[GB] House of Lords Presents Recommendations on MEDIA II and Pluralism and Media Concentration in the Internal Market

IRIS 1995-5:1/18

David Goldberg
deeJgee Research/Consultancy

The House of Lord's Select Committee on the European Communities has published its Report which considers two Community proposals: COM (94) 96 (on strategy options to strengthen the European programme industry in the context of the audio-visual policy of the EC) and COM (94) 353 final (the follow-up to the consultation process relating to the Green Paper on "Pluralism and media concentration in the Internal Market - an assessment of the need for Community action"; see IRIS 1995-1: 7 and IRIS 1995-2: 5).

The Committee produced twenty-eight recommendations on the basis of oral and written evidence from thirty-six witnesses. The following is a summary of the main recommendations: (a) The Role of the European Union: the first priority is the creation of a level playing field for the European audio-visual industry; the need for further action on copyright is so great that the Commission's departmental boundaries must be transcended; the idea of the "Forum for exchanges and thought" should not be supported; European audio-visual policy raises important questions to which the House of Lord's attention should be drawn and the future of that policy needs to be reconsidered now; (b) Television: public service broadcasters must be safeguarded; the "where practicable"-provision should not be removed abruptly; European programme content quotas should be abolished immediately; the restriction on transnational teleshopping channels should end; the Television Without Frontiers Directive should not be extended to cover video-on-demand or the new multi-media; an 'investment quota' would be hard to monitor; (c) Film: the European film industry needs to be supported by new initiatives but there should be no support for parafiscal levies; investment in qualifying British films should attract 100% first year tax write-offs; withholding tax on the earnings of foreign entertainers working on films in the UK should be simplified or abolished; the emphasis on film distribution in the MEDIA II proposals should be supported but not the artificial creation of pan-European distribution companies; Article 7 of the Television Without Frontiers Directive should not be amended to cover the video market; (d) Training: priorities should be: script writing and development; managerial skills; and the use of new technologies; the idea for the establishment of a European Media School or University should not be supported; MEDIA II should encourage distance learning systems; (e) Copyright: European copyright legislation should be revised in the light of technological developments and to consolidate the legal status of producers as rights holders; a

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pan-European broadcasting rights market should be supported; the most important problems affecting the European audio-visual industry are piracy and unauthorised access to audio-visual material; (f) Censorship: the should be further action at the European level to prevent the exploitation of the new technologies to diffuse obscene, racist, or political inflammatory material; (g) Small countries, regions and Language groups: European law should continue to accomodate the national subsidy of minority language transmissions; the MEDIA programme should be extended to cover small countries or language groups. (David Goldberg, School of Law, University of Glasgow) Information on law related policy developments which may have legal consequences but of which no documents or other texts are available yet.

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