European Commission: Authorisation of Subsidies Granted under Legislation on Financial Support for the German Cinematographic Industry

IRIS 2003-9:1/34

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The law on financial support for the German cinematographic industry, promulgated in 1979 and amended regularly since then, lays down the ways in which German film producers may be subsidised.

In October 1992, the European Commission authorised this scheme for a period of five years. In 1997 Germany asked the Commission to extend its authorisation, which was allowed for a further period of five years (see IRIS 1999-5: 4). Germany re-applied to the Commission in 2003 for authorisation to amend and continue the scheme of subsidies. The Commission authorised the granting of subsidies for a further period of five years (Decision C(2003)3372fin adopted on 15 October 2003), declaring their compatibility with Article 87(3)d of the EC Treaty. The intended amendment does not require the subsidies to be used in full within Germany; the purpose of the subsidies is to promote German culture.

The amending legislation adopted on 22 December 2003 (see IRIS 2004-1: 10) makes few changes to the scheme. These mainly extend the possibilities of support, increase support for reference films (*Referenzfilm*), increase the licence fee paid by cinemas, distributors and video libraries (*Kino- und Videoabgabe*), and extend the scope of the institute responsible for financial support for the German cinema industry (*Filmförderungsanstalt* - FFA).

Entscheidung der Europäischen Kommission vom 15. Oktober 2003

http://ec.europa.eu/community_law/state_aids/comp-2003/n261-03.pdf

Decision adopted by the European Commission on 15 October 2003

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