

Full title of law or regulation

Interstate Treaty on the Protection of Human Dignity and the Protection of Minors in Broadcasting and in Telemedia (Interstate Treaty on the protection of minors – JMStV) in the version of the State Treaty for Modernisation of the Media Regime in Germany.

https://www.kjm-online.de/fileadmin/user_upload/Rechtsgrundlagen/Gesetze_Staatsvertraege/JMStV_geaend_durch_ModStV.pdf

This is an unofficial and non-binding translation of article 6 of the treaty in German linked above. There is very little change to the previous version (No. 19) translated by the media authorities and shown below, excepting clause 7, the translation of which is largely taken from the relevant Directive [2018/1808](#), article 9. The original in German is anyway the only binding version. Translations are provided to help, but not to define. If in doubt, seek national professional advice

Title of relevant section

Article 6: Protection of minors in advertising and teleshopping; from Section I, General provisions

Clauses

- (1) Advertising for indexed content is permitted only subject to the terms applicable to the content in question itself. The same applies to advertising for content under the terms of Section 4, Paragraph 1. The list of media harmful to young persons (Article 18 of the German Protection of Young Persons Act) must not be disseminated or made accessible for advertising purposes. In advertising, there must not be any reference to any pending or completed procedure for the inclusion of a content or a data media with identical content in the List pursuant to Article 18 of the German Protection of Young Persons Act.
 - (2) Advertising shall not cause any physical or moral detriment to adolescents, nor shall it:
 1. Contain appeals to buy a good or a service directed at children or adolescents exploiting their inexperience and credulity,
 2. Directly encourage children and adolescents to persuade their parents or others to purchase the goods or services being advertising,
 3. Exploit the special trust children or adolescents place in parents, teachers or other persons of trust,
 4. Unreasonably show children or minors in dangerous situations.
 - (3) Advertising the content of which is suited to impair the development of children or adolescents into self-responsible and socially competent personalities shall be transmitted separately from content directed at children or adolescents.
 - (4) Advertising directed at children or adolescents or advertising in which children or adolescents are involved as actors shall not harm the interests of children or adolescents or exploit their inexperience.
 - (5) Advertising for alcoholic beverages shall not be aimed at children or adolescents nor specifically appeal to children and adolescents through its presentation nor show them consuming alcohol.
 - (6) Teleshopping must not exhort children or adolescents to contract for the sale or rental of goods and services.
 - (7) Providers shall take appropriate measures to avoid the effects of advertising distributed in and around children's programmes for food, nutrients and substances with a nutritional or physiological effect that contain, in particular, fat, trans-fatty acids, salt, sodium, and sugars, the excessive intake of which in the overall diet is not recommended.
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