

## [IT] Parliamentary hearing of AGCOM's President on the fact-finding survey on the audiovisual media services

**IRIS 2015-5:1/21**

*Ernesto Apa & Daniel Giuliano  
Portolano Cavallo Studio Legale*

On 25 February 2015, AGCOM's President, Professor Angelo Marcello Cardani, was heard by the IX Permanent Commission for Transportation, Mail Services and Telecommunications of the Italian Chamber of Deputies in relation to a fact-finding survey on the system of audiovisual media and radio services, started by the Committee on 30 April 2014 (see IRIS 2015-3/20).

In particular, in his report, the President focused on (a) the current trends of the TV sector; (b) the main issues, which involve the expertise and the regulatory activities of AGCOM; (c) the remaining problems to solve in order to guarantee an effective regulation in light of the challenges imposed by continuous technological and market advancements.

In respect to the first point, the President highlighted how, in the last few years, the TV sector has been subject to significant technological transformations. In particular, the digitalisation process has altered TV viewers' consumption habits. With reference to the regulatory profiles, the President focused on a number of issues, including, first, the technological neutrality issue. This implies uniformity in the regulation of all the electronic communication networks, with particular regard to regulatory aspects concerning the authorisation regime, the assignment and management of scarce resources and possible duties related to transmission or to access to electronic guides to programmes, in order to ensure the accessibility to content of general interest. The second issue concerned the unique European television market, which is one of the main objectives of the European Commission in the context of the politics of growth and occupation of the IT society and which consists of the establishment of a modern, flexible and simplified area of rules for audiovisual content. Third, the President also focused on the various issues related to the information society and copyright protection.

Finally, in respect to unsolved regulatory problems, the President highlighted that the main criticalities in the TV regulatory sector concern: (a) the establishment of a level playing field, i.e. the issue of whether OTT operators and traditional broadcasters should be subject to homogeneous rules; (b) the walled garden issue, i.e. the risk of discrimination in the access to content; and (c) the necessity to update the idea of "editorial responsibility".

***Camera dei Deputati, IX Commissione Permanente Trasporti, Poste e Telecomunicazioni: Audizione del Presidente Prof. Angelo Marcello Cardani, Indagine conoscitiva sul sistema dei servizi di media audiovisivi e radiofonici***

<http://www.agcom.it/documents/10179/2907110/Audizione+al+Parlamento+25-02-2015/18c8bd17-e949-4e10-a249-90ad34fb85fb?version=1.0>

*IX Permanent Commission for Transportation, Mail Services and Telecommunications of the Italian Chamber of Deputies: Hearing of the President, Professor Angelo Marcello Cardani, fact fact-finding survey on the system of audiovisual media and radio services*

