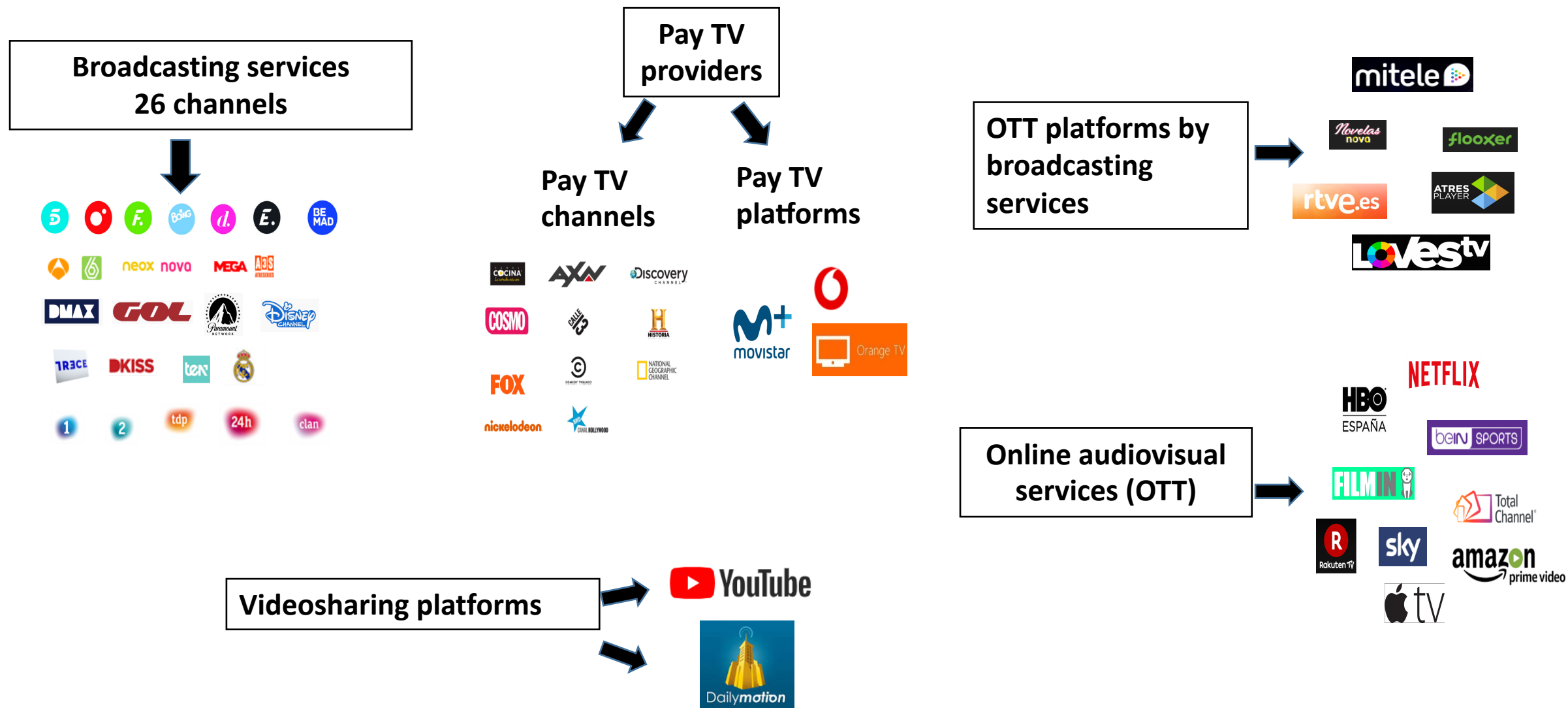


“The Audiovisual Media Services Directive in Spain”

Cristina Morales Puerta
Subdirectora General de Contenidos de la Sociedad de la
Información



Spanish audiovisual market in 2018



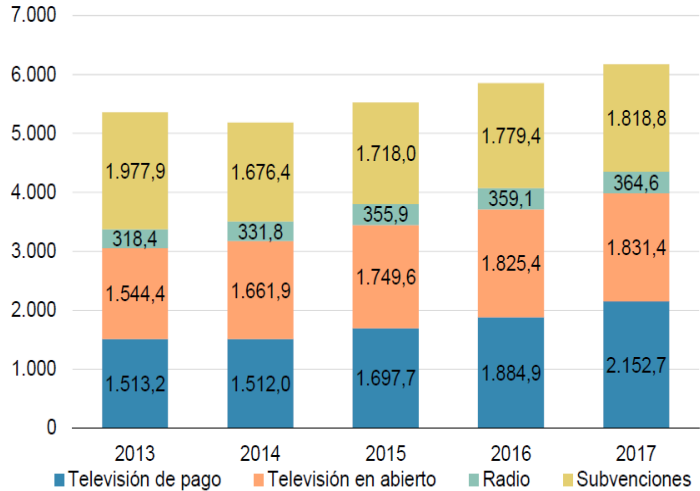
Spanish audiovisual market in 2018

Income (Dec. 2017):
4.348,7 M€ (1.831M€ linear TV/2.152M€ pay TV)

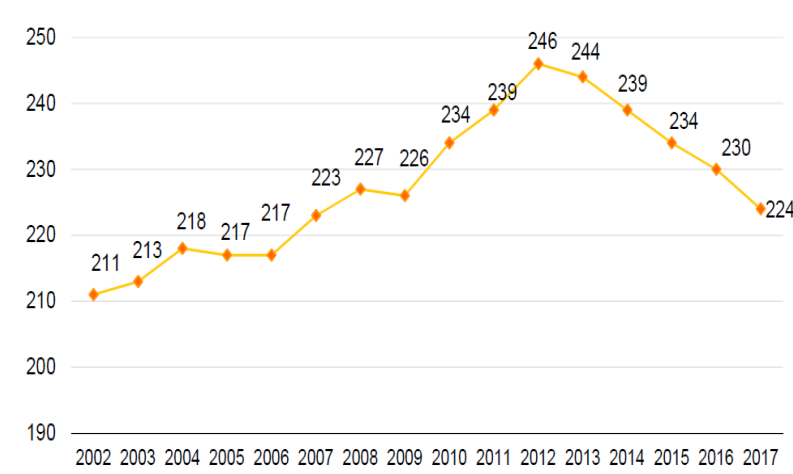
Linear TV consumption 2017:
224 minutes

Pay TV subscribers (Dec. 2017): 6,7 millions.

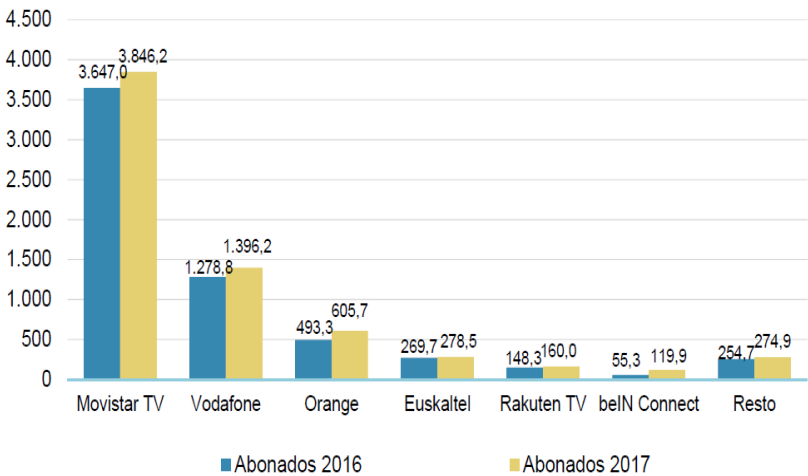
Ingresos, subvenciones incluidas (millones de euros)



Consumo promedio lineal de televisión (minutos/espectador/día)



Número de abonados de los principales operadores de televisión de pago (miles de abonados)



Main changes AVMSD (UE) 2018/1808

Video sharing
platforms

Promotion of
European
audiovisual
industry

Level playing field

Protection of
minors

Audiovisual
Regulatory
Authorities

Videosharing platform services(I)

- A VSP provider must be established on the territory of a Member State.
- Member States must establish and maintain an up-to-date list of the VSP providers established on their territory and communicate the list to the EC.

❑ **Obligations for VSP services:**

- To protect minors from programmes, user-generated content and audiovisual commercial communications which may impair their physical, mental or moral development.
- To protect the general public from:
 - a) Audiovisual content or commercial communications containing incitement to violence or hatred directed against a group of persons.
 - b) Audiovisual content or commercial communications containing content the dissemination of which constitutes an activity which is a criminal offence, namely public provocation to commit a terrorist offence, offences concerning child pornography or offences containing racism and xenophobia.
- To take measures to comply with the requirements set out in the Directive with respect to audiovisual commercial communications.

Videosharing platform services(II)

- Measures to protect general public:
 - Including in the terms and conditions of the VSP service the requirements regarding audiovisual commercial communications.
 - *Having a functionality to declare whether such videos contain audiovisual commercial communications.*
 - *Establishing and operating transparent and user friendly mechanisms to report or flag to the VSP provider harmful content.*
 - *Establishing and operating age verification systems.*
 - *Providing for parental control systems.*
- Member States shall encourage the use of coregulation.

Promotion of European Works

❑ Article 13:

Video on Demand Services:

- 30% share of European Works in catalogues.
- Ensuring prominence of those works.
- MS shall report the EC every 2 years on the implementation.
- Financial contribution to the production of European Works and Country of Origin Principle exception.

Audiovisual linear services (broadcasting):

- Financial contribution to the production of European Works and Country of Origin Principle exception.
- MS shall report the EC every 2 years on the implementation.

Exemptions to the obligations:

- a) Low audience.
- b) Low turnover.
- c) Specific cases where the obligations would be impracticable or unjustified by reason of the nature or theme of the audiovisual media services.

Transposition of the Directive (EU) 2018/1808



- Transposition of the Directive 2018/1808: modification of national audiovisual Law 7/2010.
- First Step: public consultation during February 2019.
- Essential: public-private collaboration to achieve the goals included in the Directive.

THANK YOU FOR YOUR ATTENTION

secretariacontenidos@mineco.es