

Audiovisual Media Services Directive

Modernisation of the 1997
Television without frontier
directive 97/36/EC

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Nicole La Bouverie

The Directive
will be adopted during the
German Presidency in 2007



General Approach

- ▶ Principle of the **Country of Origin**
- ▶ **Cultural Diversity**
- ▶ Linear and non linear services: push and pull
- ▶ **Quotas for Linear Services**
- ▶ **No Quotas for Non Linear Services**

“Where Practicable”

Sole compromise: media service providers have **no real obligations**

Linear Services

▶ Article 4

- Where practicable
- Broadcasters reserve for EU works the majority of their transmission time

▶ Article 5

- Where practicable
- Broadcasters reserve
- at least 10% of their transmission time, or alternately 10% of their programming budget for EU works created by independent producers

Non Linear Services

▶ Article 3H

- Media services providers promote where practicable production of and access to EU works

Media Chronology

- ▶ Provision **applicable to all audiovisual services**
- ▶ **Article 3C**
 - Member States shall ensure that media services providers under their jurisdiction do not transmit cinematographic works outside periods agreed with the rights holders

Product Placement / Advertising

- ▶ General provision
Product placement shall be prohibited
- ▶ Permitted by way of **derogation**
- ▶ Advertising:
cinematographic works may be interrupted once for each period of 30'

The European TV market

TOP 20 of Broadcasted Audiovisual Works

	% domestic	% foreign	Avg. Market Share
Belgium (N)	95%	5%	51%
Belgium (S)	56%	44%	40%
Netherlands	100%	0%	70%
France	100%	0%	50%
Germany	100%	0%	51%
Spain	100%	0%	39%
Denmark	100%	0%	77%
Poland	100%	0%	54%
Turkey	100%	0%	49%
Hungary	86%	14%	48%
Ireland	82%	18%	53%

Source: Television 2005, International Key facts

The European TV market (2)

Market Shares of Domestic Channels

	All Day	Prime Time
Belgium (N)	76%	83%
Belgium (S)	56%	63%
Netherlands	84%	88%
France	90%	92%
Germany	92%	93%
Spain	94%	94%
Denmark	89%	93%
Poland	90%	92%
Turkey	81%	85%
Hungary	86%	90%
Ireland	62%	66%

Thank You

info@zenab.be