[CY] Draft Bill on the Regulations of Video Sharing Platform Services established in the Republic of Cyprus

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The December 2021 amendment of the Law on Radio and Television Organisations 7(I)/1998 transposed the Audio Visual Media Services Directive 2018/1808/EU into national law of the Republic of Cyprus (RoC). Upon the transposition and the enactment of the new law, the Cyprus Radio Television Authority (CRTA) became the competent authority for securing and enforcing compliance of Video Sharing Platform (VSP) providers under its jurisdiction with the regulatory provisions. It is reminded that some of the biggest, in terms of revenues and users, VSP providers that distribute adult entertainment content are established in the RoC and thus fall under the jurisdiction of the CRTA.

Part IXA of the Law 7(I)/1998 pertains to the provisions applicable to VSP Services; precisely, Article 32F(1) provides for the obligation of VSP providers to take appropriate measures to protect (a) minors from programmes, user-generated videos and audiovisual commercial communications which may impair their physical, mental or moral development; (b) the general public from programmes, user-generated videos and audiovisual commercial communications containing incitement to violence or hatred, public provocation to commit a terrorist offence, offences concerning child pornography, and offences concerning racism and xenophobia. Article 32G extends the CRTA's competence to impose administrative sanctions, including financial ones, to VSP providers in case of violations of the Law.

Exercising its powers as derived from Article 51 of the Law 7(I)/1991, the CRTA decided to proceed with drafting Regulations on VSP Services in order, among others, to examine potential violations of the Law by VSP providers and impose sanctions.

The Draft Bill on the Regulations of VSP Services has sections on:

- The obligation of the providers to submit to the CRTA a Notification Form [based on Article32(E)(7) of the Law] and explicates the procedure for examining and evaluating this Form by the CRTA.

- The classification of the VSP Services into different categories based on the submitted Notification Form and the content (including user-generated videos) distributed by each VSP Service.

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- The examination and evaluation of the appropriateness of measures taken by the VSP providers as per their obligation stipulated in Article 32F of the Law 7(I)/1998 (as amended).

- The examination of potential violations of the Law and Regulations by VSP providers. This section details the step-by-step procedure to be followed when the CRTA examines, either ex officio or after information it receives, potential violation of the Law and Regulations by VSP providers under its jurisdiction.

On the 20 December 2023, the CRTA opened the public consultation on the Draft Bill on the Regulations of VSP Services, which lasted until the 30 January 2024. Stakeholders, among others, the VSP providers established in the RoC, the Commissioner for Children's Rights, the Office of the Commissioner for Personal Data Protection, were invited to express their opinion on the Draft Bill.

The collection and analysis of the data and the findings expressed in the context of the public consultation is the next step so that the Draft Bill on the Regulations is finalised. Following this, the Draft Bill will be submitted to the Law Office of the RoC for examination and vetting and then to the Standing Committee on Internal Affairs for discussion, before they are considered by the Plenary of the House of Parliament for approval through vote. Upon their publication in the Official Gazette of the Republic, the Regulations are put into enforcement

Law consolidating and reviewing the Laws regulating the establishment, installation and operation of Radio and Television Broadcasters, Number 7(I) of 1998

https://crta.org.cy/assets/uploads/pdfs/FINAL%20CONSOLIDATED%20LAW%20up%20to%20Amendment%20197(I).2021.pdf

Οι περί Υπηρεσιών Πλατφόρμας Διαμοιρασμού Βίντεο Κανονισμοί του 2023

https://crta.org.cy/assets/uploads/pdfs/DimosiaDiabouleusiKanonismoiGiaVSPs.pdf

The Video Sharing Platform Services Regulations 2023

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