

Message 001

Communication from the Commission - TRIS/(2026) 0870

Directive (EU) 2015/1535

Notification: 2026/0144/SK

Notification of a draft text from a Member State

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

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

MSG: 20260870.EN

1. MSG 001 IND 2026 0144 SK EN 18-03-2026 SK NOTIF

2. Slovakia

3A. Úrad pre normalizáciu, metrológiu a skúšobníctvo SR
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4. 2026/0144/SK - SERV30 - Media

5. Draft Act amending Act No 516/2008 on the Audiovisual Fund and on amendments to certain acts, as amended, and amending certain acts.

6. On-demand audiovisual media services

7.

8. The aim of the draft Act is to transpose into the legal order of the Slovak Republic Article 13(2) and (3) of Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (codified version) (OJ L 95, 15.4.2010), as amended.

In accordance with Article 13 of the Audiovisual Media Services Directive, the main objective of the draft Act is to introduce, in a proportionate and non-discriminatory manner, for providers of on-demand audiovisual media services that do not have their head office in the Slovak Republic but nevertheless provide services in its territory and whose services are targeted at Slovak customers, an obligation to pay a contribution to the Fund and also to invest directly in Slovak audiovisual production.

Under the present draft Act, it is proposed that the contribution to the Fund consist of two components:

- a contribution amounting to 0.5 % of the statutory basis for calculating the contribution (total revenue from the provision of the service in the territory of the Slovak Republic in the preceding calendar year and revenue from advertising displayed to viewers in the territory of the Slovak Republic in connection with the provision of the service in the territory of the Slovak Republic).
- a contribution in respect of unrealised direct investment equal to the difference between the direct investment that should have been made under the Act in the preceding calendar year and the direct investment that was actually made in the preceding calendar year.

Under the draft Act, a provider of on-demand audiovisual media services that is required to pay a contribution to the Fund is also required to make, during the calendar year, a direct investment amounting to 3 % of the statutory basis for calculating the amount of the direct investment. The draft Act defines which expenditure is considered eligible for the purposes of making a direct investment and also lays down percentage limits for claiming certain types of expenditure. At the same time, the draft Act allows the direct investment obligation to be fulfilled, in whole or in part, by payment of a contribution in respect of unrealised direct investment. This means that if, for any reason, a provider of on-demand audiovisual media services does not wish to make a direct investment in the statutory amount during the given calendar year, it may fulfil that legal obligation, in whole or in part, by paying a contribution in respect of unrealised direct investment to the Fund.

Based on the present draft Act, neither the obligation to pay a contribution to the Fund nor the obligation to make a direct investment applies to a provider of on-demand audiovisual media services that generates low turnover from the provision of on-demand audiovisual media services or provides an on-demand audiovisual media service with a low audience. Compliance with the criteria for low turnover and low audience is assessed in accordance with the guidelines issued by the European Commission.

9. The proposed legislation responds to the rapid development of global streaming platforms that also provide their services and generate revenue in the Member States of the European Union.

Under the applicable legislation, pursuant to § 28a of Act No 516/2008 on the Audiovisual Fund and on

amendments to certain acts, as amended, a provider of on-demand audiovisual media services is required to pay a contribution to the Audiovisual Fund. The basis for calculating that contribution is the total revenue of the on-demand audiovisual media service provider from the provision of on-demand audiovisual media services in the preceding calendar year, with the contribution set at 0.5 % of that basis. However, this obligation applies only to providers of on-demand audiovisual media services established in the territory of the Slovak Republic, thereby placing domestic providers of such services at a disadvantage compared to foreign providers that also provide their services in the territory of the Slovak Republic. Contributions from providers of on-demand audiovisual media services will contribute to the financial sustainability of Slovak audiovisual production and support cultural and linguistic diversity in European works. The contribution introduced does not go beyond what is necessary to achieve the objective pursued.

10. Reference to the basic texts:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

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