



**EFTA SURVEILLANCE AUTHORITY DECISION No 194/25/COL**

**of 24 November 2025**

**on the compatibility with EEA law of measures to be taken by Norway pursuant to Article 14 of Directive 2010/13/EU of the European Parliament and of the Council 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) [2026/304]**

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Act referred to at point 5p of Annex XI to the EEA Agreement, 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 (the “Act”), as amended by Directive 2018/1808/EU, and in particular Articles 14 and 29 thereof,

Whereas:

- (1) By letter dated 29 August 2025, received by the EFTA Surveillance Authority (“the Authority”) on the same date, Norway notified measures to be taken pursuant to Article 14(1) of Directive 2010/13/EU.
- (2) The Authority verified, within a period of three months from this notification, that such measures are compatible with EEA law, in particular with regard to the proportionality of the measures and the transparency of the national consultation procedure.
- (3) In its verification, the Authority considered the available data on the Norwegian media market.
- (4) The list of events of major importance for society included in the Norwegian measures was drawn up in a clear and transparent manner. In particular, a public consultation had been carried out in Norway in this regard.
- (5) The Authority was satisfied that the events listed in the Norwegian measures met at least two of the following criteria considered to be reliable indicators of the importance of events for society: (i) a special general resonance within the EEA EFTA State, and not simply a significance to those who ordinarily follow the sport or activity concerned; (ii) a generally recognised and distinct cultural importance for the population in the EEA EFTA State, in particular as a catalyst of cultural identity; (iii) involvement of the national team in the event concerned in the context of a competition or tournament of international importance; and (iv) the fact that the event has traditionally been broadcast on free-to-air television and has commanded a large television audience.
- (6) Some events listed in the Norwegian measures, such as the football World Cup and the European football championship, fall within the category of events considered of major importance for society, as referred to explicitly in recital 49 of Directive 2010/13/EU.
- (7) The interest in women’s football is strong in Norway, especially during the major competitions.
- (8) The Norwegian team has qualified for every Women’s World Cup since 1991 and won in 1995. Norway has also qualified for every European championship from 1987 to 2022.
- (9) Both events have traditionally been broadcast on free-to-air television and have commanded large television audiences. Both the Women’s World Cup and the Women’s European Football Championship should be considered as a single event, as the matches between other countries also affect the matches that Norway may play, as well as the overall result. Therefore, they also enjoy a special resonance in Norway.
- (10) The Men’s World and European Handball Championships also generate significant interest in Norway.

- (11) The Norwegian team has qualified for every world championship since 2005, with the exception of 2013 and 2015. In both 2017 and 2019, the team reached the final stage.
- (12) The Norwegian men's national handball team has also qualified for every European championship since 2006.
- (13) The events have traditionally been broadcast on free-to-air television and have commanded large television audiences.
- (14) The Men's World and European Handball Championships should be considered as a single event as the matches between other countries also affect the matches that Norway may play as well as the overall result. Therefore, they also enjoy a special resonance in Norway.
- (15) The Norwegian measures appear proportionate to justify, by the overriding reason of public interest in ensuring wide public access to broadcasts of events of major importance for society, the derogation from the fundamental freedom to provide services laid down in Article 36 of the Agreement on the European Economic Area.
- (16) The Norwegian measures are also compatible with EEA competition rules in so far as the definition of the qualifying broadcasters for the broadcasting of listed events relies on objective criteria (required coverage), which allow potential competition for the acquisition of the rights to broadcast these events. In addition, the number of listed events is not so disproportionate as to distort competition on the downstream free television and pay television markets.
- (17) The general proportionality of the Norwegian measures is supported by several factors.
- (18) Firstly, the introduction of the 90 % threshold of the required 'potential' coverage of the population for qualifying broadcasters increases the proportionality of the measures, in so far as it increases the number of broadcasters who potentially qualify.
- (19) Secondly, the number of events included in the list is proportionate. Thirdly, a mechanism has been introduced for the resolution of disputes between broadcasters as regards the payment of fair compensation for broadcasting rights.
- (20) Furthermore, the Norwegian measures provide for appropriate arrangements in situations where the events listed are purchased by non-qualifying broadcasters, in order to ensure a system for relicensing of exclusive rights to qualifying broadcasters. Furthermore, the Norwegian measures anticipate situations in which the rights to the events listed are purchased by a non-qualifying broadcaster, and no request has been received from a qualified buyer, in order to ensure that the non-qualifying broadcaster is able to exercise its rights.
- (21) The Authority sought the opinion of the EFTA Electronic Communications Committee. The Committee adopted a favourable opinion.

HAS ADOPTED THIS DECISION:

#### *Article 1*

The measures to be adopted by Norway pursuant to the Act referred to at point 5p of Annex XI to the EEA Agreement, 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 (the "Act"), and in particular Article 14(1) thereof, notified to the Authority pursuant to Article 14(2) of the Act on 29 August 2025, are compatible with EEA law.

*Article 2*

Norway shall communicate to the Authority the measures as finally adopted. The Authority shall publish these measures in the EEA Supplement to the *Official Journal of the European Union* in accordance with Article 14(2) of Directive 2010/13/EU.

*Article 3*

This Decision is addressed to Norway.

Done at Brussels, 24 November 2025.

*For the EFTA Surveillance Authority, acting under Delegation Decision 103/13/COL,*

Stefan BARRIGA  
*Responsible College Member*

Melpo-Menie JOSÉPHIDÈS  
*Countersigning as Director,  
Legal and Executive Affairs*