



# The promotion of European works: lessons learned from the latest EAO Mapping report

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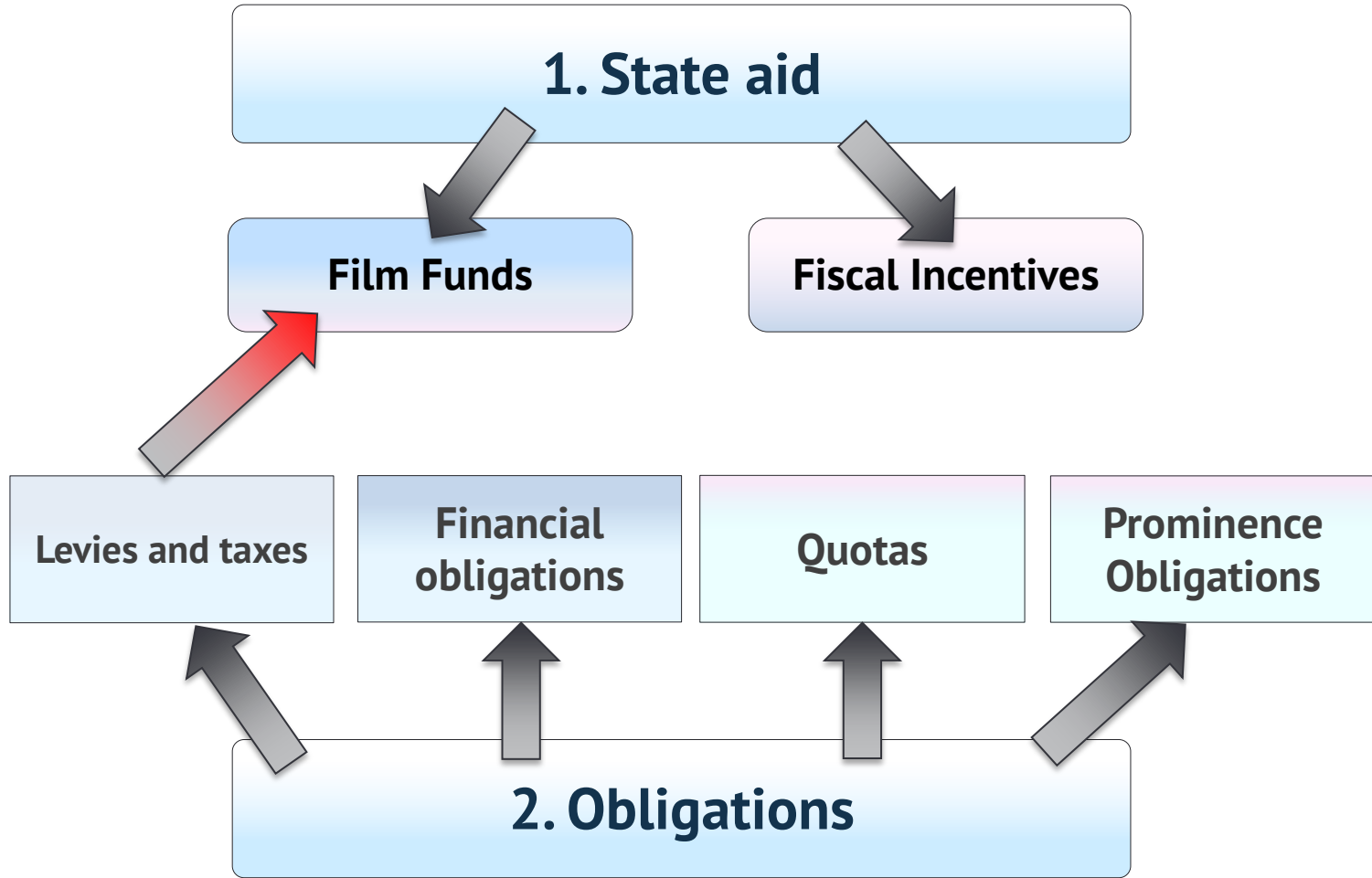
# Overview

- 1. The regulatory ecosystem for promoting European AV works**
- 2. The mapping report of the EAO and its definitions**
- 3. Key findings on investment obligations, quotas and prominence**

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1.

## Legal obligations > TV & VoD



Levies and taxes

Financial obligations

Quotas

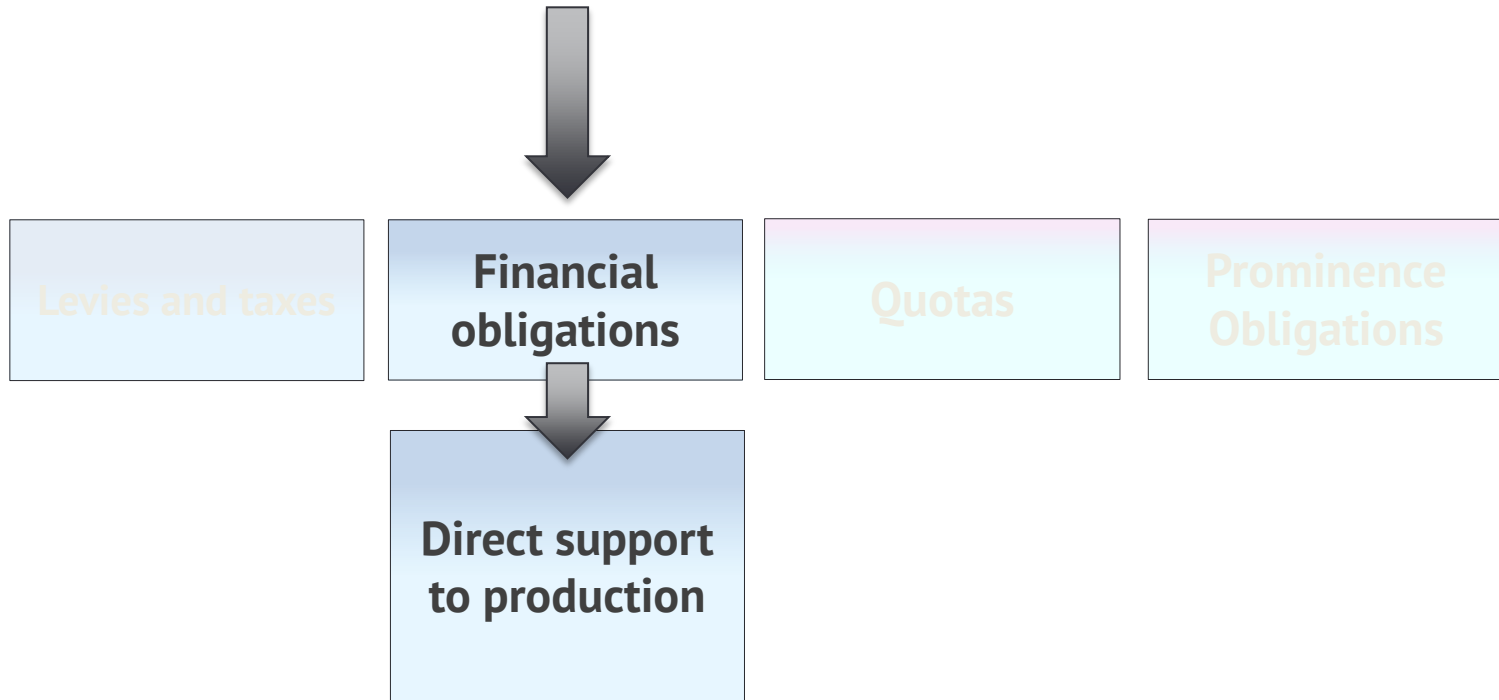
Prominence Obligations



Indirect support to state aid

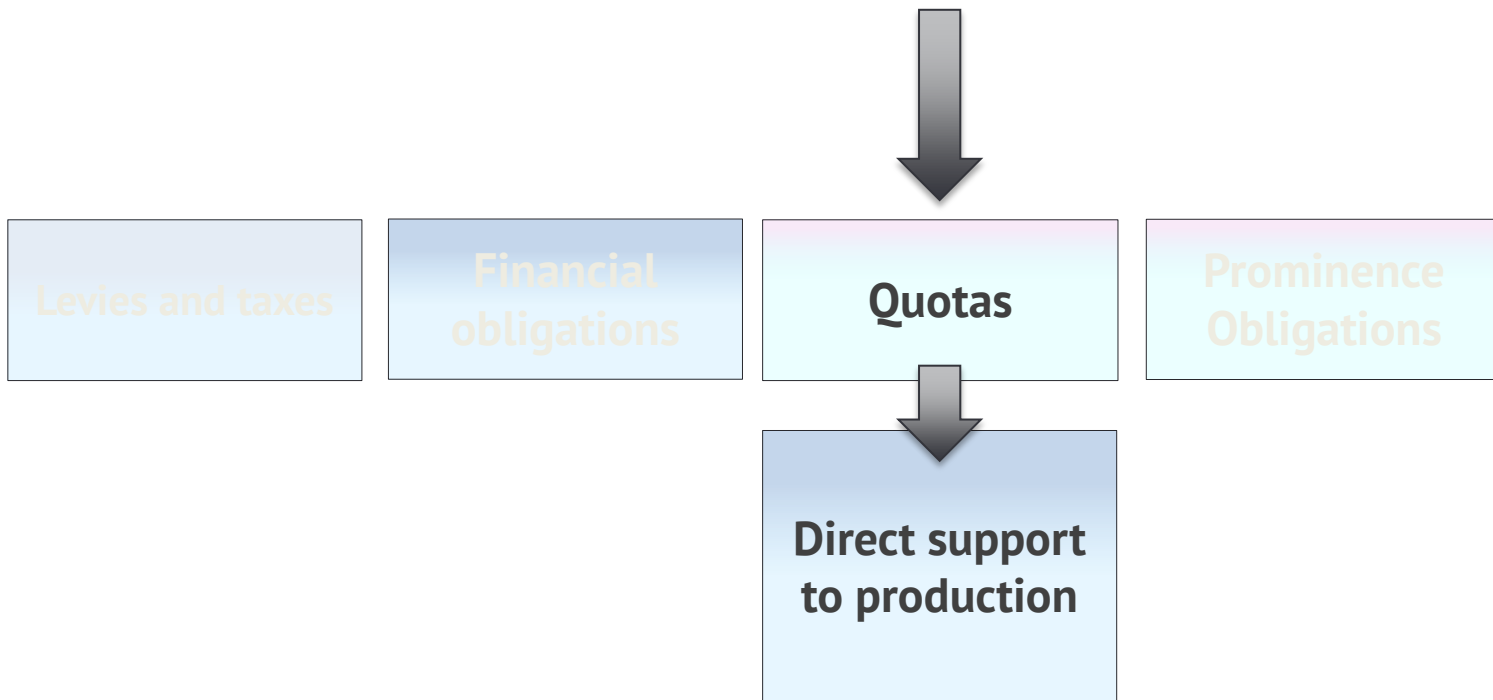
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## Legal obligations > TV & VoD



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## Legal obligations > TV & VoD

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Prominence Obligations

Findability



# Overview

1. The regulatory ecosystem for promoting European AV works
- 2. The mapping report of the EAO and its definitions**
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## 2. 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>

## 2. Methodology and background

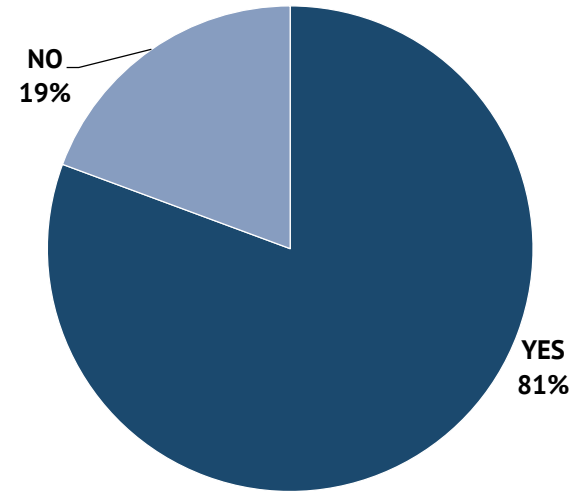
- 1.**  **National experts**  
An expert for each of the EU-28, Iceland, Norway and Switzerland
- 2.**  **A questionnaire**  
filled in by national experts
- 3.**  **National factsheets**  
cross-checked by EFADs
- 4.**  **Comparative analysis**  
done by an expert selected by the EAO

## 2. Definition of “European works”

Rather harmonized definition based on Art. 1(n) AVMSD, as follows:

- i. **works originating in Member States;**
- ii. **works originating in European third States party to the European Convention on Transfrontier Television of the CoE;**
- iii. **works co-produced** within the framework of agreements related to the audiovisual sector between the Union and third countries.

### Definition of “European works”

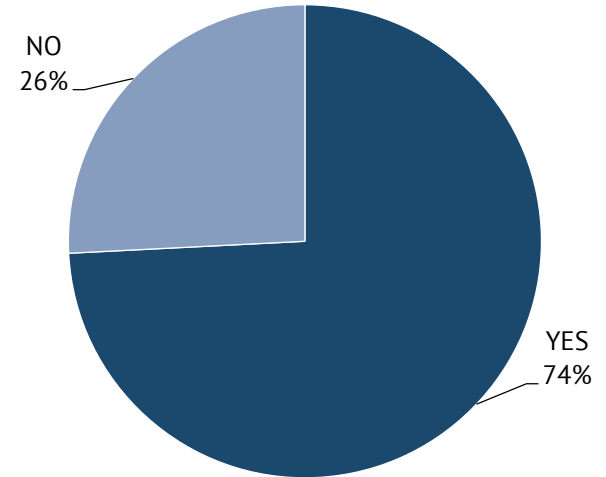


## 2. Definition of “independent producer”

In line with Recital 71 AVMSD, the criteria used to define an independent producer are usually:

- the **level of shares** that an AVMS provider holds in a production company (or vice versa);
- the **level of turnover** that a production company makes due to contracts with a single AVMS provider.

### Definition of “independent producer”



# Overview

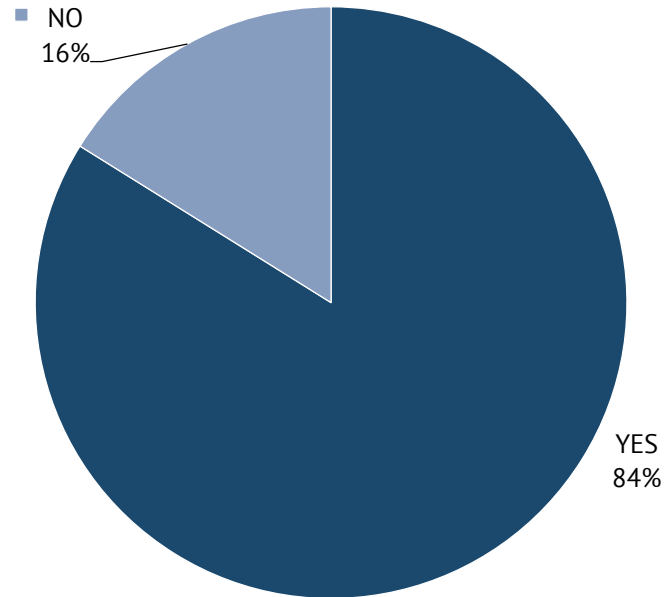
1. The regulatory ecosystem for promoting European AV works
2. The mapping report of the EAO and its definitions
- 3. Key findings on investment obligations, quotas and prominence**

## **3. Key findings**

- 1. Financial obligations**
- 2. Quotas / shares in catalogue**
- 3. Prominence**

### 3.1. Financial obligations imposed on linear AVMS




## Financial obligations on broadcasters





## 3.1.

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

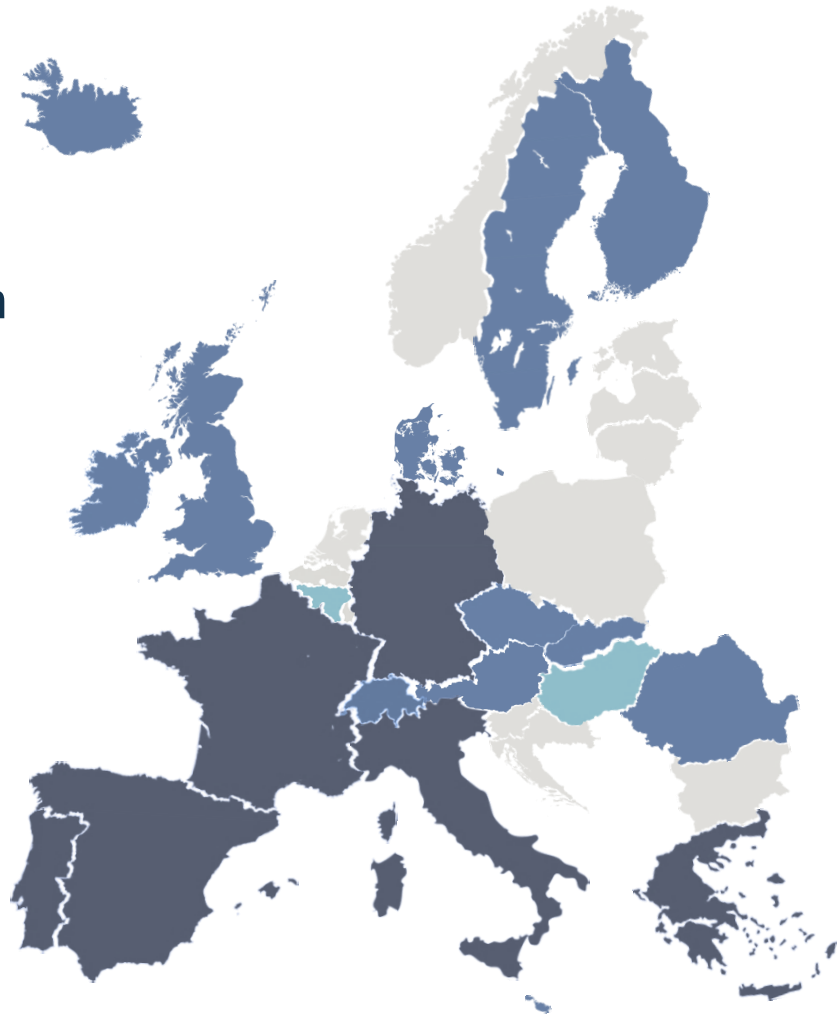
-  Mandatory
-  Optional (or quota)
-  Optional (or levy)
-  No obligation



## 3.1.

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

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



## 3.1. Financial obligations imposed on linear AVMS

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

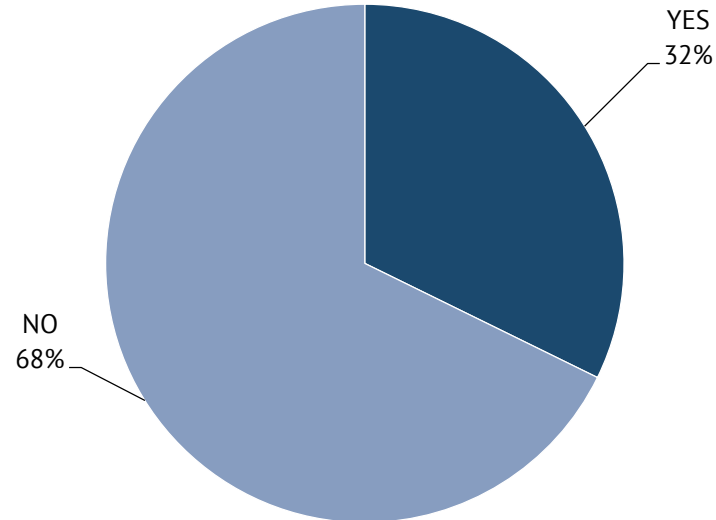
Usually calculated as a share of yearly turnover or of the advertising revenues

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


### 3.1. Financial obligations imposed on non-linear AVMS

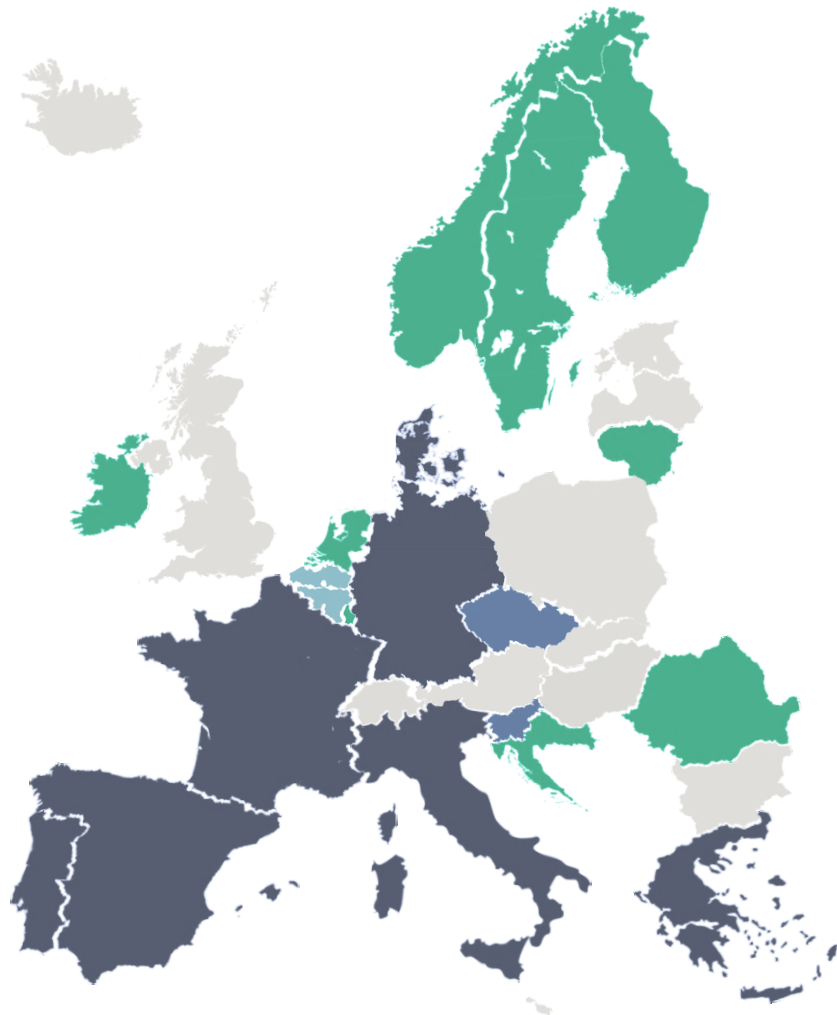
## Financial obligations on VOD services



## 3.1.

### Financial investment by VOD services in European works

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



## 3.1. Financial obligations imposed on non-linear AVMS

### Investment by VOD services in European works

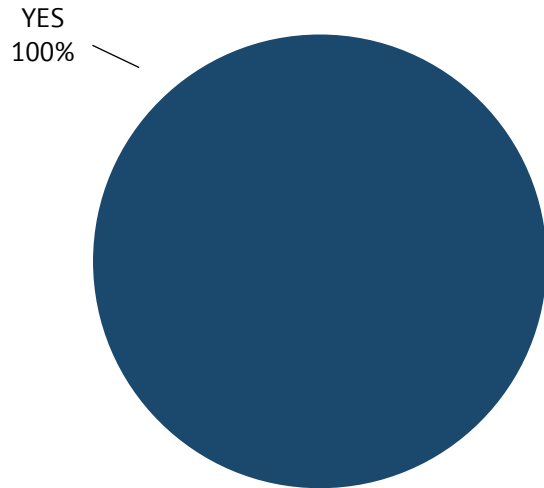
Usually calculated as a share of yearly turnover or revenues generated by film services

Examples:

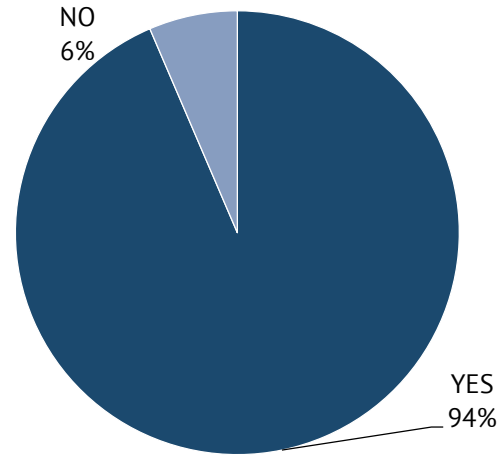
- Portugal: 1% of revenues raised by their services from national cinematographic works.
- Slovenia: 1% of yearly turnover (or a 10% quota on the share of the catalogue).

## 3.2. 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





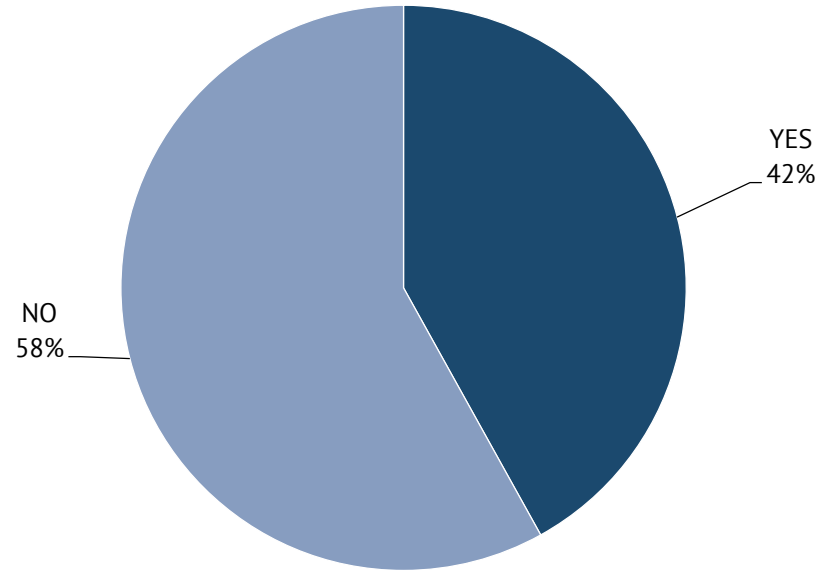
## 3.2.

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

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



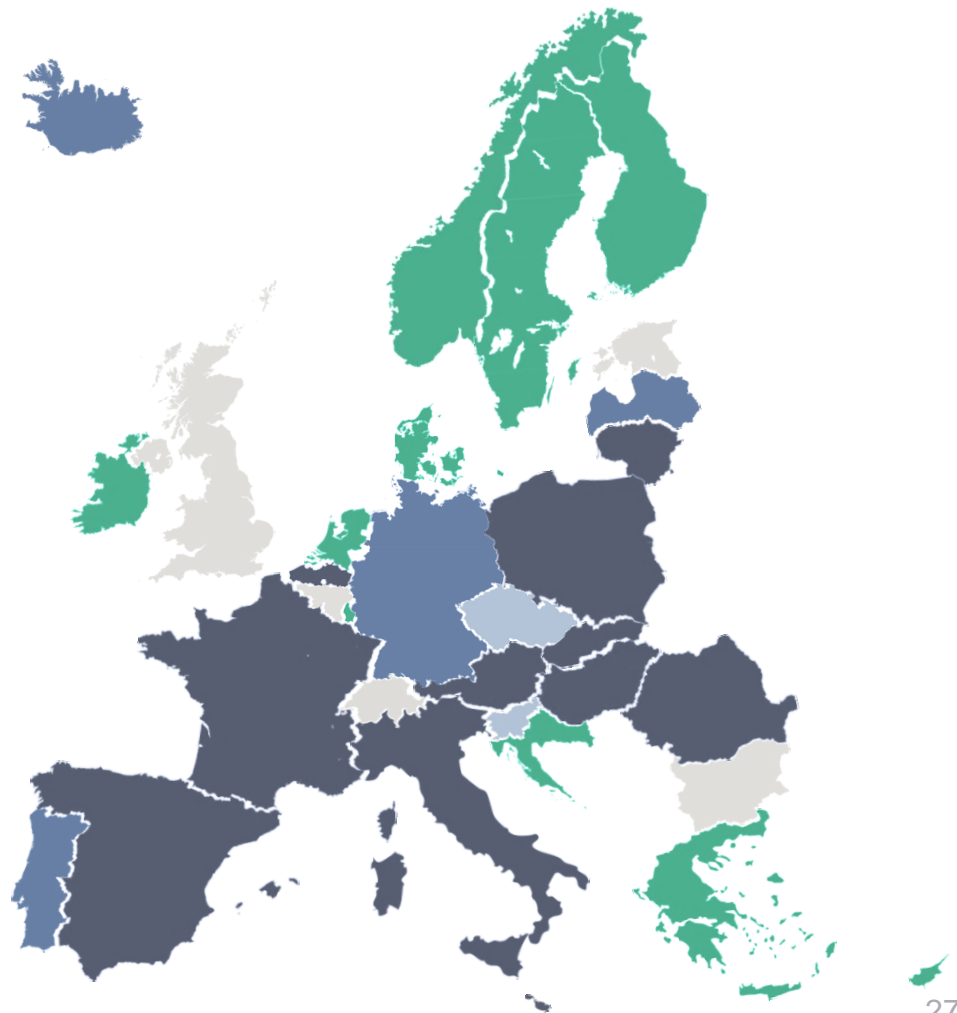
### Quotas on VOD services - EU works



## 3.2.

# Quota obligations on VOD services

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








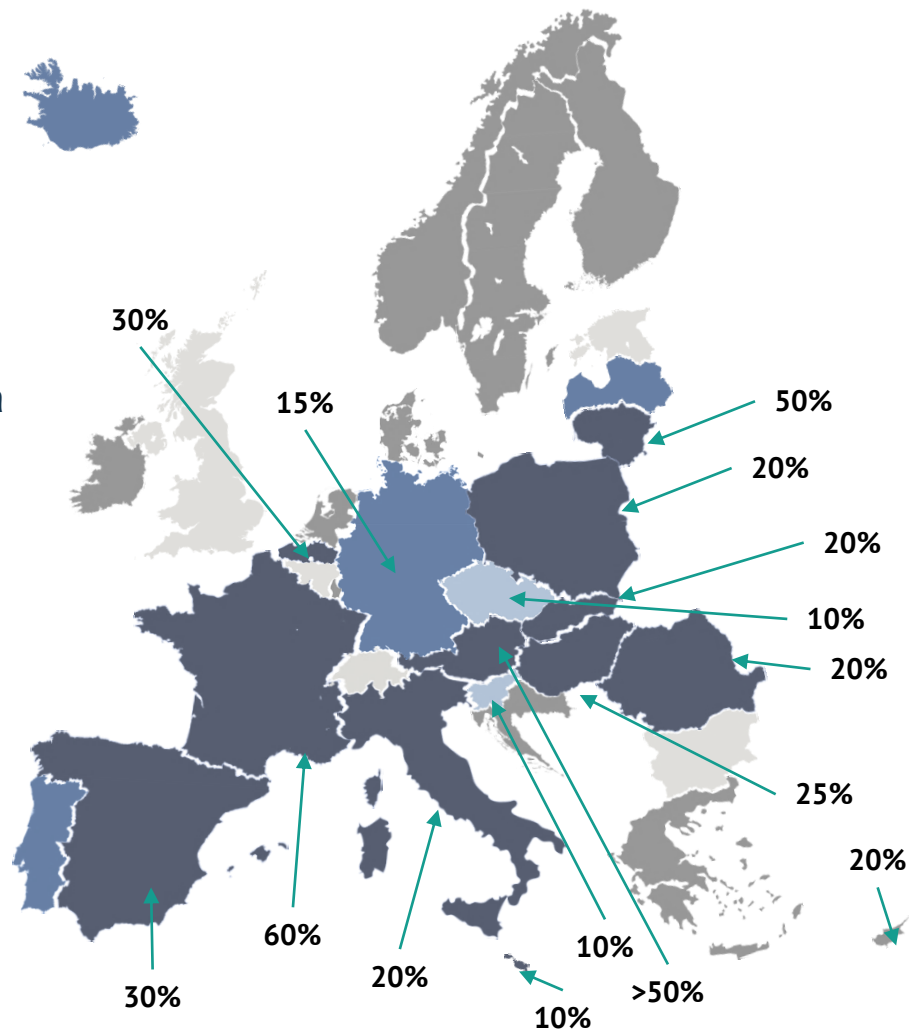
## Level of the quota on VOD services

Country	Share of European works in catalogues
AT	50%
BE (VL)	30%
ES	30%
FR	60% European Works and 40% works in French
HU	25% European Works and 10% works in Hungarian
IT	Optional 20%. From July 2019, 30% European works and 15% works in Italian.
LT	50%
LU	15% European works
MT	10% rising to 15% after 3 years
PL, RO, SK	20%

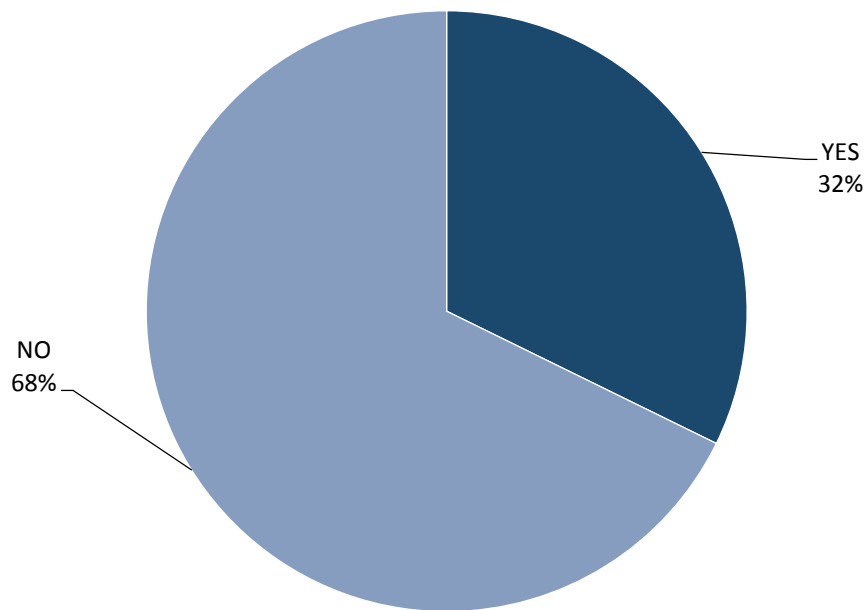
## 3.2.

# Quota obligation on VOD services

-  Mandatory with a specified quota
-  Mand. without a specified quota
-  Optional (or investment)
-  General obligation
-  No obligation






## Prominence obligations on VOD services - EU works



### 3.3.

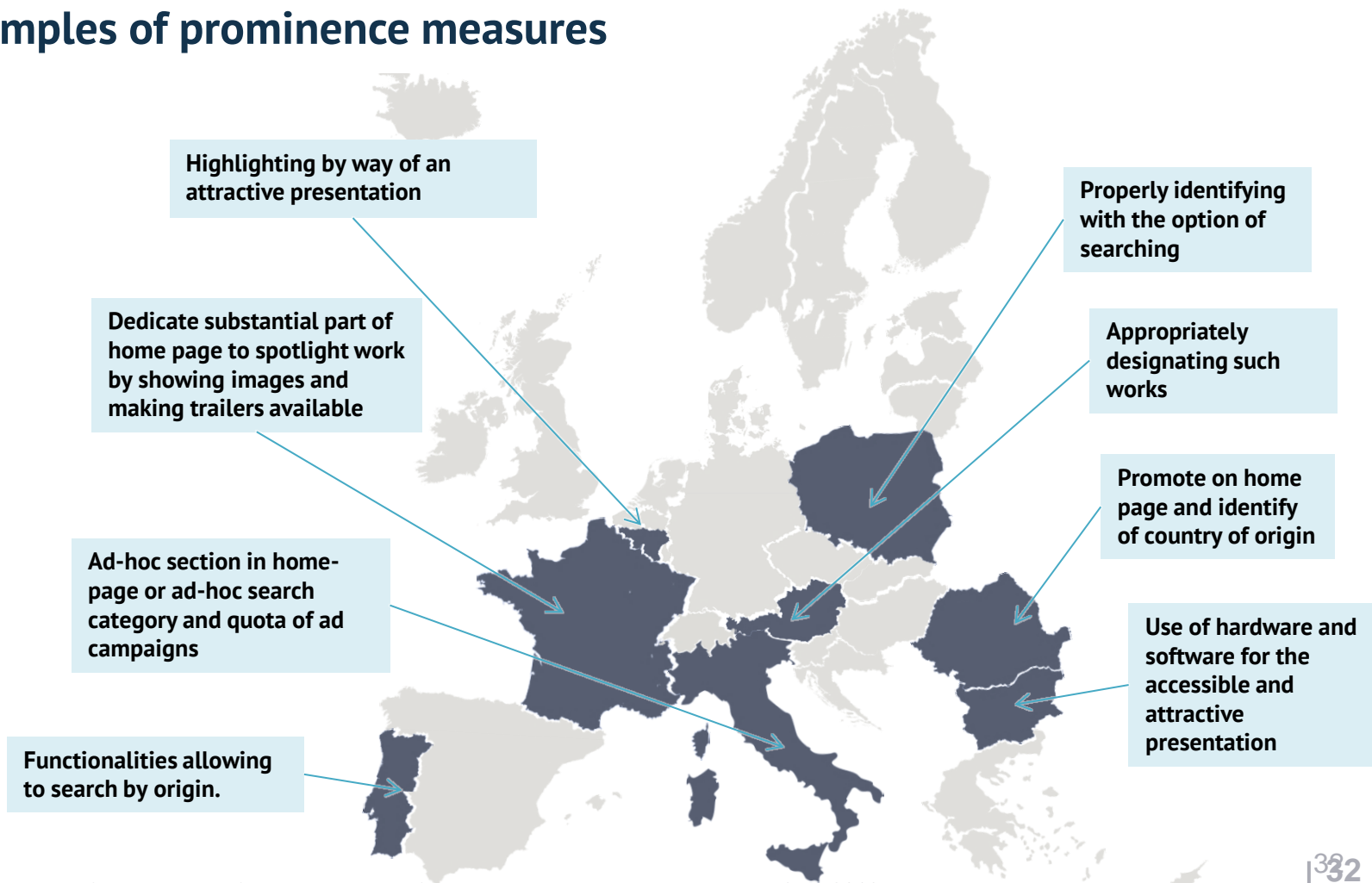
## Prominence obligations on VOD services

-  Specific obligation
-  General obligation
-  No obligation



### 3.3.

## Examples of prominence measures





# THANK YOU!



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

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