

Subgroup 3 Terms of Reference for 2016

Name of Subgroup (SG 3)	Creating Digital European Toolkit (DET) for efficient and flexible regulation
SG Chair, NRA	Tanja Kerševan Smokvina, AKOS (SI)
Background	<p>European audiovisual regulators and their Boards encounter similar challenges regarding oversight in an ever expanding media landscape. One of ERGA's objectives is to allow for exchange of experience and good practice between the European audiovisual regulators.</p> <p>In order to take this exchange of best practices to another level through an informed focus on the most pressing issues and through providing access to efficient and flexible tools for regulation, ERGA establishes the subgroup 3 for creating a Digital European Toolkit (DET).</p> <p>The subgroup builds its momentum on regulators' principles and strategies by acknowledging the differences and common ground between the different NRAs, which may have different remits and organisational structures and a variety of regulatory approaches and tools.</p> <p>The subgroup recognises the continued value of the EPRA and the European Audiovisual Observatory databases and will avoid duplication. Where possible and reasonable it will use the available information from other sources as a basis for its work.</p> <p>The DET is by its nature neutral. No decision on the best practice is envisaged. The use of the tools will remain at the discretion of the NRAs.</p>
Subgroup scope and purpose	<p>Principal purpose:</p> <p>The aim of the new subgroup is to support the exchange of experience and good practice between the European audiovisual regulators in a structured, flexible and efficient way. The focus of exchange in 2016 is oversight and enforcement.</p> <p>Scope in 2016:</p> <p>The remit of the subgroup is to create the DET, based on the already existing regulatory authorities area – CIRCABC, provided and administered by the European Commission. In 2016, the subgroup will focus on collecting, organizing and sharing both high-level and practical documents, as well as best practices on oversight and enforcement, and making them readily and easily accessible online. The practical goal is to produce an online repository of tools for efficient and flexible regulation, support the NRA's overall strategies and priority setting, as well as effective oversight, facilitating their day-to-day practice.</p> <p>Sharing and making use of documents on the DET is taking place on a voluntary basis. The intention of the subgroup is to make sure the toolkit will operate as soon as possible, while safeguarding quality and relevance for the future.</p> <p>Work Phases:</p> <p>The work of the subgroup will be divided into four main phases.</p>

	<p>1. Create DET 1.0:</p> <p>The first phase will include the creation of a restricted members area on the ERGA website, based on the already existing regulatory authorities area - CIRCABC, and the call for documents of the NRAs, such as:</p> <ul style="list-style-type: none"> • regulatory principles and quality standards, • oversight strategies, policies and instruments, • practical tools, templates, forms, checklists, tests, • communication strategies, • co-operation protocols with other supervisory authorities, • co-operation procedures between EU regulators, • agreements for exchange of experts. <p>The members will be asked to accompany the documents by a short summary and background information in English and information on a contact person, who can provide more detailed information on their content and use.</p> <p>Besides that, the first phase will provide a possibility for mapping other potential resources. The members will be asked to answer a brief questionnaire on the tools they use in their oversight practices.</p> <p>2. Form a collection of the shared documents and fill DET 1.0:</p> <p>In the second phase, the subgroup will form the first collection of the documents and make them available to the members. The group will also prepare an analytical summary of the information gathered with the first inquiry. The summary is expected to offer an overview of the existing supervision tools and practices, and their use, and thus facilitate the exchange of best practices. It will provide the necessary input for the final design of the repository where ERGA members will have access to all these tools.</p> <p>3. Structuring and upgrading DET 1.0:</p> <p>The third phase will be devoted to structuring and upgrading of the toolkit. It will complete the process of its online implementation. The subgroup will develop the principles of the toolkit administration and accessibility. It will address the issues of the library management, documents tagging, providing summaries and translating the documents, taking into account the available resources of the ERGA members and the Commission.</p> <p>4. Preparation of DET 2.0 on the basis of a future proof plan:</p> <p>The regular update of the toolkit is essential. After the completion of the work plan for 2016, the subgroup will discuss the future development of the DET and prepare the directions for the follow up in 2017. It will incorporate lessons learned from creation and design of the DET 1.0.</p>
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Deliverables

Deliverable type	Digital library
Deliverable title	Digital European Toolkit – DET
Due date	Plenary meeting in autumn 2016
Public consultation	No
Publication	Yes

Allocated Resources

Active members (drafters) ¹	Paul van Veen, Marianne Minnecré, CvdM (NL); Jo Balazs, NMHH (HU); Antonio de Tommaso, Benedetta Liberatore, Luisa Chiellino & Adele Morello, AGCOM (IT); Stanislav Bender & Miro Križan, AEM (HR)
Members	Stefan Rauschenberger, RTR (AT); Dirk Peereman, VRM (BE), Bernardo Herman, Paul-Eric Mosseray, CSA (BE), François Jongen, Medienrat (BE); Petr Kozak, Petra Du Toit, RRTV (CZ); Apostolas Costas, NCRT (GR); Aoife Clabby, BAI (IE); Tais Vagrõõm, TJA (EE); Joanna Spiteri, BA (MT); Nerijus Maliukevicius, RTK (LT); Hanne Nistad Sekkelsten, Medietilsynet (NO); Maria Borkowska, KRRit (PL); Rodica Anghel, Petre Dinca, Ruxandra Minea, CNA (RO); Sonja Monjas Gonzales, CNMC (ES); Lubos Kuklis, Martin Dorociak, CBRS (SK); Kerstin Morast, SPBA (SE); Stephen McConnell, OFCOM (UK)
Other resources	European Commission, ERGA Secretariat, CIRCABC

Work flow (internal and external milestones)

Date	Action / deliverable	Internal Subgroup only	External Board, CN, Plenary, Publication
Year 2016			
February 8	One page proposal of Terms of Reference	Chair	Board
February 9	Draft Terms of Reference discussed during the ERGA Board meeting	Chair/Drafters	Board
February 12	Circulation of draft ToR to the Subgroup, invitation to review and comment	Chair/Drafters/Members	
February 17	Deadline for the Members feedback	Chair/Drafters/Members	
February 22	ToR sent to the Contact Network as a part of the material for the Plenary		Board/CN
March 2	Adoption of ToR by the Plenary		Plenary
March 2-4	Start work phase 1: Distribution of tasks among the active members/drafters; first discussion on types of documents to be collected and outline of a short questionnaire on tools uses in oversight practice	Chair/Drafters	Plenary + AV Conference
First half of March	Call for documents and questionnaire drafting via email exchange and (conference) calls	Chair/Drafters/Members	

¹ Indicative composition of the subgroup. The participation in the subgroup is not limited to the listed representatives of the subgroup members or active members.

Date	Action / deliverable	Internal Subgroup only	External Board, CN, Plenary, Publication
March 15	Communication of progress to the Board and CN and invitation for comments on the draft questionnaire and the call for documents	Chair	Board/CN
Second half of March	Preparation of the deliverable considering comments of CN	Chair/Drafters	
March 26	Circulation of the call for documents and the questionnaire to the CN	Chair	CN
March/April	Adapting the web-based environment (CIRCABC) for their storage and management	Chair/Drafters/ERGA Secretariat/European Commission	
April	Gathering the members input for the first collection of tools and summaries		CN
May/June	Start work phase 2: Processing the collected information, building the first online collection	Chair/Drafters/Members	
July	Analytical summary	Chair/Drafters/Members	
End of July	Report on the progress to Board & CN	Chair	Board/CN
August/September	Start work phase 3: Further structuring, feeding and upgrading of the toolkit. Defining the principles of its administration and accessibility.	Chair/Drafters/Members	
October	Completing the online implementation	Chair/Drafters/Members	Board/CN
November	Presentation and approval of the deliverable by plenary	Chair	Plenary
November/December	Publication on the external webpage		Publication
December	Start work phase 4: Discussing the 2017 follow-up during the ERGA Board meeting		Board

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