[IT] AGCOM Adopts Interpretative Guidelines on Parental Control

IRIS 2011-10:1/29

Angela Creta
Sapienza University of Rome

In order to clarify the interpretation of Regulation no. 220/11/CSP on parental control (hereinafter “the Regulation”), adopted on 22 July 2011 (see IRIS 2011-8/33), the Autorità per le garanzie nelle comunicazioni (Italian Communications Authority - AGCOM) published, on 1 August 2011, interpretative guidelines on the broadcasting of films rated as not suitable for minors under 14 and 18 years (“Chiarimenti interpretativi sulla normativa in materia di diffusione sui servizi di media audiovisivi di film vietati ai minori di anni 18 e 14”). Considering the existence of different interpretations of the provisions of the Audiovisual media services and radio Code (hereinafter “the Code”) concerning films rated 14 and 18 years, AGCOM has decided to circulate specific interpretative criteria regarding the different paragraphs of Article 34 of the Code and specifies the following:

- The prohibition contained in paragraph 1, for conditional access programs, is not absolute. The national law refers to a specific regulation for the determination of conditions, constraints, rules and technical measures preventing minors from accessing this type of content. Therefore, the blocking of the picture is carried out by means of a parental control feature, which prevents access to audiovisual content and can be disabled with a special secret code;

- The second paragraph of the article, however, prohibits the broadcast of programs that can harm the physical, mental or moral development of minors, unless, by selecting the time of transmission or by means of a technical device, it is possible to exclude minors from viewing;

- Paragraph 3 allows conditional access broadcasts with parental control of films rated 18 years during the night between 11 pm and 7 am, whereas they are banned during daytime between 7 am and 11 pm;

- Paragraph 4 prohibits the broadcasting of films rated 14 years in any mode during daytime between 7 am and 10.30 pm, while they are allowed during the night between 10.30 pm and 7 am;

- Paragraph 5 adopts, with co-regulatory procedures, indications of technical devices such as personal identification numbers and filtering systems, in order to prevent minors from viewing prohibited programs.

© European Audiovisual Observatory (Council of Europe) 2026

As further interpretative criteria, the guidelines specify that in regard to films rated 14 years, paragraph 3 of Article 34 is a further clarification of what is stated in paragraph 1, which provides for a time zone of absolute prohibition.

Similarly, paragraph 4 limits the time period of prohibition for films rated 14 years. These films are not considered to be seriously harmful, therefore the provisions of paragraph 4 must be read in light of paragraph 2. This paragraph allows the transmission of these programs even outside the permitted time slot, but with the use of technical measures that prevent minors from viewing them. Therefore, the supply of such content is conditional on the time of transmission or, alternatively, by the adoption of measures that exclude its viewing by children and adolescents.

Finally, with regard to films rated 18 years, the adoption of parental control systems, according to the measures contained in the Regulation approved by resolution of 220/11/CSP, meets the requirements of law, provided that these systems effectively prevent minors from accessing this type of content.

AGCOM, Chiarimenti interpretativi sulla normativa in materia di diffusione sui servizi di media audiovisivi di film vietati ai minori di anni 18 e 14

http://www.agcom.it/default.aspx?DocID=6869

AGCOM, Interpretative guidelines on the broadcasting of films rated as not suitable for minors under 14 and 18 years

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026