

Pursuant to Article 18, Paragraph 1, Indent 8, and Article 20, Paragraph 1, Indent 11 of the Law on Audio and Audiovisual Media Services ("Official Gazette of the Republic of Macedonia" Nos 184/13, 13/14, 44/14, 101/14, 132/14, 142/16, 132/17, 168/18, 248/18 and 27/19, and "Official Gazette of the Republic of North Macedonia" Nos 42/20, 77/21 and 154/23), in relation to Article 26 of the same Law, Article 15, Paragraph 1, Indent 7, and Article 39, Paragraph 1, Indent 11 of the Rules of Procedure of the Agency for Audio and Audiovisual Media Services (Consolidated Text) No. 01-3732/1 dated 29.07.2019, in accordance with Article 4 of the Law on Ratifying the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities ("Official Gazette of the Republic of Macedonia" no. 172/11) and Conclusion Ref. No. 02-2697/3, dated 13.06.2024, at its 26th Session held on 12.06.2024, the Council of the Agency for Audio and Audiovisual Media Services adopted the following:

RULEBOOK ON MEDIA SERVICES ACCESSIBILITY

Article 1

Subject

This Rulebook prescribes the way in which the providers of audio and audiovisual media services (radio, TV and video-on-demand media services) should implement appropriate and proportionate measures continuously and progressively in order to make their services more accessible to persons with disabilities, i.e. the method of administering/implementing the requirements under Article 26, Paragraphs (1), (2), (3), (4) and (5) of the Law on Audio and Audiovisual Media Services.

Article 2

Definitions

For the purposes of the present Rulebook:

(1) **Persons with disabilities** shall mean persons who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.¹

(2) **Continuously** means that media service providers shall provide accessible programmes/catalogues throughout the whole year and not only at certain times. It also means that the progress made in providing accessible content should continue over the years.

(3) **Progressively** means that, every year, media service providers shall make at least one additional programme accessible to people with disabilities, and at least an additional 2% of the offers in their catalogues.

(4) **Adequate measures** shall mean reasonable adjustment (necessary and appropriate modification) of programmes/catalogues according to the type of media service – radio, TV or video on demand, so as to enable persons with disabilities to enjoy all human rights and fundamental freedoms on an equal basis with others.

¹ According to the definition of the United Nations Convention on the Rights of Persons with Disabilities.

(5) **Proportionate measures** means that the requirements to ensure accessibility of programmes/catalogues shall differ for different categories of media service providers – for the national, regional and local broadcasters, for linear online radio and TV services and for the video-on-demand media services, respectively – due to the differences in their reach to audiences and resources.

(6) **The way** in which media services make their programmes/catalogues accessible shall refer to:

- reporting on persons with disabilities, including the use of language, terminology, avoidance of stereotyping, discrimination and hate speech, and on how to make them visible and treated equally; and/or to
- the use of various means/tools to ensure accessibility, such as: subtitles (also called captions), access services, audio description, clean audio, cognitive accessibility, sign language interpretation (with the help of an interpreter or avatars), spoken subtitles, subtitles for the deaf and hard of hearing viewers (SDH), closed captions, open captions, text-to-speech conversion, filtering or highlighting functionality, magnification functionality, high-contrast display, etc., as explained in the *Glossary of Terms and Tools for Ensuring Accessibility* in Appendix 1 of this Rulebook.

(7) An **Electronic Programme Guide (EPG)** means any electronic means of providing information to members of the public in relation to the schedule of programme material of any broadcasting service, which is an integral part of the distribution and reception system by which the service is provided.

Article 3

Types of programmes

Media service providers may make available any type (genre) of programme defined in the *Guidelines on the Method of Classifying the Types of Audiovisual and Audio Programmes*.²

When selecting the programme, they should take into account the following:

- whether the programme is shown at a time when the largest part of the audience can follow it, that is, to choose a programme with the largest audience;
- whether the programme is intended for a segment of the audience that has not yet been covered (children, elderly people, people from the rural areas, etc.);
- what the real needs are of persons with disabilities on the territory they cover, and
- what other programming services have been offered on the territory they cover.

When choosing which programme to make accessible, media service providers may take into account previously conducted research on the needs of persons with disabilities.

They may also consult with their audiences and/or representatives of disability organizations, either individually or through the Agency for Audio and Audiovisual Media Services.

² “Official Gazette of the Republic of Macedonia,” No.171/14

Article 4

How to make programmes accessible

Programmes are made accessible by using the tools referred to in Article 2, Point 6, of this Rulebook, or through other appropriate tools that are not mentioned herewith.

Programmes that are repeated in the programme schedules or catalogues are considered as one programme (for example, all regular news editions/journals are one programme, all episodes of one season of a certain series are considered as one programme, etc.).

Article 5

Accessibility of the catalogues/offer for delayed TV viewing/EPG

Catalogues of video-on-demand media services, catch-up TV offers and EPGs are made accessible to persons with disabilities through the text-to-speech feature, filtering or highlighting, magnification, high-contrast display and/or additional suitable tools:

- functionality to enlarge the font size of the subtitles (useful for visually impaired persons, for the elderly);
- functionality to change the font colour (useful for the visually impaired, for dyslexic persons);
- functionality to replace the font with a font that is easier to read (useful for dyslexic persons, for visually impaired people);
- functionality of enlarging or reducing the separate window in which the sign language interpreter is shown (useful for people with hearing impairments);
- functionality to unburden the menu in order to increase its intuitiveness (especially useful for people with intellectual disabilities);
- functionality to choose a remote control with a small number of buttons (useful for people with motor disorders of their hands, for the elderly);
- functionality to include a screen reader, which would vocalize the menu and the options in the receiver's software by means of a synthesized speech (useful for the visually impaired);
- functionality of including audio description of content such as movies and series (useful for the visually impaired and the intellectually disabled persons), etc.

The hardware and software that are provided to the users are used to ensure accessibility to the contents.

Article 6

Rules concerning the accessibility tools

The tools that make programmes accessible must follow certain rules, such as the following: the image of the sign language interpreter must take up least half of the screen; the interpreter must possess a certificate; the subtitles or the open/closed captions must follow the rules regarding the font characteristics typical for this kind of descriptions so as to be visible (using no more than 32 characters in a row; the description stays on the screen for at least 2 seconds; use of "Sans Serif", medium bold fonts, etc.).

Article 7

Reporting on persons with disabilities

All radio and TV programming services should, as part of the accessibility requirement, give greater visibility and voice to the persons with disabilities in various programmes, avoiding

the stereotypical notions – both the negative ones (for example, treating them as objects of pity, charity, victims, persons who have to overcome a tragic and disabling condition, negative people, etc.) and the inappropriately positive ones (for example, treating them as superheroes who have achieved great feats; focusing on the portrayal of disability as something that must be overcome in order to be “normal,” etc.).

Reporting on persons with disabilities should give an accurate and balanced portrayal of disability as part of everyday life and promote the rights and dignity of persons with disabilities in all areas (politics, economy, culture, sports, healthcare, entertainment, etc.).

Article 8

Accessibility requirements

Apart from the requirement under Article 7 of this Regulation:

- The television stations holding national-level broadcasting licenses should, in the first year after this Rulebook enters into force, make accessible at least one programme that appears in their respective programme schedules at least once a week, and then, every subsequent year, they should make accessible at least one more programme, so as to achieve a cumulative effect. They may also fulfill the accessibility requirements by broadcasting programmes that have been made accessible by other broadcasters or producers, and
- All radio and television stations at the regional and local levels, respectively, may, if applicable, air accessible programmes prepared by other broadcasters or producers.

The Public Broadcasting Service shall meet the requirement under Article 7 of this Rulebook in all of its TV and radio services. As for the requirement under Paragraph 1, Indent 1, of this Article, it shall fulfill it on MRT1, MRT2 and MRT5 (children's channel), respectively.

Audiovisual video-on-demand media services shall, in the first year after this Rulebook's entry into force, make accessible at least 2% of the offers in their respective catalogues, and then, every subsequent year, they shall make accessible at least 2% more of their offers, in order to achieve the cumulative effect.

When procuring programmes produced by others, the media service providers may check if these programmes have already been produced using tools that make them accessible and, if so, procure them along with these functionalities.

Article 9

Annual action plan

Each year, the national television stations and the video-on-demand media service providers shall adopt annual accessibility action plans for the following year, which they shall be required to submit to the Agency for Audio and Audiovisual Media Services no later than 31 December of the current year.

The action plans shall be submitted using the form provided in Appendix 2 of this Rulebook.

In the annual action plan, it should be reported if any of the television stations or video-on-demand services wants to replace the programmes that have previously been made accessible with other programmes.

Article 10

Annual report/information

Media service providers shall submit to the Agency for Audio and Audiovisual Media Services annual reports on the implementation of the accessibility action plans for the previous year.

Any media service provider that shall not submit an action plan, should furnish information on whether they have broadcasted any accessible programmes during the previous year.

The annual report, or the information, for the previous year, shall be submitted no later than 31 March of the current year, using the form provided in Appendix 3 of this Rulebook.

Article 11

Emergency information

All audio and audiovisual media services shall provide emergency information, including public communications and announcements during natural disasters, in a manner that shall be accessible to persons with disabilities, including, but not limited to, open and closed captions, sign language, audio description, etc.

Article 12

Public interest campaigns and publicly funded content

Whenever applicable, media services should ensure that public interest campaigns are adapted in a way that shall make them accessible to persons with disabilities, including, but not limited to, open and closed captions, sign language, audio description, etc.

In order to guarantee the right to information to the persons with disabilities, when assessing budgets and allocating funds for public interest campaigns, state authorities should take into account the need for content accessibility, so that the accessibility features shall be incorporated as early as during the production process.

Wherever applicable, the need for content accessibility should be taken into account when planning and allocating funds for the audio and audiovisual media sector that are intended for increasing pluralism of content. Accessibility may be achieved by introducing one or all of the following mechanisms:

- by making all content accessible during the production phase, and/or
- by setting aside special funds for ensuring accessibility, and/or
- if applicable, when evaluating the applications in the competition procedures, plans for creating accessible programme shall bring more points.

Article 13
Point of contact

The e-mail address dostapnost@avmu.mk, established by the Agency for Audio and Audiovisual Media Services, is an online point of contact for questions related to media services accessibility. This point of contact may be used for:

- providing information regarding the accessibility of services for persons with disabilities;
- submitting complaints on the part of interested persons, organizations, etc.;
- submitting the annual action plans and reports/information on the part of media services;
- exchange of other relevant information, etc.

Article 14
Indicating/announcement of accessible programmes

In order to provide information to persons with disabilities in a timely fashion, the radio and television programme services should announce their accessible programmes by means of self-promotional announcements or in some other way immediately before they are broadcasted.

On-demand audiovisual media services should visibly indicate accessible programmes in their respective catalogues.

Article 15
Entry into force

This Rulebook shall enter into force on the day following that of its publication in the "Official Gazette of the Republic of North Macedonia".

No. 01-2750/1
13.06.2024
S k o p j e

**Agency for Audio
and Audiovisual Media Services
President of the Council,**

Lazo PETRUSHEVSKI (hand-signed)

Glossary of terms and tools for ensuring accessibility

1. **Access services** is a term used to refer to accessibility services (for example, subtitles for the deaf and hard of hearing, audio description, sign language and spoken subtitles) that are described below, but is not limited to these, as other features may be introduced, such as clean audio, slow video, etc.³
2. **Subtitles** (also called captions) provide a textual representation of the dialogue within the same language or translated into another language. There is a significant difference between subtitles and subtitles for the deaf and hard of hearing (see the definition below), as the latter are an access service, as opposed to “regular” subtitles. Subtitles are intended for the viewers who can hear but do not understand the language. For this reason, subtitles show only the spoken content, but not the sound effects or other audio elements.
3. **Subtitles for the deaf and hard of hearing** (SDH) differ from regular subtitles in so far that they provide important non-speech information as well as speaker identification, which may be useful when the viewer cannot otherwise visually tell who is saying what. An example of non-speech information can be “[footsteps]”, “[dog barking]” or “[cracking window]”. Subtitles for the Deaf and Hard of Hearing are also referred to as captions in some countries, such as the USA. Captions or SDH can be closed or open.
4. **Closed captions** (or closed SDH) are not visible until activated by the viewer, usually via the remote control or the menu option. They can be personalized and are particularly useful for deafblind users.
5. **Open captions** (or open SDH), on the other hand, are “burned-into” or “hard-coded” onto the video and are visible to all users. They cannot be personalized.
6. **Spoken subtitles** are the reading aloud of interlingual subtitles in a spoken voice. These accessibility measures are especially useful for persons with visual or reading impairments and for the blind/deafblind persons, particularly in countries which do not dub programmes into the national language. Spoken subtitles are also known as audio subtitles.
7. **Audio description** communicates important visual content with spoken information inserted as a narrative between the dialogue and other programme sounds. It is essential for the full understanding and enjoyment of the audiovisual content by persons with visual impairments or intellectual disabilities. The term “video description” is often used to refer to audio description of audiovisual material, while the term “audio

³ Definitions 1 to 10 are derived from the *European Disability Forum (2019): Audiovisual Media Services Directive – Toolkit for Transposition*, available at: https://www.edf-feph.org/content/uploads/2020/12/final_edf_avmsd_toolkit_november_2019_0.pdf

description" is used for describing visual presentations in general, including theatre, sports and other events.

8. **Clean audio** allows users to separate and emphasize spoken dialogue and important non-verbal information from background sounds. This access service can be useful for hard of hearing persons and other viewers, especially in noisy environments.
9. **Cognitive accessibility** includes an easy to understand language, an accessible user interface (for example, by avoiding too many impressions in the image composition), which gives the users enough time to read the content, etc. Extended video description is an example of cognitive accessibility measure in audiovisual media. The audiovisual content is paused at key moments and longer description of the situation or scene is provided, which, among other things, allows viewers with cognitive disabilities and learning difficulties to process the content in a more accessible manner.
10. **Sign language interpretation** is the use of a sign language to convey the information contained in the programme audio (speech and other important sounds) to viewers who are deaf, or for whom sign language is their first language, and to other sign language users (for example, some hard of hearing persons). Provision of subtitles and closed captions by no means remove the need for sign language interpretation.
11. **Avatar** is an artificial person or a graphic character that represents an Internet user in the virtual world or in computer games.⁴
12. **Artificial intelligence (AI)** means the capacity of computers or other machines to exhibit or simulate intelligent behavior; software used to perform tasks or produce output previously thought to require human intelligence (for example, using machine learning to extrapolate from large collections of data).⁵
13. **Text-to-speech** refers to built-in software for converting text into speech, such as screen readers. Screen readers provide important functionality such as navigating through headings, speaking image alternatives, and identifying internal and external links. They can also highlight the text as it is being read aloud so people can see and hear the content at the same time. Content must be coded properly so as to ensure full functionality of the text-to-speech software.⁶
14. **Filtering or highlighting functionality** refers to the facility to highlight or list separately programmes with audio description, and with signing.
15. **Magnification functionality** refers to the facility to adjust the display of EPG information so that the text can be enlarged or minimized.
16. **High contrast display** refers to the facility to switch between standard and "high contrast" displays.⁷

⁴ Definition 11 derives from the *Digital Dictionary of the Macedonian Language*, available at <http://drmj.eu/show/%D0%B0%D0%B2%D0%B0%D1%82%D0%B0%D1%80/%D0%BC>

⁵ Definition 12 is adapted from the *Oxford English Dictionary*, available at: https://www.oed.com/dictionary/artificial-intelligence_n?tl=true

⁶ Definition 13 is adapted from *The World Wide Web Consortium (W3C)*.

⁷ Terms 14 to 16 are taken from OFCOM (2018) EPG Accessibility Improvements for People with Visual Impairments, available at: https://www.ofcom.org.uk/_data/assets/pdf_file/0013/150124/epg-accessibility-report-2019.pdf.

17. **Catch-up TV** is a service that allows delayed watching of television programmes on a computer, a TV set or some other device, or a special television offer available after the time when they were originally broadcast.⁸

⁸ Definition 18 is adapted from the *Oxford English Dictionary*, available at: https://www.oxfordlearnersdictionaries.com/definition/english/catch-up_2

Annual Accessibility Services Action Plan

for _____(year)

1. Full name of the media service provider: _____

2. Short name of the media service: _____

3. Programme/s that shall be made accessible:

Type/genre	Title	Accessibility tools to be used	When shall the programme become accessible?

(add as many rows as necessary)

4. Do you plan to replace any programme that was made accessible in the previous years? If so, please explain why and which other accessible programme you will replace it with.

5. How shall you fulfill the requirement to give greater visibility and voice to persons with disabilities in various programmes (Article 7 of the Rulebook on Media Services Accessibility)? - a question for the broadcasters

6. How shall you fulfill the requirement to announce/indicate accessible programmes (Article 14 of the Rulebook on Media Services Accessibility)?

7. Are you planning any other initiatives or activities aimed at improving the representation of persons with disabilities and promoting programmes' accessibility? If yes, please explain.

In _____,

___. ___. 20__

Manager/Director

(full name and last name)

(signature)

(stamp)

**Annual report/information
on accessibility services
for _____ (year)**

1. Full name of the media service provider: _____

2. Short name of the media service: _____

3. Programme/s that were made accessible:

Type/Genre	Title	Accessibility tools used	Period of the programme's accessibility	Number of reruns (for the broadcasters)	Percentage of total offer (for video on demand)

(add as many rows as necessary)

4. Have you broadcast any accessible programmes produced by other broadcasters or producers?
If yes, specify which ones. - *a question for the broadcasters*

5. How did you fulfill the requirement to give greater visibility and voice to persons with disabilities in various programmes (Article 7 of the Regulation on accessibility to media services)? - *a question for the broadcasters*

6. How did you fulfill the requirement to announce/indicate the accessible programmes? (Article 14 of the Rulebook on Media Services Accessibility)?

7. Did you consult with any representatives of the organizations of persons with disabilities regarding the selection of programmes (Article 3 of the Rulebook on Media Services Accessibility)? If yes, please explain.

8. Please share information if you have implemented any other initiatives or activities aimed at improving the representation of persons with disabilities and promoting programmes' accessibility!

In _____,
_____.20__

Manager/Director

(full name and last name)

(signature)

(stamp)

