



Working group 1 – 2025 Terms of Reference (ToR)	
Name of the Work group	Audiovisual Media Regulation
WG Chair, NRA	Karim Ibourki , Conseil Supérieur de l’Audiovisuel (CSA)
Summary of background	<p>The Media Board’s Statement of purpose and multi-annual strategy¹ foresees an active role for the Board in the legislative debate on the Audiovisual Media Services Directive (AVMSD), should a revision of the Directive be considered by the Commission, by providing its expertise based on its experience in implementing and enforcing the regulatory framework.</p> <p>With a view to advance this strategic objective, the Media Board’s 2026 Work Programme established a dedicated Working Group on Audiovisual Media Regulation. The main strategic priority of Working Group 1 (WG1) will be to provide expertise and guidance in support of a convergent European regulatory approach, in particular in view of the evaluation and revision of the AVMSD foreseen in 2026².</p> <p>Media regulation does not evolve in isolation. This has led ERGA and the Media Board in the past to monitor other European legislative initiatives that impact on or complement the AVMSD, and when appropriate to contribute to consultations on the basis of the practical experience of NRAs. Legislative initiatives such as the Digital Fairness Act (DFA), will potentially address certain areas relevant for regulators. The DFA will be presented by the Commission in Q4 2026³.</p> <p>Finally, one of the tasks of the Board remains to promote the consistent and effective implementation of the AVMSD. To this end the WG1 will dedicate a work stream to structured thematic discussions on specific issues among members.</p>
Work group’s scope and purpose	<p>WG1 was designated to prepare input on the areas mentioned above, with members encouraged to collaborate and feed into this input based on their national experiences. The following workstreams are foreseen:</p> <p>1. AVMSD Evaluation and revision</p> <p>WG1 will specifically discuss, prepare and provide input to the <i>public consultation for the evaluation of the AVMSD</i> scheduled in Q1 2026. This work should build on existing reports and insights already gathered during previous years, in particular the work carried out by WG1 and WG4⁴ under the Media Board’s 2025 Work Programme.</p> <p>In addition to the contribution to the public consultation, this workstream will provide input to the evaluation exercise by the Commission throughout the year.</p>

¹ [2025-2027 Multiannual Strategy](#)

² [2026 Commission work programme and annexes](#)

³ [2026 Commission work programme and annexes](#)

⁴ [The Media Board’s contribution to the AVMSD ex-post evaluation and review](#)



In addition, once the evaluation report and proposal are published, this workstream will also provide a forum of exchange on the evaluation report and the proposal, with a view to fostering a shared understanding of key issues and priorities. Finally, it will also prepare a position on the proposal for revision drawing on the authorities' practical experience with the application and enforcement of the AVMSD and addressing possible shortcomings, inconsistencies and regulatory gaps in the current framework.

2. Media-related legislative initiatives

Media regulators have developed extensive expertise on audiovisual media matters. Staying up to date on relevant EU-legislative initiatives beyond AVMSD and EMFA is essential for the Media Board members to contribute meaningful expertise to the policymaking process in a timely manner.

Therefore, this workstream, in close coordination with the Secretariat will *ensure regular updates on relevant upcoming legislative developments or other relevant developments such as* the Action Plan on Cyberbullying, the Digital Networks Act, and the expert panel from the European Commission on the Protection of minors. To this effect a dedicated section in the quarterly reports of WG1 will be foreseen.

In addition, the DFA has been identified as legislation of particular relevance for media regulators in areas such as advertising transparency (including influencers), platform interface design, creator monetisation, and dark patterns, particularly in relation to the protection of minors. In this respect the Media Board stands ready to exchange with the European Commission ahead of the publication of the proposal.

Furthermore, in light of the evaluation and review of the AVMSD, it is necessary for the Media Board to position itself as regards the interaction between the AVMSD and other legislative instruments. Therefore, WG1 will further develop the Media Board's existing work on the AVMSD's relation to national and other European law⁵. More concretely an internal mapping will be drafted with the aim of addressing the relationship between the AVMSD and Digital Services Act (DSA), Digital Markets Act (DMA), Digital Fairness Act (DFA). The input from this deliverable will be channelled into WS1. The mapping will be a 'living document' which will be updated as case law progresses during the year (Q2-Q3).

Finally, WG1 meetings will provide the opportunity for Members to share implementation updates on recent initiatives (such as the regulation on the Transparency and Targeting of Political Advertising (TTPA), or DMA and the DMA High-Level Group).

3. AVMSD in practice

Exchanging best practices and legal interpretations can help clarify complex legislation and support mutual understanding. At the same time, more structured discussions between members and subject matter experts on the

⁵ ERGA 2023 report on [The practical application and future of cross-border enforcement of media law \(2023\)](#)

ERGA 2024 report on [The implementation and cross-border enforcement of the European legal framework for digital and audiovisual media services \(2024\)](#)



implementation of EU legislation would promote greater consistency and ensure that common challenges are addressed effectively across the EU.

WG1 will facilitate regular thematic meetings between members on the implementation of the AVMSD between Q1-Q3 2026.

The concrete subjects of the thematic meetings will take account of the suggestions in the work programme and be presented by lead drafters and discussed at the first WG1 meeting.



Working group 1 Deliverables

WORKSTREAM 1 – AVMSD evaluation and revision		
Deliverable 1	Deliverable type	Contribution to the public consultation on the AVMSD
	Deliverable title	(To be decided)
	Due date	Q1 2026
	Approval procedure	Written procedure (potentially urgent)
	Publication	Yes
Deliverable 2	Deliverable type	Position paper on the AVMSD evaluation report and proposal
	Deliverable title	(To be decided)
	Due date	Q3/Q4 2026
	Approval procedure	Written procedure (potentially urgent)
	Publication	Yes
WORKSTREAM 2 – Media-related legislative initiatives		
Deliverable 1	Deliverable type	Update / monitoring on other legislative developments
	Deliverable title	
	Due date	Q1 to Q4 2026
	Approval procedure	No (for information)
	Publication	No
Deliverable 2	Deliverable type	Mapping of interaction between AVMSD and other legislative initiatives
	Due date	Q3 2026
	Deliverable title	(To be decided)



	Approval procedure	Yes, first presentation of draft in June plenary ⁶ , finalisation at the 2 nd WG1 meeting, and adoption by written procedure.
	Publication	No ⁷
WORKSTREAM 3 – AVMSD in practice		
Deliverable 1	Deliverable type	Thematic meetings facilitating best practice exchanges between WG1 members
	Deliverable title	(to be decided)
	Due date	Q1 to Q3 2026
	Publication	No

⁶ [The results of some court cases are expected after the June plenary.](#)

⁷ [The input from this paper will support the drafting of the position paper from WS1](#)