[DE] Draft Amendment to FFG Tabled

IRIS 2010-3:1/18

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The Federal Government has published a press release, announcing that it has adopted a draft amendment to the *Filmförderungsgesetz* (Film Support Act - FFG).

The proposal to revise the FFG followed concerns raised by the *Bundesverwaltungsgericht* (Federal Administrative Court - BVerwG) concerning the conformity of the current rules on contributions with Art. 3.1 of the *Grundgesetz* (Basic Law - GG). It was claimed that, under the current provisions of Arts. 66 and 67 FFG, cinema operators and the video industry on the one hand, and television companies and pay-TV providers on the other, were treated differently with regard to the contributions they had to pay to the *Filmförderungsanstalt* (Film Support Office - FFA). Whereas cinema and video companies had to pay a fixed amount laid down by law, the contributions owed by television companies were based on contractual agreements with the FFA (see IRIS 2009-4: 7).

These concerns over the constitutionality of the current system should be dispelled by the amendment of the FFG. To this end, the draft proposes that, in future, the level of contributions to be paid by television companies and pay-TV providers should also be laid down by law. The amount should be determined in accordance with the provisions applicable to cinema operators and video companies, taking into account the fact that television companies and pay-TV providers do not receive any direct support from the FFA and generate only part of their income from cinematographic works.

Pressemitteilung der Bundesregierung vom 27. Januar 2010

http://www.bundesregierung.de/Content/DE/Pressemitteilungen/BPA/2010/01/2010-01-27-bkm-novelle-filmfoederungsgesetz.html

Press release of the Federal Government, 27 January 2010

Entwurf eines Sechsten Gesetzes zur Änderung des Filmförderungsgesetzes

http://www.edrucksachen.de/pdf/0075_10.pdf

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Draft Amendment to the Film Support Act

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