

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) (Text with EEA relevance)

CHAPTER IX

RIGHT OF REPLY IN TELEVISION BROADCASTING

Article 28

1 Without prejudice to other provisions adopted by the Member States under civil, administrative or criminal law, any natural or legal person, regardless of nationality, whose legitimate interests, in particular reputation and good name, have been damaged by an assertion of incorrect facts in a television programme must have a right of reply or equivalent remedies. Member States shall ensure that the actual exercise of the right of reply or equivalent remedies is not hindered by the imposition of unreasonable terms or conditions. The reply shall be transmitted within a reasonable time subsequent to the request being substantiated and at a time and in a manner appropriate to the broadcast to which the request refers.

2 A right of reply or equivalent remedies shall exist in relation to all broadcasters under the jurisdiction of a Member State.

3 Member States shall adopt the measures needed to establish the right of reply or the equivalent remedies and shall determine the procedure to be followed for the exercise thereof. In particular, they shall ensure that a sufficient time span is allowed and that the procedures are such that the right or equivalent remedies can be exercised appropriately by natural or legal persons resident or established in other Member States.

4 An application for exercise of the right of reply or the equivalent remedies may be rejected if such a reply is not justified according to the conditions laid down in paragraph 1, would involve a punishable act, would render the broadcaster liable to civil-law proceedings or would transgress standards of public decency.

5 Provision shall be made for procedures whereby disputes as to the exercise of the right of reply or the equivalent remedies can be subject to judicial review.