



# The new AVMS directive and the promotion of European works

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# Overview

- 1. The new AVMS directive in a nutshell**
- 2. Focus on the promotion of European works**
- 3. The EAO study for the EFADs**

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- 1. The new AVMS directive in a nutshell**
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## Key dates

- **Proposal EU Commission: 25 May 2016**
- **Final adoption: 6 November 2018**
- **Entry into force: 19 December 2018**

# Audiovisual Media Services Directive (AVMSD)

a REVISED media framework for the 21<sup>st</sup> century  #AVMSD #DigitalSingleMarket



## NEW RULES

Video-sharing platforms and social media used for sharing video content will now need to **protect minors from harmful content**, protect citizens from incitement to violence and hatred and from illegal content.

They will also need to respect certain advertising rules and to indicate when user generated videos have an advertising purpose. Video-sharing platforms will also be encouraged to **reduce the exposure of children to ads** for unhealthy foods.



Strengthened **rules against hate speech and terrorist content** across the EU: on TV, VOD and now also on video-sharing platforms.

**Independence of audiovisual regulators** will be reinforced so that their work is not influenced by their governments or industry.



**European works** will be **better promoted** on VOD services - at least 30% share of their catalogues will need to be devoted to European content.



Broadcasters will be given **more flexibility** as to when ads can be shown, but these still cannot make more than 20% of broadcast time during the day (6:00 - 18:00) and during prime time (18:00 - 24:00).

At the same time the rules seeking to **protect the most vulnerable** are reinforced, in particular to protect children from advertising for alcohol or unhealthy foods.



## Next steps

- **Implementation by 19 September 2020**
- **Reporting 2 years after the implementation and then every 3 years**
- **Evaluation 19 December 2026**

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2.

## Focus on the promotion of European works

### Linear services (Art. 16-17)

**Obligations of broadcasters remain unchanged from the AVMS Directive of 2010.**



**of transmission time  
to European works**



**of transmission  
time/programming budget  
to independent European  
works**



2.

## Focus on the promotion of European works

### VoD services (Art. 13)



**Minimum  
share in  
catalogues**

**Including prominence**



**Financial contribution:**

- Production
- Direct investments
- National funds

**Including targeting services**

**Under the previous Directive of 2010**

- The three obligations were alternative to each other

# Overview

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# Genesis and purpose of the mapping

Project launched upon request from



An inventory of the different initiatives and obligations to support and promote European works



Full report available at  
<https://bit.ly/2T3B4MC>

# Methodology and background

- 1.**  **National experts**  
An expert for each of the EU-28, Iceland, Norway and Switzerland
- 2.**  **A questionnaire**  
filled in by national experts
- 3.**  **National factsheets**  
cross-checked by the EFADs
- 4.**  **Comparative analysis**  
with an expert selected by the EAO

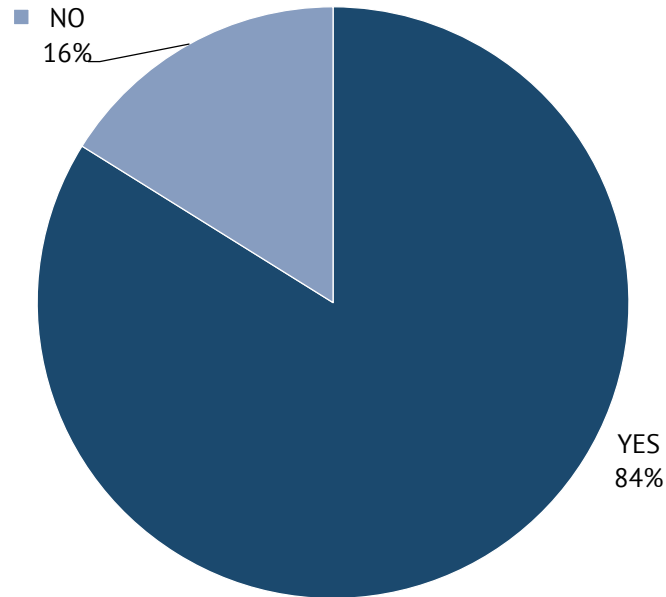
# Results

- 1. Financial obligations**
- 2. Levies and taxes**
- 3. Quotas**
- 4. Prominence**





### 3. Results

#### 3.1. Financial obligations imposed on AVMS

## Financial obligations on broadcasters



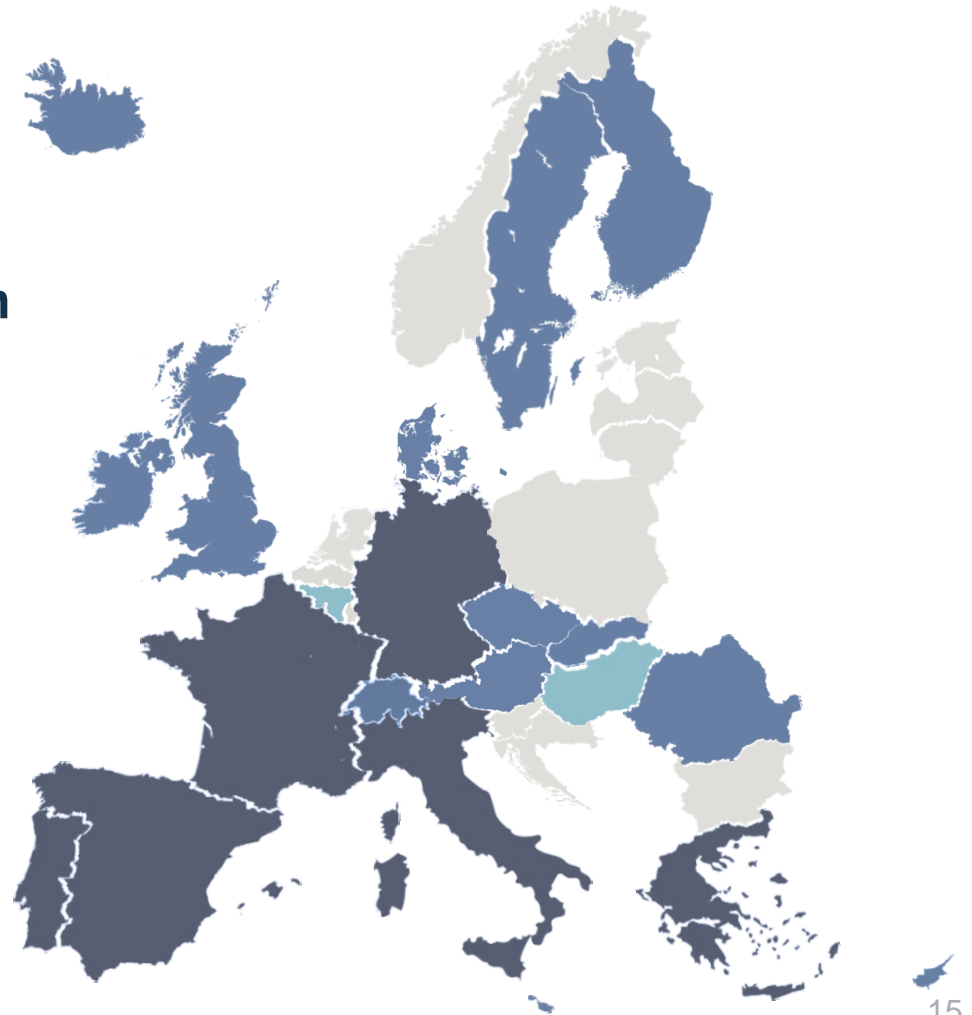
## Financial investment by **public service broadcasters** in independent European works

-  **Mandatory**
-  **Optional (or quota)**
-  **Optional (or levy)**
-  **No obligation**



## Financial investment by **commercial broadcasters** in independent European works

-  **Mandatory**
-  **Optional (quota)**
-  **Optional (levy)**
-  **No obligation**





## 3. Results

### 3.1. Financial obligations imposed on AVMS

#### **Investment by broadcasters in independent European works**

Usually calculated as a share of yearly turnover or of the advertising revenues

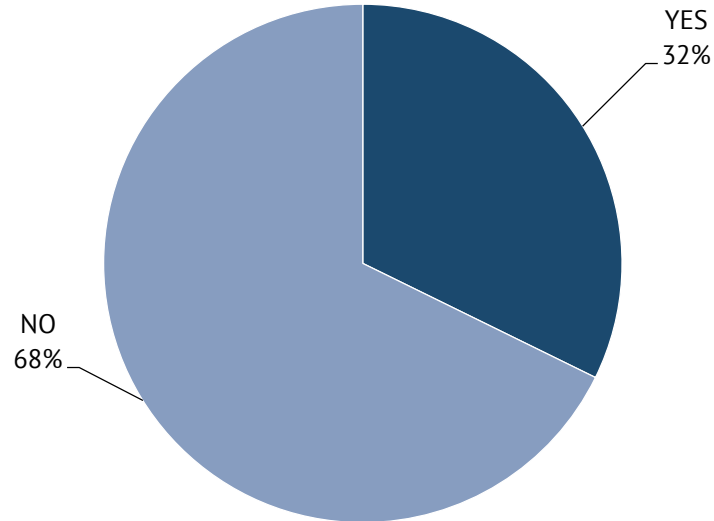
Examples:

- Spain: 6% of yearly turnover for PBS (5% for private broadcasters)
- Grece: 1,5% of yearly turnover for PBS and 1,5% of advertising revenues for commercial broadcasters

### 3. Results

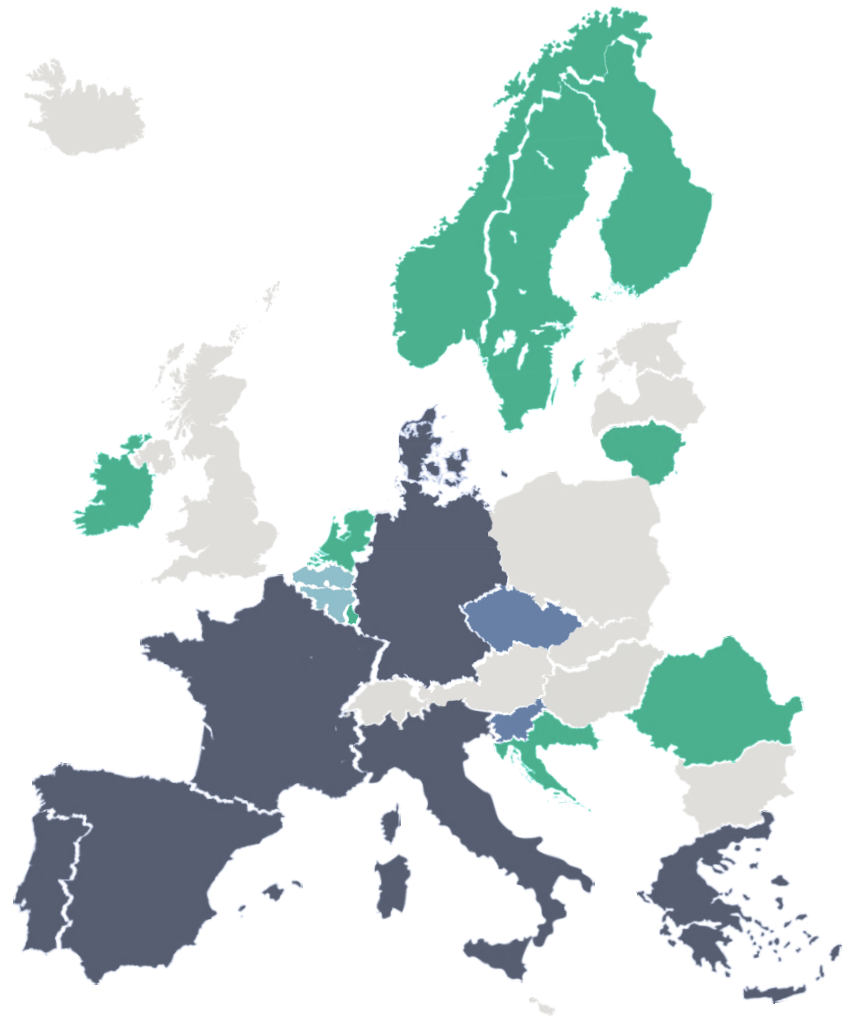
#### 3.1. Financial obligations imposed on AVMS

## Financial obligations on VOD services



## Financial investment by VOD services in European works

-  Mandatory Investment
-  Optional (quota)
-  Optional (levy)
-  General obligation
-  No obligation



## 3. Results

### 3.1. Financial obligations imposed on AVMS

#### Investment by VOD services in European works

Usually calculated as a share of yearly turnover or revenues generated by film services

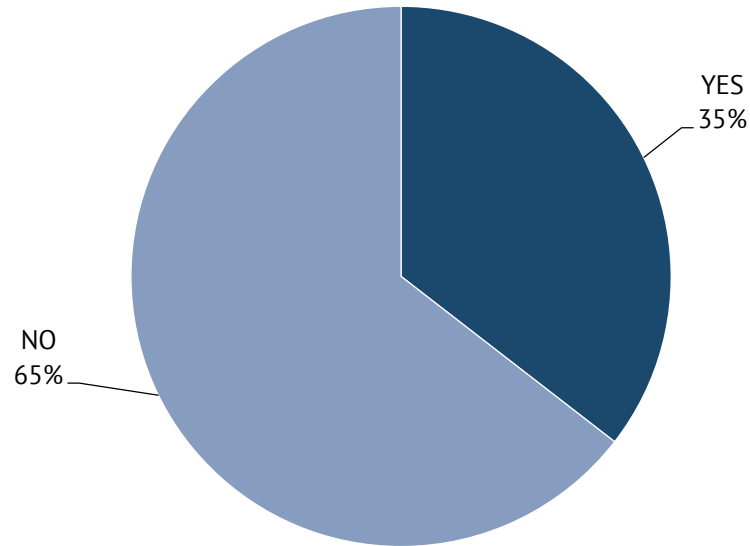
Examples:

- Portugal: 1% of revenues raised by their services from national cinematographic works.
- Slovenia: 1% of yearly turnover (or a 10% quota on the share of the catalogue).




### 3. Results

#### 3.2. Levies and taxes

## Levies on broadcasters



## Levies on **public service** broadcasters

-  **Mandatory**
-  **Optional**
-  **No obligation**



## 3. Results

### 3.1. Financial obligations imposed on AVMS

#### **Levies on public service broadcasters**

Usually calculated as a share of yearly turnover advertising revenues or cost of broadcasting feature films

Examples:

- Austria: 5% of advertising revenues.
- France: 5.65% of their yearly turnover.

## Levies on **commercial** broadcasters

-  **Mandatory**
-  **Optional**
-  **No obligation**





## 3. Results

### 3.2. Levies and taxes

#### **Levies on commercial broadcasters**

Usually calculated as a share of yearly turnover or advertising revenues

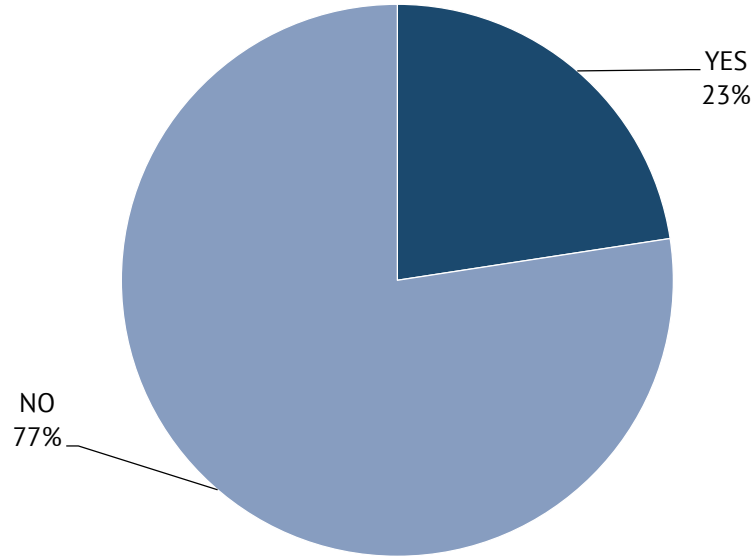
Examples:

- Czech Republic: 2% of the advertising revenues.
- Croatia: 0.8% of yearly turnover




### 3. Results

#### 3.2. Levies and taxes

## Levies on VOD services



## Levies on VOD services

-  **Mandatory**
-  **Optional (or investment for private)**
-  **No obligation**



## 3. Results

### 3.2. Levies and taxes

#### Levies on VOD services

Usually calculated as a share of yearly turnover or subscription/sales revenues

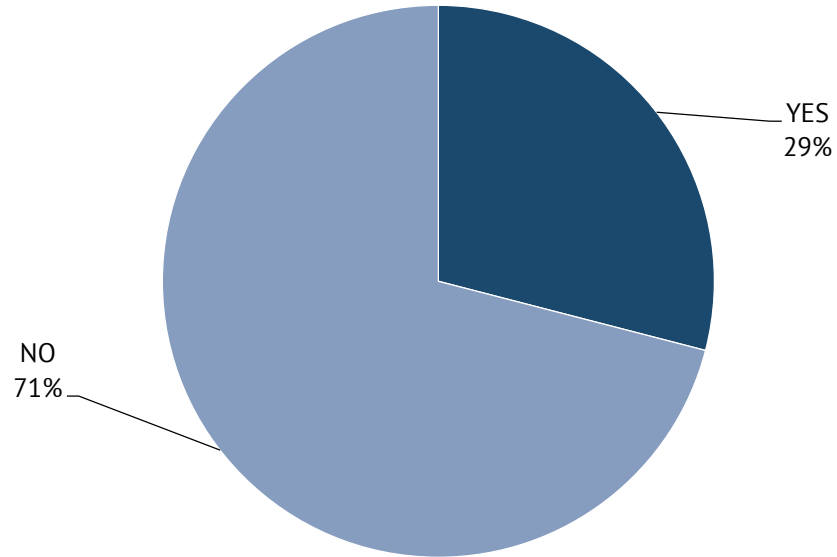
#### Examples:

- Germany: 1.8% of their yearly turnover (2.5% if their turnover exceeds EUR 20 million)
- Romania: 3% of the price of downloaded films

### 3. Results

#### 3.2. Levies and taxes

## Levies on theaters



## Taxes on cinema tickets

■ Yes

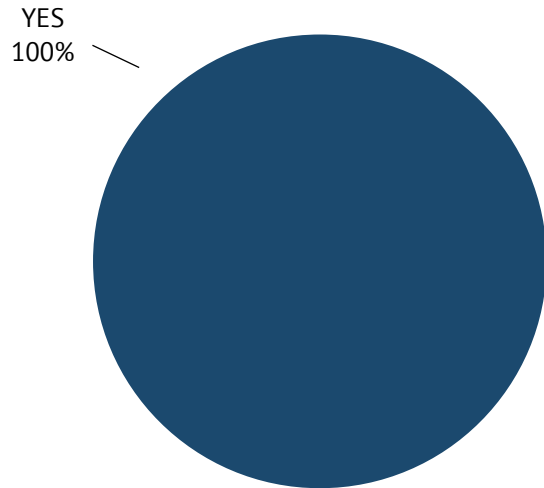
■ No obligation



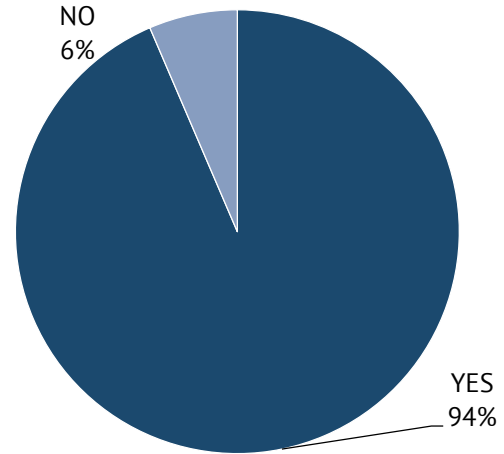
## 3. Results

### 3.3. Quotas

#### Quotas on broadcasters - EU works



#### Quotas on broadcasters - independent works




## Share of broadcasting time for European works

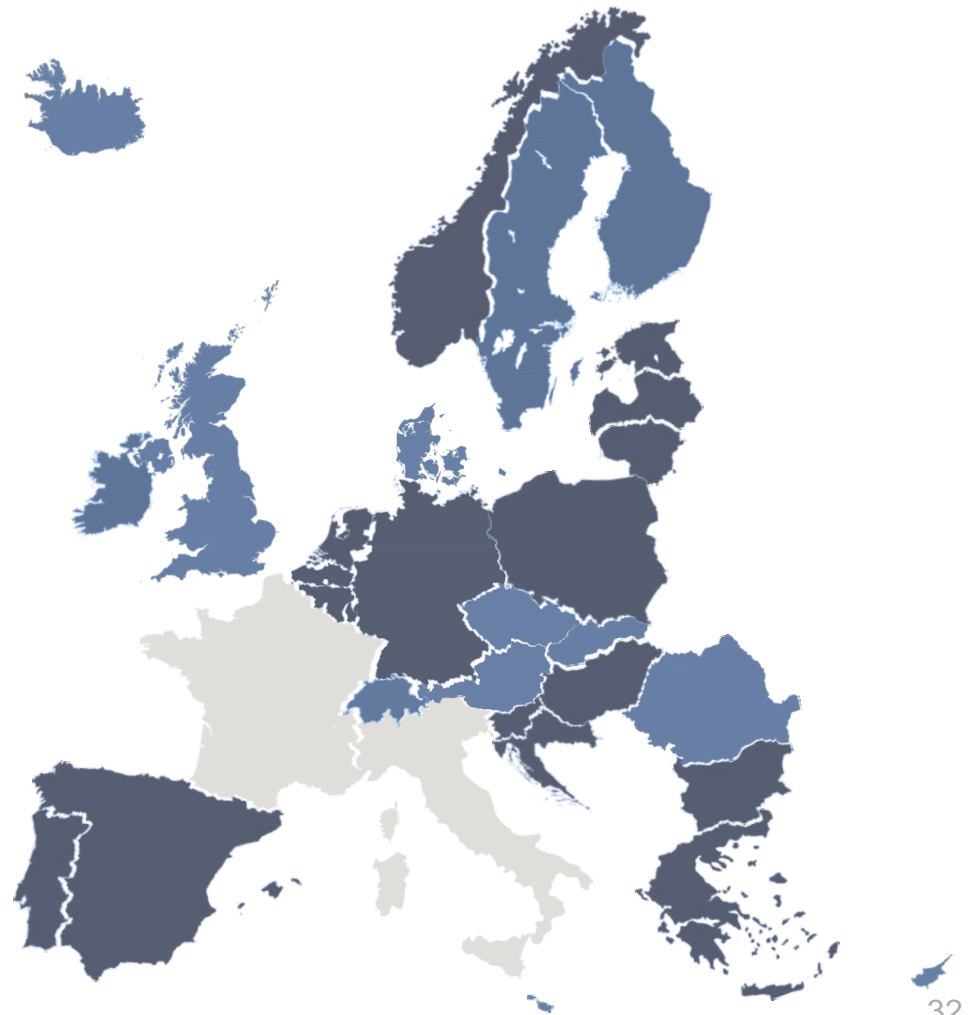
- Majority of time
- Higher quota for PSB





# Share of broadcasting time for **independent** European works

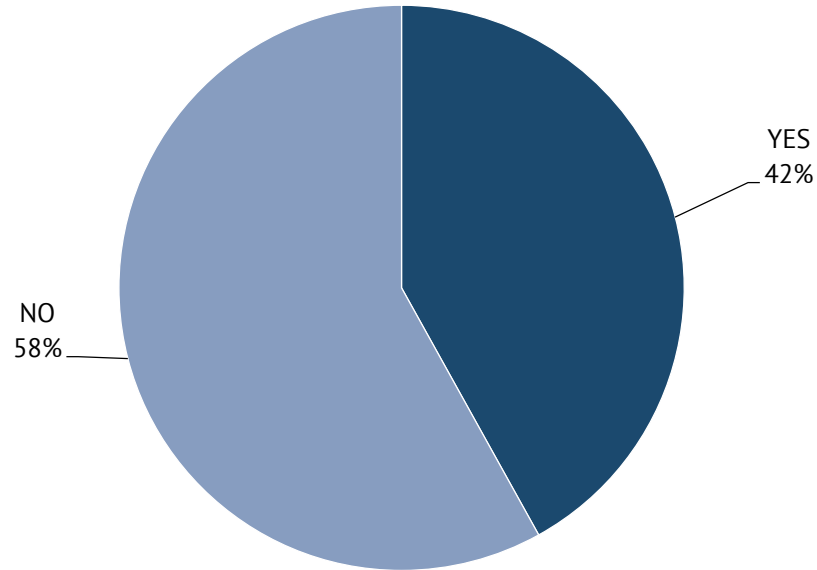
-  **Mandatory**
-  **Optional**
-  **No obligation**



## 3. Results

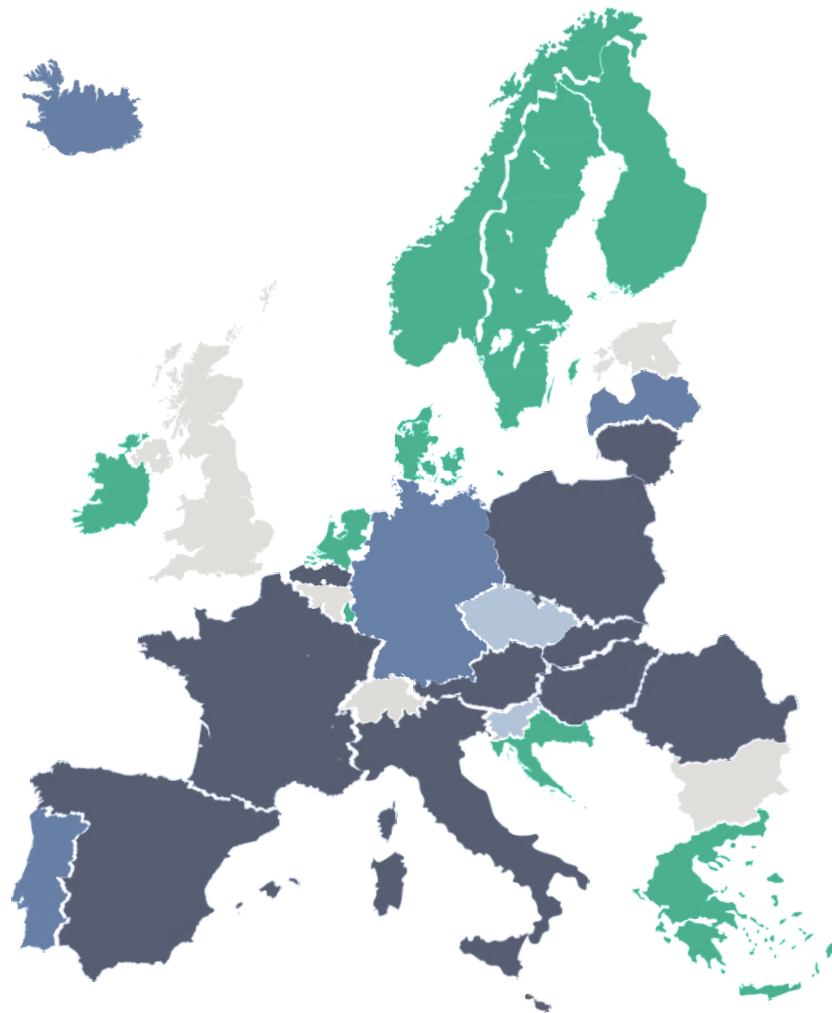
### 3.3. Quotas

# Quotas on VOD services - EU works



# Quota obligations on VOD services

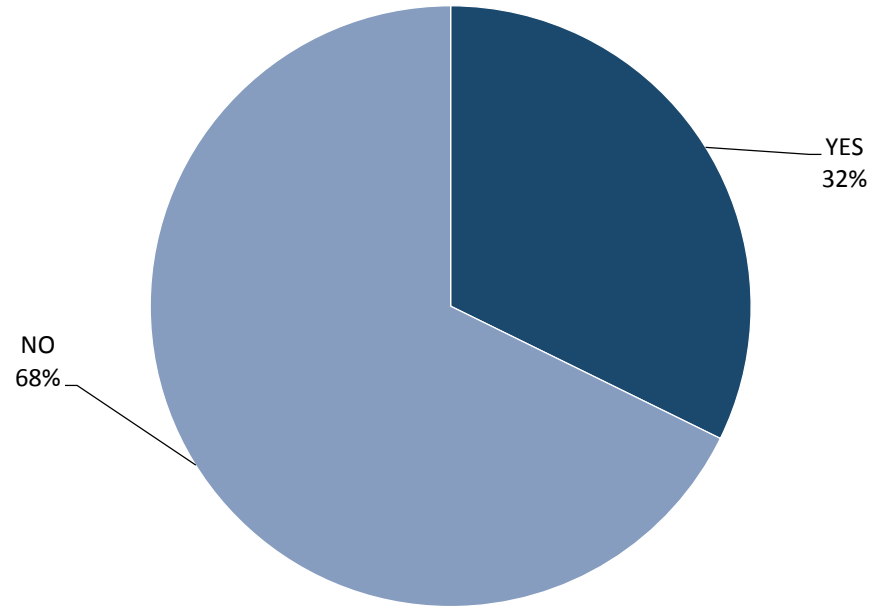
-  Mandatory
-  Mandatory (unspecified quota)
-  Optional (investment)
-  General obligation
-  No obligation



### 3. Results

#### 3.4. Prominence

## Prominence obligations on VOD services - EU works



## Prominence obligations on VOD services

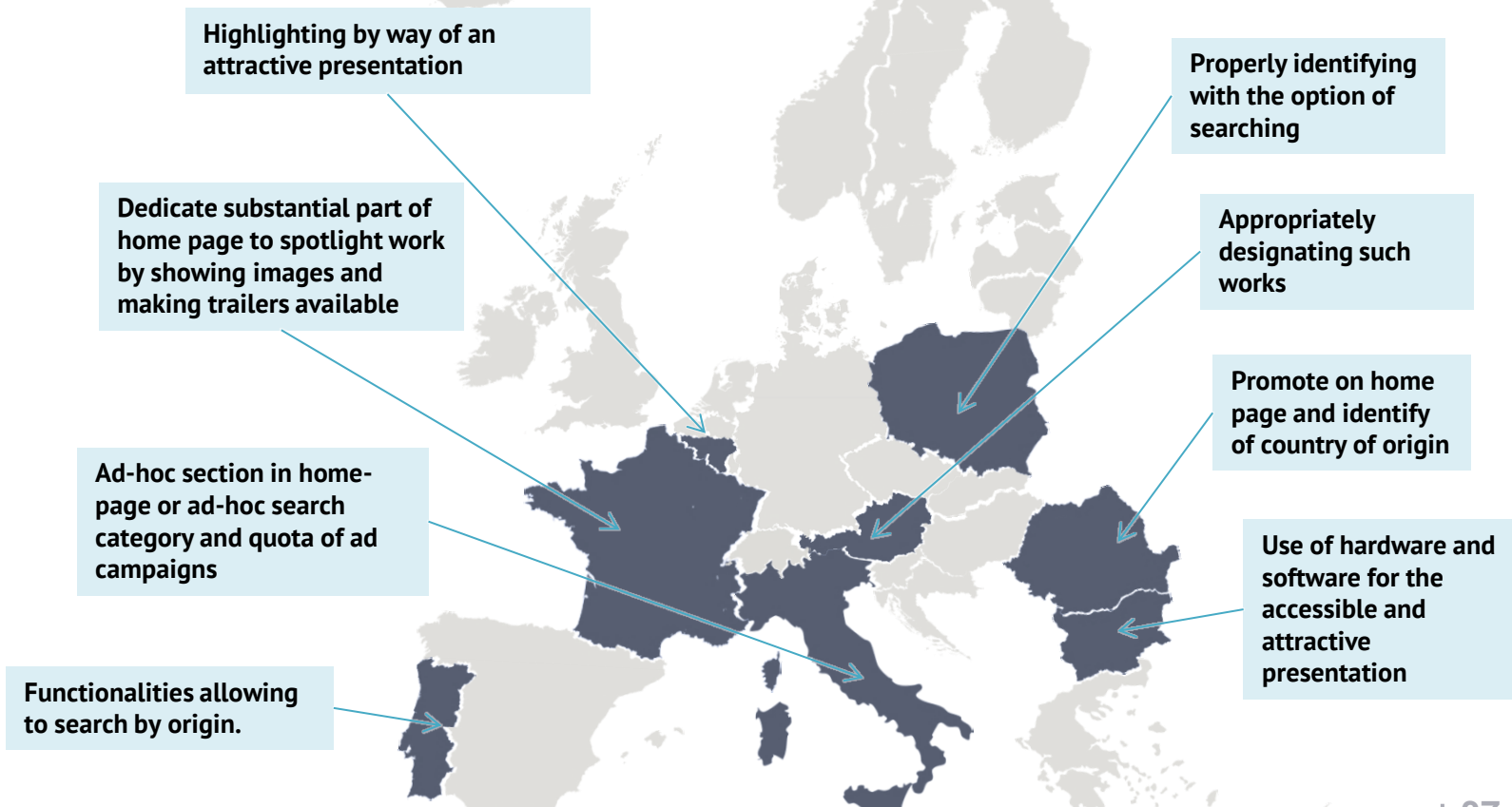
■ Specific obligation

■ General obligation

■ No obligation



# Examples of prominence measures



# Next steps

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- **Reporting 2 years after the implementation and then every 3 years**
- **Evaluation 19 December 2026**

# Thank you!

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