



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Notification Number : 2024/0344/HU (Hungary)

Draft act restricting access to pornographic content on the internet for the protection of children, and amending certain acts relating to electronic commerce services and advertising

Date received : 27/06/2024

End of Standstill : 30/09/2024 (28/10/2024) (closed)

Message

Message 001

Communication from the Commission - TRIS/(2024) 1673

Directive (EU) 2015/1535

Notification: 2024/0344/HU

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéseket - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20241673.EN

1. MSG 001 IND 2024 0344 HU EN 27-06-2024 HU NOTIF

2. Hungary

3A. Európai Unió Ügyek Minisztériuma
EU Jogi Megfelelésvizsgáló Főosztály - Műszaki Notifikációs Központ
H-1054 Budapest, Báthory u. 10.
E-mail: technicalnotification@eum.gov.hu

3B. Miniszterelnöki Kabinetiroda
Jogi Ügyekért Felelős Helyettes Államtitkárság

4. 2024/0344/HU - SERV30 - Media

5. Draft act restricting access to pornographic content on the internet for the protection of children, and amending certain acts relating to electronic commerce services and advertising



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

6. Regulation of advertising

Restriction of internet access services

7.

8. The draft stipulates that the service provider is obliged to operate an easily accessible, transparent and user-friendly electronic system on its website, in order to facilitate the reporting and removal of any content that violates minors' personality rights.

According to the draft, internet service providers are obliged to provide an internet screening service to filter out pornographic sites, at the request of parents. Internet service providers shall inform the subscriber in advance of the possibility of a safe service (which is provided with regard to underage users), and the fact that it is free of charge for individual subscribers.

The draft states that the service provider is also obliged to provide an unfiltered service, in addition to safe internet access (which is provided with regard to underage users) in the case of fixed (home) services.

Screening is done based on a constantly updated black list, drawn up by the National Media and Infocommunications Authority, of the most visited websites specifically dedicated to pornographic content.

With the amendment of the advertising rules, the draft provides that in the case of advertisements via an application provider or a video-sharing platform service provider the nature of the advertisement must be clearly indicated, also taking into account influencer activities. It is prohibited to advertise goods or products or their use to children or minors in a way that is harmful or dangerous to life, health or physical integrity.

There is a specific provision on the advertising of alcoholic beverages, which for example prohibits such advertisements immediately before, during and immediately after the publishing of any content, via an application provider or video-sharing platform service provider under Act CVIII of 2001 on certain aspects of electronic commerce services and information society services, which addresses children or minors.

9. The draft act takes steps to ensure that children use the internet safely.

The amendment will make it easier to report and remove any content that constitutes cyberbullying.

The draft aims to extend the bans on advertising, and to rethink the regulation of advertising via application providers and video-sharing platform service providers, also taking into account the activities of opinion leaders who influence a wide range of young people.

The amendment provides that clear reference shall be made to the nature of the advertisement in the case of advertising via an application provider or a video sharing platform service provider.

It is widely known what harmful effects pornographic content may have on minors. Most minors have a smart device, internet access or a Wi-Fi network at home.

It is appropriate to require internet service providers to ensure, by means of an appropriate technical solution, that the user of the internet access service cannot access any pornographic content which is included in the blacklist of the National Media and Infocommunications Authority, where subscribers (including parents buying internet subscriptions for their children) so request. This shall be provided free of charge for individual subscribers.

The legislation is introduced in a phasing-out system and gradually by the draft act.

The amendment also aims to prohibit the advertising of alcoholic beverages immediately before, throughout and immediately after any content for children or minors is published by online application providers or video-sharing



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

platform service providers.

10. Reference(s) to basic text(): The basic texts were forwarded with an earlier notification:
2019/0029/HU

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

Contact point Directive (EU) 2015/1535

email: grow-dir2015-1535-central@ec.europa.eu