



## **Amendment of the Dutch Media Authority Regulation of 10 July 2012 providing policy rules on the permissibility, recognisability and delineation of advertising and teleshopping announcements in the media content provided by commercial media institutions (2012 Advertising policy rules for commercial media institutions)**

The Dutch Media Authority,

Having regard to Articles 7.11 and 7.12 of the 2008 Media Act;

Having regard to Article 4:81 of the General Administrative Law Act (Awb);

Decrees:

### **ARTICLE I**

The 2012 Advertising policy rules for commercial media institutions shall be amended as follows:

Article 7 will read as follows:

#### **Article 7 Advertising for Medical Treatment**

Advertising for medical treatment, as referred to in Article 3.7(2)(a) of the Act, shall mean advertising for treatment which is only provided pursuant to a prescription to that effect issued by a physician.

### **ARTICLE II**

This amendment shall be made public by its publication both in the Government Gazette and on the Authority's website ([www.cvdm.nl](http://www.cvdm.nl)).

This amendment shall enter into force on the day following the date of publication of the Government Gazette in which this amendment is published.

*Hilversum, 25 June 2019*

*DUTCH MEDIA AUTHORITY,  
M. de Cock Buning  
President*

*J. Buné,  
Commissioner*



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## EXPLANATORY MEMORANDUM

Article 9(1), opening clause and (f) states that the Audiovisual Media Services Directive (Directive 2010/13/EU, hereinafter: AMSD) prohibits any advertising for medical treatment available only on prescription.

With this amendment of the 2012 Advertising policy rules for commercial media institutions the Authority will apply the AMSD definition in its application of the 2008 Media Act.