



COMMERCIAL BROADCASTERS WELCOME RECOGNITION OF CREATIVE INDUSTRIES IN EP REPORT ON THE DIGITAL AGENDA

Brussels, 5 May 2010 –The Association of Commercial Television in Europe (ACT) welcomes today's adoption of the report by **Pilar del Castillo MEP on the “Digital Agenda for Europe”**. The ACT represents one of the key pillars of the creative content industry, which according to a recent study contributes 6,9% or approximately Euro 860 billion to total European GDP and employs 6,5% of the total workforce in Europe, representing approximately 14 million workers. As indicated in the EP Report Europe's cultural and creative industries thus contribute significantly to the European economy and to the promotion of cultural diversity, media pluralism and participatory democracy. ACT members welcome the recognition of the importance of our sector both in the EP Report on the Digital Agenda and in the **Green Paper on Creative and Cultural Industries**, adopted by the Commission last week.

Ross Biggam, Director General ACT, highlighted: “Commercial broadcasters can help deliver a successful Digital Agenda for Europe. Thanks to our continued investment in content and innovative services, European consumers have come to enjoy more choice than ever before. In the future it will be important to ensure continued investment in content creation, the highest level of consumer satisfaction through strong competition in the marketplace, a high level of copyright protection and the fight against piracy. There can be no meaningful digital economy without a vibrant, competitive content sector”.

Against this background a couple of points require particular attention:

- **Copyright:** We welcome the recognition in the del Castillo Report of the need to guarantee the enforcement and protection of IPR. However, any proposal to overhaul the current copyright system should be considered with extreme caution. By allowing broadcasters and other commercial users to compete openly for exclusive rights, the current copyright system guarantees the ability for all to offer varied, pluralistic and rich content to European citizens. Commercial broadcasters rely on exclusivity to be able to invest in the development of new and innovative legal offers and no fewer than 720 on-demand services now offer audiovisual content in Europe.
- **Collective rights management:** As commercial broadcasters we rely on collective rights management mainly for the clearance of musical rights embedded in our programmes. Otherwise we would need to obtain clearance from individual rights holders before being able to make a programme containing music available to the public. But, like any undertaking, collecting societies are subject to competition law and the del Castillo Report helpfully highlights the importance of transparency and competition among such organisations. When debating a copyright reform, a clear distinction between the music and audiovisual sectors must be made, as they face different challenges and require separate policy approaches.

- **Spectrum:** Commercial broadcasters welcome the recognition of the potential problems of interference between existing and future uses of spectrum in the EP Report and call for an independent, authoritative study on this point.

About the ACT:

The Association of Commercial Television in Europe (ACT) represents the interests of the commercial broadcasting sector in Europe. Formed in 1989, the ACT has thirty member companies active in 34 European countries. Our members operate several hundred free-to-air and pay-tv channels and distribute many more channels and new services. The ACT members encompass several business models: free-to-air broadcasters and pay-TV players, digital platform operators and multimedia groups.
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