

## **Designated Authorities to notify opening of insolvency proceedings**

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## **ESMA Budget Amendment n.1 for 2017**

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## **Audiovisual media services: breakthrough in EU negotiations for modern and fairer rules**

The negotiations will officially conclude in June when the European Parliament, Council and Commission will meet to finalise and discuss the last remaining technical details of the proposal. After formal confirmation by the Council and the European Parliament's plenary vote, the new rules will have to be transposed into national law.

This agreement paves the way for a fairer regulatory environment for the entire audiovisual sector, including on-demand services and video sharing platforms. The new rules strengthen the protection of minors and reinforce the battle against hate speech in all audiovisual content. They promote

European audiovisual productions and guarantee the independence of audiovisual regulators.

Vice-President for the Digital Single Market Andrus **Ansip** said: *“These new rules reflect digital progress and recognise that people now watch videos in different ways than before. They encourage innovative services and promote European films – but also protect children and tackle hate speech in a better way.”*

Commissioner for Digital Economy and Society Mariya **Gabriel** said: *“A fairer environment for all players in audiovisual sector is much needed. Moreover, our cultural sector will have a more prominent place in on-demand catalogues – a significant and positive change for European creators and authors.”*

What will be new in the revised Audiovisual Media Services Directive (AVMSD)?

- **Strengthened Country of Origin Principle** with more clarity on which Member State's rules apply in each case, and the same procedures for both TV broadcasters and on-demand service providers as well as possibilities for derogations in the event of public security concerns and serious risks to public health.
- **Better protection of minors against harmful content** whether on TV or video-on-demand services. The new rules envisage that video-sharing platforms put appropriate measures in place to protect minors.
- **European audiovisual rules extended to video-sharing platforms.** The revised Directive will also apply to user-generated videos shared on platforms, e.g. Facebook, when providing audiovisual content is an essential functionality of the service.
- **Stronger rules against hate speech and public provocation to commit terrorist offences** that prohibit incitement to violence or hatred and provocation to commit terrorist offences in audiovisual media services. The rules will also apply to video-sharing platforms to protect people from incitement to violence or hatred and content constituting criminal offences.
- **Promoting European works** in on-demand catalogues with at least 30% share of European content.
- **More flexibility in television advertising.** The revised rules give broadcasters more flexibility as to when ads can be shown – the overall limit of 20% of broadcasting time is maintained between 6:00 to 18:00. Instead of the current 12 minutes per hour, broadcasters can choose more freely when to show ads throughout the day.
- **Independence of audiovisual regulators** will be reinforced in EU law by ensuring that they are legally distinct and functionally independent from the government and any other public or private body.

## Background

The media landscape has shifted dramatically in less than a decade. Instead of sitting in front of the family TV, millions of Europeans, especially young people, watch content online, on demand and on different mobile devices. Global internet video share in consumer internet traffic is expected to increase from 64% in 2014 to 80% by 2019.

As part of its [Digital Single Market strategy](#), the Commission proposed a revised Audiovisual Media Services Directive in [May 2016](#) that included a new approach to online platforms disseminating audiovisual content.

For More Information

[Proposal for revised Audiovisual Media Services Directive](#)

[Current Audiovisual Media Services Directive](#)

[General principles of regulating Audiovisual Media Services at European level](#)

[Questions and Answers – targeted approach to online platforms](#)