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

Message 103

Communication from the Commission - TRIS/(2023) 1940

Directive (EU) 2015/1535

Notification: 2023/0136/B

Forwarding of the observations of a Member State (Netherlands) (article 5, paragraph 2, of Directive (EU) 2015/1535). These observations do not have the effect of extending the standstill period.

MSG: 20231940.EN

1. MSG 103 IND 2023 0136 B EN 28-06-2023 28-06-2023 NL COMMS 5.2 28-06-2023

2. Netherlands

3A. Centrale dienst voor in- en uitvoer, Douane

3B. Ministerie van Economische Zaken en Klimaat

4. 2023/0136/B - SERV30 - Media

5. article 5, paragraph 2, of Directive (EU) 2015/1535

6. The Netherlands has taken note of the draft decree amending the decree of 27 March 2009 on radio broadcasting and television as regards the promotion of the audiovisual sector by means of financial contributions to the production of audiovisual works, notified by the Belgian authorities under number 2023/0136/B.

The Netherlands invites the Belgian authorities to clarify the grounds on which it was concluded that the draft decree falls within the scope of directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (‘Audiovisual Media Services Directive’), cited in the notification message.

In addition, in the absence of a reference to directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the internal market (‘Directive on electronic commerce’), the Belgian authorities are invited to clarify the grounds on which it appears to be concluded that the draft decree does not fall within the scope of the latter directive, in particular in view of the country of origin principle and the procedures laid down therein – or other potentially relevant EU legislation.

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European Commission
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