



Committee on Culture and Education

05/09/2023

Proposal for a Regulation establishing a common framework for media services in the internal market (European Media Freedom Act) and amending Directive 2010/13/EU

Rapporteur: Sabine Verheyen

Final - Compromise Amendments

(With technical adjustments covering: linguistic revision, final numbering, addition of exclusive competence paragraphs from LIBE, technical verification of AMs covered)

CHAPTER I
Articles 1-2

Compromise 1 - on Article 1 - Subject matter and scope

Covers: AM 34, 35, 36, 37 (Rapporteur), **AM 396, 398, 401** (Petra Kammerevert), **AM 400** (Emmanuel Maurel), **AM 402** (Catherine Griset); **AMs 404, 405, 412** (François-Xavier Bellamy), **AM 407** (Željana Zovko), **AM 408, 410** (Ibán García Del Blanco, João Albuquerque, Marcos Ros Sempere); **AM 415** (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou), **AM 416** (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); **LIBE 67; IMCO 57, 58, 59, 60**

Paragraph 1

This Regulation lays down common rules for the proper functioning of the internal market for media services, including the establishment of the European Board for Media Services *(the ‘Board’)*, *and common basic principles to serve as minimum standards, while ensuring the independence of media services . (AM 35).*

Paragraph 2

This Regulation shall not affect:

(aa) competition rules, including those laid down by Regulation (EC) No 139/2004; (AM 398, IMCO 60)

(ba) rules laid down by Directive 2010/13/EU; (AMs 36, 400, 401, 402, 407, 412)

(d) rules laid down by Regulation (EU) 2022/2065; (AM 404, IMCO 57)

(e) rules laid down by Regulation (EU) 2022/1925; (AM 405, IMCO 58)

(fa) rules laid down by Directive (EU) 2019/1937 of the European Parliament and of the Council¹; (AM 408)

(fb) Directive (EU) xxx/XXX of the European Parliament and of the Council on protecting persons who engage in public participation from manifestly unfounded or abusive court proceedings (“Strategic lawsuits against public participation”). (AM 410)

Paragraph 3

3. This Regulation shall not affect the possibility for Member States to adopt more detailed ***or stricter*** rules in the fields covered by Chapter II, Section 5 of Chapter III ***and Article 24***, provided that those rules comply with Union law. ***(AMs 37, 415, 416, LIBE 67, IMCO 59)***

Compromise 2 - on Article 2 – Definitions

Covers: AMs 38, 40, 41 (Rapporteur), AMs 423, 433, 435, 440, 442, 445, 451, 455, 471, 474, 480, (Diana Riba i Giner, Marcel Kolaja), AMs 434, 449 (Morten Løkkegaard), AMs 429, 438, 443, 470, 472 (Irena Joveva, Ramona Strugariu, Morten Løkkegaard), AMs 421, 431, 436, 438, 446, 447, 452, 463, 465, 492 (Petra Kammerevert), AMs 434, 456, 476 (Catherine Griset), AM 439 (Michaela Šojdrová, Radan Kanev), AMs 437, 441, 443, 444 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou), AM 458, (Željana Zovko), AM 454 (Isabella Adinolfi), AM 457 (Andrey Slabakov), AM 459 (Massimiliano Smeriglio, Sylvie Guillaume, Pina Picierno), AMs 462, 478 (François-Xavier Bellamy), AM 467 (Michaela Šojdrová, Radan Kanev, Peter Pollák), AM 468 (Tomasz Frankowski, Loucas Fourlas, Peter Pollák, Michaela Šojdrová, Maria Walsh), AM 469 (Rob Rooken), AM 473 (Monica Semedo, Anna Júlia Donáth), AMs 475, 479 (Petra Kammerevert, Elena Yoncheva), AM 477 (Andrea Bocksor), AM 482 (Ibán García Del Blanco, João Albuquerque, Marcos Ros Sempere); IMCO 62, 65, 66, 67 70, 71; LIBE 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 83, (LIBE AMs 80, 81, 82 are exclusive competence).

¹ ***Directive 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law (OJ L 305, 26.11.2019, p. 17).***

(1) ‘*media service*’ means a service as defined by Articles 56 and 57 of the Treaty, where the principal purpose of the service or a dissociable section thereof consists in providing programmes or press publications, ***or excerpts from them***, to the general public, by any means, in order to inform, entertain or educate, under the editorial responsibility of a media service provider; (***AM 421***)

(2) ‘media service provider’ means a natural or legal person, whose professional ***activity, regardless of whether, in the case of a natural person, it is exercised in a standard or non-standard form of employment***, is to provide a media service and who has editorial responsibility for the choice of the content of the media service and determines the manner in which it is organised; (***LIBE 68, AMs 423, 424***)

(3) ‘*public service media provider*’ means a media service provider which is entrusted with a public service ***remit mission*** under national law or receives national public funding for the fulfilment of such ***a remit a mission***; (***IMCO 62***)

(7) ‘*editor-in-chief*’ means a natural person or a number of natural persons possibly grouped in a body, regardless of its legal form, status and composition, that takes or supervises editorial decisions within a media service provider; (***AMs 429, 431, LIBE 69***)

(8) ‘editorial decision’ means a decision taken on a regular basis for the purpose of exercising editorial responsibility ~~and linked to the day-to-day operation~~ of a media service provider; (***AM 433***)

(9) ‘editorial responsibility’ means the exercise of effective control both over the selection of the programmes or ***the content of*** press publications and over their organisation, for the purposes of the provision of a media service, regardless of the existence of liability under national law for the service provided; (***AMs 40, 434, 435, 436, 438, 439, IMCO 65, LIBE 70***)

(9a) (new) ‘*online platform*’ means online platform as defined in Article 3, point (i), of Regulation (EU) 2022/2065; (***AM 440, 441, IMCO 66, LIBE 71***)

(10) ‘provider of very large online platform’ means a provider of an online platform that has been designated as a very large online platform pursuant to Article ~~25(4)~~ ***33(4)*** of Regulation (EU) ~~2022/2065~~ ***2022/XXX [Digital Services Act]***; (***AMs 442, 443, IMCO 67***)

(9 b) ‘*online search engine*’ means online search engine as defined in Article 3, point (j) of Regulation (EU) 2022/2065; (***LIBE 72***)

(10a) ‘*provider of a very large online search engine*’ means a provider of an online search engine that has been designated as a very large online search engine pursuant to Article ***33(4)*** of Regulation (EU) 2022/2065; (***AM 444, LIBE 73***)

(12) ‘national regulatory authority or body’ means ***an*** authority or body designated by Member States pursuant to Article 30 of Directive 2010/13/EU; (***IMCO 68***)

12a. (new) 'user interface' means a service that provides an overview of media services provided by individual or multiple media service providers and that enables a user to select media services or applications that essentially serve to provide access to media services and to control or manage access to, and the use of, media services; (AM 446, LIBE 83)

(13) 'media market concentration' means a concentration as defined in Article 3 of Regulation (EC) No 139/2004 involving at least one **party in the media value chain** ~~(LIBE 76, AM 451)~~ ;

(13 a (new) 'media pluralism' means a variety of voices, analyses and opinions in public discourse, including minority positions and opinions, disseminated in an unimpeded way by media service providers which are in the hands of many different owners, each independent from one another, across different media channels and media genres and the recognition of the co-existence of private commercial media service providers and public service media providers; (AM 492)

(14) 'audience measurement' means the activity of collecting, interpreting or otherwise processing data about the number and characteristics of users of media services **and of users of online platforms** for the purposes of decisions regarding advertising allocation, prices, **purchases and sales**, or the ~~the planning-production or~~ distribution of media ~~services content~~; (AMs 42, 452, 454, 453, 455, 456, 457, 458, 459, 461, 462, IMCO 70, LIBE 77)

(14a) (new) 'proprietary audience measurement' means audience measurement which does not follow industry standards agreed by self-regulatory mechanisms covering media service providers; (AM 463, 464)

(15) 'State advertising' means the placement, **promotion**, publication or dissemination, in any media service, **online platform or online search engine**, of a promotional or self-promotional message, normally in return for payment or for any other consideration, by, for or on behalf of any **Union**, national or regional public authority, such as **Union institutions, bodies, offices or agencies**, national, federal or regional governments, regulatory authorities or bodies as well as state-owned enterprises or other state-controlled entities at the national or regional level, or any local government, ~~of a territorial entity of more than 1 million inhabitants~~; (AMs 43, 465, 466, 467, 468, 469, 470, 471, IMCO 71, LIBE 78)

(15a) (new) 'emergency message by a public authority' means the placement, publication or dissemination, in any media service, of a message of informative nature considered necessary by a public authority in the event of natural or sanitary disasters, accidents, other sudden incidents or critical situations that could cause harm to individuals; (AM 472, LIBE 79)

(16) “Spyware” - LIBE Competence (AMs 80, 81, 82) - CULT AMs - 473, 474, 475 (not to be voted)

(16) ‘*surveillance technology*’ means a *digital or mechanical instrument or product* or another *instrument or product* that enables the *acquisition of information* by intercepting, monitoring, extracting, collecting or analysing data without the natural or legal person concerned being made aware in a specific manner and having given their express specific consent, *in accordance with the conditions for consent set out in Article 7 of Regulation (EU) 2016/679*, in that regard;

(16a) ‘spyware’ means any *surveillance technology with a high level of intrusiveness resulting, in particular, from the extensive access it can offer to devices and their functionalities, typically* designed to exploit vulnerabilities in products with digital elements that enables the *extensive* covert surveillance of natural or legal persons, *including retroactively*, by monitoring, extracting, collecting or analysing data from such products or from the natural or legal persons using such products, *including in an indiscriminate manner*, without the natural or legal person concerned being made aware in a specific manner and having given their express specific consent, *in accordance with the conditions for consent set out in Article 7 of Regulation (EU) 2016/679*, in that regard;

(17) “serious crime” - LIBE Competence - AMs 476, 477, 478, 479, 480, 481 (not to be voted)

(17) ‘serious crime’ means any of the following criminal offences listed in Article 2(2) of the Council Framework Decision 2002/584/JHA²:

(a) terrorism *as defined in Directive (EU) 2017/541 of the European Parliament and of the Council (AM 352 Left, 353 Greens)*,

(b) trafficking in human beings,

(c) sexual exploitation of children and child pornography,

(d) illicit trafficking in weapons, munitions and explosives,

(e) murder, grievous bodily injury,

(f) illicit trade in human organs and tissues,

(g) kidnapping, illegal restraint and hostage-taking,

(h) organised or armed robbery,

(i) rape,

(j) crimes within the jurisdiction of the International Criminal Court.

(17a) (new) ‘*media literacy*’ means *skills, knowledge and understanding that allow citizens to use media effectively and safely which are not limited to learning about*

² Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (OJ L 190, 18.7.2002, p. 1-20).

tools and technologies but aim to equip citizens with the critical thinking skills required to exercise judgment, analyse complex realities and recognise the difference between opinion and fact. (AM 482)

CHAPTER II

Article 3-6

Compromise 3 - on Article 3

Covers: AMs 483, 485 (Petra Kammerevert); AM 44 (Rapporteur), AM 486 (Petra Kammerevert), AM 487 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 488 (Tomasz Frankowski, Loucas Furlas, Peter Pollák, Michaela Šojdrová, Maria Walsh), AM 489 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou);

Chapter II - Title: *Rights of recipients of media services, rights of media service providers and safeguards for the independent functioning of public service media providers ~~applicable to public service media providers~~ (AM 483)*

Article 3 - Title *-Rights of recipients of media services (AM 485)*

Paragraph 1

Member States shall ensure, in accordance with Article 11 of the Charter of Fundamental Rights of the European Union (the ‘Charter’), that recipients of media services have access to a plurality of media services produced by editorially independent media service providers, without any State interference, in order to ensure free and democratic discourse. Member States shall establish the necessary framework conditions to guarantee those rights and to safeguard, preserve and promote media pluralism. (AMs 44, 486, 487, 489)

Compromise 4 on Article 4 - Rights of media service providers

Covers: AMs 45, 46 (Rapporteur), AM 493 (Petra Kammerevert); AM 494 (Andrea Bocskor); AM 510 (Irena Joveva, Ramona Strugariu); AM 513 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), IMCO 75, LIBE 100, (LIBE AMs 88 until 99 are exclusive competence)

Paragraph 1

1. Media service providers shall have the right to exercise their economic activities in the internal market without restrictions other than those allowed *pursuant to* Union law. (AMs 45, 493, 494, IMCO 75)

Paragraph 2

2. *The Union, Member States and private entities* shall respect *the* effective editorial freedom *and independence* of media service providers. Member States, including their national regulatory authorities and bodies, *Union institutions, bodies, offices and agencies and private entities* shall not:

(a) interfere in or try to influence in any way, directly or indirectly, editorial policies and *editorial* decisions by media service providers;

(a a) *oblige media services providers or their employees to disclose any information related to editorial processing, including on their sources, or to disseminate such information;*

(b) detain, sanction, subject *to* search and seizure, or inspect media service providers, *their employees or*, if applicable, their family members, *or any other person belonging to their professional network of relationships, including occasional contacts*, or their corporate and private premises, *where such actions might lead to a violation of their right to exercise their professional activity and, in particular, where such actions might result in access to journalistic sources;*

(b a) *access encrypted content data on any device or in any machine used by media service providers or, if applicable, their families or their employees or their family members or, if applicable, any other person belonging to their professional or private network of relationships, including occasional contacts;*

(c) deploy *surveillance measures or use surveillance technology, or instruct private entities to use such measures or such technology*, in any device or machine used by media service providers or, if applicable, their family members, or their employees or their family members *or, if applicable, any other person belonging to their professional network, including occasional contacts.*

(ca) *deploy spyware or any similar intrusive technology, or instruct private entities to use spyware or such technology, in any device or machine used by media service providers or, if applicable, their family members, or their employees or their family members or, if applicable, any other subject belonging to their professional network, including occasional contacts.*

(cb) *commission a third party to carry out any of the actions referred to in points (b) to (ca).*

2a (new) *By way of derogation from paragraph 2, point (b), Member States, including their national regulatory authorities and bodies, Union institutions, bodies, offices and agencies and private entities may carry out an action as referred to therein, provided*

that other legal measures would be inadequate and insufficient to obtain the information sought and provided that the action:

- (a) is unrelated to the professional activity of a media service provider and its employees;*
- (b) does not result in access to journalistic sources;*
- (c) is provided for under national law;*
- (d) is justified on a case-by-case basis for the purpose of preventing, investigating or prosecuting a serious crime;*
- (e) complies with Article 52(1) of the Charter and other relevant Union law;*
- (f) is proportionate with respect to the legitimate aim pursued; and*
- (g) is ordered, ex ante, by an independent and impartial judicial authority with effective, known and accessible remedial measures ensured in accordance with Article 47 of the Charter and in compliance with other relevant Union law.*

When carrying out actions as referred to in paragraph 2, point (b), the Member States, including their national regulatory authorities and bodies, Union institutions, bodies, offices and agencies and private entities shall not retrieve data related to the professional activity of media service providers and their employees, in particular data which offer access to journalistic sources.

2b (new) *By way of derogation from paragraph 2, points (ba) and (c), Member States, including their national regulatory authorities and bodies, Union institutions, bodies, offices and agencies and private entities may carry out an action as referred to therein, provided that the actions referred to in paragraph 2, point (b), would be inadequate and insufficient to obtain the information sought and provided that the action:*

- (a) complies with the conditions listed in paragraph 2a, points (a), (b), (c), (e), (f) and (g);*
- (b) concerns only the investigation or prosecution of a serious crime that is punishable in the Member State concerned by a custodial sentence or a detention order for a maximum period of at least five years;*
- (c) is carried out as a last resort; and*
- (d) is subject to periodic review by an independent and impartial judicial authority.*

2c (new) *By way of derogation from paragraph 2, point (ca), Member States, including their national regulatory authorities and bodies, Union institutions, bodies, offices and agencies and private entities may carry out an action as referred to therein, provided that the actions referred to in paragraph 2, point (ba) or (c), would be inadequate and insufficient to obtain the information sought and provided that the action complies with the conditions listed in paragraph 2a, points (a), (b), (c), (e), (f) and (g), and paragraph 2b, points (b), (c) and (d).*

2d (new) *The carrying out of actions as referred to in paragraph 2, points (ba), (c) and (ca), shall be subject to ex-post scrutiny by means of judicial review or by means of another independent oversight mechanism. Member States shall inform persons targeted by actions as referred to in paragraph 2, points (b) to (ca), and persons*

whose data or communications were accessed as a result of such actions of the fact that their data or communications were accessed and of the duration and scope of the processing of those data, and the manner in which those data were processed. Member States shall ensure access to redress through an independent body for persons directly or indirectly affected by the carrying out of such actions. Member States shall publish the number of requests approved and rejected for the carrying out of such actions. The safeguards provided for in this paragraph shall extend to natural persons in non-standard forms of employment, such as freelancers exercising activities in the same field as media service providers and their employees.

Paragraph 3

3. Without prejudice and in addition to the right to effective judicial protection guaranteed to each natural and legal person, Member States shall designate *a structurally and functionally independent authority or body, such as an ombudsperson*, to handle complaints lodged by media service providers or their family members, *the employees of media service providers or their family members, or any other person professionally or privately associated with them*, regarding breaches of paragraph 2, points *(aa), (b), (ba), (c), (ca)* and *(cb)*. Media service providers shall have the right to request that authority or body to issue, within three months of the request, an opinion regarding compliance with paragraph 2, points *(aa), (b), (ba), (c), (ca)* and *(cb)*. (AMs 46, 510, 513, LIBE 100)

Compromise 5 on Article 5 - Safeguards for the independent functioning of public service media providers

Covers: AMs 47, 48, 49, 50 (Rapporteur); AMs 417, 519, 529, 530, 544 (Petra Kammerevert); AM 520 (Andrey Slabakov), AM 521 (Emmanuel Maurel, Stelios Kouloglou), AM 522 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza); AM 523 (Morten Løkkegaard); AM 524 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou); AM 525 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); AM 526 (Michaela Šojdrová, Radan Kanev, Peter Pollák); AM 527 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); AM 528 (Irena Joveva, Ramona Strugariu, Morten Løkkegaard); AM 532 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); AM 533, 534 (Petra Kammerevert); AM 535, 547 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou); AM 536 (Emmanuel Maurel); AM 537 (Andrey Slabakov); AM 538 (Morten Løkkegaard); AM 539 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza); AM 540 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); AM 541 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); AM 542 (Michaela Šojdrová, Radan Kanev, Peter Pollák); AM 543 (Sabine Verheyen, Peter Pollák, Theodoros Zagorakis, Michaela Šojdrová, Tomasz Frankowski); AM 545 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); IMCO 78, 80, 104 LIBE 105, 106

Paragraph 1

1. Member states shall ensure, by means of national law and their actions, that public service media providers *have full autonomy and editorial independence from governmental, political, economic or private vested interests in order to provide, in the exercise of their public service remit*, in an impartial and independent manner, a plurality of information and opinions to their audiences. (AM 47 and AMs 519 to 526, IMCO 78)

Paragraph 2

Subparagraph 1

2. Member States shall ensure, by means of national law and their actions, that the principles of independence, accountability, effectiveness, transparency and openness are respected when the management structures of public service media are appointed. In particular, the head of management and the members of the governing board of public service media *providers shall be* appointed through a transparent, open and non-discriminatory procedure and on the basis of transparent, objective, non-discriminatory and proportionate criteria laid down in advance *in national law*. (AMs 48, 527, 528, 529)

Subparagraph 2

The duration of their term of office shall be established *in national law, shall correspond to their tasks and shall be* adequate and sufficient to ensure effective independence of the public media service provider. They may be dismissed before the end of their term of office only *in exceptional circumstances* where they no longer fulfil the legally predefined conditions required for the performance of their duties laid down in advance *in national law* or for specific reasons of illegal conduct or serious misconduct as defined in advance *in national law* (AMs 530, 532)

Subparagraph 3

Dismissal decisions shall be duly justified *on the basis of criteria laid down in advance in national law*, subject to prior notification to the person concerned, and include the possibility for judicial review. The grounds for dismissal shall be made available to the public. (AM 533)

Paragraph 3

3. Member States shall ensure that public service media providers have adequate, *sustainable and predictable* financial resources *on a multiannual basis* for the fulfilment of their public service remit and to meet the objectives thereof. Those resources *and the process by which they are allocated* shall be *based on transparent criteria laid down in advance and shall be* such that editorial independence is safeguarded *while allowing for the development of media services for new audience interests or new content and media forms and for technical development*. (AMs 49, 534, 535, 536, 537, 538, 539, 540, 541, 542, IMCO 80, LIBE 105)

Paragraph 3 a (new)

Member States shall appoint an independent authority or establish independent procedures for determining the financial needs appropriate for public service media providers in accordance with paragraph 3. Member States shall ensure that independent judicial review is guaranteed.

The procedure for appointing an independent authority as referred to in the first subparagraph or the established procedures referred to therein shall be predictable, transparent, independent, impartial and non-discriminatory and be based on objective and proportionate criteria laid down in advance by national law. (AM 541, 542, 543, 544)

Paragraph 4

4. Member States shall *put in place mechanisms or designate one or more independent authorities or bodies* to monitor *the application of* paragraphs 1 to 3. *Such mechanisms, authorities or bodies shall be free from government influence. In the event of doubt or following findings related to non-compliance or partial compliance with this Article, an opinion shall be issued by the independent authorities or bodies which shall inform the Board; the findings shall be made available to the public. (AMs 50, 543, 545, 547, LIBE 106).*

Compromise 6 on Article 6 - Duties of media service providers

Covers: AMs 51, 52, 53, 54 (Rapporteur); AMs 555, 570, 571, 596, 602, 632, (Petra Kammerevert); AM 557, 579, 568, 588, 595, 598, 623, 638 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); AM 559 (Monica Semedo, Anna Júlia Donáth); AM 560, 563, 593, 597, 605, 635 (Rob Rooken); AM 561, 578 (Michaela Šojdrová, Radan Kanev); AM 553, 562, 573, 629, 630, 633, (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou); AM 569, 577, 634 (Monica Semedo, Anna Júlia Donáth); AM 576, 592 (Tomasz Frankowski, Loucas Furlas, Peter Pollák, Michaela Šojdrová, Maria Walsh), AM 589, 627 (Sabine Verheyen, Peter Pollák, Milan Zver, Theodoros Zagorakis, Michaela Šojdrová, Tomasz Frankowski); AM 591, 599 (Michaela Šojdrová, Radan Kanev, Peter Pollák); AM 607, 639 (Željana Zovko); AM 608, 631 (Emmanuel Maurel, Stelios Kouloglou), AM 609 (Catherine Griset); AM 626 (Irena Joveva, Ramona Strugariu); AM 640, 641, 642, 643 (Monica Semedo, Anna Júlia Donáth), AM 636 (Morten Løkkegaard), AM 637 (Slabakov); IMCO 82, 83, 89, 191; LIBE 107, 109, 113, 114, 115, 116, 118, 119, 121

Paragraph 1

1. Media service providers, *in compliance with Union and national law*, shall make the following ~~up-to-date~~ information *directly and permanently accessible in an*

easy manner to the recipients of their services: (AMs 51, 555, 557, LIBE 107)

(a) their legal name(s) *and* contact *and* registration details; (AMs 559, 560, 561, 562, IMCO 82, LIBE 109);

(b) the name(s) of their direct or indirect owner(s) with shareholdings enabling them to exercise influence on the operation and strategic decision making; (AMs 569, 568, 570);

(c) the name(s) of their beneficial owners *as defined in* Article 3, point 6, of Directive (EU) 2015/849 of the European Parliament and of the Council. (AM 571, 573);

(ca) (new) *whether and to what extent their direct, indirect or beneficial ownership is held by the government, a State institution, a State-owned enterprise or another public body;* (AM 563, 576, 577, 578, 579, IMCO 83)

(cb) *the name and professional contact details of the natural person who bears editorial responsibility in accordance with the law of the relevant Member State, indicating, where the name and professional contact details of more than one person are given, the part of the media service for which each person is responsible;* (AMs 575)

(cc) *details concerning the ownership structure and how they are related to their parent and sister companies and their subsidiaries;* (584, LIBE 114)

(cd) *State advertising and State financial support allocated to them. (LIBE 113)*

1 a (new). Media service providers shall keep the information made accessible pursuant to paragraph 1 up to date.

1 b (new). Media service providers shall submit the information listed in paragraph 1 to the national media ownership databases referred to in paragraph 2b. Where there is a change in the information listed in paragraph 1, media service providers shall submit that updated information to the national media ownership databases within 30 days of the change. (AM 595, LIBE 116)

Paragraph 2 a (new)

2a. In duly justified cases and upon request, media service providers, in compliance with Union and national law, shall make available to the national regulatory authorities or bodies, to the Board or, where applicable, to any party with a legitimate interest the business and financial interests or activities of their direct, indirect and beneficial owners in other businesses, including their links to politically exposed persons, as defined in Article 3, point (9), of Directive (EU) 2015/849 of the European Parliament and of the Council, and to persons known to be close associates, as defined in Article 3, point (11), of that Directive. (AMs 574, 580, 581, LIBE 115)

2 b (new) - *The information provided under paragraphs 1 and 2a shall respect the fundamental rights concerned, such as the respect for the private and family life of beneficial owners. That information shall be necessary and proportionate and shall aim to pursue an objective of general interest.*

Paragraph 2c (new)

2c (new) *National regulatory authorities or bodies shall be entrusted to establish national media ownership databases to monitor compliance with the obligation set out in paragraph 1. Those databases shall be publicly available and shall comply with relevant Union law.*

On a request from the national regulatory authorities or bodies, media service providers shall provide them with additional information for the purpose of assessing the accuracy of the information provided under paragraphs 1 and 2a. (AMs 588, 589, 591, 592, 593, 595, 596, 599, 630, 640, 641, 642, 643)

Paragraph 2d (new)

2c (new) *National regulatory authorities or bodies shall submit data on the information provided under paragraph 1 on a quarterly basis to the European Database of Media Ownership referred to in Article 12, first paragraph, point (fa). (AM 598)*

Paragraph 2

2. Without prejudice to national constitutional laws consistent with the Charter, media service providers ~~providing news and current affairs content~~ shall take measures ~~to guarantee~~ that they deem appropriate with a view to guaranteeing the independence of ~~individual~~ editorial decisions. In particular, such measures shall aim to: (AMs 52, 602, 605, 607, 608, 609)

(a) guarantee that *editors and editors-in-chief are* free to take editorial decisions in the exercise of *their* professional activity within the editorial line of the media service provider; and (AM 619, LIBE 118)

(b) ensure disclosure of any actual or potential conflict of interest ~~by any party having a stake in media service providers~~, and of any attempts of interference in the editorial decisions of media service providers. (AM 623, 624 629, LIBE 119)

Paragraph 3 a (new)

3 a. Media service providers which receive public funds from third countries for the purposes of advertising or purchases shall annually submit a report to the national regulatory authority or body. Such reports shall include at least the following details:

(a) the names of the entities granting public funds;

(b) the total annual amount of the public funds granted.

The national regulatory authority or body shall make information reported pursuant to the first subparagraph publicly available. (IMCO 191)

Paragraph 3

~~3. — The obligations under this Article, paragraph 1, shall not apply to media service providers that are micro-enterprises within the meaning of Article 3 of Directive 2013/34/EU. (LIBE 121, IMCO 89, AMs 631, 632, 633, 634, 635, 636, 637)~~

CHAPTER III

Articles 7-24

Compromise 7 on Article 7 - National regulatory authorities or bodies

Covers: AM 647 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou); **AM 659** (Michaela Šojdrová, Radan Kanev, Peter Pollák); **AM 660** (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); **AM 664** (Tomasz Frankowski, Loucas Furlas, Peter Pollák, Michaela Šojdrová, Maria Walsh); **AM 651** (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); **AM 652** (Andrey Slabakov); **AM 653** (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza); **AM 654** (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou); **AM 656** (Tomasz Frankowski, Loucas Furlas, Peter Pollák, Michaela Šojdrová, Maria Walsh); **AM 663** (Petra Kammerevert); **AM 664** (Tomasz Frankowski, Loucas Furlas, Peter Pollák, Michaela Šojdrová, Maria Walsh); **AM 667** (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); **AM 668** (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); **IMCO 91, 94, 95, LIBE 123, 124, 129, 126, 132,**

Paragraph 1

The national regulatory authorities or bodies referred to in Article 30 of Directive 2010/13/EU shall be responsible for the application of Chapter III of this Regulation.

Paragraph 2

2. The national regulatory authorities or bodies shall be subject to the requirements set out in Article 30 of Directive 2010/13/EU in relation to the exercise of the tasks assigned to them by this Regulation.

Paragraph 2 a (new)

2a (new)–1a. Member states shall ensure that the national regulatory authorities or bodies are legally distinct from the government and functionally independent from their respective governments and from any other public or private body. (AMs 647, 659, 660, IMCO 91, LIBE 123, 126)

Paragraph 3

3. Member States shall ensure that the national regulatory authorities or bodies have adequate financial, human and technical resources ***and expertise*** to carry out their tasks under this Regulation. ***Member States shall proportionally increase the financial, human and technical resources allocated to national regulatory authorities or bodies in order to take into account the additional tasks conferred upon them under this Regulation. (651, 652, 653, 654, 656, LIBE 124)***

Paragraph 4 - Subparagraph 1

Member States shall ensure that the ~~competent~~ national regulatory authorities or bodies are given access to, or are provided with, all information and data necessary for carrying out their tasks under this Regulation, in particular with regard to the natural or legal persons to which Chapter III applies. (AM 663, IMCO 94)

Paragraph 4 - Subparagraph 2

On a request from the national regulatory authorities or bodies, natural or legal persons to which Chapter III applies shall, within a reasonable time period, provide them with information that is proportionate to and necessary for carrying out the tasks set out in Chapter III. On a request from the national regulatory authorities or bodies, any other natural or legal person that, for purposes related to its trade, business or profession, might reasonably be in possession of information needed for carrying out the tasks set out in Chapter III shall provide them with that information.

Paragraph 4 – subparagraph 2 a (new)

National regulatory authorities or bodies shall hold regular consultations with the representatives of the media sector. National regulatory authorities or bodies shall publish annually and make publicly available reports which reflect the results of such consultations. (AMs AM 664, 667, 668, also inspired by AM 760; LIBE 132)

2a (new). Member States shall entrust the national regulatory authorities or bodies with developing and maintaining dedicated online media ownership databases containing the information listed in Article 6(1), including at regional or local level. The public shall have easy, swift and effective access, free of charge, to such databases. National regulatory authorities or bodies shall produce regular reports on the ownership of media services under the jurisdiction of the Member State concerned. (AM 667, IMCO 95, LIBE 129)

Compromise 8 on Article 8 - European Board for Media Services

1. The European Board for Media Services ('the Board') is *hereby* established. *The Board shall be a body of the Union and shall have legal personality.*

1. a (new) *The Board shall enjoy complete independence in the exercise of its functions.*

2. The Board shall replace and succeed the European Regulators Group for Audiovisual Media Services (ERGA) established by Directive 2010/13/EU.

3. The Board shall have a secretariat and shall be advised by the Expert Group established by Article 11a.

4. The Board and the secretariat shall be provided with the human and financial resources necessary for the performance of their tasks.

5. The budget of the Board and the secretariat shall be shown in a separate budgetary line within the relevant heading of section III of the budget of the Union.
(AMs 757, AM 671)

Compromise 9 on Article 9 - Independence of the Board

Covers: AM 55 (Rapporteur), AM 674 (Petra Kammerevert); AM 675 (Andrey Slabakov); AM 676 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza); AM 677 (Emmanuel Maurel, Stelios Kouloglou), AM 678 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); AM 687 ((Sylvie Guillaume, Massimiliano Smeriglio); **IMCO 97, LIBE 133;**

The Board shall act in full independence when performing its tasks or exercising its powers. In particular, the Board shall, in the performance of its tasks or the exercise of its powers, neither seek nor take instructions from any government, ***national agency or body, person or Union institution, body, office or agency.*** ~~*Union institution, national institution or body or person.*~~ This shall not affect the competences of the Commission, or the national regulatory authorities or bodies in conformity with this Regulation. ***This shall also not affect the possibility for the other national regulatory authorities or bodies or representatives of self-regulatory or co-regulatory bodies to participate, as appropriate, in the meetings of the Board. (AM 55, 674, 675, 676, 677, 678, 687, IMCO 97, LIBE 133)***

Compromise 10 - on Article 10 - Structure of the Board

Covers: AMs 56, 57, 58, 59 (Rapporteur); **AM 690, 707** (Petra Kammerevert); **AM 703** (Sylvie Guillaume, Massimiliano Smeriglio); ~~**AMs 702, 699, 705, 722,**~~ (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou), **AMs 700, 704, 724** (François-Xavier Bellamy) **AM 688, 692, 713, 723** (Diana Riba i Giner, Daniel Freund, Marcel Kolaja) **AM 708, 726** (Rob Rooker), **AM 709** (Monica Semedo, Anna Júlia Donáth), **AM 711** (Emmanuel Maurel, Stelios Kouloglou); **AMs 712, 728** (Catherine Griset), **AMs 715, 727** (Morten Løkkegaard) **AM 716** (Tomasz Frankowski, Loucas Furlas, Peter Pollák, Michaela Šojdrová, Maria Walsh); **AM 725** (Andrey Slabakov); **AM 730** (Michaela Šojdrová, Radan Kanev, Peter Pollák); **AM 689** (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza; **IMCO 100, 102, 103; LIBE 137, 138, 139.**

Paragraph 1.

The Board shall be composed of representatives of national regulatory authorities or bodies referred to in Article 30 of Directive 2010/13/EU.

Paragraph 2.

Each member of the Board shall have one vote.

Paragraph 3.

Where a Member State has more than one national regulatory authority or body, those regulatory authorities or bodies shall coordinate with each other as necessary and appoint a joint representative which shall exercise the right to vote.

Paragraph 4.

The Board shall be represented by its Chair. ***The Board shall have a Steering Group. The Steering Group shall consist of members elected from among the members of the Board. The Steering Group shall consist of a Chair, a Vice-Chair, the outgoing Chair and two other members*** (AMs 688, 689, 690) . The Chair and the other members of the Steering Group shall be elected ~~The Board shall elect a Chair and two Vice-Chairs~~ from amongst its members by a two-thirds majority of its members with voting rights. The term of office of the Chair shall be two years. (AM 56)

Paragraph 5.

The Commission shall designate a representative to the Board. The representative of the Commission ***may*** participate in activities and meetings of the Board, without voting rights. The Chair of the Board shall keep the Commission ***and the European Parliament*** informed about the ongoing and planned activities of the Board ***and, in particular, on*** its work programme and main deliverables. (AM 57, 692, 699, 700)

Paragraph 6.

The Board may invite experts and, ***with the agreement of the Commission,*** observers to attend its meetings ***or to participate, on an ad hoc basis, in its work.*** (AM 58, 705, 706, 707, 708, 709, 711, 712, 713, 715, 717)

Paragraph 7.

The Board shall take decisions by a two-thirds majority of its members with voting rights;

Paragraph 8.

The Board shall adopt its rules of procedure by a two-thirds majority of its members with voting rights. ***Prior to the adoption of its rules of procedure, the Board shall give the Commission an opportunity to provide comments. The Board shall lay down, in its rules of procedure, the practical arrangements for the prevention and management of conflict of interests and shall inform the European Parliament of the rules of procedures it adopts or any substantial changes it makes to them.*** (AMs 59, 671, 722, 723, 724, 725, 726, 727, 728, 730)

Compromise 11 - on Article 11 - Title - Secretariat of the Board (AMs 731, 732)

Covers: AMs 731, 735, 751, 756 (Petra Kammerevert), AM 732, 739, 750, 754 (Diana Riba i Giner, Marcel Kolaja); AM 753 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza); **LIBE 146, IMCO 105, 107**

Paragraph 1.

The Board shall *be assisted by a separate and independent* secretariat. *The secretariat shall take instructions only from the Board.* (AMs 735, 739, LIBE 146, IMCO 105, 107)

Paragraph 2.

The main task of the secretariat shall be to contribute to the execution of the tasks of the Board laid down in this Regulation and in Directive 2010/13/EU. (AMs 750, 751)

Paragraph 3.

The secretariat shall provide administrative and organisational support to the activities of the Board. The secretariat shall also assist the Board *substantively* in carrying out its tasks. (AMs 753, 754, 756)

Compromise 12 on Article 11 a (new) - Expert Group to the Board

Covers: AM 685 (Sabine Verheyen, Peter Pollák, Theodoros Zagorakis, Michaela Šojdrová, Tomasz Frankowski), AM 686 (Morten Løkkegaard), AM 687 (Sylvie Guillaume, Massimiliano Smeriglio), AM 702, 758, 759, 760, 761, 762, (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou), LIBE 145
(also inspired by AMs 703, 704 that are listed under CA 10)

1. An Expert Group shall be established. The Expert Group shall consist of representatives from the media sector beyond the audiovisual media sector. The representatives of the Expert Group shall be appointed in a transparent, objective and non-discriminatory manner. (AMs 685, 686, 687, 702, LIBE 145)

2. The Expert Group shall be composed of one or more representatives from the media sectors of each Member State, from European associations or from European organisations with expertise on media beyond the audiovisual media sector or one or more natural persons with expertise on media beyond the audiovisual media sector. Details on the full composition of the Expert Group shall be laid down in the Board's rules of procedure

3. The Expert Group shall provide independent expertise, assistance and advice to the Board in carrying out its tasks on issues related to media freedom and pluralism.

4. The Expert Group may draft a recommendation, on its own initiative or on a request by the Board, Commission or the European Parliament, regarding the Board's work programme and the effective and consistent application of Chapter 3 of this Regulation. The Expert Group shall make such recommendations publicly available.

5. Where the Board deals with a matter beyond the audiovisual media sector or relating to the press, it shall consult the Expert Group.

Compromise 13 on Article 12 - Tasks of the Board

Covers: AMs 62, 63, 64, 65, 66, 67 (Rapporteur), AM 491 (Ibán García Del Blanco, João Albuquerque, Marcos Ros Sempere) AMs 768, 778, 783, 791, 803, 816, 834, 835 836, 838, 845 (Petra Kammerevert); AM 775, 786, 797, 809 (Catherine Griset), AMs 776, 794, 808 (Andrey Slabakov); AMs 777, 789, 804, 846 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza); AMs 779, 784, 792, 813, 817, 826, 840, 844, 849, 856, 857 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja); AMs 785, 793, 805 (Rob Rooker); AMs 795, 806 (Monica Semedo, Anna Júlia Donáth); AMs 796, 810 (Emmanuel Maurel, Stelios Kouloglou); AM 807 (Morten Løkkegaard); AMs 812, 815, 826, 843 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou); IMCO 109, 110, 111, 113, 114, 117, 118, 120, 133; LIBE 149, 150, 151, 153, 154, 163, 164, 166

Introductory Part

~~Without prejudice to the powers granted to the Commission by the Treaties,~~ The Board shall promote the effective and consistent application of this Regulation and of national rules implementing Directive 2010/13/EU throughout the Union. The Board shall: ***(AM 764)***

Paragraph 1 - points:

- (a)** support the Commission, through *its* expertise, in ensuring the correct application of this Regulation and the consistent implementation of Directive 2010/13/EU across all Member States, without prejudice to the tasks of national regulatory authorities or bodies; ***(AM 768)***
- (b)** promote cooperation and the effective exchange of information, experience and best practices between the national regulatory authorities or bodies on the application of the Union and national rules applicable to media services, including this Regulation and Directive 2010/13/EU, in particular as regards Articles 3, 4 and 7 of that Directive;
- (c)** advise the Commission, ***on its own initiative or*** where requested by it, on regulatory, technical or practical aspects pertinent to the consistent application of this Regulation and implementation of Directive 2010/13/EU as well as all on other matters related to media services within its competence. Where the Commission requests advice or opinions from the Board, it may indicate a time limit, taking into account the urgency of the matter, ***by which the Board is to respond to the Commission's request;*** ***(AMs 62, 775, 776, 777, 778, 779, IMCO 109, LIBE 149)***

(d) *on its own initiative or* upon request of the Commission, provide opinions on the technical and factual issues that arise with regard to Article 2(5c), Article 3(2) and (3), Article 4(4), point (c) and Article 28a(7) of Directive 2010/13/EU; (**AMs 63, 783, 784, 785, 786, IMCO 110, LIBE 150**)

(e) ~~in agreement with the Commission,~~ draw up opinions with respect to:
(**AMs 64, 791, 792, 793, 794, 795, 796, 797, IMCO 111, LIBE 151**)

- (i) requests for cooperation and mutual assistance between national regulatory authorities or bodies, in accordance with Article 13(7) of this Regulation;
- (ii) requests for enforcement measures in case of disagreement between the requesting authority or body and the requested authority or body regarding the actions recommended pursuant to Article 14(4) of this Regulation;
- (iii) national measures concerning media service providers established outside of the Union, in accordance with Article 16(2) of this Regulation;

(f) *on its own initiative or* upon request of the Commission, draw up opinions with respect to:
(**AM 65, 803, 805, 806, 807, 808, 809, 810, LIBE 153, IMCO 113**)

- (i) national measures which are likely to affect the functioning of the internal market for media services *or which have an impact on media pluralism or the editorial independence of media service providers*, in accordance with Article 20(4) of this Regulation; (**AM 812, 813, IMCO 114, LIBE 154**)

(ia new) factors to be taken into account when applying the criteria for assessing the impact of media market concentrations, in accordance with Article 21(3) of this Regulation; (AMs 825, 826)

- (ii) media market concentrations which are likely to affect the functioning of the internal market for media services *or which have an impact on media pluralism or the editorial independence of media service providers*, in accordance with Article 22(1) of this Regulation; (**AM 66, 815, 816, 817**);

f a (new)

(fa) establish and maintain the European Database of Media Ownership, which collects information provided by national regulatory authorities and bodies under Article 6; (849, 850, LIBE 163)

- (g)** draw up opinions on draft national opinions or decisions assessing ~~the impact on media pluralism and editorial independence~~ of a notifiable media market concentration ~~where such a concentration may affect the functioning of the internal market~~, in accordance with Article 21(5) of this Regulation; **(AM 823)**
- (h)** assist the Commission in drawing up guidelines with respect to:

 - (i) the application of this Regulation and of the national rules implementing Directive 2010/13, in accordance with Article 15(2) of this Regulation.
 - (ii) factors to be taken into account when applying the criteria for assessing the impact of media market concentrations ***on media pluralism and editorial independence*** in accordance with Article 21(3) of this Regulation; **(IMCO 117)**
 - (iii) the application of Articles 23(1), (2) and (3) pursuant to Article 23(4) of this Regulation.
- (i)** upon request of at least one of the concerned authorities ***or bodies***, mediate in the case of disagreements between national regulatory authorities or bodies, in accordance with Article 14(3) of this Regulation; **(AM 834)**
- (j)** foster cooperation on ***harmonised European technical*** standards related to digital signals and the design of devices or user interfaces, in accordance with Article 15(4) of this Regulation; **(AM 835)**
- (k)** coordinate national measures related to the dissemination of or access to content of media service providers ***established media-content providers*** ~~established~~ outside of the Union that target ***recipients*** in the Union, ~~where their activities~~ in accordance with Article 16(1) of this Regulation; **(AM 836)**
- (l)** organise, ***with the involvement of the Expert Group***, a structured dialogue between providers of very large online platforms, ***providers of very large online search engines and*** representatives of media service providers and of civil society ***and other relevant stakeholders***, and report on its results to the Commission ***and to the European Parliament***, in accordance with Article 18 of this Regulation; **(AM 67, 838, 840, LIBE 164)**
- (m)** foster the exchange of best practices related to the deployment of audience measurement systems, in accordance with Article 23(5) of this Regulation.

m a (new)

(ma) develop, in consultation with media service providers and other relevant stakeholders, guidelines and recommendations on the criteria and methodology for the distribution of public funds for State advertising and purchases in accordance with Article 24; (LIBE 166, AM 857)

(m b (new))

(mb) support the Commission in carrying out the monitoring exercise referred to in Article 25; (AM 851)

(mc) (new)

(mc) foster the development and use of effective measures and tools to strengthen media literacy, including the development of best practices for national authorities and bodies, media service providers, online platforms and online search engines (AM 491).

(md) (new)

(md) prepare a detailed annual report and follow-up of its activities and tasks set out in this paragraph and present it to the European Parliament. (AM 856, LIBE 165, IMCO 133)

In so far as necessary to achieve the objectives set out in this Regulation and to carry out its tasks, the Board may, without prejudice to the competences of the Member States and the Union institutions, in coordination with the Commission, cooperate with competent Union bodies, offices, agencies and advisory bodies, competent authorities in third countries and international organisations. To that end, the Board may, subject to prior approval by the Commission, establish working arrangements. (AM 844, 845, 846, IMCO 120)

CHAPTER III - Section 3 Articles 13-16

Compromise 14 on Article 13 - Structured cooperation

Covers : AM 68, 69, 70 (Rapporteur) AM 862, 865, 868, 873, 887 (Petra Kammerevert), AM 863, 867, 876, 879, 884, 888 (Irena Jovena, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), AM 864, 869, 874, 880, 886 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza), AM 866, 870, 882, (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 875, 881, 885 (Andrey Slabakov), AM 889 (Morten Løkkegaard), AM 890 (Catherine Griset), AM 891 (Emmanuel Maurel, Stelios Kouloglou); IMCO 121, 123, 124, LIBE 170, 171

Paragraph 1

A national regulatory authority or body may request ('requesting authority') cooperation, ***including the exchange of information and*** mutual assistance, at any time from one or more national regulatory authorities or bodies ('requested authorities') for the ~~purposes of exchange of information or taking measures relevant for the consistent and effective application of this Regulation or the national measures implementing Directive 2010/13/EU.~~ ***(AM 862, 863, 864, IMCO 121)***

Paragraph 2

Where a national regulatory authority or body considers that ***media content constitutes a public provocation to commit a terrorist offence as set out in Article 5 of Directive (EU) 2017/541 or presents*** ~~there is a serious and grave risk of prejudice to functioning of the internal market for media services or a serious and grave risk of prejudice to~~ public security and ***to the safeguarding of national security and*** defence, it may request other national regulatory authorities or bodies to provide accelerated cooperation or mutual assistance, while ensuring compliance with fundamental rights, in particular freedom of expression. ***(AM 865)***

Paragraph 3

Requests for cooperation, ***such as the exchange of information and*** mutual assistance, ~~including accelerated cooperation or mutual assistance,~~ shall contain all the necessary information ***related to the request***, including the purpose of and reasons for it. ***(AM 867, 868, 869, 870)***

Paragraph 4 - subparagraph 1 - introductory part

The requested authority may refuse to address the request only in the following cases:

Paragraph 4a

(a) it is not competent for the subject matter of the request or for the measures it is requested to take;

Paragraph 4b

(b) execution of the request would infringe this Regulation, Directive 2010/13/EU or other Union legislation or Member State law compliant with Union law to which the requested authority is subject;

Paragraph 4ba (new)

ba (new) the request was not duly justified. (AM 873, 874, 875, 876, IMCO 123)

Paragraph 4 - subparagraph 2

The requested authority shall provide reasons for any refusal to address a request. *Where the requested authority refuses to address a request under the first subparagraph, point (a), it shall, where possible, indicate the authority that is competent for the subject matter of the request or for the measures it was requested to take. (AM 68)*

Paragraph 5

The requested authority shall inform the requesting authority *without undue delay* of the results achieved or of the progress of the measures taken in response to the request. *(AM 69)*

Paragraph 6

The requested authority shall do its utmost to address and reply to the request without undue delay. *Further details on the procedure of the structured cooperation, including the rights and obligations of the parties, the deadlines to be respected and intermediary results, shall be set out in the Board's rules of procedure.* In case of requests for accelerated cooperation or mutual assistance, the requested authority shall address and reply to the request within 14 calendar days. *(AM 879, 880, 881, 882, LIBE 170)*

Paragraph 7

Where the requesting authority does not consider the measures taken by the requested authority to be sufficient to address and reply to its request, it shall inform the requested authority without undue delay, explaining the reasons for its position. If the requested authority does not agree with that position, or if the requested authority's reaction is missing, either authority may refer the matter to the Board. *Following receipt of such a referral and within a time period to be specified in the Board's rules of procedure*, the Board shall issue, in ~~agreement of the Commission~~ *consultation* with the Commission *where the Board deems it relevant*, an opinion on the matter, including recommended actions. The requested authority shall do its utmost to take into account the opinion of the Board. *(AM 70, 884, 885, 886, 887, 888, 889, 890, 891, LIBE 171)*

Compromise 15 on Article 14 - Request for enforcement of obligations by video-sharing platforms

Covers: AM 71, 72 (Rapporteur), AM 897, 902, 904 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Salima Yenbou), AM 898, 899, 909 (Petra Kammerevert), AM 394, 900, 906, 911 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 895, 910 (Andrey Slabakov), AM

901, 903, 912 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza), **AM 905** (Morten Løkkegaard), **AM 907** (Emmanuel Maurel, Stelios Kouloglou), **AM 908** (Catherine Griset); **IMCO 125, 126, 127; LIBE 172, 173, 174**

Paragraph 1

Without prejudice to Article 3 of Directive 2000/31/EC, a national regulatory authority or body may request another national regulatory authority or body to take necessary and proportionate actions for the effective enforcement of the obligations imposed on video-sharing platforms under Article 28b of Directive 2010/13/EU

Paragraph 2

The requested national authority or body shall, without undue delay and within 30 calendar days, *a maximum time period to be specified in the Board's rules of procedure*, inform the requesting national authority or body about the actions taken or planned pursuant to paragraph 1 *or justify the reasons for which actions were not taken. (AM 894, 895, 896, 897, 898, IMCO 125, LIBE 172)*

Paragraph 3

In the event of a disagreement between the requesting national authority or body and the requested authority or body regarding actions taken *or planned or a refusal to take actions* pursuant to paragraph 1, either authority or body may refer the matter to the Board for mediation in view of finding an amicable solution. *(AM 899, 900, 901, 902, IMCO 126, LIBE 173)*

Paragraph 4

If no amicable solution has been found following mediation by the Board, the requesting national authority or body or the requested national authority or body may request the Board to issue an opinion on the matter. In its opinion the Board shall assess whether the requested authority or body has complied with a request referred to in paragraph 1. If the Board considers that the requested authority *or body* has not complied with such a request, the Board shall recommend actions to comply with the request. The Board shall issue its opinion, ~~in agreement with the Commission~~ *in consultation with the Commission where it deems it relevant*, without undue delay. *(AM 71, 903, 904, 909, IMCO 127, LIBE 174)*

Paragraph 5

Following receipt of the opinion referred to in paragraph 4, the requested national authority or body shall, without undue delay and within a maximum time period to be specified in the Board's rules of procedure, inform the Board, the requesting authority or body and, where necessary, the Commission of the actions taken or planned in relation to the opinion. (AM 72, 910, 911, 912)

Compromise 16 on Article 15 - Guidance on media regulation matters

Covers: AM 73 (Rapporteur), AM 913, 925 (Catherine Griset), AM 914, 921, (Emmanuel Maurel, Stelios Kouloglou), , AM 930 (Petra Kammerevert), AM 921 (Željana Zovko), AM 923, 927, 932 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), AM 923 (Morten Løkkegaard),AM 924 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 926 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza), AM 929 (Isabella Adinolfi), AM 931 (Massimiliano Smeriglio, Sylvie Guillaume); **LIBE 175, 176, IMCO 131, 132**

Paragraph 1

The Board shall foster the exchange of best practices among the national regulatory authorities or bodies, consulting stakeholders, where appropriate, and in *close* cooperation with the Commission on regulatory, technical or practical aspects pertinent to the consistent and effective application of this Regulation and of the national rules implementing Directive 2010/13/EU. (AM 73, 913, 914),

Paragraph 2 - introductory part

Where the Commission issues guidelines related to the application of this Regulation or the national rules implementing Directive 2010/13/EU, the Board shall assist it by providing expertise on regulatory, technical or practical aspects, as regards in particular:

Paragraph 2 - point a

(a) the appropriate prominence of audiovisual media services of general interest under Article 7a of Directive 2010/13/EU;

Paragraph 2 - point b

(b) making information accessible on the ownership structure of media service providers, as provided under Article 5(2) of Directive 2010/13/EU *and Article 6 of this Regulation*. (AM 921, 922, 923, 924, LIBE 175);

Paragraph 3

The Commission, *assisted by the Board*, may issue an opinion on any matter related to the application of this Regulation and of the national rules implementing Directive 2010/13/EU. ~~The Board shall assist the Commission in this regard, where requested.~~ (AM 74, 925, 926, 927, LIBE 131)

Paragraph 4

The Board shall foster cooperation between media service providers, standardisation bodies or any other relevant stakeholders in order to ~~facilitate~~ *promote* the development of ~~technical~~ *harmonised European* standards related to digital signals or design of devices, *including their remote controls* or user interfaces ~~controlling or managing access to and use of audiovisual media services~~ (AM 75, 929, 930, 931, 932, LIBE 176, IMCO 132)

CHAPTER III - Section 3 Article 16

Compromise 17 on Article 16

Covers: AM 77, 78, 79 (Rapporteur), AM 933, 938, 951 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), AM 934, 943, 953, 959 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 935, 939, 944 (Andrey Slabakov), AM 941, 952 (Petra Kammerevert), AM 937, 940, 948, 954, 960 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza), AM 942 (Niyazi Kizilyürek, Stelios Kouloglou), AM 955 Morten Løkkegaard, AM 956 (Catherine Griset); AM 957 (Sabine Verheyen, Peter Pollák, Theodoros Zagorakis, Michaela Šojdrová, Tomasz Frankowski); **IMCO 135-136-137-138-139-140; LIBE 177, 178, 179, 180**

Title

Coordination of measures concerning media services *which come from* outside the Union (AM 933, 934, 935, 937)

Paragraph 1

1. The Board shall coordinate measures by national regulatory authorities or bodies related to the dissemination of or access to media services provided by media service providers established outside the Union that, *irrespective of their means of distribution or the means by which they can be accessed*, target *or reach* audiences in the Union where, inter alia in view of the control that may be exercised by third countries over them, *such media services*:

(a) contain a public provocation to commit a terrorist offence as set out in Article 5 of Directive (EU) 2017/541;

(b) manifestly, seriously and gravely prejudice, or present a serious and grave risk of prejudice to, public security, including the safeguarding of national security and defence: (AM 76, 938, 939, 940, 941, 942, 943, IMCO 136, LIBE 177, 179)

Paragraph 2

The Board ~~*in agreement with the Commission*~~, may issue opinions on appropriate national measures under paragraph 1 *in accordance with its rules of procedure*.

All competent national authorities, including the national regulatory authorities or bodies, shall do their utmost to take into account the opinions of the Board. *Such authorities and bodies shall provide reasons for a refusal to take into account the opinions of the Board. (AM 77, 951, 952, 953, 954, 955, 956, LIBE 178, IMCO 137, 138, 139, 140)*

Paragraph 2a (new)

Member States shall ensure that, where relevant, national regulatory authorities or bodies which decide to take action against a media service provider established outside the Union, have a legal basis to take into account at least one of the following: (AM 958, 961, 962, 963)

(a) a decision taken against that provider by a national regulatory authority or body from another Member State; (AM 958, 962, 963, 965)

(b) an opinion of the Board relating to that provider and taken on the grounds set out in this Article (AM 958, 962, 963, 965, LIBE 180);

(c) any assessment of how the media service from that provider is received on the territory of the Union.

Paragraph 2b (new)

The Board shall develop a set of guidelines concerning media service providers established outside the Union. Where the competent authorities or bodies of a Member State take action against such a provider, they shall do their utmost to take into account the guidelines developed by the Board.

Paragraph 2c (new)

2c (new). Where a media service provider established outside the Union falls under the territorial jurisdiction of a Member State pursuant to Article 2(4) of Directive 2010/13/EU, in addition to any opinions of the Board issued under paragraph 2 of this Article, a regulatory authority or body of another Member State may request the competent authorities or bodies of the Member State under whose

territorial jurisdiction the media service provider falls to take appropriate action against that provider where it assesses that the provider has manifestly, seriously and gravely infringed Article 6(1), point (b), of Directive 2010/13/EU or has prejudiced or presented a serious and grave risk of prejudice to public security, including the safeguarding of national security and defence. (AM 78)

Compromise 18 on Article 17

Covers: AM 80, 81, 82, 981, 1038 (Rapporteur), AM 981 (Peter Pollák, Theodoros Zagorakis, Michaela Šojdrová, Tomasz Frankowski) AM 974, 980, 984, 993, 1000, 1002, 1033, 1040, 1049 (Petra Kammerevert), 972, 978, 982, 987, 972, 1006, 1023, 1036, 1044, 1058, 1064, 1065, 1066, (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), AM 970, 975, 1024, 1031, 1041, 1051 (François-Xavier Bellamy), AM 971, 976, 1013, 1020, 1034, 1048 (Emmanuel Maurel, Stelios Kouloglou), AM 973, 977, 983, 986, 1015, 1025, 1043, (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 998, 1009, 1014, 1018, 1027, 1047 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza), AM 997, 999, 1005, 1019, 1028, 1046 (Andrey Slabakov), AM 1001, 1012, 1021, 1029, 1045 (Morten Løkkegaard), AM 1004 (Isabella Adinolfi), AM 1008 (Niyazi Kizilyürek, Stelios Kouloglou), AM 1010 (Ibán García Del Blanco, João Albuquerque, Marcos Ros Sempere), AM 1022, 1030, 1042, 1052 (Catherine Griset), AM 1063 (Tomasz Frankowski, Loucas Furlas, Peter Pollák, Michaela Šojdrová, Maria Walsh); **LIBE 180, 182; IMCO 142, 143, 144, 145, 146, 149, 150, 154, 155**

Title

Content of media service providers on very large online platforms (AM 968, 969, 970, 971);

Paragraph 1 - introductory part

Providers of very large online platforms (AM 972, 974, 975, 976) shall ensure that decisions concerning content moderation and any other actions they undertake do not negatively impact media freedom and pluralism. They shall ensure that their content moderation and monitoring processes have adequate human resources to cover all languages and geographical regions of the Union. They shall provide a functionality allowing recipients of their services to declare: (AMs 81, 972, 973, 974, IMCO 146)

Paragraph 1-point a

(a) ~~it is~~ that they are media service providers within the meaning of Article 2(2) and fulfil the duty set out in Article 6(1). (AM 980, 981, 993, LIBE 182)

Paragraph 1-point b

(b) ~~it is~~ *that they are* editorially independent from *any Union institution, body, office or agency and from Member States, political parties* and third countries *and that they are functionally independent from private entities whose corporate purpose is not related to the creation or dissemination of media services;* (AM 984)

Paragraph 1-point c

(c) ~~it is~~ *that they are* subject to regulatory requirements for the exercise of editorial responsibility *and oversight by a competent national regulatory authority or body* in one or more Member States or ~~adhere that they comply with~~ *to a co-regulatory or self-regulatory mechanism governing editorial standards that is transparent, legally recognised and widely accepted in the relevant media sector in one or more Member States;* (AM 990, 991, 992)

point (ca) (new) that they do not provide content generated by an artificial intelligence system without subjecting such content to human oversight and editorial control (AM 1058);

Paragraph 1-point cb and cc (new)

c b (new) their name and the name of their managing director, their professional contact details, including an email address and telephone number, and their place of establishment;

*c c (new) information about the competent national regulatory authority or body or the representative of the co-regulatory or self-regulatory mechanism to which they are subject.
(AM 993, IMCO 143)*

Paragraph 1-point d (new)

*1d a (new) Providers of very large online platforms shall ensure that the functionality referred to in paragraph 1 allows for information declared thereunder, with the exception of the information set out in paragraph 1, point (ca), to be publicly and easily accessible.
(IMCO 142)*

Paragraph 1a (new)

1a. Providers of very large online platforms shall acknowledge receipt of declarations submitted under paragraph 1. They shall state in the acknowledgement whether or not they accept the declaration. They shall immediately communicate the acknowledgement of receipt to the media service provider concerned, the competent national regulatory authority or body concerned or the representative of the co-regulatory or self-regulatory mechanism concerned. In the acknowledgement of receipt, providers of very large online platforms shall indicate a competent contact

person or body through which the media service provider can communicate directly and quickly with the provider of the very large online platform. Where a provider of a very large online platform accepts a declaration submitted by a media service provider under paragraph 1, that media service provider shall be deemed to be a recognised media service provider.

Paragraph 1 b (new)

1b. On a request from a provider of a very large online platform which has not accepted a declaration submitted under paragraph 1, point (c), due to having a reasonable doubt as to the nature of that declaration, the relevant national regulatory authority or body or the representative of the relevant co-regulatory or self-regulatory mechanism shall confirm the nature of or invalidate that declaration. Where the relevant national regulatory authority or body or the representative of the relevant co-regulatory or self-regulatory mechanism confirms the nature of that declaration, the media service provider shall be deemed to be a recognised media service provider. (IMCO 144, AM 995)

Paragraph 1 c (new)

1c. On a request from a media service provider that considers that the provider of a very large online platform has unjustly invalidated its declaration submitted under paragraph 1, the relevant national authority or body or the representative of the relevant co-regulatory or self-regulatory mechanism concerned shall clarify the matter. Where the provider of a very large online platform decides not to accept the clarification provided by the relevant national authority or body or the representative of the relevant co-regulatory or self-regulatory mechanism, the media service provider ~~may consult the Board~~ may appeal against that decision to the competent national regulatory authority or body ~~or to the Board~~. The competent national regulatory authority or body shall rule on the matter without delay. The Board shall issue a recommendation. Where the competent national regulatory authority or body confirms the declaration, the media service provider shall be deemed to be a recognised media service provider. (AM 80, 996, 997, 998)

Paragraph 1 d (new)

1d (new) Where a provider of a very large online platform has frequently suspended or restricted, pursuant to paragraph 2, the provision of its online intermediation services in relation to a media service provided by a media service provider on the basis of a breach of its terms and conditions, that provider of the very large online platform may invalidate the declaration submitted by the media service provider under paragraph 1. The provider of the very large online platform shall inform the supervising or regulatory entity and the Board that it has invalidated the declaration. (IMCO 145)

Paragraph 2

Where a provider of a very large online platform decides to suspend *or restrict* the provision of its online intermediation services in relation to a *media service* provided by a *recognised media service provider because that media service* ~~media service provider that submitted a declaration pursuant to paragraph 1 of this Article, on the grounds that such content or service~~ is incompatible with its terms and conditions, it shall, without *prejudice to the mitigating measures in relation that content contributing to a systemic risk referred to in Article 34 of Regulation (EU) 2022/XXX [Digital Services Act] 2022/2065*, take all possible measures, to the extent consistent with ~~their obligations under Union law, including Regulation (EU) 2022/XXX [Digital Services Act] 2022/2065~~, to communicate to the media service provider concerned the statement of. *communicate to that recognised media service provider the reasons accompanying that decision, specifying the specific clause in the terms and conditions with which the media service was incompatible*, as required by Article 4(1) of Regulation (EU) 2019/1150 and *Article 17(3) of Regulation (EU) 2022/2065*, ~~and no later than 24 hours~~, prior to the restriction or suspension taking effect.

The provider of the very large online platform shall give the recognised media service provider the opportunity to respond to the reasons accompanying its decision within 24 hours prior to the suspension or restriction taking effect.

(AMs 82, 1001, 1002, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, LIBE 187, IMCO 147)

Paragraph 2 a new

2a. Where, following the 24-hour period referred to in paragraph 2, the second subparagraph, and after due consideration of the response of the recognised media service provider referred to in the second subparagraph, the provider of the very large online platform considers the media service concerned to be incompatible with its terms and conditions, it may refer the case to the relevant competent national regulatory authority or body or the body of the relevant self-regulatory or co-regulatory mechanism. The relevant competent national regulatory authority or body or the representative of the relevant self-regulatory or co-regulatory mechanism shall decide, without delay, whether the intended suspension or restriction is justified in view of the specific clause in the terms and conditions of the provider of the very large online platform, taking into account fundamental freedoms.

Paragraph 3

3. Providers of very large online platforms shall take all the necessary technical and organisational measures to ensure that complaints under Article 11 of Regulation (EU) 2019/1150 *or Article 20 of Regulation (EU) 2022/2065* by *recognised media service providers that submitted a declaration pursuant to paragraph 1 of this Article* are

processed and decided upon with priority and, *in any event, no later than 24 hours after submission of the complaint* ~~without undue delay~~. *The media service provider may be represented by a body in complaints procedures.* (AM 83, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, LIBE 188, IMCO 149)

Paragraph 4

4. Where a *recognised* media service provider ~~that submitted a declaration pursuant to paragraph 1~~ considers that a provider of very large online platform frequently restricts or suspends the provision of its services in relation to content *or services* provided by the media service provider without sufficient grounds *and in a manner that undermines media freedom and media pluralism*, the provider of *the* very large online platform shall, *at the request of the media service provider*, engage in a meaningful and effective *consultation* ~~dialogue~~ with the media service provider, in good faith with a view to finding an amicable solution ~~for terminating within a reasonable timeframe that avoids~~ unjustified restrictions or suspensions ~~and avoiding them~~ in the future. The media service provider may notify the outcome of such *consultations* to the Board *and to the national digital services coordinator referred to in Regulation (EU) 2022/2065*. *Where no amicable solution can be found, the media service provider may lodge a complaint before a certified out-of-court dispute settlement body in accordance with Article 21 of Regulation (EU) 2022/2065.*

(AMs 1033, 1033, 1034, 1031, 1033, 1036, 1033, 1028, 1034, 1033, 1031, 1033, 1030, IMCO 150)

Paragraph 5 - introductory part

Providers of very large online platforms (AM 1040, 1041) shall make publicly available on an annual basis information on:

Paragraph 5

(a) the number of instances *in which they initiated the process to suspend or restrict the provision of their online intermediation service pursuant to paragraph 2* ~~where they initiated the process under paragraph 2 or imposed any restriction or suspension on the grounds that the content *or services* provided by a *recognised designated* media service provider *that submitted a declaration in accordance with paragraph 1 of this Article* is are incompatible with their terms and conditions; and~~ (AM 1043, 1044, 1045, 1046, 1047, 1048, 1049)

(b) the grounds for imposing such *suspensions or* restrictions, *including the specific clause in their terms and conditions with which the media service provider was incompatible;* (AMs 1052, 1051)

(ba) the number of instances in which they refused to accept declarations submitted by a media service provider under paragraph 1 and the grounds for refusing to accept them. (IMCO 154)

Paragraph 6

6. With a view to facilitating the consistent and effective implementation of this Article, the Commission, ***in consultation with the Board, shall*** issue guidelines to establish the form and details of the declaration set out in paragraph 1. *(AMs 1063, 1064, IMCO 155)*

Paragraph 6a(new)

6a (new). *This Article shall be without prejudice to the right of media service providers to effective judicial protection. (AM 1038)*

Compromise 19 on Article 18 - Structured dialogue

Covers: 85, 86 (Rapporteur), (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), **AM 1070** (Petra Kammerevert), **1079** (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), **AM 1078** (Ibán García Del Blanco, João Albuquerque, Marcos Ros Sempere), **IMCO 156, 157, 158, LIBE 191,)**

Title

Structured dialogue

Paragraph 1

The Board, ***with the involvement of the Expert Group,*** shall regularly organise a structured dialogue between providers of very large online platforms, ***providers of very large online search engines,*** representatives of media service providers and representatives of civil society to discuss experience and best practices in the application of Article 17 of this Regulation in order to:
(AM 1070, 1071, 1074, LIBE 191)

(a) foster access to diverse offers of independent media on very large online platforms ***and very large online search engines;***

(b) monitor ***compliance with*** self-regulatory initiatives aimed at protecting society from harmful content, including disinformation and foreign information manipulation and interference;

(c) ***examine the potential and actual impact of the design and functioning of very***

large online platforms or very large online search engines, of the design and functioning of their respective recommendation systems and content moderation processes and of decisions by providers of very large online platforms and providers of very large online search engines on media freedom and media pluralism. (AM, 85, 1070, 1074, 1075, 1076, 1077, IMCO 156, 157, 158)

Paragraph 2

2. The Board shall *present the* report on the results of the dialogue to the Commission, *to the European Parliament and to the Council . Such results shall be made publicly available. (AM 86, 1078, 1079)*

Compromise 20 on Article 19

Covers: AM 87 (Rapporteur), 1100 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 1082, (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), AM 1083, 1090, 1996 (Petra Kammerevert), AM 1085, 1091 (Massimiliano Smeriglio, Sylvie Guillaume), AM 1086, 1092 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza), AM 1087, 1094, (Isabella Adinolfi), AM 1088 (François-Xavier Bellamy), AM 1099 (Andrey Slabakov), AM 1101 (Morten Løkkegaard), AM 1102 (Emmanuel Maurel, Stelios Kouloglou); **IMCO 159, 161; LIBE 194, 196, 197**

Title

Right of customisation of *the audio and* audiovisual media offer (**LIBE 194**)

Paragraph 1

1. ~~*Recipients of audiovisual media services*~~ Users shall have a right to easily change the *configuration of audiovisual media services or of applications allowing users to access such services on a* user interface *or on devices, including remote controls*, controlling or managing access to and use of *audio or* audiovisual media services in order to customise the *audio or* audiovisual media offer according to their interests or preferences in compliance with the law. This provision shall not affect national measures implementing *Articles 7a and 7b* of Directive 2010/13/EU. (**AM 87, 1082, 1083, 1085, 1086, 1087, 1088, IMCO 159**)

2. *Any person who places on the market* devices, *including remote controls, or* user interfaces referred to in paragraph 1, shall ensure that they include a functionality enabling users to freely and easily change, *at any time*, the settings and default settings ~~and layout, including the configuration of audiovisual media services or of applications allowing users to access such services~~, controlling or managing access to and use of the audiovisual media services offered. The provisions of Article 25 of

Regulation (EU) 2022/2065 shall apply accordingly. (AMs 1090, 1091, 1092, 1094, LIBE 196)

Paragraph 2a (new)

Any person operating devices as referred to in paragraph 2 or user interfaces shall ensure that the identity of the media service provider who has editorial responsibility for a media service is consistently and clearly visible and identifiable, provided that this information has been provided by the relevant media service provider.
(AM 1096, 1099, 1100, 1101, 1102, 1099, 1100; 1101, 1102, IMCO 161, LIBE 197)

CHAPTER III - Section 5 Articles 20-22

Section 5

Requirements for well-functioning media market measures and procedures

Compromise 21 on Article 20

Covers: AMs 88, 89, 90 (Rapporteur), AMs 1113, 1135 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 1104, (Emmanuel Maurel), AM 1105 (Andery Slabakov), AMs 1107, 1131 (Monica Semedo, Anna Júlia Donáth), AMs 1108, 1140 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), AM 1109 (Isabella Adinolfi), AMs 1110, 1118, 1131 (Morten Løkkegaard), AM 1111 (Theodoros Zagorakis), AM 1112, (François-Xavier Bellamy), AM 1114 (Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou), AM 1143 (Petra Kammerevert), AM 1138 (Tomasz Frankowski, Loucas Fourlas, Peter Pollák, Michaela Šojdrová, Maria Walsh), AM 1139 Michaela Šojdrová, Radan Kanev, Peter Pollák), AM 1106 (Željana Zovko); IMCO 162, 164, 199, 201 (LIBE AM 200 - paragraph on exclusive competence)

Title

National measures affecting the ~~provision of media services or the~~ operation of media service providers (AM 1103)

Paragraph 1

Any legislative, regulatory or administrative measure taken by a Member State that is liable to affect **media pluralism and the editorial independence** of media service providers **regarding either the provision or the operation of their media services** in the internal market shall be duly ~~and objectively~~ justified and proportionate. Such measures shall be reasoned, transparent, objective and non-discriminatory.

(AMs 88, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1113, 1114, IMCO 162, LIBE 199)

Paragraph 2

2. Any national procedure used for the purposes of the preparation or the adoption of a regulatory or administrative measure as referred to in paragraph 1 shall be subject to clear timeframes set out in advance. ***Such timeframes shall be of sufficient length to ensure that such measures and their consequences can be properly considered and that media service providers directly affected can provide feedback on them. (1117)***

Paragraph 3

3. Without prejudice and in addition to its right to effective judicial protection, any media service provider subject to an administrative or regulatory measure referred to in paragraph 1 that concerns it individually and directly shall have the right to appeal against that measure to an appellate body, ***which may be a court of law***. That body shall be independent of the parties involved and of any external intervention or political pressure liable to jeopardise its independent assessment of matters coming before it. It shall have the appropriate expertise ***and funding*** to enable it to carry out its functions effectively ***and to respond to any appeals timely***. ***Such appellate bodies may take opinions issued by the Board on the matter into consideration. (LIBE 200)***

Paragraph 4

4. The Board, ***on its own initiative or*** upon request of the Commission ***or the European Parliament***, shall draw up an opinion where a national legislative, regulatory or administrative measure is likely to affect the functioning of the internal market for media services ***or to impact media pluralism or editorial independence***. Following the opinion of the Board, and without prejudice to its powers under the Treaties, the Commission ***shall*** issue its own opinion on the matter. Opinions by the Board and, where applicable, by the Commission shall be made publicly available.
(AMs 89, 1123, 1129, LIBE 201, IMCO 164)

Paragraph 5

5. Where a national authority or body adopts a measure that affects ~~individually and directly~~ a media service provider and is likely to affect ***media pluralism and editorial independence*** or the functioning of the internal market for media services, it shall communicate, at the request of the Board, and where applicable, of the

Commission, without undue delay and by electronic means, any relevant information, including the summary of the facts, its measure, the grounds on which the national authority or body has based its measure, and, where applicable, the views of other authorities *or bodies* concerned. ***On a request from a media service provider affected directly by a measure taken by a Member State, the Board shall issue an opinion on the measure concerned. (AM 90, 1135, 1138, 1139, 1140, 1143)***

Compromise 22 on Article 21

Covers: AM 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 (Rapporteur), AM 1144, 1150, 1168, (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 1145 (François-Xavier Bellamy), AM 1147, 1181 (Tomasz Frankowski, Loucas Furlas, Peter Pollák, Michaela Šojdrová, Maria Walsh), AM 1149, 1151, 1155, 1179, 1184, (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), AM 1157, 1164, 1171, 1178, (Catherine Griset), AM 1154, 1161, 1186, 1196 (Petra Kammerevert), AM, 1170, 1182, 1189 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou), AM 1180 (Morten Løkkegaard; **IMCO 171, LIBE 205, 208, 209**)

Title

Assessment of media market concentrations ~~*significantly impacting media pluralism and editorial independence*~~ (AM 91, 1144, 1145)

Paragraph 1 - Introductory part

Member States shall provide, in national *law*, substantive and procedural rules which ensure an assessment of media market concentrations that could have ~~*an*~~ significant impact on media pluralism and editorial independence. These rules shall: (AM 92, 1147, 1149)

Paragraph 1 a

(a) be transparent, objective, proportionate and non-discriminatory;

Paragraph 1b

(b) require the parties to a media market concentration that could have ~~*a significant*~~ an impact on media pluralism and editorial independence to notify that concentration in advance to the relevant national authorities or bodies; (AM 1151)

Paragraph 1c

(c) designate the national regulatory *authorities* or *bodies* as responsible for the assessment of the impact of a notifiable *media market* concentration on media

pluralism and editorial independence or ensure ***their substantial*** involvement of the national regulatory authority or body in such assessment ***or require them to consult other national regulatory authorities or bodies of the Member State that could contribute to the assessment of a media market concentration;*** (AM 1154, 1155, 1156)

Paragraph 1d

(d) set out in advance objective, non-discriminatory and proportionate criteria for notifying ***and assessing*** the impact of media market concentrations on media pluralism and editorial independence (AMs 95, 1158, 1160);

Paragraph 1 da and db (new)

(da) *specify in advance a reasonable period of time by which the national regulatory authority or body conducting the assessment is to complete the assessment, taking into account the period of time required for the involvement of the Board, the Commission, or both, in accordance with paragraphs 4 and 5;*

(db) *specify the consequences of not completing the assessment by the end of the period referred to in point (da). (AM 1161)*

Paragraph 1 - subparagraph 2

The assessment referred to in this paragraph shall be distinct from the competition law assessments including those provided for under merger control rules. It shall be without prejudice to Article 21(4) of Regulation (EC) No 139/2004, where applicable.

Paragraph 2 - introductory part

In the assessment referred to in paragraph 1, the following elements shall, ***in particular***, be taken into account: (AM 97)

point a

(a) the impact of the concentration on media pluralism ***at Union, national and regional level***, including its ***geographical reach and its*** effects on the formation of public opinion and on the diversity of media players ***and content*** on the market, taking into account the online environment and the parties' interests, links or activities in other media or non-media businesses; (AM 98, 99, 1164, IMCO 171)

point b

(b) ~~the~~ safeguards for editorial independence, including the impact of the concentration on the functioning of the editorial teams and the existence of measures by media service providers taken with a view to guaranteeing ***ethical and professional standards*** and the independence of ~~individual~~ editorial decisions; (*AM 1170, 1174, 1177*)

point c

(c) whether, in the absence of the concentration, the acquiring and acquired entity would remain economically sustainable, and whether there are any possible alternatives to ensure its economic sustainability. (*AM 101, 1178*)

ca (new)

(c) a (new). the results of the risk assessment carried out as part of the Commission's annual rule of law report and the Media Pluralism Monitor to identify, analyse and assess ~~any systemic risks to media freedom and media pluralism in a particular the~~ Member States. (AM 1181, 1182, LIBE 205, 208)

Paragraph 3

3. The Commission, ***in consultation with*** the Board, ~~may~~ ***shall*** issue guidelines to be taken into account ***by national regulatory authorities or bodies in*** assessing the impact of media market concentrations on media pluralism and editorial independence. (*AM 1184, 1186*)

Paragraph 4

4. The national regulatory authority or body shall ***inform*** ~~consult~~ the Board ***before conducting the assessment referred to in the first subparagraph of paragraph 1*** and shall consult the Board before ***issuing any opinion*** or ***taking any*** decision it aims to adopt ***concerning*** ~~assessing~~ the impact on media pluralism and editorial independence of a notifiable market concentration ***or*** where such concentrations may affect the functioning of the internal market. (*103, 1188, 1189, LIBE 209*)

Paragraph 5

5. Within 14 calendar days from the receipt of the consultation referred to in paragraph 4, the Board shall draw up an opinion on the draft national opinion or decision referred to it, taking account of the elements referred to in paragraph 2 and transmit that opinion to the consulting authority *or body* and the Commission. (104, 1194)

Paragraph 6

The national regulatory authority or body referred to in paragraph 4 shall take utmost account of the opinion referred to in paragraph 5. Where that authority does not follow the opinion, fully or partially, it shall provide the Board and the Commission with a reasoned justification explaining its position within 30 calendar days from the receipt of that opinion. Without prejudice to its powers under the Treaties, the Commission may issue its own opinion on the matter. *The competent national regulatory authority or body shall, within four weeks of receipt of such an opinion, provide the Commission with the reasons for which it did not fully or partially follow it.*

Paragraph 6a new

National regulatory authorities or bodies may request entities involved in a media market concentration to make commitments regarding the safeguarding of media pluralism and editorial independence based on the elements set out in paragraph 2 affecting the functioning of the internal market.

Compromise 23 - on Article 22

Covers: AM 105, 106 (Rapporteur), AM 1202, (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 1204, 1213, 1223 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Morten Løkkegaard, Salima Yenbou), AM 1205 (Tomasz Frankowski, Loucas Furlas, Peter Pollák, Michaela Šojdrová, Maria Walsh), AM 1207, 1218 (Petra Kammerevert), AM 1209 (François-Xavier Bellamy), **LIBE 211, IMCO 178, 180**

Title

Opinions on media market concentrations

Paragraph 1

1. In the absence of an assessment or a consultation pursuant to Article 21, the Board, *on its own initiative or* upon request of the Commission, shall ~~may shall~~ draw up an opinion on the impact of a media market concentration on media pluralism and editorial

independence, where, ***according to its own preliminary assessment or the Commission's preliminary assessment, that*** media market concentration is likely to affect the functioning of the internal market for media services. The Board shall base its opinion on the elements set out in Article 21(2). ~~The Board may bring media market concentrations likely to affect the functioning of the internal market for media services to the attention of the Commission.~~ ***The Board shall may bring such media market concentrations to the attention of the Commission.***
(106, 1204, 1205, 1207, 1209)

Paragraph 2

2. Following the opinion of the Board, and without prejudice to its powers under the Treaties, the Commission ~~shall may~~ issue its own opinion on the matter. ***The competent national regulatory authority or body shall, within four weeks of receipt of such an opinion, provide the Commission with the reasons for which it did not fully or partially follow it.***

Paragraph 3

3. Opinions by the Board and, ~~where applicable,~~ by the Commission shall be made publicly available. ***(IMCO 180)***

Compromise 24 on Article 23 - Audience measurement

Covers: AM 107, 108 (Rapporteur), AM 1227, 1232, 1250, 1254, 1258 (Petra Kammerevert), AM 1228, 1240, 1244, 1257, 1260 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 1229, 1246, 1252 1249, (Andrey Slabakov), AM 1230, 1255, 1259 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza), 1231, 1256 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), AM 1233, 1248 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Morten Løkkegaard, Salima Yenbou), AM 1234 (Massimiliano Smeriglio, Sylvie Guillaume, Pina Picierno, Brando Benifei), AM 1235 (Željana Zovko), AM 1236, 1245, 1253 (Isabella Adinolfi), AM 1237 (François-Xavierr Bellamy), AM 1238 (Chiara Gemma, Vincenzo Sofo, Carlo Fidanza), AM 1239 (Ibán García Del Blanco, João Albuquerque, Marcos Ros Sempere), AM 1241(Emmanuel Maurel), AM 1247 (Morten Løkkegaard); ***LIBE 217, 218, 219, 220; IMCO 181, 182, 183, 184, 185***

Paragraph 1

Audience measurement systems and methodologies shall comply with principles of transparency, impartiality, inclusiveness, proportionality, non-discrimination, ***comparability*** and verifiability. ~~To ensure impartiality in measurement,~~ ***Audience measurement shall be conducted in accordance with self-regulatory mechanisms jointly agreed and widely accepted within the media industry.*** (AM 1227, 1228, 1229, 1230, 1231, ***LIBE 217, IMCO 181)***

Paragraph 2

Without prejudice to the protection of undertakings' ~~business~~ **trade** secrets *as defined in Article 2, point (1), of Directive (EU) 2016/943*, providers of proprietary audience measurement systems shall provide, without undue delay and free of costs, to media service providers, and-advertisers as well as to third parties authorised by media service providers and advertisers, accurate, detailed, comprehensive, intelligible and up-to-date information on the methodology used by their audience measurement systems. ***Providers of proprietary audience measurement systems shall provide free of charge to each media service provider the audience measurements relating to its media content and services. An independent body shall regularly audit once a year the methodology used by proprietary audience measurement systems and the application of that methodology.*** This provision shall not affect the Union's data protection and privacy rules. (AMs 107, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, IMCO 182, LIBE 218)

Paragraph 2a (new)

Audience measurement data provided to media service providers shall be as granular as the information provided by industry self-regulatory mechanisms, including non-aggregated data (1242).

Paragraph 3

Providers of audience measurement systems, together with media service providers, their representative organisations, ***online platforms*** and any other interested parties, ***shall draw up codes of conduct, with the support of national regulatory authorities or bodies***, that are intended to contribute to compliance with the principles referred to in paragraph 1, including by promoting independent and transparent audits. ***Such codes of conduct shall provide for the regular, transparent and independent monitoring and evaluation of the achievement of compliance with the principles referred to in paragraph 1. When drawing up codes of conduct, special consideration shall be given to small media in order to ensure that their audiences are properly measured.*** (AMs 1244, 1245, 1246, 1248, 1249, 1251, LIBE 219, IMCO 183)

Paragraph 4

The Commission, assisted by the Board, ~~may~~ **shall** (AM 1256) issue guidelines on the practical application of paragraphs 1, 2 and 3, ***taking into account codes of conduct as referred to in paragraph 3.*** (AMs 1253, 1254, 1255, 1256, IMCO 184)

Paragraph 5

The Board shall foster the exchange of best practices related to the deployment of audience measurement systems through a regular dialogue between representatives of the national regulatory authorities or bodies, representatives of providers of audience measurement systems, *media service providers and* other interested parties. (AMs 1257, 1258, 1259, LIBE 220, IMCO 185)

Paragraph 5a (new)

The obligations set out in this Article are without prejudice to the right of audiences to the protection of personal data concerning them as provided for in Article 8 of the Charter of Fundamental Rights of the European Union and Regulation (EU) 2016/679. (AM 1260)

Compromise 25 on Article 24

Covers: AM 109, 110, 111, 112 (Rapporteur), AM 583, 586, 1261, 1267, 1276, 1284, 1289, 1291, 1298, 1309, 1310, 1312 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 1282, 1286, 1288, 1299, 1313 (Morten Løkkegaard), AM 1264, 1273, 1285, 1292, 1300, (Irena Joveva, Ramona Strugariu), AM 1267, 1278, 1290, 1302, (Monica Semedo, Anna Júlia Donáth), AM 1275 (Željana Zovko), AM 1277, 1301 (Petra Kammerevert), AM 1279 (Rob Rooken), AM 1280 (Andrey Slabakov), AM 1281 (Tomasz Frankowski, Loucas Fourlas, Peter Pollák, Michaela Šojdrová, Maria Walsh) AM 1283 (Michaela Šojdrová, Radan Kanev, Peter Pollák), AM 1287 (Irena Joveva, Ramona Strugariu, Morten Løkkegaard), AM 1295, 1296 (Laurence Farreng, Ilana Cicurel, Salima Yenbou), LIBE 222, 223, 224, 225, 226, 228, 229, IMCO 186, 187, 188, 190

Title - Allocation of public funds for state advertising and purchases

Paragraph 1

Public funds or any other consideration or advantage ~~granted~~ *allocated* by public authorities to media service providers, *providers of online platforms and providers of online search engines* for the purposes of advertising *and purchases* shall be awarded according to transparent, objective, proportionate and non-discriminatory criteria and through open, proportionate and non-discriminatory procedures. ~~This Article shall not affect public procurement rules.~~ *Such public funding allocated for the purposes of advertising or purchases to a singular media service provider, including to an online platform provider or to an online search engine provider, shall not exceed 15 % of the total budget allocated by the public authority to the totality of media service providers operating at national level.* This Article shall not affect public procurement rules *or the application of State aid rules.*
(AM 109, 1264, 1267, LIBE 222, IMCO 186)

Paragraph 1 a(new)

Public authorities shall ensure that the criteria and procedures used to determine the allocation of public funds for the purposes of State advertising and purchases to media service providers, online platforms and online search engines in accordance with paragraph 1 are made available to the public in advance by electronic and user-friendly means. The national regulatory authorities or bodies shall consult the Board and national media stakeholders on the development of the methodology for such criteria and procedures.

Paragraph 2 - introductory part

Public authorities, including at ***Union***, national, federal, ~~or regional~~, ***or local level (AM 1276) governments, national*** regulatory authorities or bodies, as well as state-owned enterprises or other state-controlled entities at the ***Union*** national, ~~or regional~~, ***or local level, or local governments of territorial entities of more than 1 million inhabitants***, shall make publicly available ***by electronic and user-friendly means*** accurate, comprehensive, intelligible, detailed and yearly information about their advertising ***and purchase*** expenditures allocated to media service providers, ***providers of online platforms and providers of online search engines***, which shall include at least the following details: ***(AMs 110, 1273, 1276, 1277, 1278, 1279, 1280, 1281, 1282, IMCO 187, LIBE 223)***

Paragraph 2a

(a) the legal names of media service providers, providers of online platforms or providers of online search engines from which advertising services and purchases were purchased-obtained; (IMCO 188, LIBE 224, AM 1284, 1285)

(aa new) a short reasoning of the criteria and procedures applied for the allocation of public funds for the purposes of State advertising and purchases to media service providers, providers of online platforms or providers of online search engines;

Paragraph 2b

(b) the total annual amount spent as well as the amounts spent per media service provider, provider of online platform or provider of online search engine; (AM 1287, 1288, 1289, 1291, IMCO 190, LIBE 225)

Paragraph 2ba and 2bb

(ba new) State advertising and state financial support allocated to them; (AM 583)

(bb new) details of revenue from contracts with State bodies received by companies that

belong to the same business grouping as them÷(AM 586)

Paragraph 3

National regulatory authorities or bodies shall monitor the allocation of state funding-in media markets *and to providers of online platforms and providers of online search engines*. In order to assess the accuracy of the information on state expenditures made available pursuant to paragraph 2, national regulatory authorities or bodies may request from the entities referred to in paragraph 2 further information, including *more detailed* information on the application of *the* criteria *and procedures* referred to in paragraph 1. *(AM 111, 1298, 1299, AM 1300, LIBE 226)*

Paragraph 3a (new)

National regulatory authorities or bodies monitoring the allocation of State expenditure shall report annually in a detailed and intelligible manner on the allocation of State expenditure to media service providers, providers of online platforms and providers of online search engines from the details set out to paragraph 2. Annual reports shall be made publicly available in an easily accessible manner. (LIBE 228)

Paragraph 3b (new)

The allocation of State expenditure to media service providers, providers of online platforms and providers of online search engines for the purposes of emergency messages by public authorities shall become subject to the requirements set out in paragraphs 2 and 3 once the emergency situation has ended. Such allocations shall be subject to the requirements set out in paragraph 1. (LIBE 229)

CHAPTER IV - Final provisions

Articles 25-28

Compromise 26 on Article 25 - Monitoring exercise

Covers: AM 113, 114, 115, 116, 117 (Rapporteur), AM 1315, 1327, 1238, 1329 (Petra Kammerevert), AM 1318, 1326, 1331, 1336, 1339, 1342 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 1330, 1334, 1338, 1341, 1343, 1344(Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou), AM 1322 (Catherine Griset), AM 1332,

1335, 1340, 1350, 1351 (Monica Semedo, Anna Júlia Donáth), AM 1333, 1337 (Michaela Šojdrová, Radan Kanev, Peter Pollák), **IMCO 192, 193, LIBE 232, 233**;

Title: Monitoring exercise

Paragraph 1

The Commission, *in consultation with the Board*, shall ensure an independent *and continuous* monitoring of the internal market for media services, ~~including~~ *concerning* its functioning *and* resilience, risks *to it* ~~to~~ and *its* progress *in the area of media freedom and media pluralism*. ~~The Commission may involve European bodies with Board relevant expertise in media freedom and media pluralism in that monitoring exercise. The findings of the monitoring exercise shall be subject to consultation with the Board.~~ (AMs 113, 1315)

Paragraph 2

The Commission shall define key performance indicators to be used for the monitoring referred in paragraph 1, in consultation with the Board.

Paragraph 2a (new)

In the monitoring exercise referred to in paragraph 1, the Commission shall take into account the Board's reports, assessments and recommendations, input from civil society, the results from the Media Pluralism Monitor and the findings of its annual rule of law reports. (AM 1318, LIBE 232)

Paragraph 3 - Introductory part

The monitoring exercise shall ~~include~~, *in particular*: (AM 114, LIBE 233)

Paragraph 3a

(a) *take into account* a detailed analysis of the resilience of media markets of all Member States, including an overview of the level ~~as regards~~ of media concentration and risks *to media pluralism and the editorial independence of media service providers, including* ~~of foreign or domestic~~ information manipulation and interference; (AMs 115, 1322, 1324, 1325)

Paragraph 3b

(b) *include* an overview and forward-looking assessment of the resilience of the internal market for media services as a whole, *including as regards the degree of concentration of the market*; (AMs 116, 1326)

Paragraph 3ba (new)

(ba) *new. include a continuous and detailed assessment of the implementation of Articles 3,4 and 7*; (AM 1327, IMCO 193)

Paragraph 3c

(c) *include* an overview of measures taken by media service providers with a view to guaranteeing the independence of ~~individual~~ editorial decisions. (AM 117 1329, IMCO 192)

Paragraph 3ca (new)

ca (new) include a detailed assessment of the allocation of public funds for State advertising and purchases; (AM 1330, 1331, 1332, 1333, 1335, 1336, 1337, 1340, 1350, 1351)

Paragraph 3cb (new)

include an overview of national measures affecting media pluralism and the editorial independence of media service providers, taking into account their political independence and accessibility; (AM 1328, 1334, 1339)

Paragraph 3cc (new)

include an overview of the implementation and impact of the functionality of very large online platforms for recognised media service providers as referred to in Article 17; (AM 1338)

Paragraph 3cd (new)

assess the independence of the national regulatory authorities or bodies.
(AM 1341, 1342)

Paragraph 3 a(new)

The Commission shall establish an easy-to-use and publicly available alert mechanism to detect risks concerning the application of this Regulation. (AM 1343)

Paragraph 4

The monitoring shall be carried out annually. *The results of the monitoring shall be presented annually to the European Parliament and* shall be made publicly available. (AM 1344)

Compromise 27 - on Article 26 - Evaluation and reporting

Covers: AM 1347, 1352 (Diana Riba i Giner, Daniel Freund, Marcel Kolaja), AM 1348, 1349 (Petra Kammerevert); **LIBE 237**

Paragraph 1

By ... [*two* years after the entry into force of this Regulation]~~at the latest~~, and every *two* years thereafter, the Commission shall evaluate *the implementation of* this Regulation and report to the European Parliament, the Council and the European Economic and Social Committee, *including on the findings and follow-up measures to be taken*. (AM 1347, 1348, 1352)

Paragraph 2

2. For the purposes of paragraph 1 and upon its request, Member States and the Board shall send relevant information to the Commission.

Paragraph 3

3. In carrying out the evaluations referred to in paragraph 1, the Commission shall take into account:

- (a) the positions and findings of the European Parliament, the Council and other relevant bodies or sources;
- (b) outcomes of the relevant discussions carried out in relevant fora;
- (c) relevant documents issued by the Board;
- (d) findings of the monitoring exercise referred to in Article 25.

Compromise 28 - on Article 28 - Entry into force and application

Covers: AM 1353 (Irena Joveva, Laurence Farreng, Ilana Cicurel, Ramona Strugariu, Salima Yenbou); AM 1354 (Petra Kammerevert), **IMCO 194**

1. This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

2. This Regulation shall apply from [6 months after the entry into force].

However, Articles 7 to 12 and 27 shall apply from [3 months after the entry into force] and Article 19(2) shall apply from [~~24~~ **48** months after the entry into force].

3. This Regulation shall be binding in its entirety and directly applicable in all Member States.