[ES] Audiovisual media service providers meet European film and series funding ratios for 2019

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Law 7/2010 of 31 March 2010 on General Audiovisual Communication obliges audiovisual media services providers to earmark part of their revenue for the financing of European films and series in order to promote cultural and linguistic diversity. This provision stems from the Audiovisual Media Services Directive.

The financing may take the form of a direct participation in the production or works or the acquisition of exploitation rights. The extent to which service providers must contribute varies depending on their type: public service broadcasters must invest 6% of their profits from the previous year whilst commercial players contribute 5%. Obligations are further specified according to different factors, such as the type of audiovisual work (film, television series or miniseries), the language used (Spain's co-official languages), and the independent nature of the production. The law establishes, for example, a minimum percentage of funding depending on the nature of the audiovisual production: 60% of such an investment must be assigned to pre-financing films, 60% of which has to be allocated to films shot in any of Spain's official languages. These percentages are 75% and 60% respectively, for public service broadcasters.

The Spanish regulatory body, the *Comisión Nacional de los Mercados y la Competencia* (CNMC) / National Commission of Markets and Competition, by virtue of Law 3/2013, monitors compliance with these obligations annually, and on an individual basis, for each service provider. Thus, in relation to the 2019 financial year, the CNMC has issued a report comprising the performance of 21 service providers. It has been concluded that 19 have complied with the said financing whereas two have failed to do so (Cineclick y Lomatena Investments). Moreover, some have exceeded their investment obligations (Multicanal, Mediaset, Telefónica, Atresmedia, Euskaltel/R-Cable/Telecable, Orange, Vodafone, History Channel, Filmin, 13TV, Rakuten, NBC Universal, Veo TV, Net TV, Cosmopolitan, Sony, FOX y Viacom). The public service broadcaster CRTVE has also exceeded expected contributions with the exception of pre-financing dedicated to film and miniseries.

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Nota de prensa de la CNMC, "La CNMC audita el cumplimiento de la obligación de financiar películas y series europeas durante 2019", 3 de mayo de 2021

https://www.cnmc.es/prensa/foe-control-anual-2019-20210503

Presse release of the CNMC, "The CNMC monitors the compliance of financing European films and series during 2019", 3 May 2021

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