

Regulatory Authority for Electronic Media  
5 Trg Nikole Pašića  
11000 Belgrade  
Republic of Serbia

Case no.  
0011/SO/2025  
0031/SO/2025

Our ref.  
00194/2025

Attended to/line  
PO/02 209 065 46

Date  
17. 1. 2025

**Subject****Referral of complaints concerning the broadcasting of television programme services**

On 8 November 2024 and 26 December 2024, the Council for Media Services (hereinafter 'the Council') received complaints against the broadcaster McBOXS Doo Novi Sad, regarding the broadcasting of the television programme services Music Box Senzi TV and MUSIC BOX FOLKLORIKA on the territory of the Slovak Republic.

The referral is grounded in the provisions of the **Directive 2010/13/EU, as amended by Directive (EU) 2018/1808 (Audiovisual Media Services Directive)** (hereinafter 'the Directive'). The country of origin principle within Article 2(1) is regarded as the core of the Directive, meaning that complaints regarding compliance with the Directive should generally be addressed by the regulatory authority of the country where the provider is established. The cooperation between regulatory bodies is facilitated by Article 30 of the Directive. Given that the Republic of Serbia is an European Union candidate country and has transposed key provisions of the Directive into its domestic law, and given that the broadcaster in question is authorised to broadcast under licences issued in the Republic of Serbia, we take the liberty of referring the further handling of the complaints to you.

The legal obligations of the Republic of Serbia under the **Stabilisation and Association Agreement** (hereinafter 'the SAA') further support this approach. Title VI of the SAA obliges the Republic of Serbia to align its existing laws and future legislation with the EU acquis, including Chapter 10 of the acquis on information society and media. Article 104 of the SAA promotes the cooperation between the Parties in the audio-visual field and the regulation of content aspects of cross-border broadcasting.

Relevant legal obligations for television broadcasters are also laid down in the **European Convention on Transfrontier Television** (hereinafter 'the Convention'). Article 12(2) of the Convention sets a 20% limit on advertising spots within a given clock hour. Article 7(2) of the Convention provides that all items of programme services which are likely to impair the physical, mental or moral development of children and adolescents shall not be scheduled when, because of the time of transmission and reception, they are likely to watch them. Article 24(1) and Article 19 of the Convention provide for additional cooperation and assistance between the Parties.

The complaint of **8 November 2024** alleges a breach of the rules concerning the duration of teleshopping spots within a given clock hour of broadcasting. The complaint relates to the broadcast of the television programme service Music Box Senzi TV. The date and approximate time of broadcast was not provided. The provisions relating to the television advertising and teleshopping are laid down in the Chapter VII of the Directive. Based on the complaint, the Council suspects that the broadcaster McBOXS Doo Novi Sad may have violated the rules under Article 23(1) of the Directive by exceeding the 20% limit on television advertising spots and teleshopping spots within a given clock hour during the broadcast of the television programme service Music Box Senzi TV.

The complaint of **26 December 2024** alleges a breach of the rules concerning the protection of minors in television broadcasting. The content in question was broadcast on the television programme service MUSIC BOX FOLKLORIKA on Wednesday, 25 December 2024 at approximately 2:55 pm. The provisions relating to the protection of minors in television broadcasting are laid down in the Chapter VIII of the Directive. Based on the complaint, the Council suspects that the broadcaster McBOXS Doo Novi Sad may have violated the rules under Article 27 of the Directive by either broadcasting a programme which might seriously impair the physical, mental or moral development of minors or broadcasting such a programme without the presence of an acoustic warning or the presence of a visual symbol throughout its duration.

We have informed the complainants of the referral.

Should you require further information in order to properly investigate the matter, we remain at your disposal.

We would be pleased if you would inform us about the outcome of the investigation of the complaints.

Best regards



Mgr. Martin Dorociak  
Director  
Council for Media Services

#### Attachments

1. Anonymised complaint of 8 November 2024 and anonymised complaint of 26 December 2024

**Attachment 1: Anonymised complaint of 8 November 2024**

*Have a nice day.*

*I hereby lodge a complaint for an investigation into the broadcast of advertisements during the broadcast on TV SENZI.*

*I am not the only one who is concerned that during the broadcast of one hour of the programme, there are 30 – 35 minutes of commercials for TEleshopping, which accounts for about 50% of the programme. After all, the percentage of commercials applies to both public television and private television.*

*Thank you*

**Attachment 2: Anonymised complaint of 26 December 2024**

*Around 3 pm, a song by Veronika Rabada, Pokoj Vám, was broadcast on TV Folklorika, which depicts war, the suffering of children, shooting and explosions. No pictogram was placed in the upper right corner. My 5 year old daughter is still having problems from this content and doesn't even want to see TV.*