Be the change: principles, policies and practices for a better internet
B2: EU Regulatory Frameworks

Panellists:

• Eva Lievens, Ghent University
• Krisztina Stump, DG CONNECT, European Commission
• Ľuboš Kukliš, Council for Broadcasting and Retransmission / ERGA
• Martin Drechsler, FSM

Chair: Rachel O’Connell, TrustElevate
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Article 8: Conditions applicable to child's consent in relation to information society services

1. Where point (a) of Article 6(1) applies, in relation to the offer of information society services directly to a child, the processing of the personal data of a child shall be lawful where the child is at least 16 years old. Where the child is below the age of 16 years, such processing shall be lawful only if and to the extent that consent is given or authorised by the holder of parental responsibility over the child.

Member States may provide by law for a lower age for those purposes provided that such lower age is not below 13 years.

2. The controller shall make reasonable efforts to verify in such cases that consent is given or authorised by the holder of parental responsibility over the child, taking into consideration available technology.
General Data Protection Regulation

Recital 1: fundamental right

Recital 38: specific protection

Recital 58: transparent information

Recital 65: right to erasure

Recital 75: risks – DPIA

Recital 71: profiling
General Data Protection Regulation

Article 8: parental consent
Article 12: transparent information
Article 57: awareness by SA
Article 17: right to erasure
Article 25: data protection by design and by default
Article 35: data protection impact assessment
Article 40: codes of conduct
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**AV Regulator’s perspective**

<table>
<thead>
<tr>
<th></th>
<th>TV</th>
<th>VOD</th>
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</thead>
<tbody>
<tr>
<td>Might impair</td>
<td>✓!</td>
<td>✓</td>
</tr>
<tr>
<td>Seriously impair</td>
<td>×</td>
<td>✓!</td>
</tr>
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**Tools**
- Watersheds
- Technical measures
- Labeling

Lubos.Kuklis@rvr.sk
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**AV Regulator’s perspective**

#### REFIT

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<tbody>
<tr>
<td>Might impair</td>
<td>✓!</td>
<td>✓!</td>
</tr>
<tr>
<td>Most harmful</td>
<td>✓!+</td>
<td>✓!+</td>
</tr>
</tbody>
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#### VSPs
- Flagging
- Age verification
- User rating
- Parental controls
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