

## ITALY

Name of the Regulatory Authority : Autorità per le Garanzie nelle comunicazioni  
– Italian Communications Authority  
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### Basis for operation

Legal framework : Law n° 249 of 31 July 1997

General remit:  TV  radio  networks and infrastructures  
 Others (please specify): publishing

Funding mechanisms :  licence fee  industry fee  state budget  
 mixed funding: 69% financed by the state budget; 17 % by fees/charges paid by incumbent/SMP operators; 10% by fees/charges paid by all other licensed operators (including fees from audio-visual and publishing sectors); 4% by other sources  
 other (please specify):

### Composition

Number of members: Term of office: 7 years Re-election possible: No  
Proposal of members: The Senate of the Republic and the Chamber of Deputies elect four commissioners each of whom will be subsequently appointed by a decree of the President of the Republic.  
Appointment of members: The president of the Authority is appointed by a decree of the President of the Republic on the proposal of the President of the Council of Ministers in agreement with the Ministry of Communications. The nomination of the president of the Authority shall be submitted to the competent parliamentary commissions for approval pursuant  
Revocation of mandate possible?  No based on :  
Number of staff: 260  
Chairman : Enzo Cheli  
(if not applicable, name Director General)  
Vice Chairman : Silvio Traversa

Please describe your authority's structure if it does not have a board:

## Competences

		national	regional	local
Granting of licences	terrestrial analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	terrestrial digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Others (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In the areas where your authority is not competent to grant licences, please specify the authority in charge: Ministry of Communications

Please add any other relevant information:

Granting of registrations	terrestrial analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	terrestrial digital broadcasters*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	satellite analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite digital broadcasters**	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable digital broadcasters***	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

In the areas where your authority is not competent to grant registrations, please specify the authority in charge:

Please add any other relevant information: The registrations are and automatic consequence of the issue of a licence and thus compulsory for any operator in any sector of the communications industry, ranging from publishing, to broadcasting and telecoms.

\* DTT broadcasters are registered only if they broadcast other programmes than the analogue ones. There is no real distinction yet between regional and local DTT broadcasters, but there will be in the future.

\*\* Satellite broadcasting has started only in digital technology and the licences are issued only on a national basis even where the programming is local.

\*\*\* Cable broadcasting has started only in digital technology and the licences are issued only on a national basis: the only operator is Fastweb.

Frequency allocation

Supervision of	private broadcasters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	public broadcasters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Others : Regional communications committees delegated by AGCOM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Handling complaints

Sanctioning  issue warning  impose fine  demand to broadcast announcement

- revoke licence       suspend licence       reduction in the licensing period  
 suspend a programme / broadcast  
 other (please specify):

Rule making       codes       Secondary regulation  
 other (please specify):

Consultative powers       AGCOM advises the Government about strategies and policies on communications matters; gives advisory opinions in proceedings pending by the Italian competition authority; advises the Ministry of Communications on frequency matters

Power of nomination (e.g. chairman of PSB)       AGCOM with its own regulations provides the criteria for the designation, organisation and functioning of the National Users' Council and fix the number of its members

Monitoring      Pursuant to Law 249/97, AGCOM has developed, also thanks to the previous experiences of other European authorities and to broadcasters' codes of conduct, a project for the monitoring of the content of television programs. This project was approved by AGCOM's Council on July 7, 1999.

In particular, the monitoring project focuses on four main areas: 1) users protection (especially minors' protection); 2) programming obligations of licensees (ex. European quotas); 3) advertising (ex. transmission time); and 4) pluralism (political, cultural, social). For each area, the project identifies: a) the subjects (national or local broadcasters, terrestrial or satellite broadcasters); b) the procedure and the amount of the sanctions; c) the responsible for the monitoring on the compliance of the rules and the responsible, in case different, for applying the sanctions.

Others       Please specify:

Please add any information you deem important:

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<sup>i i</sup> By "licence fee" we refer to the public service licence fee usually paid by the entire population, whereas the term "industry fee" implies all those funding mechanisms based on a contribution from broadcasters themselves, including, for example, licensing fees (i.e. an amount of money that is paid by the broadcaster for it to be able to carry out its broadcasting operations) and frequency taxes.