

[IT] AGCOM adopts new regulatory framework on events of major importance for society

IRIS 2026-5:1/15

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The Italian Communications Authority (AGCOM) adopted Resolution No. 102/26/CONS of 29 April 2026, establishing the updated regulatory framework governing the transmission of events deemed to be of major importance for society.

Following the transposition into Italian law of Directive (EU) 2018/1808, the Italian legislature entrusted the Ministry of Enterprises and Made in Italy (MIMIT), acting in consultation with AGCOM, with the competence to adopt the list of events of major importance for society and events of social or significant public interest.

At the same time, AGCOM was entrusted with the task of identifying the appropriate measures to ensure that media service providers do not exercise the exclusive rights acquired in relation to events included in the MIMIT list in such a way as to deprive a substantial proportion of the public in another member state of the European Union of the possibility of following events considered by that state to be of major importance for society and for which that state ensures free-to-air coverage, whether live or deferred, in whole or in part.

On 8 October, MIMIT approved the new list, thereby updating and significantly extending the previous framework adopted by AGCOM in 2012 (see IRIS 2012-5:1/29).

Through Resolution No. 102/26/CONS, AGCOM consequently established the new regime under which broadcasting rights relating to sporting and cultural events included in the list approved by MIMIT must be exercised in a manner ensuring free-to-air access to at least 80% of the Italian population.

The measure is intended to enhance public access to events considered to be of particular social relevance, while reinforcing the principles of media pluralism, the right to information and audience protection.

In addition to traditionally protected sporting events of major national and international significance, including the Olympic and Paralympic Games, official matches of the Italian national football team, semi-finals and finals of European club competitions involving Italian teams, the Giro d'Italia, motor racing events held in Italy and major world championship finals, the updated list now

encompasses a broader range of sporting disciplines. These include selected rugby, cycling, athletics, swimming, gymnastics, fencing, skating and skiing events, as well as leading national and international tennis competitions, including Grand Slam tournaments and ATP Masters 1000 events.

The revised list also extends to major cultural and musical events, including the Festival di Sanremo, the final evening of the Eurovision Song Contest, opening performances at Teatro alla Scala and Teatro di San Carlo, and the New Year's Concert at Teatro La Fenice.

A further significant aspect of the resolution concerns the obligations imposed on pay media service providers holding the relevant broadcasting rights. Such operators are required to publish, sufficiently in advance, an offer for the assignment of those rights on fair, reasonable and non-discriminatory terms, with the aim of facilitating wider public access to the events included in the list.

The resolution also establishes the applicable enforcement and sanctions framework in the event of non-compliance, pursuant to the Italian legislation implementing Directive (EU) 2018/1808 on audiovisual media services, as incorporated into the Italian Consolidated Text on Audiovisual Media Services (TUSMA). In particular, infringements may give rise to administrative fines ranging from EUR 100 000 to EUR 5 000 000, or up to 1% of the undertaking's annual turnover where such a percentage exceeds EUR 5 000 000.

Lastly, the measure regulates dispute resolution procedures applicable where disputes arise between media service providers concerning the transmission of events included in the list, including disputes relating to technical transmission arrangements and the conditions governing the assignment of broadcasting rights. In such cases, the procedural framework set out in the regulation governing disputes between operators shall apply.

Delibera n. 102/26/cons provvedimento recante le disposizioni attuative dell'articolo 33 del d. lgs. 8 novembre 2021, n. 208, relative alla lista degli eventi di particolare rilevanza per la società di cui è assicurata la diffusione su palinsesti in chiaro

https://www.agcom.it/sites/default/files/provvedimenti/delibera/2026/102_26_CONS.pdf

Resolution No. 102/26/CONS, measure setting out the implementing provisions of Article 33 of Legislative Decree No. 208 of 8 November 2021, concerning the list of events of particular significance to society, the broadcast of which is guaranteed on free-to-air channels

