[NL] House of Representative passes Bill requiring major streaming platforms to invest in Dutch productions

IRIS 2023-7:1/10

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On 6 June 2023, the House of Representatives (*Tweede Kamer*) passed a Bill, which will amend the Media Act (Mediawet) 2008, and require major streaming platforms with an annual turnover in the Netherlands of more than EUR 10 million to invest 5% of that turnover in Dutch productions. The State Secretary for Culture and Media (*Staatssecretaris Cultuur en Media*) introduced the Bill in July 2022, and originally required major streaming platformswith an annual turnover in the Netherlands of more than EUR 30 million to invest 4.5% of their turnover in Dutch productions (see IRIS 2022-8/16). The Bill must now be approved by the Senate (*Eerste Kamer*).

Under the Bill, an investment means, for example, that streaming services themselves must (co-)produce a Dutch title, or purchase and offer an existing, recent Dutch production. According to the State Secretary, this will result in “at least € 40 million in extra investments in the Dutch film and television sector”. Half of the investments must go to films, series and documentaries, while the other half can be spent by the streaming service itself, as long as it concerns a Dutch production. Investments in sporting events or competitions are not covered by the bill. Further, under the Bill, at least 60% of the productions must be made by an independent producer. According to the State Sectary, in this way “there is more variation in the supply, and it strengthens the Dutch production sector”. Finally, the production in question must meet two of the following conditions, whereby criteria (c) and (d) may not be combined: (a) the original screenplay is predominantly (75%) written in the Dutch or Frisian language; (b) the main characters express themselves predominantly (75%) in the Dutch or Frisian language; (c) the screenplay is based on an original literary work in the Dutch or Frisian language; or (d) the main theme is related to Dutch culture, history, society or politics.

The State Secretary stated that the Bill is designed to ensure that “sufficient Dutch productions can also be seen on major streaming services such as Netflix, Disney+ and Videoland. Dutch stories are getting less and less space on these platforms, mainly due to growing budgets for foreign films, series, and documentaries”.

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Staatssecretaris Cultuur en Media, Streamingdiensten gaan 5% omzet investeren in Nederlandse producties, 6 juni 2023

https://www.rijksoverheid.nl/regering/bewindspersonen/gunay-uslu/nieuws/2023/06/06/streamingdiensten-gaan-5-omzet-investeren-in-nederlandse-producties

State Secretary for Culture and Media, Streaming services will invest 5% turnover in Dutch productions, 6 June 2023

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