

## **RESOLUTION NO 110/25/CONS**

### **PUBLIC CONSULTATION ON THE REVISION OF THE GUIDELINES ON THE PROMINENCE OF AUDIOVISUAL AND RADIO MEDIA SERVICES OF GENERAL INTEREST**

#### **THE AUTHORITY**

AT the Council meeting held on 30 April 2025;

HAVING REGARD TO Law No 249 of 31 July 1997, *Creation of the Regulatory Authority for Communications and rules on telecommunications and broadcasting systems*" (hereinafter, the "Founding Law");

HAVING REGARD TO Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of the rules on Information Society services (codification);

HAVING REGARD TO Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU 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), in view of changing market realities (hereinafter, the "Audiovisual Media Services Directive");

HAVING REGARD TO Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (hereinafter, the "European Electronic Communications Code");

HAVING REGARD TO Legislative Decree No 259 of 1 August 2003, the *Electronic Communications Code*, as last amended by Law No 193 of 16 December 2024, the *Annual Market and Competition Law 2023* (hereinafter, the "Italian Electronic Communications Code");

HAVING REGARD TO Legislative Decree No 208 of 8 November 2021, *Implementation of Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU 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) in view of market developments, as amended by Legislative Decree No 50 of 25 March 2024, containing Supplementary and corrective provisions to Legislative Decree No 208 of 8 November 2021 on the consolidated text governing the provision of audiovisual media services in view of market developments, implementing Directive (EU) 2018/1808 and amending Directive 2010/13/EU (hereinafter, "Tusma", based on the Italian acronym);*

HAVING REGARD to Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (hereinafter, the "European Media Freedom Regulation");

HAVING REGARD TO Resolution No 401/10/CONS of 22 July 2010, *Rules governing the duration of proceedings*, as last amended by Resolution No 118/14/CONS;

HAVING REGARD TO Resolution No 223/12/CONS of 27 April 2012, *Adoption of the new Regulation governing the organisation and operation of the Authority*', as last amended by Resolution No 58/25/CONS of 6 March 2025;

HAVING REGARD TO Resolution No 383/17/CONS of 5 October 2017, *Adoption of the Regulation governing access pursuant to Articles 22 et seq. of 7 August 1990, No 24 and Articles 5 et seq. of Legislative Decree No 33 of 14 March 2013;*

HAVING REGARD TO Resolution No 107/19/CONS of 5 April 2019, *Adoption of the Regulation governing the consultation procedures in proceedings under the Authority's jurisdiction;*

HAVING REGARD TO Resolution No 116/21/CONS of 21 April 2021 *Update of the automatic numbering plan for digital terrestrial television channels, including the criteria for assigning channel numbers to providers of audiovisual media services authorised to broadcast audiovisual content transmitted using digital terrestrial technology and the associated conditions of use;*

HAVING REGARD TO Resolution No 149/22/CONS of 19 May 2022, *Initiation of the proceedings concerning the prominence of audiovisual and radio media services of general interest and the automatic channel numbering system for digital terrestrial television channels;*



HAVING REGARD TO Resolution No 14/23/CONS of 25 January 2023, *Public consultation on the prominence of audiovisual and radio media services of general interest and accessibility of the automatic numbering system for digital terrestrial television channels*;

HAVING REGARD TO Resolution No 294/23/CONS of 22 November 2023, *Regulation on the accessibility of the automatic numbering system for digital terrestrial television channels* (hereinafter, the "DTT Numbering Regulation");

HAVING REGARD TO Resolution No 312/23/CONS of 5 December 2023, *Extension of the deadline for concluding the proceedings initiated by Resolution No 149/22/CONS concerning the prominence of audiovisual and radio media services of general interest and the accessibility of the automatic numbering system for digital terrestrial television channels*;

HAVING REGARD TO Resolution No 118/24/CONS of 30 April 2024, *Extension of the deadline for concluding the proceedings initiated by Resolution No 149/22/CONS concerning the prominence of audiovisual and radio media services of general interest and the accessibility of the automatic numbering system for digital terrestrial television channels*;

HAVING REGARD TO Resolution No 259/24/CONS of 10 July 2024, *Definition of the icon for accessing digital terrestrial television channels* (hereinafter, the "DTT Icon Regulation");

HAVING REGARD TO Resolution No 390/24/CONS of 9 October 2024, *Guidelines on the prominence of audiovisual and radio media services of general interest*;

HAVING REGARD TO the applications submitted by audiovisual and radio media service providers requesting inclusion of their services in the list of services of general interest as provided for under Resolution No 390/24/CONS;

HAVING OBTAINED the bundle of documents of the Permanent Technical Working Group on the Prominence of Services of General Interest (hereinafter, the "SGI Technical Working Group") established by Resolution No 390/24/CONS.

HAVING REGARD TO the participation in the *SGI Technical Working Group* of the following entities: Amazon Media EU Sarl, Anitec-Assinform - the Italian Association for *Information and Communication Technology*, Apple Distribution

International Ltd., the Aeranti-Corallo Association, the Media Veneta Radio Association, the National Association of Importers and Manufacturers of Civil Electronics adhering to the Confcommercio system, the OMItaliane Association, Local TVs Association, Confindustria Radio Televisioni (hereinafter, also "CRTV"), National RadioTv Coordination, DAB Italia S.c.p.a. (hereinafter, also "DAB Italia"), Digiquest Solutions S.p.A., Elemedia S.p.A. (hereinafter, also "Elemedia"), Emme Esse S.p.A., Epson Italia S.p.A., EUODAB Italia S.c.a.r.l. (hereinafter, "EUODAB Italia"), Express Luck Europe Electric Kft., Google Italy S.r.l., Gruppo Industriale Vesit S.p.A., the Italian Interactive & Digital Entertainment Association (hereinafter, "IIDEA"), Kineton S.r.l. (hereinafter, also "Kineton"), La7 S.p.A., LG Electronics Italia S.p.A., Panasonic Marketing Europe GmbH (hereinafter, "Panasonic"), Paramount Global Italia s.r.l., Radio Zeta S.r.l. (hereinafter, also "Radio Zeta"), Rai - Radio Televisione Italiana S.p.A. (hereinafter, also "Rai"), Reti Televisive Italiane S.p.A. (hereinafter, also "RTI"), RTL 102,500 Hit Radio S.r.l. (hereinafter, also "RTL"), Samsung Electronics Italia S.p.A., Sky Italia S.r.l., Sony Europe B.V., Strong Italia S.r.l., Telenorba S.p.A., The Walt Disney Company Italia S.r.l., TIM S.p.A., Tivù S.r.l.;

HAVING REGARDING TO the preliminary contributions and those submitted during the proceedings of the Technical Working Group by the following entities: the Aeranti-Corallo Association, the Galileo News Association, the European Audiovisual Media Association, the Media Veneta Radio Association, the OMItaliane Association, the FRT Local Radio Association, CN Media S.r.l., Consultmedia, CRTV, DAB Italia, Digital Radio Mondiale, Elemedia, EUODAB Italia, Giorgio Marsiglio, Panasonic, Radio Mediaset, Radio Zeta, Rai, RTI, RTL;

TAKING INTO ACCOUNT the comments and the detailed opinion issued by the European Commission within the framework of the notification procedure concerning the draft regulation referred to in Resolution No 14/23/CONS, notified as a technical regulation pursuant to Directive 2015/1535/EU of the European Parliament and of the Council of 9 September 2015, and transmitted by the Ministry of Enterprise and Made in Italy on 27 March 2023;

WHEREAS:

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## 1. Foreword

This measure aims to revise the provisions ensuring adequate prominence for audiovisual and radio media services of general interest (hereinafter, "SGI"), referred to in the Guidelines adopted by Resolution No 390/24/CONS.

The revision of the provisions on the prominence of SGI has become necessary in light of the information gathered during the procedure to prepare the list of public and commercial services identified as SGI (hereinafter, the "SGI List"), as provided in paragraph 3 of Annex A to Resolution No 390/24/CONS. This need is further supported by the findings of the Technical Working Group on the Prominence of Services of General Interest (hereinafter, the "SGI Technical Working Group"), established under paragraph 28 of the same Annex A, which examines how to ensure adequate prominence for radio SGI on devices installed on cars and, more broadly, on devices primarily intended for the reception of audio content.

The following paragraphs describe the relevant legal and regulatory framework (paragraph 2.), explain the reasons behind the revision of the SGI Prominence Guidelines (paragraph 3.), and set out the proposed amendments to the current provisions (paragraph 4.).

## 2. The legal and regulatory framework of reference

To safeguard pluralism, freedom of expression, cultural diversity and the effective dissemination of information to the broadest possible audience, Article 29 of Tusma stipulates in paragraph 1 that adequate prominence must be ensured for audiovisual and radio media services of general interest regardless of the means of reception, access or platform used. The following paragraph 2 entrusts the Authority with the responsibility of defining, through specific guidelines, the criteria for identifying a service as being of general interest. It also outlines the methods and criteria that must be followed by

equipment manufacturers capable of receiving broadcast or radio signals, providers of indexing, aggregation or content retrieval services for audiovisual or sound content, as well as providers who determine how the services are displayed on user interfaces, in order to ensure compliance with the provisions set out in paragraph 1.

With regard to prominence, paragraph 7 of Article 29 of Tusma further stipulates that all equipment capable of receiving a digital terrestrial television signal – even those with Internet connectivity – must be equipped with the automatic numbering system for digital terrestrial television channels. The same article also requires that this numbering system must be easily accessible to users. Additionally, the Authority must define the regulatory requirements needed to implement these provisions and to adopt the necessary measures to ensure that equipment manufacturers and importers comply accordingly.

While paragraph 7 of Article 29 of Tusma addresses matters of purely national relevance, the provisions set out in paragraphs 1 and 2 of the same article implement Article 7bis of the Audiovisual Media Services Directive, which states that "Member States may take measures to ensure the appropriate prominence of audiovisual media services of general interest". Recital 25 of the Directive further clarifies that Member States may impose obligations to ensure the appropriate prominence of content of general interest, in pursuit of clearly defined general interest objectives, such as media pluralism, freedom of expression and cultural diversity. Such obligations, based on legitimate public interest considerations, should be imposed only when they are necessary and proportionate to achieving clearly defined general interest objectives as established by Member States in accordance with European Union law.

To implement the legislator's provisions, the Authority launched proceedings through Resolution No 149/22/CONS for the adoption of guidelines and regulatory requirements to ensure the prominence of audiovisual and radio media services of general interest, as well as the implementation of an automatic channel numbering system for digital terrestrial television. The provisions on prominence were subsequently submitted to national public consultation under Resolution No 14/23/CONS, and, simultaneously, notified to the European Commission as a technical regulation in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015.

Following the outcome of the public consultation, the Authority adopted Resolution No 294/23/CONS, *Regulation on the accessibility of the automatic channel numbering system of digital terrestrial television* (hereinafter the "DTT Numbering Regulation"). This regulates the installation methods and accessibility of the automatic channel numbering system, with a view to safeguarding the availability and accessibility



of content provided via the digital terrestrial platform. Among other provisions, the DTT Numbering Regulation requires that digital terrestrial television channels be accessible via a dedicated box or icon displayed in the first screen of the home page on devices capable of receiving the digital terrestrial signal. Furthermore, the image or label on the box or icon must be identical across all devices and user interfaces.

To define the implementation criteria of the provisions concerning the box or icon granting access to digital terrestrial television channels, the DTT Numbering Regulation establishes a dedicated Technical Working Group, open to the participation of device manufacturers, user interface operators and developers, media service providers, associations of media service providers and other relevant entities. Following the conclusion of the Technical Working Group, the Authority adopted Resolution No 259/24/CONS, *Regulation on the definition of the icon for accessing digital terrestrial television channels* (hereinafter, the "DTT Icon Regulation"). The Regulation stipulates, among other provision, that the icon for accessing digital terrestrial television – uniform across all devices and user interfaces – must not be smaller than the other icons or panels within the relevant portion of the screen in which it is positioned. It also sets out the icon's graphic characteristics, ensuring clear and immediate visibility.

Lastly, with Resolution No 390/24/CONS, the Authority approved the *Guidelines on the prominence of audiovisual and radio media services of general interest*, aimed at ensuring prominent placement of SGI, without prejudice to the user's ability to customise service display settings, as envisaged under the European Media Freedom Act. The Guidelines establish the criteria for classifying a service as of "general interest" and specify the devices and user interfaces subject to the measures. They also identify the recipients of these obligations and outline the methods of implementation. Additionally, the Guidelines also establish that the Authority must publish on its website both the list of public and commercial services identified as SGI, as well as the list of device manufacturers and entities responsible for determining how SGI are presented on user interfaces. To assess potential adjustments to the Guidelines in response to technological and market developments – and to determine how radio SGI should ensure the appropriate prominence on devices installed in cars and, more broadly, on devices primarily intended for the reception of audio content – the Guidelines establish a permanent Technical Working Group (SGI Technical Working Group), further detailed in paragraph 3.2..

### **3. Revision of the Guidelines on the Prominence of Services of General Interest**

This paragraph outlines the reasons for revising the current Guidelines on the prominence of audiovisual and radio media services of general interest. The revision is

primarily based on the information gained during the preparation of the SGI List and on the findings of the SGI Technical Working Group, particularly concerning how to ensure appropriate prominence for radio SGI on devices installed in cars and, more broadly, on devices primarily intended for the reception of audio content.

### ***3.1. Evaluation procedure for services of general interest***

The Guidelines adopted by Resolution No 390/24/CONS stipulate, among other provisions, that the providers who consider their audiovisual and radio media services to fall within the scope of SGI must submit a formal notification to the Authority. Upon completion of evaluation process of the documents received – and in any case within 120 days of the adoption of Guidelines – the Authority will publish on its website the list of public and commercial services identified as SGI (the "SGI List").

During the initial phase of the SGI List preparation procedure – the assessment of applications submitted by the audiovisual and radio media service providers seeking inclusion of their services – the following scenario emerged.

By the deadline established in Resolution No 390/24/CONS, approximately 1,100 submissions containing requests for the inclusion of services in the SGI List had been filed. Over 300 of these required additional deliberations related to their review due to incomplete or insufficient information, which prevented an immediate and comprehensive evaluation. For this reason, in order to complete the assessment of the applications received by the Authority departments, the deadline for the publication of the list of services of general interest referred to in Resolution No 390/24/CONS has been extended through a notice published on the Authority's website.

Following the assessment of the applications received, in addition to the services provided by the public service concessionaire, more than 700 commercial services have been identified as qualifying SGI. These include approximately 320 audiovisual and 380 radio services, comprising 80 national and 620 local services, distributed across platforms as follows: 320 via DVB-T, 370 via DAB+, 50 via DVB-S, and 420 via IP.

The excessive number of services qualifying as SGI and thus included in the SGI List provided for under the Guidelines above, highlights the need to reconsider the definition of the SGI basket and the criteria for ensuring their prominence. Ensuring prominence to such a large number of services under the current arrangements presents significant challenges. For instance, the use of a dedicated section – in the form of a strip or bar, no smaller in size than other bars or lines containing icons or boxes relating to other content on the home pages – may not suffice. In the initial level of the user interface, more than ten icons representing national online audiovisual service providers



should be displayed alongside the icon established by the DTT Icon Regulation. These should then be followed by a further three icons giving access to SGI available on the satellite platform, local audiovisual SGI on DVB-T, and online radio SGI. It is therefore advisable to standardise the type of services displayed on the screens in the dedicated strip to users established by Resolution No 390/24/CONS, in order to streamline the presentation of services and enhance the accessibility and visibility for users.

To this end, given that most of the icons provided for in the resolution give access to SGI distributed online, the Authority considers it appropriate to limit the SGI strip to national and local services available via online distribution. This approach would also prevent the inefficient duplication of the SGI icons already accessible via the digital terrestrial platform, given these services already receive appropriate prominence in accordance with the provisions of the DTT Numbering Regulation and the DTT Icon Regulation.

In its detailed opinion on the draft regulation set out in Resolution No 14/23/CONS – concerning the prominence of audiovisual and radio media services of general interest and the accessibility of the automatic channel numbering system for digital terrestrial television – the European Commission noted, among other points, the potentially very high number of channels considered to be of general interest. It therefore highlighted the importance of introducing proportionate obligations that are both effective and enforceable in practice.

In light of these observations, it is clear that the initial provisions of the Guidelines adopted with Resolution No 390/24/CONS must be amended to ensure that the new grouping method maintains the representativeness essential to the concept of prominence, without diminishing the benefit originally intended by the measure under review. Displaying a large number of icons would, by definition, undermine the concept of "prominence", as it would be impossible to guarantee any objective relevance for these broadcasters. Conversely, grouping services under a single icon represents a significant advantage for local and satellite broadcasters, as it allows this category of broadcasters to be highlighted on an equal footing with major national broadcasters and streaming platforms. The measure is intended to safeguard the user's ability to recognise the broadcaster. For broadcasters with a purely local reach, users should have no difficulty in identifying the relevant local TV station once the appropriate broadcaster category has been selected.

It should be that the introduction of the new criteria does not undermine any legitimate expectations that may have arisen under the previous Resolution No 390/24/CONS. That resolution merely invited media service providers to submit declarations to the Authority in order to be assessed for qualification as a service of

general interest. Since no official recognition followed, no formal qualification as an SGI was granted. However, the information gathered did contribute to an understanding of the practical configuration of the prominence measures that are the subject of this measure.

### ***3.2. The Technical Working Group on the Prominence of Services of General Interest***

In order to assess potential measures for adapting the Guidelines adopted by Resolution No 390/24/CONS to technological and market developments, as well as to define the criteria for ensuring adequate prominence of radio media services classified as SGI, the aforementioned resolution provides for the establishment of a permanent Technical Working Group (SGI Technical Working Group).

Specifically, with regard to the assessment on how to guarantee appropriate prominence to the radio media services identified as SGI – particularly on the devices installed in cars and, more broadly, on the devices primarily intended for audio content reception – the Guidelines stipulate that, within a maximum of 120 days from the commencement of the activities (i.e. from the date of the kick-off meeting) the SGI Technical Table shall develop one or more proposals on the relevant issues. The Authority will then express its opinion by adopting a resolution.

The launch of the SGI Technical Working Group was announced on 28 October 2024 following the publication of a notice on the Authority's website. The notice outlined the criteria for participation in the Working Group and invited interested entities – including device manufacturers, user interface operators and developers, media service providers, and trade associations – to submit requests to join and present preliminary proposals on how to ensure adequate prominence for radio SGI.

A total of 37 entities joined the permanent SGI Technical Working Group, which held its kick-off meeting on 5 December 2024. During this first session, representatives of the Authority introduced an overview of the legislative and regulatory developments leading to the establishment of the Working Group, and outlined its scope, objectives and operating procedures. The participants emphasise, among other points, the urgent need to ensure the correct implementation of the provisions envisaged for the prominence obligations for radio SGI, particularly on devices that enable access on the go to radio content. As of the date of this resolution, the SGI Technical Working Group has met three times via videoconference. These sessions were marked by active engagement and numerous contributions.

The SGI Technical Working Group focused mainly on how to provide prominence for radio SGI in line with the timeline set by the establishing resolution.

As deliberations of the Working Group progressed, it became evident that there were diverging views regarding the most suitable approach to provide appropriate prominence to radio media services identified as SGI on devices for the reception of audio content. Some of the proposals presented by participants included elements that appeared to be mutually incompatible. While the Working Group did not reach a unanimous position nor adopt a single position paper, it agreed to submit to the Authority the proposals presented by the individual participants and a proposal shared by many participants, summarised below.

Numerous participants – including DAB Italia, Elemedia, EURODAB Italia, Radio Zeta, RTI, and RTL<sup>1</sup> – advocated, in an effort to ensure the full implementation of SIG prominence, for the mandatory inclusion of FM and DAB radio receivers in all cars and commercial vehicles, as well as in new L6 and L7 category quadricycles. These receivers should support the storage of at least twenty broadcasters and ensure that the most recently played radio station is automatically displayed when the device is powered on again. These participants note that although Italy was the first European country to introduce mandatory DAB receivers in radio equipment and car radios sold individually and installed in M- and N-category vehicles – even before the transposition of the European Electronic Communications Code – the regulation, other than excluding specific equipment, can be easily circumvented, rendering it unable to support a rapidly evolving market and the broadcasting sector that invests not only in content, but also in infrastructure. In this context, two participants – Radio Zeta and RTL – underscore the urgent need for legislative clarification. They call for a more efficient regulatory framework, including an expanded system of penalties, to ensure compliance across a broader range of vehicle types.

Moreover, many participants – including the Aeranti-Corallo Association, DAB Italia, Elemedia, EURODAB Italia, Radio Zeta, RTI and RTL – expressed the view that all analogue and digital broadcasting services (FM and DAB+), should be included in the SGI basket. These services are characterised by their universal, free-to-access nature and technical robustness, enabling them to reach an unlimited number of users without the risk of saturation. Designed to serve all audiences, they provide information and

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<sup>1</sup> It should be noted that the proposal submitted by the participants DAB Italia, Elemedia, EURODAB Italia, Radio Zeta, RTI, and RTL was also endorsed by other stakeholders not directly involved in the deliberations of the Working Group, namely, the Local Radios Association and CN Media.

entertainment but also in ensure large-scale public service communication during critical situations and emergencies, such as floods, earthquakes, major accidents, and armed conflicts. Bearing in mind that radio nowadays is listened to mainly in cars and that listening to broadcasting services remains the primary means of accessing radio content, these participants emphasise that an effective radio prominence can only be achieved in practice by preserving existing radio consumption habits and maintaining the current market equilibrium.

In this regard, many participants – including DAB Italia, Elemedia, EURODAB Italia, Radio Zeta, RTI, and RTL – underline that the "radio broadcaster", as defined in Tusma<sup>2</sup>, is subject to specific obligations. These include editorial responsibility for the programme schedule, information, programming, etc. delivered via universal broadcasting networks and free of charge to users. It is precisely through these conditions that radio broadcaster can fulfil the objectives outlined in Article 29(1) of Tusma, namely the safeguarding of pluralism, freedom of expression, cultural diversity and the effectiveness of information for the widest possible audience. Two participants – Radio Zeta and RTL – emphasise that the terrestrial transmission networks used by radio companies ensure ubiquity, reliability and signal stability, in contrast with other infrastructures, such as the Internet, which cannot offer the same level of guarantee. In addition, one participant – Elemedia – has provided information and data highlighting the importance of FM and DAB radio for Italians on the go: indeed, 46 million vehicles on the road are equipped with FM receivers and an estimated 20-25% of these also feature a DAB+ receiver. Given its gratuitous nature, universality and ease of use, this participant maintains that radio, when broadcast via FM and DAB+, should be recognised as a service of general interest, regardless of the type of content offered by individual channels.

For these reasons, several participants – including DAB Italia, Elemedia, EURODAB Italia, Radio Zeta, RTI, and RTL – have proposed a revision of the SGI basket to include all radio services broadcast via FM and DAB.

In particular, two participants – Radio Zeta and RTL – suggest the following definition of radio SGI: (i) radio services provided by broadcasters registered with at Registry of Communication Operators ("ROC", in Italian) who also hold: (a) a ministerial licence to broadcast on terrestrial frequencies using analogue technology (FM), either at national or at the local level, and the necessary authorisation to continue broadcasting using analogue technology, in accordance with Article 1(2-bis) of the

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<sup>2</sup> See Article 3(1)(hh) of Tusma, which defines the "radio broadcaster" as the holder of a concession or authorisation for the continuation of the activity, under Law No 66 of 20 March 2001, operating on terrestrial frequencies in analogue mode, who has editorial responsibility for the radio programmes [...]

Decree-Law No 5 of 23 January 2001, converted, with amendments into Law No 66 of 20 March 2001; and (b) authorisations for the provision of digital radio programmes on terrestrial digital frequencies, either at national or local level, under Article 3(8) or (12) of Annex A to Resolution No 664/09/CONS; (ii) Radio services provided by the public service concessionaire. Furthermore, these participants point out that the services offered by the broadcasters referred to in points (i) and (ii) above, including any simulcasting – including audiovisual simulcasting – on other platforms (e.g. DVB-T) of SGI should likewise be classified as SGI and benefit from prominence on the corresponding platform. The participants maintain that adopting this proposed definition would ensure both the protection of operators' investments and the continuity of users' listening habits. The participants believe that the programming genres referred to in Resolution No 116/21/CONS are not applicable to radio services. In their view, applying such criteria to radio would risk including any radio content in the SGI basket, regardless of its editorial history.

Similarly, one participant – Elemedia – highlights a critical issue with the current SGI basket: the attribution of programming genres to both television and radio type programmes, despite the fact that the radio sector, unlike television, does not have formally defined genres classifications. Resolution No 116/21/CONS is not applicable to radio, nor does the sector benefit from a logical channel numbering (LCN) system. This participant therefore invites the Authority to remove any reference to the programming types, as set out in Resolution No 116/21/CONS, with respect to radio services. Regarding the organisation of radio services, the participant observes that associating a numerical identifier with the name of the radio programme does not reflect listeners' habits in terms of how radio is used. Traditionally, listeners selected available radio channels via a frequency tuner bar, manually selecting the desired radio station. In more recent devices, radio channels are typically presented by displaying stations names – in alphabetical order in the case of the analogue FM services, and according to multiplex order in the case of digital DAB services.

One participant – the Aeranti-Corallo Association – considers that the scope of SGI should encompass content transmitted through the following transmission technologies, listed in proposed order of priority): (i) terrestrial analogue broadcasting with FM technology; (ii) terrestrial digital broadcasting with DAB+ technology; (iii) terrestrial on-air digital broadcasting DVB-T technology (radiovision and audio-only signals); (iv) satellite broadcasting; and (v) web streaming.

Regarding the delivery of radio SGI are provided, several participants – including DAB Italia, Elemedia, EURODAB Italia, Radio Zeta, RTI, and RTL – highlight the growing complexity of accessing radio services due to the ongoing evolution of

receivers, their integration into vehicle dashboards, and the increasingly layered menu systems of infotainment operating systems. The need for users to perform multiple actions to access radio services hinders the appropriate prominence of such services and poses potential risks to safe driving. Accordingly, these participants propose that SGI should be accessible via a single icon labelled 'Radio' – selectable by touch and, where possible, via voice command – positioned on the main screen of the device's display. The icon should allow users to access to FM services, with the possibility to select DAB reception and enabling tuning to the last station listened to. Additionally, users should be able to store their favourite stations for quick access.

Furthermore, one participant – Elemedia – highlights that access to SGI should be as immediate and straightforward as possible across all receiving devices – ideally via a single action, such as pressing an icon in the foreground on the display or by clicking a mechanical button – with the possibility of associating this action could with a voice command to obtain the same effect. Should the Authority maintain the current definition and identify a basket of SGI services that does not encompass all DAB and FM broadcast services, the same participant believes that immediate access to all broadcast radio content should nevertheless be guaranteed. This should be achieved through a single action that leads to an interface where all broadcast radio services are available, with SGI services appearing first, followed by non-SGI services. This participant considers it extremely important and urgent for the Authority to intervene on the ways SGI can be accessed. Such intervention should be implemented as soon as possible and accompanied by a regulatory intervention by the Italian Government, which is urged to mandate the presence of broadcast receivers (DAB and FM) in all vehicles.

Given that cars – like other devices intended for receiving audio content – are becoming increasingly connected and will continue to evolve in this direction, and in order to meet user needs in a changing market environment with new competitors (while safeguarding objectives of prominence) two participants – Radio Zeta and RTL – consider the following elements essential: (i) immediate access to FM/DAB radio on all connected and non-connected devices (cars, smart speakers, connected TVs, smartphones, etc.); (ii) simple and immediate access to FM/DAB radio via a user-friendly interface with a physical or logical button on the main display screen – including in mirroring environments (such as Android Auto and Apple CarPlay), so to prevent users from having to navigate complex menus or risk getting distracted while driving; (iii) enhancement and evolution of the user experience through the adoption of technological solutions such as standardised APIs for the access and distribution of high-quality metadata, and advanced software development kits (SDKs) which facilitate the seamless integration of radio functionality into devices. According to these two participants, such systems would also enable the collection of valuable data for



monitoring radio content, allowing for its personalisation based on listeners' preferences and supporting the development of innovative search and recommendation tools. This, in turn, will result in an enhanced user experience and a narrow of the competitive gap between broadcasters and over-the-top (OTT) media services.

Similarly, one participant – the Aeranti-Corallo Association – considers that access to SGI content should be simple, intuitive and immediate on all types of receiving devices (home and portable FM/DAB/IP receivers; car radios and car infotainment systems, PCs, tablets, smartphones, TVs, and smart speakers). In particular, this participant considers it essential that the various devices ensure access to FM, DAB+ and IP-based reception, allowing users to distinguish and select the desired transmission technology through a single, straightforward action. This could take the form of pressing an icon shown in the foreground on the display of the reception device – with a clearly identifiable icon, for example, the word 'RADIO' – or using a voice command, or by activating a dedicated mechanical button.

With regard to the criteria for the ordering of radio channels, and considering that no proposals were submitted from the equipment manufacturers during the proceedings of the SGI Technical Table, several participants – DAB Italia, Elemedia, EUODAB Italia, Radio Zeta, RTI, and RTL – believe that, at this stage, there is no need for the Authority to intervene. In this regard, the same participants suggested deferring the analysis of this issue until after an in-depth technical meeting can be held with the manufacturers. They ruled out the possibility of identifying radio stations by LCN-style numerical ordering, as such an option, in their view, would be at odds with current listener habits.

Pending input from of equipment manufacturers, two participants – Radio Zeta and RTL – propose the following ordering system within the 'radio ecosystem': 1. National SGI (listed by listenership); 2. Local SGI (not exceeding the number of national SGI, listed by geographic area they serve and ordered by listenership); 3. National radio services (listed by listenership or, if unavailable, listed chronologically by authorisation date); 4. Local radio services (listed by geographic area they serve and ordered by listenership or, if unavailable, listed chronologically by authorisation date). These participants also specify that audio content broadcast on the IP platform should not be included under the 'Radio' icon. They also reiterate their opposition to broadcasters using LCN-style sorting for identifying broadcasters, arguing that this approach would clash with listener habits and make the medium less intuitive to use.

One participant – Elemedia – highlights that the ordering of radio services and how they are presented to the user are determined by the manufacturers of reception devices and not by the radio broadcasters themselves. In older FM radio receivers –

many of which are still in use, both at home or in cars – the user relies on a manual tuner to select the desired frequency and can choose the desired radio station, and can optionally store preferred radio stations in a favourites list. In contrast, more modern receivers, which often lack a manual frequency tuner, typically display a list of stations in alphabetical order, allowing users free to choose and store their radio favourite stations. In this regard, this participant observes that some broadcasters, aware that radio station lists are generally sorted alphabetically, have opted to place a special character at the beginning of their name in order to appear at the top of the list. It is also noted that the RDS system used in analogue FM radio restricts radio station identifiers to just eight characters. Broadcasters cannot use special formatting – such as bold text or colours – to distinguish the radio station names. Instead, it is the receiver manufacturers who determine how radio stations are displayed. By contrast, broadcasters are limited to selecting an eight-character identifier for display on receivers. Since radio listeners have a well-established habit of searching for and finding their favourite programmes either by tuning into a frequency or by alphabetical order, this participant sees no need to change this habit at present, regardless of the Authority's decision regarding the definition of the SGI basket. However, should the Authority decide to revise the ordering criteria, this participant believes that it is essential to consult with the manufacturers of reception devices and to ensure that any decisions align with existing technical standards in the sector. In any case, this participant maintains that the introduction of a any form of numerical ordering – such as the LCN-type numbering – should be avoided in order to preserve users' listening habits. Listeners tend to search for their broadcaster by name and not by number. Such a system would maintain the current name of the broadcaster and avoid distorting the brand to the point of making it unrecognisable and probably using four of the eight characters available. Moreover, this participant highlights the importance of maintaining the effectiveness of the survey conducted by Audiradio. The survey primarily relies on the measurement of listenership based on the CATI method and thus on the respondent's recall of the broadcaster's historical name. Finally, this participant notes the absence of any clear criteria for implementing LCN-type sorting. Nor would it be appropriate, in view of this participant, to adopt listenership data as the basis for ordering since this sorting changes with every Audiradio survey. It would be impractical to introduce a time-sensitive criteria valid only in Italy to which international manufacturers would have to adapt.

According to a participant – the Aeranti-Corallo Association – SGI should be instead reordered according to current user habits, namely: (i) on older FM radio receivers, by reception frequency (while maintaining the option to store favourite stations through so-called ‘preselection’); (ii) on newer receiving devices, alphabetically by the name of the service, as indicated in the relevant broadcasting licence. This

participant maintains that any form of numerical sorting (such as LCN or similar systems) or any sorting that involves a name differing from – or that is partially different from – the broadcaster's designation (which would only lead to users getting confused) must be firmly ruled out.

One participant – the OMItaliane Association – supports the approach discussed within the proceedings of the SGI Technical Working Group, which involves initially prioritising the broadcast radio system and then, at a later stage, defining how the individual services should be organised – while ensuring the prominence of Italian broadcasters. In the participant's view, this approach would address the initial exclusion of services distributed via AM and DRM from the SGI basket, thereby closing the loophole that such exclusion could create regarding the freedom of enterprise, the freedom of expression, and the right to information for media services recipients.

Two participants – the Media Veneta Radio Association and the OMItaliane Association – call on the Authority to: (i) revise the prominence criteria to protect pluralism and ensure fair competition in the radio sector; (ii) amend Resolution No 390/24/CONS to include AM services in the SGI basket, bearing in mind that any regulatory intervention concerning SGI must mandate compatibility with the AM band, as established by Article 113 of the European Electronic Communications Code, by Article 3(3)(A) of the radio equipment directive 2014/53/EU (RED), and by Article 1(1044) and (1045); (iii) develop a road map to evaluate how DRM30 should be integrated, emphasising that SGI regulation must include DRM30 as part of the digital technologies supported by receivers (see also Annex A, Article 21 of Resolution No 664/09/CONS, Resolution No 567/13/CONS, the 9th, 15th, 17th and 60th 'whereas' clauses and Articles 20 and 21 of the European Media Freedom Act). These participants reiterated that primary legislation necessarily requires the inclusion of private medium-wave amplitude modulation broadcasters – both analogue and digital (using the DRM30 standard) – within in SGI. They also note that their proposals adhere to the principles of pluralism, technological neutrality and the regulatory obligations established both at national and European level, ensuring equal access to all SGI without technological or commercial discrimination (see Article 8 of Directive 2002/21/EC and Article 29 and 51 of Tusma). In the light of the above, these participants consider that adopting an approach that favours technological neutrality while safeguarding radio pluralism is a fundamental step towards a regulation that protects both freedom of expression and accessibility to information-based content for all audiences. Accordingly, they believe that the proposal – that all broadcast radio services be accessible (via an icon, a mechanical button or a voice command) from the main screen of the device display and that the SGI arrangement be based on a time rotation criterion – is the most appropriate

way to balance the protection of SGI with citizens' right to information, fully complying with Italian and European regulations.

One participant – Kineton – considers the tuner requirement (FM and DAB) necessary and suggests providing two separate icons on the screen or dashboard – one for access to broadcasts and another for streaming services – while maintaining the current ordering of broadcast channels to support established listener habits. To ensure greater openness to innovation and market opportunities, this participant recommends that the ordering of Italian radio SGI in streaming be delegated to a pre-installed apps on the receiving device, for which the Italian SGI providers would share joint responsibility.

One participant – Rai – emphasised that the programming of the public service broadcaster is, by its very nature, of general interest, and recalled that the overriding interest of the broadcasting service has been recognised since 1 April 1975 under Article 1 of Law No 103. For this reason, this participant considers that its services, including radio services, must necessarily guarantee appropriate prominence at all times and on any distribution platform, both in relation to the offerings from the other market players and in relation to the various services the Authority may define as being of general interest. This participant notes that any discussion on prominence must be grounded in the actual ways users access radio services: over 70% of daily radio listening takes place in cars – an environment that is evolving into a complex ecosystem where traditional radio (FM/DAB+) is increasingly accompanied by hybrid audio-video systems accessed via mobile broadband connections. Accordingly, as emerged during the proceedings of the Working Group, this same participant stresses the importance of extending the scope of the regulation to all broadcasting modes, including FM. Failing to do so, in its view, would risk undermining the intended protections that prominence regulation seeks to ensure. This participant also underscores that the presence of the FM tuner in cars – including those connected to IP networks – is essential to ensure continued accessibility to radio services. At the same time, the participant calls for the regulatory requirement to include DAB+ technology in car radios for new vehicles, including those equipped with IP connectivity, to be reaffirmed. In this regard, this participant notes that some vehicle manufacturers have launched cars on the market without integrated radios, where the reception of radio content is exclusively sourced from the IP system, typically via the smartphone connected via Bluetooth. While this practice does not violate current regulations, it appears to exploit a regulatory loophole: the obligation to install a DAB+ tuner applies only when a car radio is already present, but does not mandate its inclusion in the first place. Therefore, this participant argues that the regulatory framework must evolve by requiring manufacturers to equip all newly manufactured vehicles with FM and DAB+ channel reception systems –

including cars that can only be connected to IP networks. This would ensure technological neutrality and avoid the early phasing out of technologies (FM and DAB+) that offer free-to-air access to radio content without incurring data costs, and remain functional even in scenarios of IP network congestion, such as natural disasters.

With respect to the two main issues identified during the proceedings of the Working Group – namely the modalities of access and the scope of regulation – one participant – Rai – expresses opposition to proposal of deferring regulatory action to a later phase of the proceedings. With regard to the methods of accessing radio content, this participant proposes that, in smart cars, priority should be given to the radio environment before digital audio access modes (such as apps or similar systems). Similarly to connected television systems, a dedicated icon should be provided within the vehicle's user interface, allowing users to return directly to the last radio broadcast environment accessed. In this specific type of vehicle, the ordering of apps within the menu dedicated to applications should give precedence to public service broadcaster apps and other SGI apps (ideally pre-installed by default). This participant notes that achieving widespread adoption of this improved access model is a medium- to long-term goal due to the need to involve device/vehicle manufacturers. Furthermore, not all connected vehicles support over-the-air upgrades, meaning that some changes will still required a physical intervention through service networks. Given this, the participant argues against solutions that rely on access via a physical button to the broadcast environment, something that would further delay deployment on devices. In systems where the intelligence is external – i.e. entrusted to another device – this participant notes that prominence is subject to the regulations applicable to the casting/mirroring device.

This participant – Rai – expresses disagreement with the proposal to create a single system app for accessing Italian radio or to all SGI, to be jointly managed by Italian SGI providers (e.g., JIC). According to the participant, such a solution would not only subordinate Italian market players with respect to the other digital players, but would fail to solve systemic issues, also pointing out that: (i) the grouping formed by such an app would constitute a category not envisaged by the Resolution; (ii) accessing JIC services would involve a more complex structure, conflicting with the goal of simplifying user access; (ii) given its limitation to streaming services, the solution would exclude the audio-on-demand services currently offered through proprietary apps; (iv) delegating the ordering within the app to JIC would risk excluding some SGI not represented in Audiradio and render decisions on systemic issues subject to the existing power dynamics with the JIC governance structure. With regard to the ordering of services, and taking into account the age of Italy's car population and the general reluctance to introduce innovations in human-vehicle interfaces, the participant

disagrees with the proposals discussed in the proceedings of the SGI Technical Working Group. In particular, the participant believes that the alphanumeric ordering results undermines the very concept of prominence, and that the proposals that assign the hierarchy based on listenership volumes or other criteria determined by a market operators risk privileging commercial logic over the public interest, especially given the power imbalances within such groups. Lastly, the participant rejects randomised or periodically rotating orderings, arguing that these approaches are incompatible with the concept of prominence and contrary to the objectives that the Technical Table is intended to pursue. In the light of this, this participant proposes an arrangement to be defined specifically for the services of the public service concessionaire and the SGI only: (i) the services of the public concessionaire and the SGI will receive a number, determined by the Authority, to be placed before the name of each service already broadcast on both FM and DAB+, with the public concessionaire that would take precedence over all others; (ii) all remaining services will no longer be able to use any prefix in the service name string. This approach would allow, even with devices featuring an alphanumeric ordering system already in the hands of users or available on the market (as such functionality is largely implemented in existing devices), the immediate application of the measure without requiring any hardware or software modifications – thus avoiding additional costs for manufacturers or implementation delays. In the short to medium term, this would ensure adequate prominence for the services of the public service concessionaire first, followed by SGI, over non-SGI services. In the subsequent phases, with the introduction of new devices: (i) the same principle could be implemented, further improving the user experience by eliminating the numerical prefix, since the sorting information could be managed directly by the device itself; (ii) further features could be explored in consultation with manufacturers i.e., when the device is switched on, it could automatically open the radio environment and, on first use, it could tune into the service with the lowest assigned number, and on subsequent uses, return to the last station accessed.

Regarding the proposal discussed within the Working Group to amend the SGI basket to include all broadcast services, one participant – Rai – considers this approach to be in contrast with the European and Italian regulations. These frameworks establish that only media services of general interest should be granted due prominence, to ensure pluralism, freedom of expression, cultural diversity and the effectiveness of information for the broadest possible audience, a concept that is also reiterated by the Authority in Resolutions No 149/22/CONS and No 390/24/CONS, which underline the importance of identifying content that contributes to shaping collective awareness and public opinion, making reference as well to the Convention and the Service Contract that define the mission of the Italy's public national broadcaster (Rai) public service. For



these reasons, this participant opposes this proposal, both in the in its current form (whereby all broadcast services should be considered SGI), and in the alternative idea raised during the Working Group discussions to defer the system standardisation of to a later phase – arguing that the matter can be addressed immediately without requiring any intervention from manufacturers. Nonetheless, should the process move forward along these lines, this participant expresses willingness to prefix the names of its FM and DAB radio services with a numerical prefix, on the condition that all other operators are prohibited from using any prefix.

#### **4. The new prominence measures of services of general interest**

In light of the above considerations, the Authority considers it necessary to revise the structure of the SGI Prominence Guidelines, adopted by Resolution No 390/24/CONS, as outlined below.

In summary, with respect to the current Guidelines, the Authority proposes: (i) a redefinition of the basket of audiovisual and radio media services of general interest; (ii) a substantial confirmation of the provisions concerning the device and the recipients of the measures, albeit with some exclusions and clarifications; and (iii) the introduction of new implementation criteria to ensure prominence of SGI on the device covered by the measures.

Following these proposed changes, the Authority has prepared the new Guidelines, set out in Annex A and Annex B of this resolution, containing the measures on SGI prominence to be submitted for national public consultation.

In relation to the comments raised by some of the participants in the SGI Technical Working Group regarding the need to mandate the installation of FM and DAB radio receivers in motor vehicles, the Authority, pursuant to Article 1(6)(c), No 1 of the Founding Law, considers it appropriate to draw the Government's attention to the advisability of a legislative action. Specifically, this would concern the car radio receivers referred to in Article 98-vicies sexies and Annex 11 of the Electronic Communications Code, with a view to strengthening the effectiveness of existing interoperability requirements. Such a legislative initiative would extend the obligation to include digital radio receivers, alongside analogue ones, to all devices intended for content reception, including infotainment systems in modern broadband-connected cars. This would ensure broad and uninterrupted access to radio broadcasting services, generating positive outcomes in terms of investment, employment, the development of pluralism, and the provision of high-quality services to end users.

#### ***4.1. The definition of services of general interest***

In light of the considerations set out in the preceding paragraphs– and particularly the contributions provided within the SGI Technical Working Group regarding the definition of radio SGI and the methods for ensuring their prominence – the Authority deems it necessary to propose an amendment to the SGI basket as defined in Resolution No 390/24/CONS. While a comprehensive definition of the SGI basket is provided in Annex A to this resolution, the modifications to the provisions of the Guidelines annexed to Resolution No 390/24/CONS, along with the rationale behind these changes, are outlined below.

With regard to the definition of radio SGI, and taking into account the positions expressed within the SGI Technical Working Group as well as the comments submitted by the majority of participants (as reference in paragraph 3.2.), the Authority considers it appropriate to reformulate the SGI basket to include all national and local radio services distributed via broadcast technologies – namely FM, AM, and DAB+ – in light of the free-to-access, robust, and universal nature of such services. In support of this proposal, the Authority also refers to the discussion in paragraph 3.1. concerning the number of SGI. Specifically, following the evaluation process aimed at compiling the SGI List, it emerged that approximately 370 services are distributed via DAB+ alone. This high number would make it impractical to ensure prominence for these services relative to other DAB+ services that are not SGI, or to radio services distributed via FM and AM. This challenge is further underscored by the fact that, in many vehicles currently available on the market, a single unified service list is displayed to users, regardless of the distribution platform. As for services distributed via DRM technology, the Authority notes that, as of the date of this resolution, no broadcasting authorisations have been granted for DRM in Italy. Consequently, such services are not included in the SGI basket.

Furthermore, in response to the requests of some participants in the SGI Technical Working Group, the Authority proposes removing the reference to the programming genres in Resolution No 116/21/CONS for radio services distributed free of charge in DVB-T and DVB-S. In addition to maintaining the requirement concerning the possession of a newspaper registered in accordance with applicable legislation, the Authority also proposes the introduction of two further criteria: one relating to the proportion of airtime devoted to teleshopping in comparison to the total programme air time, and another regarding the inclusion of news bulletins in the daily schedule. These criteria aim to further narrow the SGI List to entities that include news programming.

To prevent duplication of SGI icons on the digital terrestrial platform, the Authority considers it necessary to exclude from the SGI basket local audiovisual and

radio services distributed free of charge via digital terrestrial transmission (DVB-T). Instead, the corresponding services distributed online may be included in the SGI basket, provided they meet specific requirements. This approach reflects the fact that local services on DVB-T are already granted adequate prominence under the provisions of the DTT Numbering and Icon Regulations.

Regarding the selection process for inclusion in the SGI basket, the Authority proposes to maintain the procedure already laid out in Resolution No 390/24/CONS. This process will be relaunched following the adoption of the final resolution, in light of the revised scope of the SGI basket. The Authority also notes that the application form for new inclusion requests will be slightly revised. The updates are intended to address certain issues encountered during the previous application round and to simplify and streamline the overall procedure.

#### ***4.2. The devices covered by the measures***

With regard to the devices subject to the prominence measures set out in this resolution, the Authority proposes to confirm the provisions of Resolution No. 390/24/CONS. These include devices capable of receiving AM and FM radio services among the target of the measures following the changes to the SGI basket.

To allow the evaluation of the initial implementation phase of the measures outlined in this resolution and to account for any future developments at the European level, the Authority proposes to limit the scope to devices specifically dedicated to the consumption of audiovisual and radio content. At the same time, the Authority reserves the right to re-evaluate this approach three years after the approval of the resolution adopting the new Guidelines. In light of these considerations, the Authority proposes to exclude smartphones, tablets, personal computers, game consoles, and similar devices from the scope of the equipment covered by the measures.

Considering that the contributions received and the observations made during the meetings of the SGI Technical Working Group – aimed on how to ensure the prominence of radio SGI on devices designed primarily for the reception of audio content – were mainly focused on car radios and in-vehicle reception systems, the Authority proposes, at this stage, not to include domestic radios and portable radios among the devices subject to the prominence measures.

For the same reasons outlined in Resolution No. 390/24/CONS, the Authority also confirms the exclusion from the scope of these guidelines of devices that grant access to SGI only through a paid subscription for media services bundled with the device, as

well as those that cannot connect to the Internet or lack a user interface with a navigable home page.

To ensure the highest possible level of transparency regarding the scope of application of the Guidelines on SGI prominence, the Authority plans to publish, on its institutional website, a list of the types of devices covered by these measures – as specified in the Guidelines set out in Annex A to this resolution – within 30 days of the resolution's publication.

#### ***4.3. The entities subject to the measures***

The Authority deems it appropriate to confirm the provisions of Resolution No. 390/24/CONS regarding the entities subject to the prominence measures, taking into account the clarifications outlined in the previous paragraph concerning the devices within the scope of these Guidelines. In particular, the addressees of the SGI prominence provisions are manufacturers of devices capable of receiving audiovisual and radio signals – such as Internet-connected televisions, terrestrial and satellite television decoders that connect to a television set or screen to deliver audiovisual and radio media services, and devices installed in vehicles - as well as providers of audiovisual and radio media services, who are required to inform the Authority of which of their services fall within the SGI basket.

With regard to the entities subject to the measures, the Authority deems that the level of detail already provided regarding the applicable devices is sufficient to ensure their immediate identification. Consequently, it proposes eliminating the requirement to publish a list of device manufacturers and other entities responsible for determining the presentation of services on user interfaces. This proposal also stems from the consideration that the group of entities subject to the prominence measures is not defined by quantitative thresholds or qualitative criteria – a factor that would otherwise justify the need for a dedicate list – and thus corresponds to all those who market the devices mentioned in the preceding paragraph within Italian territory. As such, the compilation of a list of these entities is deemed unnecessary. In support of this proposal, the Authority further notes that, should the provision concerning the publication of a list of subjects be confirmed, the high number and significant variability over time – both in the entities potentially subject to the Authority's provisions and in the range of devices they market – would require the list to be updated in real time. Nevertheless, such an approach would not eliminate the risk of failing to identify marginal players in the market, potentially leading to unequal application of the rules.

#### ***4.4. How to provide prominence to services of general interest***

In the light of the considerations set out in the preceding paragraphs – particularly regarding the number of SGI and the observations received during the proceedings of the SGI Technical Working Group – the Authority proposes certain amendments and additions to the implementation methods for SGI outlined in Resolution No 390/24/CONS, as detailed in Annex A and, for vehicle-installed devices only, in Annex B to this resolution.

With respect to the icons of the providers to be placed in the designated area (in the form of a strip or bar) immediately visible on the home page of the devices (excluding those installed in vehicles), and in view of the large number of national audiovisual SGI distributed online – highlighted during the procedure for assessing SGI List applications - and also taking into account the changes to the SGI basket mentioned above, the Authority proposes the following: the initial positions of the strip, following where applicable the icon referenced in the DTT Icon Regulation, should be occupied by the icons of the five national generalist audiovisual SGI providers distributed online. These should be followed by three additional icons: a 'National TV' icon granting access to various national audiovisual SGI distributed online, a 'Local TV' icon for local SGI, and a 'Radio' icon for radio SGI available online.

This approach – grouping national SGI distributed online, excluding generalist services, rather than displaying all individual provider icons on the home pages – would significantly reduce the length of the SGI strip. This would offer advantages not only to those entities responsible for implementing the measures, but also to users, who would benefit from quicker, more streamlined access to the services identified as being of general interest.

With regard to the provisions of Resolution No 390/24/CONS, and in order to avoid duplications in the display of SGI while further reducing the implementation burden on device manufacturers, the Authority proposes eliminating the icon previously envisaged for accessing SGI on the satellite platform since. Similar to local SGI on DVB-T, these services are already accessible via the icon referred to in the DTT Icon Regulation.

The revised implementation measures proposed in this resolution enable a more efficient grouping of SGI. In light of the anticipated high number of such services, this approach ensures a proportionate impact on existing device interfaces. It also reduces the burden on entities subject to the prominence provisions, while guaranteeing that all SGI are appropriately displayed on the home page. This prevents certain SGI from being relegated to marginal positions in the icon strip.

The Authority also clarifies that the SGI applications should be presented users, and thus be immediately visible to them in the manner outlined above. However, they are not necessarily required to be pre-installed on the devices subject to these measures, in order to allow device manufacturers to manage physical memory resources appropriately.

As for the devices installed in vehicles for the reception of audio content via DAB+, AM and FM technologies, and in light of numerous observations received from participants in the SGI Technical Working Group, the Authority proposes that the recipients of these measures ensure a single, clearly visible access point to broadcasting radio services (DAB+, AM, FM). This can be implemented as an icon on the main screen of the device and, optionally, as a specific voice command. Entities subject to the provisions may offer a clearly visible and immediate mechanical button as an alternative or in addition to the access solutions described above.

With regard to the arrangement and ordering of radio SGI within the designated access point – namely, the interface that appears following a user-initiated action (via touch or voice command) on installed devices – the Authority notes the contributions of participants in the SGI Technical Working Group. Recognising the importance of dialogue with device manufacturers to gather comprehensive and up-to-date information on how radio services are currently presented and organised on car radio displays and in-car infotainment systems, as well as to assess the scope for potential intervention, the Authority reserves the right to evaluate, at a later stage, the feasibility of proposing a system for the ordering of radio SGI on in-vehicle devices. For similar reasons, the Authority also defers to a future regulatory phase the assessment of how to ensure appropriate prominence for radio SGI distributed online on devices installed in vehicles.

#### ***4.5. Final provisions***

The Authority considers it appropriate to confirm the provisions already set out in Resolution No 390/24/CONS concerning the timeline for implementing the measures, the supervisory activities, and the potential revision of the Guidelines three years after the SGI prominence framework comes into effect.

With regard to the perimeter of the devices affected by the measures, to avoid any risk of malfunction or performance degradation, the Authority deems it appropriate to limit the application of this resolution to devices placed on the market starting six months after the publication of the list of services of general interest. As for devices installed in vehicles, in light of the long renewal cycle of the vehicle population, the Authority proposes that the measures apply to all such devices starting twelve months after the publication of the SGI List.





With regard to the Permanent Technical Working Group, the Authority intends to continue the proceedings initiated under Resolution No 390/24/CONS, in order to assess the regulatory implications of technological innovations and evolving market conditions.

HAVING REGARD TO the procedural steps;

HAVING HEARD the report of Commissioner Laura Aria, acting as rapporteur pursuant to Article 31 of the Regulation on the Organisation and Operation of the Authority;



## **HEREBY ADOPTS THE RESOLUTION**

### **Article 1**

1. A public consultation is hereby convened on the revision of the Guidelines on the prominence of audiovisual and radio media services of general interest, adopted by Resolution No 390/24/CONS.

2. The consultation text, referred to in paragraph 1, together with the procedures for participation, is set out in Annexes A, B and C to this resolution, which form an integral and substantive part thereof.

3. The official responsible for the procedure is Ms Ilaria Gallina, officer of the Media Services and Protection of Fundamental Rights Directorate.

This resolution, including Annexes A, B and C, shall be published on the Authority's institutional website.

Rome, 30 April 2025

THE PRESIDENT  
Giacomo Lasorella

THE COMMISSIONER  
RAPPORTEUR  
Laura Aria

Attesting the conformity of the resolution passed

THE SECRETARY-GENERAL  
Giovanni Santella

## GUIDELINES ON THE PROMINENCE OF AUDIOVISUAL AND RADIO MEDIA SERVICES OF GENERAL INTEREST

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### 1. Definitions

1. The following definitions are set out for the purposes of these Guidelines:
  - *Founding Law*: Law No 249 of 31 July 1997, *Creation of the Regulatory Authority for Communications and rules on telecommunications and broadcasting systems*;
  - *Tusma*: Legislative Decree No 208 of 8 November 2021, *Implementing Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU 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) in view of market developments*, as amended by Legislative Decree No 50 of 25 March 2024, containing *Supplementary and corrective provisions to Legislative Decree No 208 of 8 November 2021 on the consolidated text governing the provision of audiovisual media services in view of market developments, implementing Directive (EU) 2018/1808 and amending Directive 2010/13/EU*;



- European Media Freedom Act: Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act);
- DTT Icon Regulation: the Regulation adopted by Resolution No 259/24/CONS of 10 July 2024, *Definition of the icon for accessing digital terrestrial television channels*;
- Authority: the Communications Regulatory Authority;
- Relevant directorate: the relevant directorate identified in accordance with the Regulation on the Organisation and Operation of the Authority.
- User interface: any human-machine interface system – typically visual – that enables the user to select among various audiovisual and radio services (or programs related to such services). This interface may be installed on a television set, on a device connected to a television set, on a car radio, or within an in-car infotainment system. Excluded from the scope of these Guidelines are app stores and those software interface components that operate solely in response to a specific individual user request. Examples include functionalities that allow services of general interest to appear in user-personalised sections (such as recommendations) or within search result lists generated by user queries.
- Navigation home page or home page: the main access point to the services available on a device. Through a navigation structure comprising one or more scrollable windows, the home page offers an organised overview of all services accessible on the device.
- Commercial media services: any media services not provided by the designated public service provider.

2. Unless otherwise expressly provided above, reference is made to the applicable provisions of Tusma.

## **2. Scope and purpose**

3. The purpose of these Guidelines is to define the criteria for identifying a service as being of general interest, in order to ensure its appropriate prominence, as provided for in Article 29(1) and (2) of Tusma, with a view to safeguarding pluralism.

4. To safeguard pluralism, freedom of expression, cultural diversity and the effective dissemination of information to the broadest possible audience, Article 29 of Tusma stipulates in paragraph 1 that adequate prominence must be ensured for audiovisual and radio media services of general interest regardless of the means of reception, access or platform used. The following paragraph 2 entrusts the Authority with the responsibility of defining, through specific guidelines, the criteria for identifying a service as being of general interest. It also



outlines the methods and criteria that must be followed by equipment manufacturers capable of receiving broadcast or radio signals, providers of indexing, aggregation or content retrieval services for audiovisual or sound content, as well as providers who determine how the services are displayed on user interfaces, in order to ensure compliance with the provisions set out in paragraph 1.

5. To implement the legislator's provisions, the Guidelines first define the basket of services of general interest to which appropriate prominence must be provided, and then identify the devices and user interfaces affected by the measures, as well as the entities subject to the provisions and how they are implemented

### **3. Services of general interest**

6. The basket of services of general interest includes:

- i. audiovisual and radio media services distributed free of charge by the public service concessionaire on any platform, both via broadcasting and online (including linear television and radio channels, catch-up TV and catch-up radio services, and the public service concessionaire's freely accessible catalogues);
- ii. National commercial audiovisual media services distributed free of charge via broadcasting (DVB-T, DVB-S)<sup>3</sup> and online (i.e. linear television channels, catch-up TV, and free catalogues offering commercial media service programmes both via broadcasting<sup>4</sup> and online), featuring generalist, semi-generalist, or thematic 'information' programming as defined in the update of the automatic numbering plan for digital terrestrial television channels (Resolution No 116/21/CONS)<sup>5</sup>, and which possess a registered newspaper in accordance with current legislation; or provide programming focused on children and young people or on cultural content, as defined in the same Resolution No. 116/21/CONS;
- iii. National commercial radio media services distributed free of charge via broadcasting (DVB-T, DVB-S)<sup>6</sup> and online – i.e., linear radio channels, catch-up radio, and freely available catalogues offering commercial broadcasting programmes online<sup>7</sup> – that meet all the following conditions: (a) have a registered newspaper in accordance with the applicable legislation; (b) do not broadcast teleshopping programmes for more than 40% of their programming time between 7 a.m. and midnight; and (c)

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<sup>3</sup> This includes subsequent versions of the aforementioned standards.

<sup>4</sup> Web TVs are excluded from the basket of services of general interest.

<sup>5</sup> See Resolution No 116/21/CONS, of 21 April 2021, "Update of the automatic numbering plan for digital terrestrial television channels, including the criteria for assigning channel numbers to providers of audiovisual media services authorised to broadcast audiovisual content transmitted using digital terrestrial technology and the associated conditions of use".

<sup>6</sup> This includes subsequent versions of the aforementioned standards.

<sup>7</sup> Web radios are excluded from the basket of services of general interest.

have aired at least two editions of news programmes daily during the calendar year preceding the year of the application. All three conditions (a), (b), and (c) must be cumulatively met.

- iv. commercial national and local radio media services distributed free of charge in broadcasting (DAB+, AM, FM)<sup>8</sup>;
- v. local commercial audiovisual and radio media services distributed free of charge online, authorized to broadcast the same service on a digital terrestrial platform – i.e., linear television and radio channels, catch-up TV and catch-up radio, and freely available catalogues offering commercial broadcasting programmes online – that meet all the following conditions: (a) have a registered newspaper in accordance with the applicable legislation; (b) do not broadcast teleshopping programmes for more than 40% of their programming time between 7 a.m. and midnight; and (c) have aired at least two editions of news programmes daily during the calendar year preceding the year of the application. All three conditions (a), (b), and (c) must be cumulatively met.

7. Within 60 days of the publication of these Guidelines, providers of audiovisual and radio media services who believe their services fall within the basket of general interest services, as defined above, shall formally notify the Authority using the designated form available on the institutional website.

8. Upon completion of the evaluation process of the documents received – and in any case within 90 days of the adoption of Guidelines – the Authority will publish on its website the list of public and commercial services identified as services of general interest.

9. Service providers included in this list must promptly notify the Authority of any changes to the information provided during the evaluation process, using the designated form available on the website, to allow the Authority to reassess the service's inclusion in the basket of services of general interest.

10. Providers of new services launched after the publication of the list, which meet the criteria set forth in this measure, may submit a formal request to the Authority via a form available on its website, indicating the service proposed for inclusion as a service of general interest and specifying that it is newly introduced.

11. One year after the date of publication of the list, the Authority will initiate a procedure to update the list in order to take into account any changes that have taken place in the period following the publication and any whether any further documents were received from audiovisual and radio media service providers. Following this procedure, the Authority will publish the updated list on its website. This procedure will be repeated every year from the date of publication of the list.

D1. Do you agree with the definition of the basket of services of general interest?
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<sup>8</sup> This includes subsequent versions of the aforementioned standards.



D2. Do you agree on the criteria and timing for managing the list of services of general interest?

#### **4. Devices covered by the measures**

12. Appropriate prominence shall be given to services of general interest on all devices that provide access to such services, as defined in paragraph Error: Reference source not found, including televisions connected to the Internet, terrestrial and satellite television set-top boxes, equipment that connects to a television or screen to provide access to audiovisual and radio media services (such as dongles and media box sets), and devices installed in vehicles, such as car radios and in-car infotainment systems..

13. The list of the aforementioned device types subject to these Guidelines shall be published on the Authority's website within 30 days of the publication of this resolution.

14. Excluded from the scope of these Guidelines are: (i) devices that allow access to services of general interest only following the user's subscription to a paid offer bundling the device with media services; (ii) devices that cannot connect to the Internet and lack an interface with a navigation home page; (iii) smartphones, tablets, personal computers, and game consoles; (iv) home radios and portable radios.

D3. Do you agree with the identification of the devices covered by the prominence measures?

#### **5. Entities covered by the measures**

15. The recipients of the provisions set out in these Guidelines are manufacturers of devices capable of receiving audiovisual and radio signals (such as television sets connected to the Internet, terrestrial and satellite set-top boxes, devices that connect to a television or screen to provide access to audiovisual and radio media services, and devices installed in vehicles, such as car radios and in-car infotainment systems), as well as providers of audiovisual and radio media services.

D4. Do you agree with the identification of the entities subject to prominence obligations?

#### **6. How to implement the measures**

16. With the exception of devices installed in vehicles, to ensure adequate prominence of services of general interest as defined in paragraph Error: Reference source not found, the recipients of the provisions identified in paragraph Error: Reference source not found shall allocate an appropriate portion of space – presented as a strip or bar, and not smaller in size than other similar elements containing icons or boxes for various types of content – immediately visible on the device's home page, i.e. in the first level of the user interface, and organised as specified below.

17. In the first positions of the strip – following the icon defined by the DTT Icon Regulation<sup>9</sup>, which provides access to national and local digital terrestrial television channels and services distributed via satellite – the following shall be displayed in this order:

- i. The icons of providers of national audiovisual services of general interest distributed online, giving access to services defined in paragraph Error: Reference source not found as services of general interest, ordered according to the allocation of the first LCN assigned to the corresponding service on digital terrestrial broadcast;
- ii. a 'National TV' icon, providing access to other national audiovisual services of general interest distributed online, as defined in paragraph Error: Reference source not found, ordered according to the allocation of the first LCN assigned to the corresponding service on digital terrestrial broadcast and, thereafter, for any services that do not have LCNs, in alphabetical order;
- iii. a 'Local TV' icon providing access to local audiovisual services of general interest distributed online, as defined in Error: Reference source not found, positioned to maintain users' habits and preferences;
- iv. a 'Radio' icon providing access to the radio services of general interest distributed online, as defined in paragraph Error: Reference source not found, ordered alphabetically according to the name of the service as registered with the competent Ministry.

18. Applications providing access to services of general interest must be presented to the user and thus immediately visible in the manner described above. However, these applications are not required to be pre-installed on the devices covered by the measures.

19. As regards devices for the reception of audio content via DAB+, AM, and FM technologies installed in vehicles, the methods for ensuring adequate prominence of radio services of general interest are detailed in Annex B to this resolution.

20. The provisions of this paragraph do not preclude users from customising the configuration of the interface – as provided for by the European Media Freedom Act – and, therefore, from rearranging the position of icons according to their individual preferences, by means of an explicit and independent user action. In any case, the position of the icons cannot be changed based on algorithmic or automation logic.

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<sup>9</sup> With regard to the positioning of the icon granting access to DTT channels, the DTT Icon Regulation requires that the icon or box meet one of the following conditions: (i) it is pre-selected (i.e. immediately in focus and selectable by the user upon accessing the home page); (ii) it is placed within the first three positions of the rail containing OTT application icons (i.e. the portion or strip of the home page featuring application icons that allow access to audiovisual services and content distributed via the Internet); or (iii) it is accessible with no more than a single movement of the cursor (whether left, right, up, or down) from the home page.



21. Audiovisual and radio media service providers may enter into commercial agreements with user interface operators and device manufacturers to secure prominent placement within the remaining available space.

22. In order to improve regulatory effectiveness, reduce the implementation burden on entities, and facilitate compliance, it is deemed appropriate to limit the portion of the device home page dedicated to the display of groupings of services of general interest – via dedicated icons – to a clearly defined and restricted area. This approach also avoids the need for hardware modifications to the devices concerned. Accordingly, the measures set out in this paragraph represent the minimum necessary intervention to ensure appropriate prominence for services of general interest, with the overarching objective of safeguarding pluralism, freedom of expression, cultural diversity, and the accessibility of information to the broadest possible public.

D5. Do you agree with the proposed methods for ensuring the prominence of audiovisual and radio services of general interest?

## **7. Final provisions**

23. The proceedings of the Permanent Technical Working Group, established by Resolution No 390/24/CONS shall continue with the aim of identifying potential measures to adapt the Guidelines in response to technological innovations and market developments. In particular, the Working Group will evaluate the impact of standards such as DVB-I and DRM.

24. The measures set out in these Guidelines shall apply to all devices, as identified in paragraph Error: Reference source not found, that are placed on the market starting six months after the publication of the list of services of general interest.

25. All entities subject to the provisions of these Guidelines are required to promptly inform the Authority of the actions taken to comply with the applicable requirements.

26. The Authority shall monitor and ensure the effective and correct implementation of the measures. In the event of non-compliance, the penalties provided for under Article 1(31) of the Founding Law shall apply.

27. The Authority reserves the right to review and revise these Guidelines three years after their publication, in light of technological and market developments, forthcoming European regulatory frameworks, and the experience gained from their implementation.

D6. Do you agree with the provision to continue the work of the Permanent Technical Working Group established by Resolution No 390/24/CONS?"

D7. Do you agree with the provision regarding the timeline for implementing the measures?

## GUIDELINES ON THE IMPLEMENTATION OF *PROMINENCE* OF RADIO BROADCASTING SERVICES OF GENERAL INTEREST ON DEVICES INSTALLED IN VEHICLES

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### 1. Definitions

28. The following definitions are set out for the purposes of these Guidelines:
- *Founding Law*: Law No 249 of 31 July 1997, *Creation of the Regulatory Authority for Communications and rules on telecommunications and broadcasting systems*;
  - *Tusma*: Legislative Decree No 208 of 8 November 2021, *Implementing Directive (EU)2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU 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) in view of market developments*, as amended by Legislative Decree No 50 of 25 March 2024, containing *Supplementary and corrective provisions to Legislative Decree No 208 of 8 November 2021 on the consolidated text governing the provision of audiovisual media services in view of market developments, implementing Directive (EU) 2018/1808 and amending Directive 2010/13/EU*;
  - *European Media Freedom Act*: Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act);
  - *Authority*: the Communications Regulatory Authority;
  - *Relevant directorate*: the relevant directorate identified in accordance with the Regulation on the Organisation and Operation of the Authority.
  - *User interface*: any human-machine interface system – typically visual – that enables the user to select among various audiovisual and radio services (or programs related



to such services). This interface may be installed on a television set, on a device connected to a television set, on a car radio, or within an in-car infotainment system. Excluded from the scope of these Guidelines are app stores and those software interface components that operate solely in response to a specific individual user request. Examples include functionalities that allow services of general interest to appear in user-personalised sections (such as recommendations) or within search result lists generated by user queries.

- navigation home page or home page: the access point to the services available on a device; structured through one or more scrollable windows, the home page offers an organised overview of all accessible services on the device.

29. Unless otherwise expressly provided above, reference is made to the applicable provisions of Tusma.

## **2. How to implement the measures**

30. This document defines the implementation modalities to ensure adequate prominence for radio services of general interest on DAB+, AM, and FM audio content reception devices installed in vehicles.

31. The entities subject to these provisions (as identified in paragraph 5 of Annex A to this resolution) shall ensure the presence of a single, clearly visible and immediately accessible access point for radio media services transmitted via DAB+, AM, and FM (as defined in paragraph 3 of Annex A). This may be implemented through an icon on the main screen of the device's home page or dashboard – i.e., in the first level of user access – and may optionally be complemented by a dedicated voice command. Alternatively, or in addition to the above, the entities subject to these provisions, as identified in paragraph 5 of Annex A to this resolution, may provide for the presence of a clearly visible and immediately accessible mechanical button.

32. The provisions of this paragraph do not preclude users from customising the configuration of the interface – as provided for by the European Media Freedom Act – and, therefore, from rearranging the position of icons according to their individual preferences, by means of an explicit and independent user action. In any case, the position of the icons cannot be changed based on algorithmic or automation logic.

33. Radio media service providers are free to enter into commercial agreements with user interface operators and device manufacturers to reserve a prominent position within the remaining available space.

34. With a view to better regulation, in order to reduce the burden arising from the implementation of the measures provided for in this paragraph and to facilitate compliance with them, it is considered appropriate to limit to a small portion of the home page of the devices the space where radio services of general interest are viewed, avoiding any hardware modifications to the devices concerned. Accordingly, the measures set out in this paragraph represent the minimum necessary intervention to ensure appropriate prominence for services of general



interest, with the overarching objective of safeguarding pluralism, freedom of expression, cultural diversity, and the accessibility of information to the broadest possible public.

D8 Do you agree with the implementation methods proposed to ensure the prominence of general interest radio services on in-vehicle devices?

### **3. Final provisions**

35. The measures set out in this document shall apply to all in-vehicle devices capable of receiving audio content, as identified in paragraph 4 of Annex A to this resolution, starting twelve months after the publication of the list of services of general interest.

36. All entities to whom the provisions of this document apply shall promptly inform the Authority of the measures adopted to ensure compliance.

37. The Authority shall monitor and ensure the effective and correct implementation of the measures. In the event of non-compliance, the penalties provided for under Article 1(31) of the Founding Law shall apply.

38. Three years after its publication, the Authority reserves the right to review these Guidelines in light of future technological and market developments, upcoming European initiatives, and the experience gained from its implementation

D9 Do you agree with the provision regarding the timeline for implementing the measures?



**ANNEX C**  
**Resolution No 110/25/CONS**

**CONSULTATION PROCEDURES**

The Authority intends to obtain, by means of public consultation, comments and information on Resolution No. 110/25/CONS, *Public consultation on the revision of the guidelines on the prominence of audiovisual and radio media services of general interest*, Annex A, *Guidelines on the prominence of audiovisual and radio media services of general interest*, and Annex B, *Guidelines on the methods of implementation of the prominence of radio media services of general interest on devices installed in vehicles*.

Interested entities are invited to submit their contributions to the public consultation within **thirty days** of the publication of Resolution No 110/25/CONS on the Authority's website. Submissions relating to the public consultation must be sent via certified electronic mail (PEC) to [agcom@cert.agcom.it](mailto:agcom@cert.agcom.it), addressed to the attention of Ms. Ilaria Gallina, with the following subject line: *Public consultation pursuant to Resolution No 110/25/CONS*. Notices must be structured to provide the participant's responses in a timely and concise manner to the questions set out at the end of the paragraphs in Annexes A and B to Resolution No 110/25/CONS.

Interested entities may also request – by submitting a specific application – to present their observations based on the written document previously submitted. The request should be addressed to the *Direzione servizi media e tutela dei diritti fondamentali - Ufficio pluralismo e concorrenza nei servizi di media*, for the attention of Ms. Ilaria Gallina. The application must be sent to the Authority via certified electronic mail (PEC) to [agcom@cert.agcom.it](mailto:agcom@cert.agcom.it) no later than **ten days before** the expiration of the 30-day deadline mentioned above. The application must include the name of a contact person, a telephone number, and an email address for any subsequent communications. The procedures for the hearing – which may, at the Authority's discretion, be conducted remotely and, where appropriate, in a collective format – will be specified in the official summons.



Respondent entities must attach the declaration referred to in Article 16 of the Regulation on access to documents, as approved by Resolution No 383/17/CONS and subsequent amendments and additions. This declaration must clearly identify any documents or portions thereof to be withheld from public access, along with specific reasons of confidentiality or secrecy justifying such a request. Given the possibility of publishing the documents, respondents must also include an accessible and/or publishable version of the submitted documents. Any petition to restrict publication and/or access must be accompanied by detailed justification, specifying the confidentiality or secrecy concerns involved, and demonstrating the tangible and specific harm the applicant would suffer should the data or information submitted to the Authority be disclosed to third parties. In the absence of such justification, the submitted information will be deemed publishable and accessible.