

**State of play on the implementation of the new Directive in EU Member States – April 2009**

Country	State of play Dec 2008	State of play April 2009	At which stage of the transposition process are you currently? <sup>1</sup> <i>(please tick below)</i>							Any trends you can indicate concerning the most discussed issues? (commercial communication, on-demand services, accessibility, European works etc.)	
			0	1	2	3	4	5	6		
<b>Belgium (French Community)</b>	Draft decree to be approved by French Community government by the end of the year. Opinion of the State Council (Conseil d'Etat) received on 26 November.	Decree approved by Parliament on Feb 3 and by Government on Feb 5. Published in the Moniteur Belge on March 18.								x	
<b>Belgium (Flemish Community)</b>	Draft decree approved by the Flemish Community government. Flemish government approved the new draft media decree 2009 on 5 December.2008. Opinion of the State Council (Raad van State) received on 10 September.	Decree voted in Parliament on March 18 Confirmed by Government on March 27. Publication before end of April and in force from first half of May.								x	

<sup>1</sup> The following codes apply: 0 = Process not started yet; 1 = Pre-legislative public consultation; 2 = Administrative drafting; 3 = Published draft legislation; 4 = Public consultation on draft legislation; 5 = Legislative procedure; 6 = Legislation adopted.

<b>Belgium (German Community)</b>	Draft decree in preparation. Must be submitted to the State Council in March 2009.											
<b>Bulgaria</b>	Consultations ongoing. First administrative draft expected beginning 2009.	Groupe de travail suit le projet de texte			X							
<b>Czech Republic</b>	Draft legislation prepared by Ministry of Culture and submitted for consultations. Draft legislation should then be submitted to Government. Expected to be presented to Parliament in March/April 2009.	Draft legislation has been submitted to the government							x			
<b>Denmark</b>	Draft law being elaborated. Working group set-up. Public consultation to be prepared and draft bill expected to be sent to Parliament in October 2009.	-			x							

<b>Germany</b>	Draft legislation being prepared by Bund + Länder Governments, public consultation expected for first half 2009. First administrative draft expected in February 2009.	Länder: draft legislation shall be the item of a public consultation in April/May  Bund: draft legislation is prepared				X								
<b>Ireland</b>	Some questions already addressed in the broadcasting bill, 2 <sup>nd</sup> part to be transposed by Governmental regulation to be finalised by summer 2009.	Government regulation & codes & rules to be finished by December 2009				X								
<b>Estonia</b>	Pre-legislative public consultation finished, draft legislation being prepared and expected to be submitted to Parliament by end of 2009.	Drafting process is going on and we hope to submit the draft act to the government by summer												
<b>Greece</b>	Public consultation ended on 15 December 2008. A working group is preparing a draft law.	Draft law has been elaborated and a second public consultation will be conducted on it. Draft law will have been submitted to the Parliament by early autumn at the latest.			X	X								

<b>Spain</b>	Draft legislation has been prepared but not yet published. Expected to be presented to the Government on 31 March 2009.	Está en fase de borrador y redacción administrativa. Se espera que la transpoición se efectúe lo antes posible y siempre antes de diciembre del 2009																	
<b>France</b>	Public consultation in March 2008. Draft law published and approved by the National Assembly. Adoption by Senate expected in early 2009. Rules on TV advertising will be adopted by Governmental Decree following a public consultation.	Loi approuvée par le Parlement, et publiée le 05.03.09. Adoption prévue de 5 décrets, dans les prochains mois, par le gouvernement.																	x
<b>Italy</b>	Draft law authorising government to adopt a decree law under discussion in the Parliament. Public consultation in 2009 envisaged.	Il 17 marzo il senato ha approvato il disegno di legge comunitaria e lo ha trasmesso alla camera dei deputati. Dovrebbe essere approvato entro maggio. Successivamente adottato un decreto legislativo che modificherà la normativa attualmente vigente in materia. In processo di recepimento verra concluso entro dicembre 2009.																	
<b>Cyprus</b>	Public consultation will start in early 2009. First administrative draft bill should be published for public consultation in January 2009 and then sent to Parliament in June 2009.	A written report has been submitted: 1. public consultation: ended 15.03.09 2. legal vetting to end by 12.06.09 3. approval by council of ministers: by 02.10.09 4. submission to the house of representatives by 16.10.09 5. discussion before the competent committee by mid Oct – mid Nov 6. Approval by plenary of Parliament by late Nov – mid Dec.																	

<p><b>Latvia</b></p>	<p>In November 2007 Parliament mandated broadcasting Council to prepare draft bill for Parliament by end 2008.</p>	<p>Draft law has been submitted to Parliament Commission of Human Rights &amp; Public Affairs. Now until May 5. National Broadcasting Council of LV together with Parliament's Judicial Bureau and Commission is improving legal technique. On May 5 the Commission will decide if legislative procedure will be started -&gt; first reading. Legal status and financing of public broadcasters (no problems with transposition of directive, domestic matters)</p>										
<p><b>Lithuania</b></p>	<p>Working group set up. A conference took place on 4 December. Plan to submit the draft bill to Parliament in spring 2009.</p>	<p>New government approved plan to prepare the final draft and send to Parliament at the end of the second quarter year 2009. We are finalising the draft law for the moment before sending it officially for the other institutions as governmental procedure.</p>				x						
<p><b>Luxembourg</b></p>	<p>Amending TV advertising rules adopted. Draft legislation is in preparation concerning other rules.</p>	<p>A draft bill will not be adopted by government before the elections which take place on June 7.</p>			x							
<p><b>Hungary</b></p>	<p>Draft legislation has been published. Two public consultations: the first in 2007 on general concepts; the second on the draft text in November-December 2008. Draft bill expected to be presented to Parliament first half 2009.</p>	<p>End of public consultations. The draft will soon be introduced before the Parliament.</p>						x				

<p><b>Malta</b></p>	<p>Public consultations conducted; draft amendments to existing law expected to be presented to the ministry by the end of January 2009.</p>	<p>Report submitted to the Ministry of Education, Culture on Jan. 26. Legal Cap Analysis completed and proposals on non-obligatory provisions have been prepared.</p>														
<p><b>The Netherlands</b></p>	<p>Draft law approved by Government and submitted for opinion to the State Council. Will then be submitted to the Parliament for approval.</p>	<p>Proposal changing the media act has been sent to Parliament end of Feb. Written response expected to be received by April 9. To be discussed before summer in the Lower House. Procedure to be concluded in time.</p>														
<p><b>Austria</b></p>	<p>Legislation concerning TV advertising rules presented to Parliament and should be in force by February 2009. Draft legislation concerning the other rules expected to be published in March 2009.</p>	<p>Legislation concerning TV advertising rules for private broadcasters entered into force on 1 March 2009. Draft legislation concerning other rules expected to be published before summer 2009 (at the latest in autumn) and then submitted to Parliament.</p>		x												
<p><b>Poland</b></p>	<p>Public consultation carried out between July and September 2008, expert group is about to finalise the guiding rules for the draft law. Draft bill planned to be submitted to Parliament in July 2009.</p>	<p><b>The expert group finalized the guiding rules for the draft law in Feb. The guiding rules are being analysed in the Ministry of culture at the moment. Draft bill is planned to be submitted to Parliament in Sept</b></p>		x												



<b>Finland</b>	Following limited public consultation, a working group prepared and published a draft legislation, which is expected to be put to public consultation and then presented to Parliament in March 2009.	Public consultation in Feb. 2009 At the moment analysing feedback and political decisions of the line to take. Proposal to Parliament in May.						x		
<b>Sweden</b>	A commission of enquiry has been charged with the preparation of a legislative proposal. This proposal was presented to the Minister of Culture on Dec 15 and was published for public consultation immediately afterwards. Government proposal is expected in late Spring 2009.	Consultation finished 16 March. Finalisation of draft within the ministry expected late April. Government decision in May followed by assessment by legal Council, proposal to Parliament by September.						x		
<b>United Kingdom</b>	Several consultations have taken place the results of which are being currently analysed. Draft law expected in spring.	Consultation complete. Government has amended policy. Legislation being drafted. Adoption expected in autumn.			x					



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<b>II. EEA COUNTRIES</b>										
IS	Public Hearing this summer. Proposition ..... in parliament in September									
LI										
NO	Public Hearing this spring. Proposition for Parliament Autumn									
<b>III. CANDIDATE COUNTRIES</b>										
HR	Draft Act on Amendments to the Electronic Media Act has been drawn up by working group	Draft Act will be put on the website of Ministry of Culture for public consultation		x						
MK										
TR	A new law was drafted by a Commission set up by the Radio & tv supreme council. It is expected to be submitted to RTUK in June to the Prime Ministry. No exact time table									