[GB] Audiovisual Media Services Directive Transposed into the Law of Gibraltar

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The Government of Gibraltar has made regulations transposing the Audiovisual Media Services Directive into the Law of Gibraltar. This follows a reasoned opinion from the Commission at the end of 2011 requesting the UK Government to secure such implementation; Gibraltar is a British Overseas Territory that governs its own internal affairs, with some matters - such as foreign relations - remaining the responsibility of the UK Government.

The Audiovisual Media Services Regulations, made under the Interpretation and General Clauses Act, took effect on 20 October 2011. They state that they apply to GBC, the Gibraltar broadcaster, and to all audiovisual media services transmitted by media service providers under Gibraltar jurisdiction. The regulations then repeat the provisions of the Directive in relation to jurisdiction, freedom of reception and the other matters dealt with under the Directive.

The authority responsible for enforcing the new regulations is the Gibraltar Regulatory Authority, established under the Gibraltar Regulatory Authority Act 2000, which acts together with the Gibraltar minister with responsibility for broadcasting. Powers under Gibraltar's Communications Act 2006 are incorporated into the regulations to permit the Minister and the Authority to enforce them and to regulate broadcasting; these include powers to obtain information and to issue directions. The Authority is also empowered to issue codes of practice to broadcasters on matters such as standards and advertising of products to children. Breach of the provisions of the Regulations is made a criminal offence and civil proceedings may also be brought for breach of the Regulations.

Audiovisual Media Services Regulations 2011 (LN. 20011/207), 20 October 11

http://www.gibraltarlaws.gov.gi/articles/2011s207.pdf

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