service www.regjeringen.no/upload/kilde/mod/bro/2005/0001/ddd/pdfv/281750-etiske_retningslinjer_engelsk_revidert.pdf Public Administration Act, chapter II
		Senior staff			Yes	No	Yes	Yes	Yes	The Administrative Act and State Ethical Guidelines for the Public Service www.regjeringen.no/upload/kilde/mod/bro/2005/0001/ddd/pdfv/281750-etiske_retningslinjer_engelsk_revidert.pdf Public Administration Act, chapter II

Table 21 - Rules to guard against conflicts of interest – during term of office

This table shows whether there are rules to avoid conflicts of interest during the term of office.

Country	Body		Do such rules exist?		Rules to prevent conflicts of interest with government	Rules to prevent conflicts of interest with political parties	Rules to prevent conflicts of interest with industry	Source
			Yes	No				
Norway	Norwegian Media Authority	Director General (no other board member)	Yes but they are not specific. There are rules on prevention of corruption that apply to all civil servants.		Yes	No information available	Yes	The Administrative Act and State Ethical Guidelines for the Public Service www.regjeringen.no/upload/kilde/mod/bro/2005/0001/ddd/pdfv/281750-etiske_retningslinjer_engelsk_revidert.pdf
		Senior staff	Yes		Yes	No information available	Yes	No information available

Table 22 - Rules to guard against conflicts of interest – after term of office

This table shows whether there are clear rules to avoid conflicts of interest after the term of office.

Country	Body		Do such rules exist?		Is a cooling-off period foreseen?	Source
			Yes	No		
Norway	Norwegian Media Authority	No chairman, the answers given applies to the Director General		No		
		Senior Staff		No		

Table 23 - Rules to protect against dismissal

This table shows the rules to protect against dismissal of the whole decision making organ, the chairman and individual members of the highest decision-making organ of the regulatory body. Please add any other comments in the row below.

Country	Body		Do such rules exist?		Who can dismiss? Specify who is involved in that stage and who has the decisive say	Grounds for dismissal listed in legal instrument?	Can the whole body be dismissed or only individual members?	Source
			Yes	No				
Norway	Norwegian Media Authority	Director General (no board)			The Ministry of Culture	Serious misconduct	n/a	The Working Environment Act www.arbeidstilsynet.no/binfil/download2.php?tid=92156

Table 24 - Dismissal before term

This table shows available statistics on dismissal before term in the last 5 years as well as the reasons for this dismissal.

Country	Body	Year		Dismissal before term		Reasons	Comment
				Yes	No		
Norway	Norwegian Media Authority				No		Norwegian civil servants have a very good job protection.

V. FINANCIAL RESOURCES

Table 25 - Sources of income

This table shows the sources of income of the regulatory authority.

Country	Body	End-user broadcasting licence fees (max level)	State budget	Spectrum fees	Authorisation/licence fees paid by broadcasters	Fines	Other fees, e.g., 'market surveillance fee' based on % of revenues of broadcasters (or other operators – e.g. in case of converged regulators)	Source
Norway	Media Authority	No	State funding: 100% NOK 45m (ca. €5.6m)	No	No	No	No	Annual state budget

Table 26 - Annual budget

This table shows who decides on the annual budget of the regulatory body and decides on adjustments to it as well as the extent to which the regulatory body is involved in these processes.

Country	Body	Who decides the annual budget?	Is the regulator involved in the process?	Rules on budget adjustment – who is involved in the process (e.g. parliament, government and/or industry) ?	De facto influence of third parties on budget amounts	Source
Norway	The Media Authority	The Ministry of Culture writes a detailed proposition to the Parliament. Very few changes are made in the state budget by the parliament.	The first draft to the budget comes from the regulator.	The final decision is made by the parliament	De facto influence exists but is very small (is limited to the application of rules set by others)	

Table 27 - Financial accountability – auditing

This table shows if the regulatory authority is subject to periodic financial auditing.

Country	Body	Is the regulatory body subject to periodic external auditing?					Legal basis
		Yes/no	Periodicity	By national (state) audit office, etc.	Private audit firm	Other	
Norway	The Media Authority	yes	Continuous/annual	Yes National Audit Office (which is under control of the parliament)	No	No	Act of parliament: Riksrevisjonsloven (LOV-2004-05-07-21)

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
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

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
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/

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					Legal basis
		Yes/no	Periodicity	By public authority	By private authority	Other	
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

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
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 related to audiovisual matters.	No	No	No	<i>No information available</i>
		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	Yes The Norwegian	N/A	N/A	N/A	N/A	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	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 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	Yes	Yes The Ministry of Transportation and Communications	No	No	No	<i>No information available</i>

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		decisions of the regulator?						

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
Norway	The Media Authority and Norwegian Post and Telecommunications Authority (NPT)	Internal: The Authority can be asked to look at the case again, for instance if new information is provided	1	Norwegian Media Authority	No	Parties having a legal interest	The Public Administration Act
			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))			

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
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.

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
Norway	The Media Authority and Norwegian Post and Telecommunications Authority (NPT)	√	√	√	N/A

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

Country	Body	Appeal stage	Yes	No	Comments
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>

VII. PROCEDURAL LEGITIMACY

Table 36 - External advice regarding regulatory matters

This table shows if the regulatory body is able to take outside advice regarding regulatory questions.

Country	Body	Is a budget foreseen for outside advice?	If so, what is the budget/year?	Must the body respect public tender procedures?	Other requirements	Does the regulatory body de facto take external advice on a regular basis?
Norway	The Media Authority	The authority has some freedom in its budget setting. Only major changes need to be approved by the ministry.	Not specified	Not for the small sums that are most likely	-	It seems that this does not happen in the broadcasting sector.
	The Ministry	Yes	not specified	for some consultancy tasks, but it is more likely that the Ministry appoints a group of persons (involved parties or experts) to produce a report (called NOU)	-	No information

Table 37 - Public consultations

This table shows if the regulatory authority is required to publish public consultations.

Country	Body	Which decisions require prior public consultation?	Requirements on who must be consulted? (e.g. broadcasters, consumer organisations, academics etc.)	Consultation period	Consultation responses published		Legal basis
					Full responses (if authorised by contributor)	Summaries prepared by regulator	
Norway	The Media Authority	The laws usually specify at which level in the administrative system supplementary rules can be made. In many cases, the Media Authority has been delegated this task.	General requirement that foresees that all public and private institutions and affected organisations should be heard.	No general rule	In principle, this information is in the public domain (unless it contains trade secrets)		"Instructions for Official Studies and Reports" http://www.regjeringen.no/upload/FAD/Vedlegg/Statsforvaltning/Utreddningsinstruksen_eng.pdf
	The Ministry	Major changes of laws	General requirement that foresees that all public and private institutions and affected organisations should be heard.	Variable	Yes		"Instructions for Official Studies and Reports" http://www.regjeringen.no/upload/FAD/Vedlegg/Statsforvaltning/Utreddningsinstruksen_eng.pdf

Table 38 - Public consultations – figures

This table shows the number of public consultations that were organised by the regulatory body in the past five years, in the areas covered by the AVMS Directive.

Country	Body	Year	Number of public consultations
Norway	The Media Authority		Formal consultations will usually be conducted by the Ministry.
	Ministry of Culture		1 – 4 per year involving questions related to the media

Table 39 - Publication of regulator's decisions

This table shows if the regulatory authority is required to publish its decisions, if its decisions need to be motivated and if impact assessments are required.

Country	Body	Which decisions required by law to be published?	Obligation to motivate decisions? Legal basis?	Obligation to include/publish impact assessment? Legal basis?	
				Ex ante	Ex post
Norway	Norwegian Media Authority	In principle all decisions made by public bodies are made public immediately. Most of the information is also in the public domain before the decision is made (except budgets, trade secrets and information invading privacy) In practice all decisions are published.	Yes, according to the Administrative act.	No information available	No information

VIII. COOPERATION

Table 40 - Cooperation with other regulatory authorities

Country	Body	Describe the mechanism of cooperation with other bodies	Source and form of cooperation	Can body receive instructions from other bodies? If so, state which and explain	Comments
Norway	Norwegian Media Authority	Cooperation with the Norwegian Post and Telecommunications Authority (NPT) when granting local radio broadcastings licences. When granting a local radio licence, the NPT gives the spectrum licence.		No	

Table 41 - International cooperation

Country	Body	Does it cooperate with other national regulatory bodies in EU and international fora?	Source and form of cooperation (legal basis)	Comments
Norway	Norwegian Media Authority	The Norwegian Media Authority is an EPRA member. Informal cooperation with the Nordic media authorities.		