[CY] New rules for the protection of minors

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On 23 December 2015, the Law on Radio and Television Organisations of 1998 was amended. The goal of these amendments is the regulation of the participation of minors in advertising and teleshopping messages, as well as in television programmes, in order to ensure their interests and protect their rights. Amending Law N. 201(I)/2015 established general rules with regard to the participation of minors in commercial and other television productions, while the regulator, the Cyprus Radio Television Authority, is required to produce a code of conduct on the matter. More specifically, the following amending provisions have been voted on:

The definition of minor is introduced in the respective section of the law; this is a person under 18 years old.

A new article (29A) is introduced, which subjects the participation of minors in “commercial programmes, programmes, commercial announcements and advertisements” to the consent of parents or custodians and requiring that this serves the minor's interests. It further clarifies that notwithstanding the provisions of employment laws, which apply in case of employment, the participation in cultural or artistic programmes is left to the person's free will. In the case of a minor over 15 years of age, his/her written consent is required. For minors under 15 years of age, the maturity of the person is taken into account and in case of refusal, his/her participation stops or is cancelled.

Further regulation of the issue by the Cyprus Radio Television Authority is required, through its obligation to produce a Code of Conduct within six months, which should be implemented by the audiovisual media services organisations. The code should be drafted in consultation with stakeholders including minors' organised bodies. It should include guidelines regarding the participation of minors, the behaviour that audiovisual media services organisations must adopt in order to protect minors' rights, and “other relevant issues”. Audiovisual media services organisations can themselves adopt their own codes of co- or self-regulation in addition to the aforementioned code of conduct.

The rules introduced with the amending law supplement the provisions of Article 29 of the law that transcribes Article 27 of the Audiovisual Media Services Directive (AVMSD), and of Article 33 that transcribes Articles 19 to 22 of the

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Directive; Article 33 also includes additional rules on advertising. Rules on the participation of minors are also provided in the Regulations to the Law on Radio and Television Organisations of 1998 to 2015 or Normative Administrative Acts (Κανονιστικές Διοικητικές Πράξεις) KDP 10/2000. They include the definition of minor (a person aged under 18 years) and require the parents' consent for interviewing minors under 16. Rules can also be found in the code of advertising and teleshopping, an appendix to the Regulations. They aim at the protection of minors from content, not providing any specific rule with regard to their participation in audiovisual productions.

The introduction of rules regarding the participation of minors in audiovisual productions may raise the issue of the Radio Television Authority's extent of supervisory powers; how can the regulator ensure respect for the rules at the production stage, without interfering in ways that may lead to censorship?

Τροποποιητικός Νόμος 201(I)/2015 του περί Ραδιοφωνικών και Τηλεοπτικών Οργανισμών Νόμου του 1998 μέχρι 2015

http://www.cylaw.org/nomoi/arith/2015_1_201.pdf

Act N.201(I)/2015 amending the Law on Radio and Television Organisations of 1998 το 2015, Official gazette, 23.12.2015 pp. 1418-9

Κανονιστικές Διοικητικές Πράξεις] KDP 10/2000

http://crta.org.cy/default.asp?id=241

Regulations to the Law on Radio and Television Organisations of 1998 to 2015 or Normative Administrative Acts

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