[DE] Amendment of Telemedia Act and the Provisional Tobacco Act

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At the beginning of May, a draft Act on the further development of the legal framework for new services was presented, proposing amendments to the *Telemediengesetz* (Telemedia Act - TMG) and the *Vorläufiges Tabakgesetz* (Provisional Tobacco Act).

The Act is meant to transpose Directive 2007/65/EC (Audiovisual Media Services Directive - AVMSD) with regard to its provisions concerning on-demand audiovisual media services.

The main areas in which the AVMSD requires amendments to the TMG are the definitions of service providers and on-demand audiovisual media services (Art. 2(1)(1) and (6) of the draft), provisions on country of establishment in terms of its impact on the application of the country of origin principle (Art. 2a(3) of the draft) and particular requirements concerning audiovisual commercial communication in relation to sponsorship (Art. 6(1)(5) of the draft).

The amendments to the Provisional Tobacco Act required under the AVMSD mainly concern the ban on sponsorship and product placement (Art. 21b of the draft).

Entwurf eines Gesetzes zur Fortentwicklung des Rechtsrahmens im Bereich der neuen Dienste vom 30. April 2009

http://www.bmwi.de/BMWi/Redaktion/PDF/Gesetz/entwurf-gesetzes-fortentwicklung-bereich-neuer-dienste,property=pdf,bereich=bmwi,sprache=de,rwb=true.pdf

Draft Act on the further development of the legal framework for new services, 30 April 2009

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