[GR] Transpostion of the AMSD Directive

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Through the recent adoption of Presidential Decree 109/05.11.2010, Directive 2007/65/EC (currently the codifying Directive 2010/13/EC) was incorporated into the Greek legal order. The provisions of the Decree generally follow the flexible EU framework concerning both television broadcasts and on-demand services. However, the Greek legislator has established stricter rules on several issues relating to the protection of viewers, especially minors.

First of all, a general rule applicable to all media, linear or not, is established, dictating respect for the personality, in the broader sense, of the persons appearing in or referred to during television programmes or audiovisual commercial communications.

Special provisions are dedicated to the protection of minors. Consequently, it is expressly prohibited to transmit any kind of audiovisual commercial communication encouraging the excessive consumption of unhealthy foods or promoting alcoholic beverages during children programmes or the children time zone. Additionally, the abuse of the regime governing sponsorships is checked, as from now on their transmission during a programme is only allowed once. Moreover, the sponsorship of alcoholic beverage sellers is not allowed in programmes targeted at minors, nor the appearance of sponsor logos during children shows. A similar vein runs through the provisions regarding product placement. Product placement is not allowed in cases where television advertisements are not, such as during religious services. Moreover, product placement is prohibited in programmes targeted at minors.

It must also be noted that, for the first time, rules concerning the access of disabled persons to all media are established.

The general principle of the protection of television viewers, who are regarded as consumers, and of minors similarly shapes the regime for television broadcasts. Having in mind the particularities of the Greek television industry, the legislator introduces an express prohibition of the transmission between 6 p.m. and 1 a.m. of advertisements which promote, directly or indirectly, services of a sexual character. Teleshopping transmissions must be structured in such way so as not to induce minors to enter into contracts of purchase or lease of products or

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services. Special provisions on the protection of minors regulate their presentation or participation in information or entertainment programmes, as well as possibly harmful content and proper labelling. In application of the Directive's provisions, the regulatory framework regarding the right to answer of persons offended by the content of a television broadcast is established.

European works are promoted with a high required percentage (51%) of the total time of programmes transmitted on an annual basis, as are independent productions (10%).

Finally, for the first time a clear regulatory framework is put in place concerning the broadcast of events of major significance, as well as of short news reports.
Product placement is not allowed in cases where television advertisements are not, such as during religious services.

Προεδρικό Διάταγμα 109/05.11.2010

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