



Media Literacy Development and Latest Legislative Initiatives

www.gncc.ge

- ❑ Georgian National Communications Commission (GNCC) – permanent, collegial, independent regulatory authority that does not subordinate to any state authority;
- ❑ 5 members which are elected for 6 years term. Commissioners elect chairman for 3 years term;
- ❑ There are up to 100 TV Broadcasters and 50 Radio Broadcasters which are under regulation of GNCC;
- ❑ The source of financing of GNCC is regulation fee collected from telecom and broadcasting undertakings;

GNCC is a member of:

- ❑ The European Audiovisual Observatory;
- ❑ European Platform for Regulatory Authorities (EPRA);
- ❑ Eastern Partnership Electronic Communications Regulators (EaPeReg) Network;
- ❑ ETSI – European Telecommunications Standards Institute;
- ❑ ICANN/GAC – Governmental Advisory Committee of Internet Corporation for Assigned Names and Numbers;

Main objectives of GNCC:

- Creation of equal and competitive environment in communications sector;
- Promotion to introduction of modern technologies;
- Protection of legitimate interests of consumers;
- Protection of Copyright;
- Efficient allocation of frequency spectrum;
- Provision of creation and development of competitive environment in broadcasting sector, as well as promotion to editorial independence of the broadcasters;

Georgian law on broadcasting was elaborated in 2004 in cooperation with the Council of Europe;

This law:

- Stimulates freedom of expression and
- Ensures competitive environment between broadcasters;
- Provides equality and independence of license holders/authorized undertakings;
- Ensures transparency;
- Ensures Copyright Protection;
- Establishes Public Service Broadcaster for the purposes of broadcasting of various programs free from political and commercial influence;

- December 2017 – Changes to the Law on Broadcasting of Georgia;
- Art. 14¹ – Rights and Duties of GNCC in the Area of Media Literacy;

Media Literacy



Alignment of Georgia's legislation with AVMSD

- ❑ Support to the OSMEEAI and the Georgian National Communication Commission (GNCC) in Approximation of Georgia's Legislation to the EU Directive on Audiovisual Media Services (expert Jean-Francois Furnemont);
- ❑ EBRD Project - Information Communication Technology Sector Development Harmonization of laws, regulation of next generation access and regulatory development (Grant Thornton Advisory, PIERSTONE, Analysys Mason Limited);

Alignment of Georgia's legislation with AVMSD

A. MATERIAL SCOPE

1. Extension to on-demand services;
2. Clarification of the scope by adding or modifying several definitions (“audiovisual media service”, “editorial responsibility”, “program”, “media service provider”, “television broadcasting” and “broadcaster”);

B. TERRITORIAL SCOPE AND JURISDICTION

3. Clarification about the criteria which are used by the GNCC to determine which media service provider falls under its jurisdiction and which one does not;
4. Cooperation with other NRA’s;
5. Freedom of reception of EU channels;
6. Creation of a framework which can be used with third countries when circumvention issues arises;

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C. SELF-REGULATION

7. Protection of minors, incitement to hatred are fully left to self-regulation;

This raised several issues in terms of evaluation and effectiveness, and especially in terms of effective backstop powers in the hands of a public body in order to ensure that public interest can be safeguarded in case of failure of self-regulation.

D. IDENTIFICATION

8. Creation of a provision which allows the public to know exactly who is responsible for the content of the audiovisual media services.

E. PROTECTION OF MINORS

9. Extension to on-demand services + alignment of rules between linear services and on-demand services

Alignment of Georgia's legislation with AVMSD

F. PROMOTION OF EUROPEAN WORKS

10. Extension to on-demand services;
11. Modification of the definition of “European product”;
12. Exemption of local broadcasters from the obligations to promote European works;

G. DISABILITY

13. Reinforcement of the rules for the public broadcasters + creation of rules for the private broadcasters.

Alignment of Georgia's legislation with AVMSD

H. COMMERCIAL COMMUNICATIONS

16. Creation of a definition of “surreptitious audiovisual commercial communication”;
17. Clarification of the principle of separation between programs and audiovisual commercial communications : by optical and/or acoustic and/or spatial means;
18. Creation of a rule about isolated advertising and teleshopping spots;

I. RIGHTS HOLDERS

19. Creation of a provision which provides that media service providers do not transmit cinematographic works outside periods agreed with the rights holders;

J. SHORT NEWS REPORT

20. Creation of a provision which provides that, for the purpose of short news reports, broadcasters should have access on a fair, reasonable and non-discriminatory basis to events of high interest to the public which are transmitted on an exclusive basis by another broadcaster



Thank You

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