

NOTE FOR THE READER

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It is emphasized that the English translation of the Law does not replace the original text of the Law since only the Greek text of the Law published in the Official Gazette of the Republic of Cyprus is authentic.

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A LAW TO PROVIDE FOR THE IMPLEMENTATION OF REGULATION (EU) 2022/2065 ON A
SINGLE MARKET FOR DIGITAL SERVICES

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The Implementation of Regulation (EU) 2022/2065 on a Single Market for Digital Services Law of 2025 issued by publication in the Government Gazette of the Republic of Cyprus according to Article 52 of the Constitution.

Number 122(I) of 2025

A LAW TO PROVIDE FOR THE IMPLEMENTATION OF REGULATION (EU) 2022/2065 ON A SINGLE MARKET FOR DIGITAL SERVICES

Preamble
Official Journal
of the EU: L 277,
27.10.2022, p. 1

For the purposes of implementing articles 9, 10, 49, 51 and 52 of the act of the European Union entitled “Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act)”,

The House of Representatives enacts as follows:

Short title.

1. This Law shall be cited as the Implementation of Regulation (EU) 2022/2065 on a Single Market for Digital Services Law of 2025.

PART I
INTRODUCTORY PROVISIONS

Interpretation.

2.-(1) In this Law unless the context otherwise requires-

“competent authority” means any authority determined as such by virtue of the provisions of article 6;

“public sector authority” means the public service, any independent service, authority, office of independent official, legal entity or organisation of public law, including local authorities, or any other organisation of public law without legal personality, established in the public interest by law, the funds of which are either provided or guaranteed by the Republic;

“Authority” means the Radiotelevision and Digital Services Authority established by virtue of the provisions of article 3 of the Radio and Television Broadcasters Law;

7(I) of 1998
88(I) of 1998
13(I) of 1999
159(I) of 1999
23(I) of 2000
55(I) of 2000
134(I) of 2000
18(I) of 2001
53(I) of 2001
65(I) of 2001
78(I) of 2001
126(I) of 2001
102(I) of 2002
186(I) of 2002
24(I) of 2003
97(I) of 2004
84(I) of 2006
85(I) of 2006
170(I) of 2006
117(I) of 2008
17(I) of 2009
136(I) of 2009
118(I) of 2010
73(I) of 2011
88(I) of 2012
46(I) of 2013
86(I) of 2014
94(I) of 2015
201(I) of 2015
77(I) of 2016
81(I) of 2017
64(I) of 2018

53(l) of 2019
92(l) of 2019
75(l) of 2020
174(l) of 2020
74(l) of 2021
197(l) of 2021
87(l) of 2023
123(l) of 2025.

112(l) of 2004
84(l) of 2005
149(l) of 2005
67(l) of 2006
113(l) of 2007
134(l) of 2007
46(l) of 2008
103(l) of 2009
94(l) of 2011
51(l) of 2012
160(l) of 2013
77(l) of 2014
104(l) of 2016
112(l) of 2016
76(l) of 2017
90(l) of 2020
23(l) of 2022.

125(l) of 2018
26(l) of 2022.

“Office of the Commissioner of Communications” means the Office of the Commissioner of Electronic Communications and Postal Regulation, established by virtue of the provisions of paragraph (1) of article 10 of the Electronic Communications and Postal Services Regulation Law and any officer of that office or/and any person employed or appointed by the Commissioner to exercise competences by virtue of the provisions of this Law or/and any other person specifically authorised in writing by the Commissioner to act in his/her name and on his/her behalf;

“Office of the Commissioner for the Protection of Personal Data” means the Office of the Commissioner for the Protection of Personal Data by virtue of the provisions of article 22 of the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of such Data Law and includes any officer of that office or/and any person employed or appointed by the Commissioner to exercise competences by virtue of the provisions of this Law or any other person specifically authorised in writing by the Commissioner to act in his/her name and on his/her behalf;

“Office of the Coordinator” means any officer or/and any person employed or appointed by the Coordinator to exercise competences by virtue of the provisions of this Law or any other person specifically authorised in writing to act in the name and on behalf of the Coordinator;

“intermediary service” shall have the meaning attributed to the term in paragraph (g) of article 3 of Regulation (EU) 2022/2065;

“Regulation (EU) 2022/2065” means Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act);

“Member State” means any Member State of the European Union;

“Register of Providers of Intermediary Services” means the register kept by the Digital Services Coordinator in accordance with the provisions of article 13 of this Law;

“legal representative” means the natural person who or the legal entity that-

- (a) if a natural person, has his/her residence in the Republic or in another Member State of the European Union; or
- (b) if a legal entity, has its registered office or its statutory headquarters in the Republic or in another Member State of the European Union,

and following explicit authorisation by the provider established in a third country, acts in its name and to whom/which the authorities, clients, recipients of intermediary

services, bodies and counterparties of the provider established in a third country may be addressed within the Republic, instead of being addressed to the provider itself established in a third country, with regard to its obligations, within the framework of the implementation of the provisions of this Law;

“substantial connection” means a connection of a provider of intermediary services with the Republic arising-

- (a) from the establishment of the provider of intermediary services in the Republic;
- (b) in the basis of specific factual criteria, such as:
 - (i) when the number of recipients of the intermediary service in the Republic is significant in relation to its population; or
 - (ii) when the provider of intermediary services aims at providing its activities in the Republic on the basis of factors such as the use of language or currency of the Republic, or the possibility of ordering products or services from a client or supplier situated in the Republic, the use of a relevant top-level domain, the availability of an application in the relevant national application store, the provision of local advertising or advertising in the language of the Republic, or the handling of customer relations such as by providing customer service in the language of the Republic; or
 - (iii) when the service provider directs its activities to the Republic, while the mere technical accessibility of a website from the Republic cannot, on that ground alone, be considered as establishing a substantial connection to the Republic, if at least one of the above conditions is not met

“provider of intermediary services” means any natural person or legal entity providing intermediary services regardless of his/her/its place of establishment;

“Digital Services Coordinator” or “Coordinator” means the entity that is designated as such by virtue of the provisions of article 4 and any person subordinated to the Office of the Coordinator;

“third country” means any country that is not a Member State of the European Union;

“Minister” means the Minister of Interior.

(2) Any terms included in this Law and not specifically defined herein shall have the meaning attributed to them by Regulation (EU) 2022/2065.

Scope.

3. This Law applies to:

- (a) providers of intermediary services established in the Republic;
- (b) providers of intermediary services whose legal representatives are residing or established in the Republic;
- (c) providers of intermediary services that have a substantial connection with the Republic;
- (d) providers of intermediary services providing intermediary services in the Republic without having a substantial connection with the Republic.

PART II
DIGITAL SERVICES COORDINATOR
AND COMPETENT AUTHORITIES

Definition of Digital Services Coordinator. **4.**-(1) The Authority is designated as Digital Services Coordinator pursuant to paragraph (2) of article 49 of Regulation (EU) 2022/2065 and exercises all powers and competences attributed to the Digital Services Coordinator by Regulation (EU) 2022/2065 and the provisions of this Law, as well as the Regulations and circulars issued by virtue of the provisions of this Law.

(2) When carrying its tasks and exercising its powers in accordance with Regulation (EU) 2022/2065, the Digital Services Coordinator shall act with impartiality, transparency and complete independence, free from any external influence, whether direct or indirect, and shall neither seek nor take instructions from any other public authority or any private party.

Competences of the Coordinator. **5.**-(1) When the Authority is exercising its competences as Digital Services Coordinator, according to Regulation (EU) 2022/2065 and the provisions of this Law, the provisions of subparagraphs (a) to (d) of paragraph (3) of article 3, of paragraph (4) of article 3, 3B, 4 to 8A, 9, 40 and 41 of the Radio and Television Broadcasters Law shall apply.

(2) Subject to the provisions of paragraph (2) of article 4, the Coordinator shall exercise its powers according to the objects of this Law as to the encouraging of the establishment and smooth operation of a single internal market for intermediary services, the securing of a safe, predictable and trustworthy online environment, within which the fundamental rights of users, especially minors, are protected, including freedom of expression and information, freedom to conduct a business, the right to non-discrimination and to achieve a high level of consumer protection, as well as encouraging and expanding innovative digital services, promoting interoperability and cooperation between stakeholders, reducing uncertainty and creating a level playing field for businesses to promote innovation, growth and competitiveness.

(3) The Digital Services Coordinator shall issue circulars for the regulation of any other matter provided for in the provisions of this Law and in Regulation (EU) 2022/2065 which requires or is amenable to determination, which it may review at regular intervals.

Definition of competent authorities. **6.** Notwithstanding the provisions of any other Law or Regulations or decrees issued under this or Union law, the following competent authorities are designated as competent authorities for the supervision of intermediary service providers falling within the scope of this Law and the enforcement of the provisions of Regulation (EU) 2022/2065, in accordance with paragraph 1 of Article 49 of Regulation (EU) 2022/2065, with regard to the areas for which each has competence, provided that no competent authority has exclusive competence with regard to matters falling within the competence of other competent authorities and/or the Coordinator:

- (a) The Authority shall be responsible to monitor the providers of intermediary services regarding the implementation of points a), b) and c) of paragraph 1 and paragraph 2 of article 26 and paragraph 1 of article 28 of Regulation (EU) 2022/2065;
- (b) The Ministry of Energy, Commerce and Industry shall be responsible to monitor the providers of intermediary services regarding the implementation of paragraph 3 of article 6, of article 14, of paragraph 2 of article 26 and articles 30, 31 and 32 of Regulation (EU) 2022/2065;
- (c) The Office of the Commissioner of Communications shall be responsible to monitor the providers of intermediary services regarding the implementation

of exemptions from liability imposed under articles 4, 5 and 6 of Regulation (EU) 2022/2065;

- (d) The Office of the Commissioner for the Protection of Personal Data is responsible to monitor the providers of intermediary services regarding the implementation of paragraph 2 of article 25, of point d of paragraph 1 and of paragraph 3 of article 26, as well as paragraphs 2 and 3 of article 28 of Regulation (EU) 2022/2065;
- (e) Any other competent authority that is deemed necessary according to the provisions of Regulation (EU) 2022/2065, which is designated as competent authority following decision by the Council of Ministers.

Cooperation between the Coordinator and competent authorities.

7.-(1) The Digital Services Coordinator and the competent authorities shall cooperate with each other, as well as with other authorities and exchange, inter alia, information and details in order to ensure the implementation of the provisions of this Law and the provisions of Regulation (EU) 2022/2065, within the deadlines set out by this Law or Regulation (EU) 2022/2065 or the Regulations issued by virtue of this Law or the circulars issued by the Coordinator.

(2) The Coordinator and the competent authorities may exchange and use data and information in their possession, including personal data and information falling within the business and professional confidentiality, to the extent necessary for the performance of their duties and in relation to the exchanged information the receiving authority shall ensure the same level of confidentiality with the transmitting authority.

Powers of the Coordinator and of the competent authorities.

8.-(1) The Coordinator shall have the powers provided for in article 51 of Regulation (EU) 2022/2065;

(2) The Coordinator shall be the central point for lodging complaints against providers of intermediary services, according to article 53 of Regulation (EU) 2022/2065:

Provided that the priority given to a complaint is assessed by the Digital Services Coordinator, based on the importance and impact of the alleged infringement:

Provided further that complaints that are manifestly unfounded or/and lodged abusively or/and do not relate to an alleged infringement of Regulation (EU) 2022/2065 shall not be examined by the Coordinator and shall be classified after the complainant has been informed accordingly.

(3) Subject to the provisions of paragraph (7), the investigation at the premises of the providers of intermediary services is carried out under paragraphs 5 and 6 of article 51 of Regulation (EU) 2022/2065:

Provided that the entry into a residence or the conduct of a search in a residence of a provider for the purposes of this Law is permitted only by virtue of a court warrant.

(4) The Coordinator and/or each competent authority, within the framework of their competences, may, in addition and subject to the provisions of articles 51 and 52 of Regulation (EU) 2022/2065-

- (a) Request, by submitting a special and reasoned request, information from the providers of intermediary services, as well as from any other natural or legal person acting for purposes relating to his/its commercial, business or professional activities and who may reasonably be aware of the alleged infringement, including the persons falling within the scope of this Law, as well as the organisations carrying out the audits provided for in article 37 and paragraph 2 of article 75 of Regulation (EU) 2022/2065, and these persons shall provide the information without delay and in accordance with the

timetable and the level of detail specified by the Coordinator or the relevant competent authority, as appropriate, through circulars, Regulations issued pursuant to this Law or another decision;

- (b) Summon and enforce the presence of witnesses and interested parties and the production, presentation and submission of documents, books, plans, and records.

(5)(a) If the Digital Services Coordinator, within the framework of his competences, establishes that a provider of intermediary services does not comply with the provisions of Regulation (EU) 2022/2065 or the provisions of this Law, it shall notify these findings to the provider and invite the latter to express his views and to comply with Regulation (EU) 2022/2065 within a certain period of time.

(b) By a specifically reasoned decision and after a prior hearing of the provider of intermediary service, which is carried out in accordance with Regulations issued under this Law and/or circulars in force issued by the Coordinator, the latter may take effective, proportionate and dissuasive measures to ensure the compliance of the provider of intermediary service with Regulation (EU) 2022/2065, in application of points (a), (b) and (e) of paragraph 2 and points (a) and (b) of paragraph 3 of article 51 of Regulation (EU) 2022/2065 and impose an administrative fine in accordance with the provisions of article 19 of this Law, in application of points (c) and (d) of paragraph 2 of article 51 of the Regulation. (EU) 2022/2065.

(6) Any person who violates the provisions of this Law is guilty of a criminal offence if-

- (a) without a reasonable cause he/she fails or refuses to comply with a summons to appear before the Digital Services Coordinator or to produce, present or submit any document, book, plan or record;
- (b) while being a witness, he/she refuses without a reasonable cause to answer any questions put to him/her:

Provided that no one is obliged to answer if the question would incriminate him/her in respect of a criminal offence or if the question would constitute a breach of the lawyer-client confidentiality:

Provided further that the Digital Services Coordinator manages any proceedings brought before it and has the power to reduce or repress the abuse of this procedure.

(7)(a) In the event of a violation of any provision of this Law and the Regulations issued thereunder and regardless of the imposition of any administrative sanction, the Digital Services Coordinator or the competent authority may request, by application to the court, the making of a prohibitory or injunctive order, including an interim order, against any intermediary service provider which, in its opinion, is involved in or is responsible for such violation.

(b) The court before which any application is heard under this paragraph shall have the power to make a prohibitory or injunctive order, including an interim order, by which it may order-

- (i) the immediate cessation and/or non-repetition of the infringement; and/or
- (ii) the taking, within a specified period, of such remedial measures as the court deems appropriate, to remedy the illegal situation created by the relevant infringement; and/or

- (iii) the publication of the whole or part of the court's judgment or the publication of a remedial notice with a view to eliminating any continuing effects of the infringement; and/or
- (iv) any other action or measure deemed necessary or reasonable under the circumstances of the specific case.

(8) Where necessary for the performance of their duties, under Regulation (EU) 2022/2065, competent authorities shall have, with regard to the conduct of intermediary service providers and the application of the provisions falling within their competences, as defined in this Law, the powers provided for in paragraphs 1, 2 and 3 of article 51 of Regulation (EU) 2022/2065.

(9) Without prejudice to the provisions of article 18 of Regulation (EU) 2022/2065 and the provisions of article 10 of this Law, the Digital Services Coordinator or any other person authorized in writing for this purpose by the Coordinator may initiate any legal proceedings on its behalf, as well as initiate proceedings and recover by civil procedure against any natural person or legal entity who/that fails to pay any charges, fees, taxes or penalties or fines specified in this Law or in any Regulations issued under this Law:

Provided that the service of any procedural document on the Digital Services Coordinator may be duly performed by service of such document on the Director of the Authority.

(10) In the event that fees, charges, fines or penalties, under the provisions of this Law or any Regulations issued under this Law, are not paid at the time when they become duly due and payable, their debtor or any other person who is required to pay them, in addition to their amount, shall pay a charge equal to the maximum permitted interest rate in force in the Republic.

(11) In the event of conviction of a provider of intermediary services for a criminal offence committed in violation of this Law and Regulations issued thereunder, the Digital Services Coordinator may, in addition to any other penalty, impose the deletion of such provider from the Register of Providers of Intermediary Services.

Participation in the European Board for Digital Services.

9.-(1) The Authority, as Digital Services Coordinator, shall participate with the right to vote in the European Board for Digital Services under article 61 of Regulation (EU) 2022/2065.

(2) The competent authorities may participate in the European Board for Digital Services along with the Digital Services Coordinator, without the right to vote, provided that the matter concerns their competences for the implementation and enforcement of Regulation (EU) 2022/2065 and the provisions of this Law and following a relevant proposal from the Coordinator, in accordance with the internal operating regulations of the said Board, as amended from time to time.

Notification of suspicions of criminal offences.

10. The Cyprus Police is the competent authority, pursuant to article 18 of Regulation (EU) 2022/2065, which receives reports of suspicions of criminal offences and processes data and information in the context of the performance of its legal duties.

Cooperation between the Coordinator and other authorities.

11. The authorities of the public sector, including the competent authorities-

- (a) cooperate with the Digital Services Coordinator for the fulfilment of the objectives of Regulation (EU) 2022/2065 and this Law, by concluding relevant agreements or memoranda of understanding, if deemed necessary by the Coordinator, when examining issues related to the powers and responsibilities of the competent authorities, in accordance with the provisions of this Law;

- (b) provide, at the request of the Digital Services Coordinator, their assistance, including information deemed necessary for the fulfilment of the objectives of Regulation (EU) 2022/2065 and the provisions of this Law, in particular for the handling of complaints;
- (c) respond to the Digital Services Coordinator's written requests for the provision of information and any kind of assistance, within the deadline specified in his request, in order to comply with the deadlines set by Regulation (EU) 2022/2065.

Issuance of orders and their execution.

12.-(1) Competent authorities shall ensure that the orders to act against illegal content they issue meet the conditions laid down in article 9 of Regulation (EU) 2022/2065.

(2) The Digital Services Coordinator shall follow the procedure and deadlines laid down in article 9 of Regulation (EU) 2022/2065 on the said orders to act.

(3)(a) The competent authorities shall ensure that the orders to provide specific information that they issue in relation to one or more specific individual recipients of the service fulfil the conditions laid down in article 10 of Regulation (EU) 2022/2065.

(b) The Digital Services Coordinator shall follow the procedure and deadlines laid down in article 10 of Regulation (EU) 2022/2065 on the said orders to provide information.

Register of Providers of Intermediary Services.

13.-(1) The Digital Services Coordinator, within twelve (12) months from the date of entry into force of this Law, creates, puts into operation and keeps a Register of Providers of Intermediary Services, in electronic form and posts it on its official website.

(2) Providers of Intermediary Services who fall within the scope of this Law are required to be registered in the Register of Providers of Intermediary Services, within three (3) months from its operation or before the commencement of the provision of intermediary services in the Republic.

(3)(a) Without prejudice to the provisions of paragraph (6), at least the following information shall be declared and maintained for each provider of intermediary services in the Register of Providers of Intermediary Services:

- (i) Register Number and date of registration;
- (ii) name and surname of the natural person or name of the legal entity;
- (iii) home address of the natural person or headquarters and address of the registered office of the legal entity;
- (iv) contact details of a contact point in the Republic for communication purposes between providers of intermediary services and the Coordinator, the competent authorities in the Republic, the competent authorities of the other Member States, the European Commission and the European Board for Digital Services, such as an email address and a Cypriot telephone number;
- (v) contact details of a contact point in the Republic for crises management purposes, such as an email address and a Cypriot telephone number;
- (vi) contact details of a contact point in the Republic for communication purposes between the providers of intermediary services and the recipients of their services, such as an email address and a Cypriot telephone number;

(vii) official languages of communication with the contact points, including the Greek language and another language widely understood by the largest possible number of citizens of the European Union;

(viii) the address of the website of the provider of intermediary services;

(ix) categories of provided intermediary services;

(b) Subject to the provisions of paragraph (a), at least the following shall be declared and maintained for each provider of intermediary services having its main establishment in the Republic:

(i) Tax Identification Code;

(ii) the Registration Number in the relevant register kept by the Registrar of Companies or in any other register the provider of intermediary services may be registered;

(iii) details of the legal representative, i.e. name, surname, identity card or passport no, home address and Tax Identification Code.

(c) For each provider of intermediary services that does not have its main establishment in the Republic, but its legal representative resides or is established in the Republic, at least the following details of the legal representative shall be declared and maintained:

(i) For a natural person:

(aa) name and surname;

(bb) identity card or passport no;

(cc) home address;

(dd) Tax Identification Code.

(ii) For a legal entity:

(aa) name;

(bb) headquarters and address of registered office or if there is no registered office, the address of any place operating as the headquarters for carrying out the main financial operations and business control;

(cc) Tax Identification Code;

(dd) the Registration Number in the relevant register kept by the Registrar of Companies or in any other register the provider of intermediary services may be registered;

(ee) details of the legal representative, i.e. name, surname, identity card or passport no, home address and Tax Identification Code.

(4)(a) The providers of intermediary services inform the Digital Services Coordinator of any change in the details kept in the above register, immediately and not later than ten (10) days as of the change.

(b) In the event of cessation of their activity as providers of intermediary services or cessation of their legal representation in the Republic, they shall request their deletion from the Register of Providers of Intermediary Services.

(c) A legal representative of a provider of intermediary services whose power of representation in the Republic has been proven to have ceased for any reason is entitled to request the deletion of his/her/its declared capacity from the Register of Providers of Intermediary Services.

(5) The details such as the registration number, name, headquarters, registered office, public contact details and website of the registered providers of intermediary services, natural or legal persons, shall be published on the website of the Digital Services Coordinator.

(6) The registration procedures, the form and/or format of the documents filed in the Register of Providers of Intermediary Service, as well as additional data, documents and/or information that providers are required to provide are determined by the Coordinator by circulars or in another manner, as the Coordinator may deem necessary.

Right of redress. **14.**-(1) The Digital Services Coordinator's decisions apply with immediate effect, and their implementation requires no approval by any State or other entity.

(2) A redress may be lodged before the Administrative Court against the decisions of the Digital Services Coordinator or the competent authorities in accordance with Article 146 of the Constitution.

Reports. **15.**(1) Digital Services Coordinator shall draw up an annual report on its activities for the previous calendar year under article 55 of Regulation (EU) 2022/2065.

(2) For the purposes of paragraph (1), the competent authorities shall send to the Digital Services Coordinator, in the form and within the deadline determined by the latter, the information referred to in article 55 of Regulation (EU) 2022/2065 on the previous calendar year.

(3) The Digital Services Coordinator shall communicate the annual report provided for in paragraph (1) to the European Commission, the European Board for Digital Services and to the competent authorities as specified in article 6, and make it available to the public in a machine-readable format on its website, subject to the applicable rules on the confidentiality of information pursuant to article 84 of Regulation (EU) 2022/2065.

Revenue, budget and book-keeping. **16.**-(1) The revenue for the operation of the Digital Services Coordinator for the purposes of implementing Regulation (EU) 2022/2065 and this Law, shall come from the administrative fines and fees enforced in accordance with the provisions of this Law.

(2) The Republic shall ensure that the Digital Services Coordinator and the other competent authorities in accordance with the provisions of this Law and for the purposes of implementing Regulation (EU) 2022/2065 have the necessary financial resources to perform their tasks, including adequate technical, financial and human resources to adequately supervise all providers of intermediary services falling within their competence, as the case may be, as provided for in article 50 of Regulation (EU) 2022/2065.

(3) The Coordinator's budget is a distinct part of the budget prepared according to articles 36 to 39 of the Radio and Television Broadcasters Law.

Fees. **17.**-(1)(a) The Digital Services Coordinator may impose an annual fee on the persons falling within the scope of this Law.

(b) The annual fee covers what is necessary and proportionate to cover the cost of fulfilling the tasks assigned to the Digital Services Coordinator, in accordance with the provisions of this Law and the provisions of Regulation (EU) 2022/2065.

(2) The Digital Services Coordinator may not impose an annual fee on persons with a total worldwide or national annual turnover, from activities falling within the scope of Regulation (EU) 2022/2065 and this Law, that does not exceed a certain threshold or whose activities do not amount to a certain minimum market share or are of very limited geographical scope or those providing specific categories of intermediary services.

(3) The annual fee is calculated as a percentage determined by the issuance of a relevant circular and/or decision of the Coordinator, on the income of the natural or legal person during the previous year.

(4) In addition to the annual fee provided for in paragraphs (1) to (3), the Coordinator may impose additional fees, provided that there is a need to cover expenses, including but not limited to the following, and that the need and amount of the fees are determined on reasonable criteria:

- (a) identification and supervision of trusted flaggers, in accordance with article 22 of Regulation (EU) 2022/2065;
- (b) granting the status of vetted researchers and supervision in accordance with article 40 of Regulation (EU) 2022/2065;
- (c) certification of an out-of-court dispute settlement body and supervision in accordance with article 21 of Regulation (EU) 2022/2065.

Coordinator's
Fund.

18. The fees provided for in article 16, as well as any other amount collected by the Digital Services Coordinator within the framework of its responsibilities, as these are determined by Regulation (EU) 2022/2065 and the provisions of this Law by paying directly as income to the Fund of the Authority operating under the provisions of the Radio and Television Broadcasters Law, from which the expenses that arise for the purposes of implementing this Law and Regulation (EU) 2022/2065 are paid, in the name and on behalf of the Digital Services Coordinator with the exclusive purpose of covering the expenses arising from the Coordinator's needs for the performance of its duties, under this Law:

Provided that any amounts exceeding the Coordinator's actual needs for the financial year shall be taken into account for determining the fees that the Coordinator may impose pursuant to the provisions of article 17.

PART III ADMINISTRATIVE FINES AND OFFENCES

Administrative
fines.

19.-(1) In case of violation of the provisions of Regulation (EU) 2022/2065 and the provisions of this Law, the Digital Services Coordinator or the competent authority, depending on their competence, as provided for in article 6 of this Law, shall impose an administrative fine on providers of intermediary services under their jurisdiction in accordance with points (c) and (d) of paragraph 2 of article 51 of Regulation (EU) 2022/2065.

(2) When making a decision on the imposition and amount of the administrative fine, articles 51 and 52 of Regulation (EU) 2022/2065 shall apply and the following shall be duly taken into account and assessed for each case under consideration:

- (a) The nature, gravity and duration of the infringement;

- (b) any intent or negligence of the provider of intermediary services, which caused the infringement;
- (c) the systematic or repeated non-compliance of the provider of intermediary services with its obligations arising from Regulation (EU) 2022/2065;
- (d) the type, size and nature of the provided intermediary services, as well as the financial capacity of the provider of intermediary services;
- (e) the activity of the provider of intermediary services in several Member States;
- (f) the degree of cooperation of the provider of intermediary services with the competent authority to eliminate the infringement and limit its possible adverse consequences.

(3) The amount of the administrative fine may not exceed six percent (6%) of the annual worldwide turnover of the provider of intermediary services concerned in the preceding financial year, while, in the event of providing inaccurate, incomplete or misleading information, failure to respond or correct inaccurate, incomplete or misleading information and failure to submit to an inspection, the fine may not exceed one percent (1%) of the annual income or worldwide turnover of the provider of intermediary services in the preceding financial year.

(4) An administrative fine imposed by the Digital Services Coordinator or a competent authority, in accordance with the provisions of this Law and the Regulations issued thereunder, shall be collected by the Coordinator or the competent authority and deposited in the Consolidated Fund of the Republic, while, in the event of failure to pay, the Republic shall take judicial measures and the amount due shall be collected as a civil debt owed to the Republic.

Offences.
78(l) of 2007
54(l) of 2017.

20.-(1) Without prejudice to the provisions of the Implementation of Community Regulations and Community Decisions Law, any person who performs an act or fails to perform an act in breach of any provision of Regulation (EU) 2022/2065 shall be guilty of a criminal offence and, on conviction, shall be liable to a term of imprisonment not exceeding one (1) year or to a fine not exceeding ten thousand euro (€10,000) or to both such penalties.

(2) In the event of a financial penalty being imposed, in accordance with the provisions of paragraph (1), it shall not exceed five percent (5%) of the average daily worldwide turnover or income of the provider of intermediary services concerned in the previous financial year, per day, calculated from the date specified in the relevant decision.

(3) A court hearing an offence provided for in this Law has the power to issue any interim or final order, prohibitive, deterrent, injunctive or suspensive, for the purpose of terminating or suspending or preventing the repetition of the act or omission which constitutes the criminal offence.

PART IV FINAL PROVISIONS

Regulations.

21.-(1) The Council of Ministers has the power to issue Regulations for the best implementation of this Law and Regulation (EU) 2022/2065.

(2) Without prejudice to the generality of paragraph (1), the Regulations issued under this article may provide that, in the event of a violation or failure to comply with their provisions, penalties and administrative fines shall be imposed, which in any case shall not exceed the highest penalty and the highest administrative fine provided for in this Law.

Exercise of power and execution of duties by other persons.

22. Any act or anything that the Digital Services Coordinator and the competent authorities, by virtue of the provisions of this Law, are obliged or authorized to do, may be carried out by an officer and/or person employed or designated by them to exercise their powers or another person who has been generally or specifically authorized in writing for this purpose.