# [IT] Decree on the television advertising of gaming

**IRIS 2016-9:1/23**

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On 19 July 2016, the Ministry of Economy and Finance (Ministero dell'Economia e delle Finanze) issued a decree to identify the "specialised media" to which the general prohibition of gaming advertising on television and radio broadcasts between 7 a.m. and 10 p.m. does not apply. The Decree has been published in the Official Journal on 8 August 2016.

Restrictions on gaming advertising were introduced by Legislative Decree no. 158 of 13 September 2012 ("Decreto Balduzzi"). In addition, Section 1, paragraph 939 of Law no. 208 of 28 December 2015 sets forth the prohibition on "generalist radio and television broadcasts" including gaming advertising from 7 a.m. until 10 p.m. The same statute established that some "specialised media" shall not comply with that prohibition; such specialised media are to be identified by a decree of the Ministry of Economy and Finance. As stated above, such a Decree was issued on 19 July 2016. According to the Decree, the generalist broadcasts (subject to the prohibition) are the TV channels qualified as generalist by section 32 of Legislative Decree no. 177 of 30 July 2005 (Consolidated text on radio and audiovisual media services - "Testo unico dei servizi di media audiovisivi e radiofonici") (see IRIS 2005-9/24), i.e. the national free-to-air former analogue digital terrestrial TV channels broadcasting generalist programming.

The Decree identifies the specialised media as: (i) free-to-air digital terrestrial TV channels other than generalist channels; (ii) TV channels broadcast on platforms different from digital terrestrial TV (e.g., satellite channels); (iii) pay channels and services (e.g., pay-TV, pay-per-view, on-demand services); (iv) local TV channels; and (v) local and national radio stations.

The Decree excludes from the definition of specialised media the TV channels and radio stations aimed exclusively or primarily at children.

***Ministero dell'Economia e delle Finanze - Decreto 19 luglio 2016 - Individuazione dei media specializzati ai fini della pubblicita' di giochi con vincite in denaro***

http://www.gazzettaufficiale.it/atto/serie_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=2016-08-08&atto.codiceRedazionale=16A05782

*Decree of 19 July 2016, Identification of specialised media for gaming advertising*

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