Prominence: what is at stake and possible ways forward

Strasbourg, 5 December 2023

User interfaces on connected TVs are far more complex than on standard TV Sets

- Viewers have 3 different ways for selecting the service and content they want to watch (not just one)

Remote control ①

Graphic UI / Advanced EPGs ②

Search and Voice search ③

Connected TVsets - which accounted for the vast majority of TV sets sold in 2022 (Omdia data) - are progressively **moving from a 'service logic'**, in which different services are displayed or accessible, **to a 'content logic'**, in which the TV set does not propose access to services but directly to content, sometimes without a clear identification of which service is offering the content.

MFE MEDIAFOREUROPE

# *Problems raised by new remote controls and user interfaces interfaces*

Remote controls

⚠️ Only global OTT services have dedicated remote buttons. Such display steers users towards their content, while competitors remain several clicks behind and are very difficult to find.

⚠️ Numeric pads are disappearing from remote controls and the OS advanced EPG are started whenever TV is turned on.

Graphic User Interfaces (UI) / Advanced EPGs

⚠️ National AVMS apps are not pre-loaded on the user interfaces.

⚠️ Only "featured" content selected by the TV OS is prominent.

⚠️ Users can hardly delete pre-loaded apps and the service/app re-ordering does not affect featured content.

⚠️ Users have to sign in with the OS to download apps. AVMS providers are obliged to integrate with OS systems if they want their app to function properly

MFE MEDIAFOREUROPE
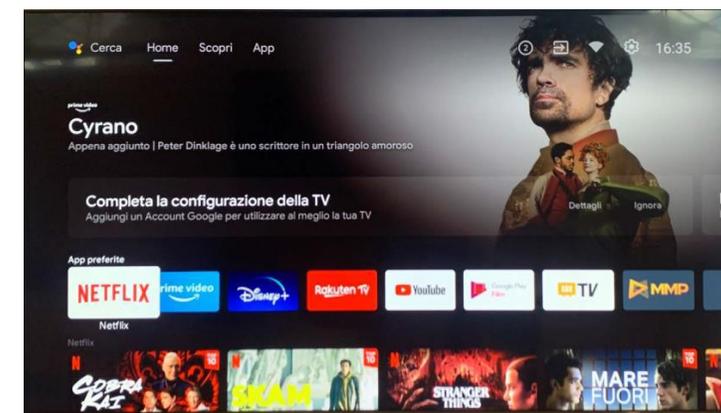
Possible solutions

Remote controls

🙂 Linear TV channels should always be **one click away. Numeric Keys must be available and always active** to ensure direct access and the Logical Channel Numbering must be preserved.

🙂 Local digital services must be granted at least the same space and visibility granted to global ones

Graphic User Interfaces (UI) / Advanced EPGs

🙂 Live TV channels shall receive a very visible presence in TV OS UI, respecting the national channel ordering.

🙂 It should be the AVMS provider prerogative to select and highlight its featured content to be shown on the basis of the service ordering.

🙂 No obligation for users to sign-in with OS for downloading and accessing AVMS.

EU Framework

- **Audiovisual Media Services Directive (AVMSD):** The revised Directive in 2018 introduced a provision on the prominence of audiovisual media services of general interest (Article 7a) which allows Member States to introduce measures on prominence.

- **Digital Markets Act (DMA):** provides new obligations which could support an open ecosystems on the connected TVs and TV OS offered by gatekeepers. For instance, ban on self-preferencing (Art. 6(5)), FRAND requirement (art. 6 (12)), allow app uninstallation and choice screen (art. 6(3)).

- **European Media Freedom Act (EMFA):**

Article19: provides for a right of customisation of audiovisual media offers which must not affect Article 7a AVMSD.

Article 15: can promote the development of EU wide standards not only for digital signals and device design but also for remote controls and other user interfaces.

Technological standards

- Standards can support a level playing field for open access and fair competition on TV devices.
- MFE/Mediaset is actively involved in market tests and trials of new technologies such as DVB-I or HBBTV/DVB.
- The Digital Video Broadcast-Internet (DVB-I) enables the seamless distribution of audiovisual signals via IP.
- MFE/Mediaset has launched a trial phase with four channels broadcast via DVB-I (Rete 4, Canale 5, Italia 1 and 20).

Possible ways forward

France: The "*Mission « flash » sur la configuration des télécommandes et des écrans d'accueil des équipements audiovisuels*" presented by French MPs Sophie Mette and Michèle Victory to the Culture Committee of the French Assemblée Nationale in February 2022 suggested the following measures at EU level:

1. **Reserve some of the remote control keys for local editors**, or allow users to customise all or some of these keys to access services of their choice.
2. **Reserve a section of interfaces' home screens to European publisher**.

United Kingdom: In September the UK's leading public service broadcasters launched **Freely, a new free TV service that will deliver live TV over broadband**. The service will help ensure the availability of PSB services and complement the new provisions for on demand and streaming prominence, set out in the draft Media Bill.

Australia: On 29 November the Australian Government presented the **Communications Legislation Amendment (Prominence and Anti-siphoning) Bill**. The Draft Bill **recognises the vital role that FTA television broadcasting services play in reflecting Australian Culture and supporting the democratic processes** by providing local news, current affairs, emergency broadcasting, sport, entertainment and events of public significance to all Australians and for free. The new prominence framework will ensure consumers can easily find and access free television broadcasting services and broadcasting video-on-demand services on connected television devices.

Thank you!

Zoe.Pellegrini@mediaset.be