



Study on the Promotion of European Works in Audio-visual Media Services

ANNEXES

A study prepared for the European Commission
DG Communications Networks, Content & Technology by:



Title of the document

Internal identification

Contract number: 2016/S 139-25113
SMART number: 2016/0061

PDF ISBN 978-92-76-20127-4 doi: 10.2759/229292 KK-02-20-489-EN-N

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Luxembourg: Publications Office of the European Union, 2020

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Annexes

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1. National Measures to implement Articles 13, 16 and 17 of the AVMSD – country per country overview

Table 1 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Austria (sources: national legislations, AVMS databases, survey to NRAs).

	Austria	
	Articles 16 & 17	Article 13
Legislation	Federal Act on Audio-visual Media Services (AMD-G) – consolidated 30 July 2015 Federal Act on the Austrian Broadcasting Corporation (ORF-G) – consolidated 13 August 2015	Federal Act on Audio-visual Media Services (AMD-G) – consolidated 30 July 2015 Federal Act on the Austrian Broadcasting Corporation (ORF-G) – consolidated 13 August 2015
European Works	The main portion of the transmission time that does not consist of news, sports reports, games and shows, advertising, teletext and teleshopping is reserved to broadcasting European works	Providers of on-demand audio-visual media services shall promote European works in the presentation of their catalogue of programs by giving due prominence to or appropriately designating such works The majority proportion of programs in on-demand services offered by the Austrian Broadcasting Corporation or its subsidiaries shall consist of European works
Independent Production	A minimum of 10% of the transmission time that does not consist of news, sports reports, games and shows or advertising and teletext, or alternatively a minimum of 10% of their budget means, is reserved for programming channels to broadcast European works by producers who are independent of television broadcasters Reasonable/adequate share for recent works (works transmitted within 5 years of their production)	--
Evaluation and Reporting	N/A	At the request of the regulatory authority, media service providers shall provide to the regulatory authority a list of measures taken. The regulatory authority shall submit to the Federal Chancellor a summary of the data collected

Table 2 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Belgium (Flemish Community)

	Belgium (Flemish Community)	
	Articles 16 & 17	Article 13
Legislation	Act on Radio and Television Broadcasting - consolidated 12 August 2014	Act on Radio and Television Broadcasting - consolidated 12 August 2014
European Works	The television broadcaster and the private linear television broadcasters aim to reserve the major proportion of their transmission time for European productions, excluding the time allotted to information, sports, games, advertising, teletext and teleshopping	The non-linear television broadcasters will promote the production of and access to European productions. Such promotion could relate, inter alia, to the financial contribution made by the non-linear television broadcasters to the production and rights acquisition of European productions or to the share and/or prominence of European productions in the catalogue of programmes offered by the on-demand programme catalogue of the non-linear television service. The Flemish Government can lay down the potential resources and measures
Independent Production	The television broadcaster and the private linear television broadcasters aim to reserve at least 10% of the transmission time excluding the time allotted to information, sports, games, advertising, teletext and teleshopping for European productions that have been created by producers who are independent from television broadcasters A significant proportion of the independent productions must be recent (5 years)	--
Evaluation and Reporting	Every year, the television broadcaster of the Flemish Community and the private linear television broadcasters will submit a report to the Flemish Regulator for the Media before 31 March. The Flemish Regulator for the Media will make these data publicly available	N/A
Other Requirements	A significant proportion of the European works transmitted must be devoted to Dutch-language European	A considerable share of the promotional resources must be used for Dutch-language European productions

Table 3 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Belgium (French Community)

	Belgium (French Community)	
	Articles 16 & 17	Article 13
Legislation	Audiovisual Media Services Decree - consolidated 29 January 2015	Audiovisual Media Services Decree - consolidated 29 January 2015
European Works	In their linear television services, the RTBF and service editors must ensure that a majority proportion of their broadcasting time, excluding time allotted to news, sport events, game shows, advertising, self-promotion, and teleshopping, is devoted to European works	In their non-linear television services, the RTBF and service editors must ensure that they place emphasis on the European works in their catalogue by using an attractive presentation to highlight the list of European works available
Independent Production	In their linear television services, the RTBF and service editors must ensure that 10% of their broadcasting time, excluding time allotted to news, sport events, game shows, advertising, self-promotion, and teleshopping, is devoted to European works by independent producers These works must not have been produced more than five years before being broadcast	--
Evaluation and Reporting	8 sample days recorded per year+4 weeks of cue-sheets; in house; Staff: 2 people	Yes, once/month; in house; 2 people
Other Requirements	European works must include original works by authors in the French-speaking Community of Belgium European works by independent producers includes independent producers in the French-speaking Community of Belgium	European works must include original works by authors from the French-speaking Community of Belgium

Table 4 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Bulgaria

	Bulgaria	
	Articles 16 & 17	Article 13
Legislation	Radio and Television Act - consolidated version of 24 December 2014	Radio and Television Act - consolidated version of 24 December 2014
European Works	At least 50% of the total annual transmission time of the television programme services, excluding the time appointed for news and sports programmes and television games, advertising, teletext and teleshopping, must be reserved for European works, where	The creation of and access to European works shall be promoted , where practicable and by appropriate means. Audiovisual media service providers shall use hardware and software for the accessible and attractive presentation of

	Bulgaria	
	Articles 16 & 17	Article 13
	practicable	European works in the catalogue of programmes
Independent Production	At least 12% of the transmission time must be reserved for European works created by producers who are independent of broadcasters. Meeting this proportion shall not include repeats The proportion referred to must be achieved progressively by earmarking an adequate proportion for recent works, works transmitted within five years of the creation thereof	--
Evaluation and Reporting	The Council for Electronic Media shall prepare annual statements on the European works in the linear audio-visual media services and shall publish the said statements as part of the annual report thereof	The Council for Electronic Media shall prepare annual statements on the European works in on-demand audio-visual media services and shall publish the said statements as part of the annual report thereof. The statements shall include data on the financial contribution made by such services to the production and rights acquisition of European works, to the share of European works in the catalogue of audio-visual media service and in the actual consumption of European works offered by such services

Table 5 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Croatia

	Croatia	
	Articles 16 & 17	Article 13
Legislation	The Electronic Media Act - consolidated 8 July 2011	The Electronic Media Act - consolidated 8 July 2011
European Works	Television broadcaster shall use its best efforts to reserve for European works a majority proportion of their annual transmission time. Television broadcasters which cannot attain the proportion of European works referred to shall progressively increase the proportion of such works every year in relation to the past year in accordance with the criteria and the method laid down in the ordinance which is adopted by the Electronic Media Council, where the minimum initial proportion is 20%. The annual transmission time referred to does not include the time earmarked for news, sports events, games, advertising,	The on-demand audio-visual media service providers shall use their best efforts to promote, where practicable and by appropriate means, the production of and access to European works. Promotion could relate, inter alia, to the financial contribution made by such services to the production and rights acquisition of European works or to the share and/or prominence of European works in the catalogue of programmes. The on-demand audio-visual media service providers shall do this in accordance with the criteria and method laid down in the ordinance adopted by the

	Croatia	
	Articles 16 & 17	Article 13
	teletext services and teleshopping	Electronic Media Council
Independent Production	Television broadcasters shall use its best efforts to reserve for European works produced by independent producers at least 10% of the time in the annual audio-visual programme. Television broadcasters which cannot attain this figure shall progressively increase the proportion of such works every year in relation to the past year in accordance with the criteria and the method laid down in the ordinance which is adopted by the Electronic Media Council. The annual transmission time referred to does not include the time earmarked for news, sports events, games, advertising, teletext services and teleshopping At least half of the works shall be produced in the previous five years	--
Evaluation and Reporting	The Electronic Media Council shall report to the European Commission no later than 3 October 2011 and every two years thereafter on the implementation	The Electronic Media Council shall report to the European Commission no later than 19 December 2011 and every four years thereafter on the implementation
Other Requirements	The proportion of European audio-visual works includes audio-visual works of private production and Croatian audio-visual works	---

Table 6 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Cyprus

	Cyprus	
	Articles 16 & 17	Article 13
Legislation	Law on Radio and Television Stations	Law on Radio and Television Stations
European Works	Television organisations shall reserve for European works a majority proportion of their transmission time, excluding the time allotted to news, sports events, television games, advertising, teletext services or teleshopping. This proportion of European works shall be achieved progressively, on the basis of suitable criteria laid down by the Authority	On-demand audio-visual media service providers shall ensure that their catalogue of works available to users includes at least 20% European titles, a percentage that may be revised periodically by the Authority following consultations with the audio-visual media service providers
Independent Production	Television organisations shall, where practicable and by appropriate means, reserve at least 10% of their transmission	--

	Cyprus	
	Articles 16 & 17	Article 13
	time, excluding news, sports events, television games, advertising, teletext services or teleshopping, or alternatively, at the discretion of the organisation, at least 10% of their budget for European works created by producers who are independent of television organisations This proportion shall be achieved progressively, on the basis of suitable criteria laid down by the Authority, by earmarking an adequate proportion for recent works, works transmitted within five years of production	
Evaluation and Reporting	The Authority shall prepare and send the Commission a study every two year. This report shall in particular include a statistical statement on the achievement of the proportions referred to for each television organisation that comes under the jurisdiction of the Republic, the reasons, in each case, for the failure to attain those proportions and the measures adopted or envisaged in order to achieve them. The Authority shall notify the report to the Ministerial Council and the House of Representatives	The Authority shall send the Commission a report, to be notified to the Ministry of the Interior, by 19 December 2011 and every four years thereafter on the implementation

Table 7 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Czech Republic

	Czech Republic	
	Articles 16 & 17	Article 13
Legislation	Act 231/2001 on Radio and Television Broadcasting and on amendment to other acts - consolidated 21 April 2010	Act 132/2010 on On-demand Audiovisual Media Services
European Works	The television broadcaster shall, where practicable, allocate more than a half of the total broadcasting time of each programme for European production. The total broadcasting time on the basis of which the proportion of European works is determined shall not be deemed to include the time of broadcasting news and reporting programme units, sports events, contests, teletext, advertising and teleshopping	An on-demand audio-visual media service provider shall, where practicable, reserve for European works at least 10% of the total number of programmes offered in its catalogue of programmes during a reporting period. The total number of programmes forming the basis for determining the proportion of European works shall not include news programmes, recordings of sports events or competitive programmes. The obligation shall be regarded as satisfied if an on-demand audio-visual media service provider spends at least 1% of total revenues generated by the service in a reporting

	Czech Republic	
	Articles 16 & 17	Article 13
		period on the production of European works or the paid acquisition of rights to use European works through the on-demand audio-visual media service
Independent Production	The television broadcaster shall, where practicable, allocate at least 10% of the total broadcasting time of each programme for European works produced by independent producers. The total broadcasting time shall not be deemed to include the time of broadcasting news and reporting programme units, sports events, contests, teletext, advertising and teleshopping. The obligation referred to shall be deemed to be fulfilled if the television broadcaster spends at least 10% of its programming budget on the production or purchase of European works created by independent producers Where practicable, the television broadcaster shall ensure that the broadcasting of the works first made public less than 5 years ago represents at least 10% of the broadcasting time or 10% of the programming budget allocated for the broadcasting of European works created by independent producers	--
Evaluation and Reporting	Every year the Council shall submit to the Chamber of Deputies an annual report on its activities and on the situation in the field of radio and television broadcasting and in the field of the provision of on-demand audio-visual media services which shall contain in particular the following information: support to European production and European independent production, about securing the prescribed proportion of European production and independent production and about the reasons for not attaining the prescribed proportions in television broadcasting, as the case may be	An on-demand audio-visual media service provider shall, within 30 days of the end of the reporting period, submit a report to the Council on how it has complied with the obligation above in the reporting period, in which it indicates the method selected for the promotion of European works and provides specific data on compliance with the obligation. The "reporting period" means the calendar year The annual report the Council has to submit to the Chamber of Deputies must also contain information about the support given to the production of European works in the provision of on-demand audio-visual media services

Table 8 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Denmark

	Denmark	
	Articles 16 & 17	Article 13
Legislation	The Radio and Television Broadcasting Act - consolidated 6 May 2010 Executive Order on Registration-Based Programme Activity and On-Demand Audiovisual Programme Activities - consolidated nr. 100 of 28 January 2010	The Radio and Television Broadcasting Act - consolidated 6 May 2010 Executive Order on Registration-Based Programme Activity and On-Demand Audiovisual Programme Activities - consolidated nr. 100 of 28 January 2010
European Works	The minister for Culture may lay down rules about the broadcasting, including rules about the content, promotion of European works and rules of the availability of programs Registered broadcasters that pursue television broadcasting activities shall ensure that more than half the transmission time that does not consist of news, sports events, competitions and text television is dedicated to European works	The minister for Culture may lay down rules about the broadcasting, including rules about the content, promotion of European works and rules of the availability of programs Providers of on-demand audio-visual media services shall use appropriate means to promote the production of and access to European works, and do so when possible
Independent Production	Registered broadcasters that pursue television broadcasting activities shall ensure: that 10% of the transmission time that does not consist of news, sports events, competitions and text television, or 10% of the programming budget, is dedicated to European works from producers who are independent of broadcasters An appropriate proportion shall be reserved for new programmes, i.e. programmes broadcast no later than five (5) years after their production	--
Evaluation and Reporting	Broadcasters shall provide the Radio and Television Board with information concerning their compliance upon request	Providers shall provide the Radio and Television Board with information concerning their compliance

Table 9 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Estonia

	Estonia	
	Articles 16 & 17	Article 13
Legislation	Media Service Act - consolidated 22 May 2013	Media Service Act - consolidated 22 May 2013
European Works	A television service provider shall reserve at least 51 per cent of the annual capacity of the television programme service for transmission of audio-visual	On-demand audio-visual media services shall promote the production of and accessibility to European works by: 1) providing financial support for the

	Estonia	
	Articles 16 & 17	Article 13
	works of European origin, deducting the transmission time allocated for the news, sports events and games programmes, as well as for advertising, teleshopping and teletext services	production of European works, ordering of the works or obtaining the rights for the transmission thereof; 2) highlighting European works in the programme catalogue, including the works completed during last five years, presenting the country of origin and the year of completion of such works; 3) highlighting the works that are in compliance with the features of own production and highlighting the year of their completion in the programme catalogue
Independent Production	A television service provider shall reserve at least 10% of the annual transmission time for transmission of audio-visual works of European origin that have been created by producers that are independent of this television service provider, deducting the transmission time allocated for the programmes including news, sports events and games as well as advertising, teleshopping and teletext services. The said works shall include the works that have been produced less than five years ago	--
Evaluation and Reporting	Each year by 15 February a television service provider shall submit to the Technical Surveillance Authority the data for the previous calendar year concerning the compliance with the requirements specified	The on-demand audio-visual media service provider shall submit to the Technical Surveillance Authority by 15 February each year the information concerning compliance with the requirements for the calendar year preceding the year of the submission of information

Table 10 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Finland

	Finland	
	Articles 16 & 17	Article 13
Legislation	Information Society Code - consolidated 18 September 2015	Information Society Code - consolidated 18 September 2015
European Works	A broadcaster shall reserve a major part of its annual broadcasting time for European works. The broadcasting time does not include time reserved for news, sports events, competitive entertainment programmes, advertising, teletext services and teleshopping. Further provisions on what is considered European works shall be issued by	Video-on-demand audio-visual service providers shall promote the production and distribution of European works with the help of financial contributions to productions, programme acquisitions, enhanced visibility of European works or similar means

	Finland	
	Articles 16 & 17	Article 13
	Government Decree	
Independent Production	A television broadcaster shall reserve for programmes produced by independent European producers 19% of its broadcasting time, or alternatively 19% of his or her programming budget Half of the programmes included in said share of the independent producers referred to above have to have been produced within the past five years	--
Evaluation and Reporting	Annually, in-house; no resources nor independent evaluation	N/A

Table 11 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in France

	France	
	Articles 16 & 17	Article 13
Legislation	Law n° 86-1067, of 30 September 1986, on the Freedom of communication - consolidated 16 October 2015 Decree No. 2010-747, of 2 July 2010, relating to the contribution to the production of cinematographic works and audio-visual of the television services diffused by terrestrial hertzian way	Law n° 86-1067, of 30 September 1986, on the Freedom of communication - consolidated 16 October 2015 Decree n° 2010-1379, of November 12th 2010, relating to on-demand audiovisual media services
European Works	The broadcasting, particularly during peak viewing times, of cinematographic and audio-visual works of European origin in proportions of at least 60% However, for the application to audio-visual works broadcast by authorised services during peak viewing times the Conseil supérieur de l'audiovisuel will be able to substitute significant viewing times, which it will determine annually for each service, depending on the characteristics of its audience and programming and on the extent and nature of its contribution to the production	Catch-up television services shall devote each year part of their net annual revenues of the previous financial year to expenditure contributing to the development of the production of European cinematographic works the proportion of which shall be identical to that to which the provider of services is subject in respect of the operation of the television service from which the catch-up service has originated The provisions of the previous paragraph shall not be applicable to catch-up television services whose revenues are included in the resources of the television service from which they have originated The proportion shall be at least: 1. 26% when the service offers at least 10 full-length cinematographic works a year within a period less than twenty-

	France	
	Articles 16 & 17	Article 13
		two month after their cinema release in France; 2. 21% when it offers at least 10 full-length cinematographic works a year within a period less than thirty-six month and equal to or more than twenty-two months after their cinema release in France; 3. 15% in other cases When the service offers less than 10 full-length cinematographic works or less than 10 audio-visual works a year, the expenditure shall be invested only in the production of works in respect of which the threshold has been reached Services other than those mentioned, especially pay-per-view services, shall devote each year at least 15% of their net annual revenues of the previous financial year resulting from the exploitation of cinematographic works to expenditure contributing to the development of the production of European cinematographic works At all times, providers of services shall reserve out of the total number of full-length cinematographic works and audio-visual works made available to the public a proportion at least equal to 60% for European works
Independent Production	Providers of services shall devote each year at least 15% of their net annual revenues of the previous financial year to expenditure contributing to the development of European audio-visual works However, in the case of providers that annually devote more than half their airtime to recordings or re-creations of live performances and music videos, the latter having to make up at least 40% of annual transmission time, this rate is set at 8%	--
Evaluation and Reporting	in France broadcasters have obligations related to the broadcasting of European works and works in French language, but they also have some obligations concerning the	The monitoring is mainly based on declaration by VOD providers + sense check by the CSA. Re share of catalogue, two days are randomly picked to check the fulfilment of obligations. This

	France	
	Articles 16 & 17	Article 13
	production of the aforesaid works. For the latter's, the broadcasters submit their results in a report (cf. questions 35-36). The CSA then checks whether the declaration made by the broadcasters is correct.	control process might be more challenging for the small VOD providers who do not a sophisticated archiving system
Other Requirements	The broadcasting, particularly during peak viewing times, of cinematographic and audio-visual works originally made in the French language in proportions of at least 40% Providers of services shall devote each year at least 15% of their net annual revenues of the previous financial year to expenditure contributing to the development of original French-language audio-visual works However, in the case of providers that annually devote more than half their airtime to recordings or re-creations of live performances and music videos, the latter having to make up at least 40% of annual transmission time, this rate is set at 8% The proportion of the obligation referred to in the first paragraph in respect of expenditure contributing to the development of the production of French works shall make up at least 10.5% of the net annual revenues of the previous financial year The proportion of the obligation referred to in the second paragraph in respect of expenditure contributing to the development of the production of French works shall make up at least 7.5% of the net annual revenues of the previous financial year When the expenditure is entirely devoted to French works, the obligation referred to in the first paragraph is set at a minimum of 12.5%	Catch-up television services shall devote each year part of their net annual revenues of the previous financial year to expenditure contributing to the development of the production of original French-language works the proportion of which shall be identical to that to which the provider of services is subject in respect of the operation of the television service from which the catch-up service has originated The provisions of the previous paragraph shall not be applicable to catch-up television services whose revenues are included in the resources of the television service from which they have originated The proportion shall be at least: 1. 22% when the service offers at least 10 full-length cinematographic works a year within a period less than twenty-two month after their cinema release in France; 2. 17% when it offers at least 10 full-length cinematographic works a year within a period less than thirty-six month and equal to or more than twenty-two months after their cinema release in France; 3. 12% in other cases When the service offers less than 10 full-length cinematographic works or less than 10 audio-visual works a year, the expenditure shall be invested only in the production of works in respect of which the threshold has been reached Services other than those mentioned, especially pay-per-view services, shall devote each year at least 15% of their net annual revenues of the previous financial year resulting from the exploitation of cinematographic works to expenditure contributing

	France	
	Articles 16 & 17	Article 13
		to the development of the production of European cinematographic works, of which at least 12% to expenditure contributing to the development of the production of original French-language cinematographic works

Table 12 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Germany

	Germany	
	Articles 16 & 17	Article 13
Legislation	Interstate Treaty on Broadcasting and Telemedia - consolidated 1 January 2016	Interstate Treaty on Broadcasting and Telemedia - consolidated 1 January 2016
European Works	Television broadcasters should reserve the majority proportion of the time devoted to the transmission of feature films, films made for television, series, documentaries and comparable productions overall for European works in accordance with European law	Art. 58 (3) Interstate Broadcasting Treaty): "[Services] including contents which are television-like in their form and content and which are provided by a provider for individual on-demand retrieval at a time determined by the user and from a catalogue of contents stipulated by the provider."
Independent Production	General television channels should comprise a significant proportion of own productions as well as commissioned and joint productions originating in the German-language regions and Europe as a whole. The same requirement relates to thematic channels as far as this is feasible regarding their focus in terms of content.	--
Evaluation and Reporting	N/A	N/A
Other Requirements	In order to present the plurality of the German-language regions and of Europe as a whole and to promote European film and television productions, television broadcasters should reserve the majority proportion of the time devoted to the transmission of feature films, films made for television, series, documentaries and comparable productions overall for European works in accordance with European law.	N/A

Table 13 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Greece

	Greece	
	Articles 16 & 17	Article 13
Legislation	Presidential Decree 109/2010, Harmonization of the Greek Broadcasting Legislation with the Directive 2010/13/EU	Presidential Decree 109/2010, Harmonization of the Greek Broadcasting Legislation with the Directive 2010/13/EU
European Works	Broadcasters shall reserve for European works at least 51% of their total transmission time, calculated on an annual basis. The calculation of the total transmission time shall not include the time allotted to news, sports events, games, advertising, teletext services and teleshopping	On-demand audio-visual media services shall promote, where practicable and by appropriate means, the production of and access to European works. Such promotion could relate, inter alia, to the financial contribution made by such services to the production and rights acquisition of European works or to the share and/or prominence of European works in the catalogue of programmes offered by the on-demand audio-visual media service
Independent Production	Broadcasters shall reserve for European works created by producers who are independent of broadcasters at least 10% of their total transmission time, calculated on an annual basis. The calculation of the total transmission time shall not include the time allotted to news, sports events, games, advertising, teletext services and teleshopping	--
Evaluation and Reporting	Media services providers shall report to the Hellenic Audiovisual Institute, every June, regarding the fulfilment of the obligations regarding the previous twelve-month period. The Ministry of Culture and Tourism shall, based on the data kept by the Hellenic Audiovisual Institute, report to the Commission, every two years, on the application of the provisions. That report shall include a statistical statement on the achievement of the proportion referred to for each of the television programmes, the reasons, in each case, for the failure to attain that proportion and the measures adopted or envisaged in order to achieve it	Media service providers must submit to the Hellenic Audiovisual Institute, every June, data regarding the fulfilment of the obligations regarding the previous twelve-month period The Ministry of Culture and Tourism shall, based on the data kept by the Hellenic Audiovisual Institute, report to the Commission no later than 19 December 2011 and every four years thereafter on the implementation

Table 14 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Hungary

	Hungary	
	Articles 16 & 17	Article 13
Legislation	Act CLXXXV of 2010 on Media Services and Mass Communication - consolidated 1 July 2015	Act CLXXXV of 2010 on Media Services and Mass Communication - consolidated 1 July 2015
European Works	The media service provider shall allocate over half of its annual total transmission time of linear audio-visual media services to broadcasting European works The public media service provider shall be obliged to allocate over 60% of its annual transmission time to broadcasting European works Transmission time devoted to news programmes, sports programmes, games, advertisements, teleshopping, political advertisements, public service announcements, sponsorship announcements, public service advertisements and the noninteractive teletext shall not be considered in the course of determining the total transmission time	Over one-quarter of the total sum of the length of the programs made available in a given calendar year in the program schedule of on-demand audio-visual media services shall be composed of European works
Independent Production	The public media service provider shall be obliged to allocate over 15% of its annual transmission time to European works which were ordered by it from an independent production company or which were purchased from an independent production company within five years of production The media service provider shall allocate at least 10% of its annual transmission time of linear audio-visual media services to broadcasting European works made to order by independent producers or purchased from such producers within five years of production	--
Evaluation and Reporting	N/A	The Media Council shall prepare a report to the European Commission on the fulfilment of obligations with regard to programme flow quotas
Other Requirements	The media service provider shall allocate over one-third of its transmission time to broadcasting Hungarian works The media service provider shall allocate at least 8% of its transmission time to broadcasting Hungarian works made to order	At least 10% of the length of the programs made available in a given calendar year in the program schedule of on-demand audio-visual media services shall be composed of Hungarian works

	Hungary	
	Articles 16 & 17	Article 13
	by independent producers or purchased from such producers within five years of production	

Table 15 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Ireland

	Ireland	
	Articles 16 & 17	Article 13
Legislation	European Communities (Audiovisual Media Services) - consolidated 6 July 2012	European Communities (Audiovisual Media Services) - consolidated 6 July 2012
European Works	A broadcaster, where practicable and by appropriate means, shall reserve for European works a majority proportion of its transmission time, excluding the time appointed to news, sporting events, games, advertising, teletext services and telesshopping Where the proportion of transmission time cannot be attained, it shall not be lower than the average proportion of transmission time devoted to European works if any in 1988	On-demand audio-visual media services provided by media service providers shall promote, where practicable and by appropriate means, production of and access to European works. Such promotion could relate, inter alia, to the financial contribution made by such services to the production and rights acquisition of European works or to the share or prominence of European works in the catalogue of programmes offered by the on-demand audio-visual media service
Independent Production	A broadcaster, where practicable and by appropriate means, shall reserve at least 10% of its transmission time for European works created by producers who are independent of broadcasters under the jurisdiction of the State or any other state, excluding the time appointed to news, sports events, games, advertising, teletext services and telesshopping or, reserve 10% of its programming budget for European works which are created by producers who are independent of such broadcasters. This may include co-produced European works or European works of non-domestic origin An adequate proportion of works shall comprise works which are transmitted within 5 years of their production	--
Evaluation and Reporting	Where a request is made by the Minister to the BAI, for information necessary to enable the Minister to make a report referred to in Article 4 of the Directive, it shall be complied with by the BAI	Where a request is made by the Minister or relevant regulatory body to an audio-visual media service provider for information necessary to enable the Minister to make a report, it shall be complied with by the audio-visual media service provider. Audiovisual Media Service

	Ireland	
	Articles 16 & 17	Article 13
		providers of on-demand audio-visual media services shall notify the Minister or the relevant regulatory body of their intention to provide or continue to provide such services in such manner as the Minister or the relevant regulatory body decides

Table 16 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Italy

	Italy	
	Articles 16 & 17	Article 13
Legislation	Audiovisual Media Services Code - consolidated 13 August 2015, amended (art.44) by Franceschini decree of 03 October 2017	Audiovisual Media Services Code - consolidated 13 August 2015, amended (art.44) by Franceschini decree of 03 October 2017
European Works	Television broadcasters, including analogue, on any broadcasting platform, independently from the transmission coding, shall reserve the majority of their transmission time for European works (and 60% after 2020, with a progressive increase), excluding the time allocated to bulletins, sporting events, game shows, advertising and teletext and teleshopping services Television broadcasters, including analogue, on any broadcasting platform, including pay per view, independently from the transmission coding, shall, each year reserve at least 10% of broadcasting time to European works made in the last five years The concessionary of the general public broadcasting service, independently from the transmission coding, shall reserve a minimum quota of 20% of broadcasting time to European works made in the last five years	On-demand audio-visual media services providers under Italian jurisdiction shall, taking market conditions into account, gradually promote the production of European works and access to the same, in accordance with the methods defined by the Authority in its regulations The promotion may concern, inter alia, the financial contribution made by such services to the production and rights acquisition of European works or to the share or prominence of European works in the catalogue of programmes offered by the on-demand audio-visual media service. INVESTMENT OBLIGATIONS For suppliers other than public media services: 1) The annual net income represents the basis for calculating the required investments; 2) The investment volume reserved for the purchase or pre-purchase or production of European works must be at least 10% (12.5% in January 2019 and 15% in 2020). For 2018 the quota is entirely reserved to works produced by independent producers, as today, whereas for 2019 and 2020, 5/6 of the planned quotas must be reserved to independent productions; 3) The overall quota for European

	Italy	
	Articles 16 & 17	Article 13
		works: the decree reserves directly to Italian AV works the minimum share of 3.5% of net annual revenue. This percentage is raised to 4% for 2019 and 4.5% from 2020, (today it is 3.2%). For RAI: 1) the basis for the calculation of the required investments is the total annual revenues from the license fee and the related advertising revenues (net of revenue arising from agreements with the public administration and the sale of goods and services); 2) The pre-purchase, the purchase or production of European works must be at least 15% of the total annual revenue. This share is raised to 18.5% from January 2019 and 20% from 2020. For 2018 the quota is entirely reserved to works produced by independent producers, whereas for 2019 and 2020, 5/6 of the planned quotas must be reserved to independent productions. 3) Within the overall quota for European works, the decree reserves directly to Italian AV works, the minimum share of 4% of total net revenues. This percentage is raised to 4.5% for 2019 and 5% from 2020 (today it is 3.6%).
Independent Production	Television broadcasters, including analogue, on any broadcasting platform, including pay per view, independently from the transmission coding, shall reserve at least 10% of their net annual revenues (20% by 2020), as indicated in the income statement of the last annual financial statements available, to the production, financing, pre-purchase and purchase of European works realised by independent producers. The percentage provided for shall be reached allocating a suitable quota to recent works, that is to say works transmitted within five years of their production. The concessionary of the general public broadcasting service shall allocate European works created by independent producers a quota	--

	Italy	
	Articles 16 & 17	Article 13
	no lower than 15% of the overall annual income (20% by 2020). By non-regulatory decree of the Minister for Economic Development and the Minister for Cultural Assets and Activities, the criteria for the qualification of cinematographic works of original Italian expression regardless of their place of production shall be established, as well as the percentage quota to be reserved for the latter within the scope of the percentages indicated, taking into consideration market development and the availability of the same.	
Evaluation and Reporting	Annual; in-house and tech support from independent; 3 pers Note: obligations and sanctions which are increased considerably with the latest decree (up to a maximum of 5 million euros or 2 percent of turnover).	Annual; in-house; 3 pers Note: obligations and sanctions which are increased considerably with the latest decree (up to a maximum of 5 million euros or 2 percent of turnover).
Other Requirements Note: The Franceschini decree updated requirements on investment obligations in the following way: INVESTMENT OBLIGATIONS For suppliers other than public media services: 1) The annual net income represents the basis for calculating the required investments; 2) The investment volume reserved for the purchase or pre-purchase or production of European works must be at least 10% (12.5% in January 2019 and 15% in 2020). For 2018 the quota is entirely reserved to works produced by independent producers, as today, whereas for 2019 and 2020, 5/6 of the planned quotas must be reserved to independent productions; 3) The overall quota for European works: the decree reserves directly to Italian AV works the minimum share of 3.5% of net annual revenue. This percentage is raised to 4% for 2019 and 4.5% from 2020, (today it is	The minimum 10% (television broadcasters) and 20% (general public broadcasting service) of transmission time that must be devoted to European works made in the last five years comprises cinematographic works of original Italian expression regardless of their place of production The required percentage of independent works that shall be devoted to works transmitted within five years of their production includes cinematographic works of original Italian expression regardless of their place of production The concessionary of the general public broadcasting service shall allocate European works created by independent producers a quota no lower than 15% of the overall annual income; within this quota, the services contract shall establish a reserve no lower than 20% to be allocated to production, financing, pre-purchasing or the purchasing of cinematographic works of original Italian expression regardless of their place of production and a reserve no lower than 5% to be allocated to animation works especially produced for primary education	N/A

	Italy	
	Articles 16 & 17	Article 13
3.2%). For RAI: 1) the basis for the calculation of the required investments is the total annual revenues from the license fee and the related advertising revenues (net of revenue arising from agreements with the public administration and the sale of goods and services); 2) The pre-purchase, the purchase or production of European works must be at least 15% of the total annual revenue. This share is raised to 18.5% from January 2019 and 20% from 2020. For 2018 the quota is entirely reserved to works produced by independent producers, whereas for 2019 and 2020, 5/6 of the planned quotas must be reserved to independent productions. 3) Within the overall quota for European works, the decree reserves directly to Italian AV works, the minimum share of 4% of total net revenues. This percentage is raised to 4.5% for 2019 and 5% from 2020 (today it is 3.6%).		

Table 17 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Latvia

	Latvia	
	Articles 16 & 17	Article 13
Legislation	Electronic Mass Media Law	Electronic Mass Media Law
European Works	Electronic mass media shall ensure that in the programmes produced by them at least 51% of the weekly transmission time, except for the news, sports events, games, advertising, teleshopping and teleshopping windows, is reserved for European audio-visual works	An electronic mass medium which provides on-demand audio-visual services shall include European audio-visual works in its catalogue
Independent Production	In the programmes produced by the audio-visual electronic mass media at least 10% of the total volume of the weekly broadcasts and transmission time, except for the news, sports events, games, advertising, teleshopping and teleshopping windows, shall be intended for European audio-visual works produced by	--

	Latvia	
	Articles 16 & 17	Article 13
	independent producers The audio-visual electronic mass media shall ensure that the major proportion of the broadcasting time granted to independent producers is allocated for European audio-visual works produced by independent producers in the last five years	
Evaluation and Reporting	Audiovisual service providers shall ensure the registration of the programmes and audio-visual works referred to and once a year submit reports to the National Electronic Mass Media Council regarding fulfilment of the provisions	N/A

Table 18 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Lithuania

	Lithuania	
	Articles 16 & 17	Article 13
Legislation	Law on the Provision of Information to the Public - consolidated 21 May 2015	Law on the Provision of Information to the Public - consolidated 21 May 2015
European Works	Broadcasters of television programmes must, where possible, reserve more than half of the television programme time remaining after deducting the time allocated for news, sports events, games and advertising programmes, teletext services and teleshopping for European works	Providers of on-demand audio-visual media services falling under the jurisdiction of the Republic of Lithuania shall promote, where practicable and by appropriate means, the production of and access to European works Providers of on-demand audio-visual media services shall ensure that at least half of the programmes in the catalogue of on-demand audio-visual media services are European works
Independent Production	Broadcasters of television programmes must, where possible, reserve at least 10% of the television programme time remaining after deducting the time allocated for news, sports events, games, advertising programmes, teletext services and teleshopping for European works created by independent producers not earlier than within the last five years	--
Evaluation and Reporting	Every two years, the Commission has to prepare and submit to the Seimas an analytical survey on the implementation of Lithuania's audio-visual policy, the development of audio-visual	N/A

	Lithuania	
	Articles 16 & 17	Article 13
	media 200 services, provide statistical data on the activities of all providers of audio-visual media services falling under the jurisdiction of the Republic of Lithuania in the course of implementation of the provisions of this Law, also specify the reasons impeding the implementation of the said provisions and the remedial measures taken or to be taken	

Table 19 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Luxembourg

	Luxembourg	
	Articles 16 & 17	Article 13
Legislation	Grand Ducal Regulation of 17 December 2010 amending the Grand Ducal Regulation of 5 April 2001 setting the rules on content in European works and in the works of independent producers of television programmes deemed to fall within Luxembourgish jurisdiction under the European Television without Frontiers Directive, and Law of 27 July 1997 on electronic media.	Grand Ducal Regulation of 17 December 2010 amending the Grand Ducal Regulation of 5 April 2001 setting the rules on content in European works and in the works of independent producers of television programmes deemed to fall within Luxembourgish jurisdiction under the European Television without Frontiers Directive, and Law of 27 July 1997 on electronic media.
European Works	Where practicable, every television "service" shall reserve for European works, within the meaning of Article 2 above, a majority proportion of its transmission time, excluding the time devoted to news, sports events, games, advertising, teletext services and teleshopping. This proportion having regard to the informational, educational, cultural and entertainment responsibilities of the "television services provider" to its viewing public must be achieved progressively, on the basis of suitable criteria.	On-demand audio-visual media service providers shall promote, where practicable and by appropriate means, the production of European works as well as access to said works.
Independent Production	Where practicable, all television "services" shall reserve at least 10% of their transmission time, excluding the time devoted to news, sports events, games, advertising, teletext services and teleshopping, to European works created by producers who are independent of "the television services provider". This proportion, having regard to the informational, educational, cultural and entertainment responsibilities of the "television	--

	Luxembourg	
	Articles 16 & 17	Article 13
	services provider” to its viewing public must be achieved progressively on the basis of suitable criteria; it must be achieved by earmarking an adequate proportion for recent works, i.e. works transmitted within five years of their production.	
Evaluation and Reporting	Each television service provider provides a statistical statement on the achievement of the proportions in relation to the promotion of European works indicating the reasons for any failure to attain such proportion, as well as the measures adopted or planned in order to achieve it. The providers submit the data. In case of doubts of the accuracy of the data sets and submitted statistics, the data is double-checked.	On-demand audio-visual media service providers shall submit a report to the Media and Communications Service, not later than the 30 September 2011, and every four years thereafter, on the implementation.

Table 20 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Malta

	Malta	
	Articles 16 & 17	Article 13
Legislation	350.04 Broadcasting (Jurisdiction and European Co-Operation) Regulations - consolidated as last amended by L.N. 323 of 2010	Broadcasting Act 350 - consolidated as latest amended in 2015
European Works	A broadcaster shall reserve for European works a majority proportion of its transmission time, excluding the time appointed to news, sports events, games, advertising, teletext services and teleshopping. This proportion shall be achieved progressively, on the basis of suitable criteria	On-demand audio-visual media services provided by media service providers shall promote, where practicable and by appropriate means, the production of and access to European works. Such promotion could relate, inter alia, to the financial contribution made by such services to the production and rights acquisition of European works or to the share and, or prominence of European works in the catalogue of programmes offered by the on-demand audio-visual media service
Independent Production	Broadcasters shall (a) either reserve at least 10% of their transmission time, excluding the time appointed to news, sports events, games, advertising, teletext services and teleshopping; or (b) reserve at least 10% of their programming	--

	Malta	
	Articles 16 & 17	Article 13
	budget, for European works created by producers who are independent of broadcasters Such proportion shall be achieved on the basis of suitable criteria and by earmarking an adequate proportion for works transmitted within five years of their production	
Evaluation and Reporting	A broadcaster shall draw up and send to the Broadcasting Authority an annual report which shall include: (a) a statistical statement on the achievement of the proportions and also showing separately the proportion of programmes originally produced in the Maltese language in respect of the television programme services broadcast by the said broadcaster; (b) the reasons for failure to attain any of the said proportions in cases where the broadcaster has not attained this aim; (c) the measures adopted or envisaged in order to achieve the said proportions	N/A

Table 21 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in the Netherlands

	The Netherlands	
	Articles 16 & 17	Article 13
Legislation	Media Act 2008	Act no 552 amending the Media Act 2008 and the Tobacco Act for the implementation of the Audio-Visual Media Services Directive
European Works	Refers to definition set out in AVMSD.	A media organisation that provides a commercial media service on demand promotes the production and the access to European productions in the sense of article 1 of the European directive
Independent Production	As far as independent and recent productions are concerned different percentages apply to private and PSM channels since the latter are bound by a higher percentage: right now set at 16,5% of the budget (section 2.116, paragraph 1, of the Media Act 2008 and article 14b, of the Media Decree 2008), meanwhile private channels have to broadcast at least 10% independent productions (section 3.21 Media Act 2008). The definition of independent works is also laid down in the Media Act	--

	The Netherlands	
	Articles 16 & 17	Article 13
	2008 (section 2.120 Media Act for PSM and section 3.22 Media Act for private channels). As independent productions will be considered all programmes which have not been produced by: - the broadcaster broadcasting the programme, or another broadcaster; - a legal person in which a broadcaster holds either directly or indirectly through one or more of its subsidiaries, a share capital of at least 25%; - a legal person in which two or more broadcasters hold either directly or indirectly through one or more of their respective subsidiaries, a share capital of more than 50%; or - a company in which a broadcaster or one or more of its subsidiaries is as a general partner fully liable to the production company's creditors for its debts.	
Evaluation and Reporting	In-house, Ad random checks, with several staff members. In-house verification; 1 fte during 8 weeks (for linear services) per year, spread across different posts.	In-House; primarily involved are the people working for the department of Research and Access (dealing with licensing and registration), as well as people dealing with policy development and advising to the board of commissioners. In average it will be 1 fte during 2 weeks (for VoD services)
Other Requirements	Article 2.122 Media Act 2008 states that on the channels of the national public media service providers at least 50% of the relevant broadcasting time should consist of programmes originally produced in the Dutch or Friesian language. Friesian language is one of the official languages of the Netherlands and is spoken in Friesland, one of the 12 provinces in the country. Article 3.24 Media Act 2008 addresses private media service providers and mentions a minimum percentage of 40% of programmes originally produced in the Dutch or Friesian language.	

	The Netherlands	
	Articles 16 & 17	Article 13
	Unlike public media service providers, private providers can be exempted fully or partially from this obligation. This is the case for some niche channels.	

Table 22 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Poland

	Poland	
	Articles 16 & 17	Article 13
Legislation	Broadcasting Act - consolidated 12 October 2012	Broadcasting Act - consolidated 12 October 2012
European Works	Television broadcasters shall reserve more than 50% of their quarterly transmission time for European works, excluding news, advertising, teleshopping, sports events, teletext services and games	Providers of on-demand audio-visual media services shall promote European works, in particular by: 1) proper identification of origin of programmes available in the catalogue of programmes as well as providing the option to search for European works, or 2) placement of information and materials promoting European works Providers of on-demand audio-visual media services shall allocate at least 20% of the content in their catalogue for European works, and shall provide adequate visibility to such programmes in the catalogue. The percentage referred to shall be calculated based on the total duration of the programmes multiplied by the total broadcasting time of the programmes in the catalogue during a given calendar quarter. This shall not apply to the catalogues in which only audio-visual programs other than European works are provided to the general public
Independent Production	Television broadcasters shall reserve at least 10% of their quarterly transmission time for European works produced by independent producers, excluding news, advertising, teleshopping, sports events, teletext services, and games Programmes produced within the period of 5 years before their transmission in the programme service shall constitute at least 50 % of the time reserved for European works produced by	--

	Poland	
	Articles 16 & 17	Article 13
	independent producers	
Evaluation and Reporting	Annual, in-house ; 2 persons.	Providers of on-demand audio-visual media services shall submit annual reports to the National Broadcasting Council. The report shall contain the description of the manner of promoting European works, including works originally produced in the Polish language, applied by the provider, including the share of these programmes in the catalogue in terms of volume and time. The report shall be submitted by 31 March for the previous year
Other Requirements	N/A	Providers of on-demand audio-visual media services shall promote European works, including works produced originally in the Polish language, in particular by providing the option to search for works produced originally in the Polish language, or by including in their catalogue and providing adequate visibility to works produced originally in the Polish language

Table 23 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Portugal

	Portugal	
	Articles 16 & 17	Article 13
Legislation	Television Law no. 8/2011	Television Law no. 8/2011
European Works	Television operators who operate television programme services with national coverage shall reserve a majority proportion of their transmission time for European works, excluding the time appointed to news services, sports events, games, advertising, teleshopping and teletext services	On-demand audio-visual services shall contribute to the promotion of European works, specifically through financial contributions to their production or through their progressive incorporation into the respective catalogue. On-demand audio-visual services are to give particular visibility to European works in their catalogue, implementing features which enable the public to search for such works by origin
Independent Production	Television operators engaged in the provision of television programme services with national coverage shall ensure that no less than 10% of their programming, excluding the time devoted to news, sports events, competitions, advertising, teleshopping and teletext services, consists of the broadcast of creative works having independent European production and produced less than five years	--

	Portugal	
	Articles 16 & 17	Article 13
	previously For the purposes of calculating the percentage of programming, only the first five screenings of each work are to be considered, regardless of the year in which they are aired	
Evaluation and Reporting	Compliance with the rules governing the promotion of European works is subject to annual review by Entidade Reguladora para a Comunicação Social (Regulatory Authority for the Media)	Compliance with the rules governing the promotion of European works is subject to annual review by Entidade Reguladora para a Comunicação Social (Regulatory Authority for the Media)
Other Requirements	The programme services, where classified as general, shall allocate no less than one half of the time of the percentage of programming so stipulated to the broadcast of creative works of independent European production which were produced originally in Portuguese and produced less than five years previously	N/A

Table 24 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Romania

	Romania	
	Articles 16 & 17	Article 13
Legislation	The Audiovisual Law - consolidated 22 November 2009	The Audiovisual Law - consolidated 22 November 2009
European Works	Since the date of accession, any radio-broadcaster under the jurisdiction of Romania shall reserve to European works a majority proportion of its transmission time, excepting the time dedicated to the news, sportive events, games, advertising, as well as teletext and teleshopping services	On-demand audio-visual media services promote, where practicable and by appropriate means, the production of and access to European works. Such promotion could relate, inter alia, to the financial contribution made by such services to the production and rights acquisition of European works or to the percentage and/or prominence of European works in the catalogue of programs offered
Independent Production	Any radiobroadcaster under the jurisdiction of Romania shall reserve at least 10% from its transmission time, excluding the time dedicated to news, sport events, games, advertising, as well as tele-text and tele-shopping services or alternately at least 10% from their programming budgets for European works created by producers who are independent broadcasters	--

	Romania	
	Articles 16 & 17	Article 13
Evaluation and Reporting	The Council shall monitor the application of the provisions. The complete mechanisms of the implementation measures shall be established by the Council	The Government, by means of The National Audiovisual Council, shall report to the Commission no later than 19th of December 2011 and every four years thereafter on the implementation

Table 25 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Slovakia

	Slovakia	
	Articles 16 & 17	Article 13
Legislation	Act 308/2000 on Broadcasting and Retransmission and on the amendment of Act No. 195/2000 on Telecommunications - consolidated 3 February 2015	Act 308/2000 on Broadcasting and Retransmission and on the amendment of Act No. 195/2000 on Telecommunications - consolidated 3 February 2015
European Works	A broadcaster shall reserve a majority share of broadcasting time per calendar month for European works, which shall be calculated for each television programme service individually; for the purposes of calculating the share of total broadcasting time, broadcasting time dedicated to news, sports events, entertainment programmes, teletext services, ancillary broadcasting including advertising and teleshopping shall not be taken into account	The provider of on-demand audio-visual media services shall be obliged to reserve at least 20% of total time of programmes offered in the catalogue of programmes per calendar month to European works, for each on-demand audio-visual media service individually; for the purpose of the calculation of total time the news, sports events and games shall be excluded
Independent Production	A licensed broadcaster and internet broadcaster shall be obliged to reserve at least 10% of total broadcasting time per calendar month for European works created by producers independent of broadcasters and a public service broadcaster shall be obliged to ensure that European independent production represents at least 20% of total broadcasting time per calendar month on each programme service. For the purpose of calculation of the total broadcasting time excludes the time dedicated to news, sports events, entertainment programmes, ancillary broadcasting including advertising, teletext and teleshopping The broadcaster must achieve the proportion of broadcasting time specified by earmarking an adequate share for recent works; a recent work shall be defined as a broadcast work produced	--

	Slovakia	
	Articles 16 & 17	Article 13
	within the previous five years. The condition specified shall also considered to be fulfilled if a licensed broadcaster or internet broadcaster has allocated at least 10%, and in the case of a public service broadcaster at least 20% of the programme budget for television broadcasting, including costs for the purchase and production of programmes, for European works created by independent producers	
Evaluation and Reporting	The annual report shall contain all important information on the activities of the council, state of broadcasting and the provision of retransmission services in the calendar year in question, including statistics on broadcast programmes and statistics relating to the broadcasting of European works and independent productions When publishing statistics on the broadcasting of European works and independent productions in the annual report, the Council shall specify alongside the percentage share achieved in each television programme service subject to a duty to broadcast European works and independent productions the reasons why the set share was not achieved, if the broadcaster did not achieve the target, and the measures that the Council and the broadcaster have taken or want to take to achieve the target; the Council shall send this information to the Commission and the Ministry of Culture on request, but at least once every two years The television programme service broadcaster shall be obliged, on request, to provide the Council with the information needed for checking up compliance with the duties: a) data on the percentage, number and duration of European works broadcasted, their identification and identification of their producers; b) data on the percentage, number and duration of broadcasted European works made by independent producers including identification of these works and their producers or documentation on spending from the programme budget for	The competence of the Council for the performance state administration shall include making regular reports to the European Commission (hereinafter only "the Commission") on the performance of providers of on-demand audio-visual media service and cooperating with the Commission in the application of the provisions The Council shall send statistics on the share of European works in on-demand audio-visual media services and an evaluation thereof to the Commission and the Ministry of Culture on request, but at least once every four years

	Slovakia	
	Articles 16 & 17	Article 13
	production or purchase of European works made by independent producers including identification of the producers; c) a list of broadcasted European works made by independent producers, including the date of their creation. Broadcaster shall be obliged to provide the Council with the data under within 15 calendar days after the delivery date of the Council's request for providing the data	

Table 26 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Slovenia

	Slovenia	
	Articles 16 & 17	Article 13
Legislation	Audiovisual Media services Act or Zakon o avdiovizualnih medijskih storitvah (ZAvMS) (consolidated version of 2015, based on Law 87/2011 on Audiovisual Media Services and Digital Broadcasting Act, 2007)	Audiovisual Media services Act or Zakon o avdiovizualnih medijskih storitvah (ZAvMS) (consolidated version of 2015, based on Law 87/2011 on Audiovisual Media Services and Digital Broadcasting Act, 2007)
European Works	European audio-visual works must account for at least 50 per cent of the annual transmission time of every broadcaster. The annual transmission time referred to in the first paragraph of this Article shall not include the time allotted to news, sports events, games, advertising, teleshopping and teletext services. News, live and recorded broadcasts of sports events, games, advertising, teleshopping and teletext services shall not be included in the catalogue of programmes in an individual calendar year.	European audio-visual works must account for at least 10% of the programmes in the catalogue of programmes of an on-demand audio-visual media service in an individual calendar year, unless this Act determines otherwise. A provider of on-demand audio-visual media services that fails to attain the proportion referred to in the preceding paragraph must, every calendar year, earmark funds amounting to at least one per cent of all revenues from its audio-visual media services in that calendar year for the production of or acquisition of the rights to European audio-visual works that it provides via its on-demand audio-visual media services.

	Slovenia	
	Articles 16 & 17	Article 13
Independent Production	European audio-visual works by independent producers must account for at least 10% of the annual transmission time of every broadcaster. At least half the works referred to in the preceding paragraph must have been produced in the last five years. The annual transmission time referred to in this paragraph shall not include the time allotted to news, sports events, games, advertising, teleshopping and teletext services. The restrictions referred to in this Article shall not apply to broadcasters of local television programmes of special importance or to television broadcasters whose programmes are intended for a local audience and are not included in a broadcast network that reaches more than 50% of the population of the Republic of Slovenia.	N/A
Evaluation and Reporting	(1) A television broadcaster must, by the end of February every year, send the ministry responsible for the media and the Agency a breakdown of the information on the proportion of European audio-visual works attained in the annual transmission time of the previous year. Information on the amount of annual transmission time, on the proportion of own production, Slovenian audio-visual works and audio-visual works by independent producers, and information on the proportion of new audio-visual works as referred to in the second paragraph of Article 17 of this Act must be shown separately. (2) A provider of on-demand audio-visual media services must, by the end of February every year, send the ministry responsible for the media and the Agency a report on implementation of the requirements referred to in the second or third paragraphs of Article 16 of this Act; this report must contain a breakdown of information on the proportion of European audio-visual works attained in the catalogue of programmes in the previous	N/A

	Slovenia	
	Articles 16 & 17	Article 13
	calendar year, or information on the proportion of the funds earmarked by the provider in the previous calendar year for the production of or acquisition of the rights to European audio-visual works that it provides via its on-demand audio-visual media services.	

Table 27 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Spain

	Spain	
	Articles 16 & 17	Article 13
Legislation	General Law No 7/2010 of 31 March on Audiovisual Media - consolidated 1 May 2015	General Law No 7/2010 of 31 March on Audiovisual Media - consolidated 1 May 2015
European Works	The providers of television broadcasting services with state or regional coverage should reserve for European works 51% of the annual airtime programming. Airtime is calculated excluding airtime devoted to news, sports events, games, advertising, teletext services and teleshopping	Providers of a catalogue of programmes shall reserve 30% of the catalogue for European works Electronic media service providers who transmit television channels and providers of catalogue of programmes services shall also be subject to the funding obligation laid down in this article Financial contribution: 5% of annual turnover. See also section on other requirements for more details.
Independent Production	10% of broadcasting time will be reserved for European works made by producers that are independent from the service provider, and half of that 10% must have been produced in the last five years.	--
Evaluation and Reporting	Monthly and annually; in-house	Annual, in house
Other Requirements	Half of the quotas for European works are reserved for European works in any of Spain's official languages Film Funding: Providers of television media services with State or Autonomous Community coverage shall make an annual contribution to the forward funding of European cinematographic films, films and series made for television, documentaries and animated films and series, amounting to 5% of income earned in the previous financial	Half of the quota for European works is reserved for European works in any of Spain's official languages Film funding (see art. 16 & 17 as provisions apply to on-demand services).

	Spain	
	Articles 16 & 17	Article 13
	year according to the profit-and-loss account and corresponding to the channels on which those audio-visual products were broadcast less than seven years from when they were first produced. This contribution shall be in the amount of 6% for public service audio-visual media providers with State or Autonomous Community coverage. As a minimum, 60% of this funding obligation, and 75% in the case of public service audio-visual media providers, shall be allocated to cinematographic films of any kind. Of this amount, at least 50% shall apply in the overall annual calculation to the works of independent producers. In co-productions, the contribution of the independent producer shall not be taken into account for this purpose. Likewise, audio-visual media service providers shall allocate a minimum of 40% of their total funding obligation, and 25% in the case of public service audio-visual media providers, to films, series or mini-series made for television. Within those percentages, public service audio-visual media providers shall allocate at least 50% to films or mini-series made for television. In any case, 60% of the combined funding provided for in this article shall be assigned to production in any of Spain's official languages. Electronic media service providers who transmit television channels and providers of catalogue of programmes services shall also be subject to the funding obligation laid down in this article. Local television broadcasters who do not form part of a national network shall be exempt from this obligation.	

Table 28 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in Sweden

	Sweden	
	Articles 16 & 17	Article 13
Legislation	The Radio and Television Act - consolidated 17 June 2010	The Radio and Television Act - consolidated 17 June 2010
European Works	Any party broadcasting television by any means other than via cable shall ensure that the following requirements is met, unless there are special grounds not to do so: more than half of the annual broadcast time shall be made up of programmes of European origin. Broadcast time means the time spent broadcasting programmes other than news, sports, competitions, promotional messages and teleshopping programmes. The broadcast time shall likewise not include programmes consisting purely of text	Any party providing on-demand television by a means other than via cable shall, when it is practicable, use a suitable method to promote the production of and access to programmes of European origin
Independent Production	Any party broadcasting television by any means other than via cable shall ensure that the following requirement is met, unless there are special grounds not to do so: at least 10% of the annual broadcast time or at least 10% of the programme budget must be made up of programmes of European origin produced by independent producers As large a proportion as possible should be made up of programmes produced over the preceding five years Broadcast time means the time spent broadcasting programmes other than news, sports, competitions, promotional messages and teleshopping programmes. The broadcast time shall likewise not include programmes consisting purely of text	--
Evaluation and Reporting	Any party that broadcasts television by any means other than via cable shall report to the Swedish Radio and Television Authority every second year, starting from early 2011, on what proportion of its activities consists of the programmes described	Any party providing on-demand television by any means other than via cable shall report to the Swedish Radio and Television Authority every fourth year, starting from early 2011, on what has been done to promote the production of and access to European works

Table 29 : National Measures to implement Articles 13, 16 and 17 and other national language and production requirements in UK

	UK	
	Articles 16 & 17	Article 13
Legislation	Ofcom's Guidance on compliance with Articles 16 and 17 of AVMS Directive	Electronic Communications Broadcasting - The Audiovisual Media Services Regulations 2009
European Works	In accordance with the Audio Visual Media Services ('AVMS') Directive, television broadcasters shall ensure that, where practicable, a majority of their Transmission Time is devoted to European programming The requirement shall apply as follows: a) new channels are required to meet the target within five years of their launch, and should demonstrate progress towards that target during the five-year transitional period. In cases of doubt, Ofcom will determine whether a channel is a new channel or the continuation of a previous channel; and b) television broadcasters who consider that it would not be practicable to meet the target set out should explain why to Ofcom, which will advise whether any remedial measures are necessary	The appropriate regulatory authority must ensure that providers of on-demand programme services promote, where practicable and by appropriate means, production of and access to European works
Independent Production	Television broadcasters shall ensure that, where practicable, at least 10% of their Transmission Time or programming budget is devoted to European programming created by producers who are independent of broadcasters Television broadcasters shall also ensure that at least 50% of programming included in their Transmission Time is created no less than five years earlier by producers who are independent of broadcasters	--
Evaluation and Reporting	Television broadcasters must report to Ofcom, as part of the annual return: a) the performance of each channel in relation to the targets set out; b) the reasons for the failure to achieve any of the targets and the remedial measures they are undertaking; and c) the grounds for any exemption they are claiming for any channel from the requirements. The format of the reports required will be set out in guidance on the annual return	N/A

2. Data reporting under Art. 13, 16 and 17 of AVMS Directive

As part of our consultation strategy with stakeholders, we launched a survey to consult NRAs on the current state of play of the implementation of AVMS Directive (art 13, 16, 17), and more specifically:

1. How articles 13, 16 and 17 of the AVMS Directive have been implemented;
2. How is the fulfilment of the requirements provided by AVMS Directive (art 13, 16, 17) monitored;
3. If the regulatory approach differs between public and private broadcasters.

The survey also gathered the reporting data under the AVMSD on the promotion of European works among linear service providers and non-linear service providers.

As regards linear service providers, NRAs were asked to fill a table containing a list of TV channels as of the MAVISE database of the European Audio-visual Observatory and were asked to categorize the channels as: "generalist", "fiction", "cinema", "children", "documentaries", "other". In addition, NRAs were requested to report for the years 2013 and 2014:

1. The percentage of European Works (EW) as a percentage of Total Qualifying Time (TQT);
2. The percentage European Works made by Independent Producers (IP); and
3. The percentage of total Recent European Works (RW) as a percentage of total European Works made by Independent Producers.

Additional channels could be added freely by inserting rows.¹

2.1. Linear service providers Art. 16 & 17

2.1.1. Data reporting under Art. 16 & 17

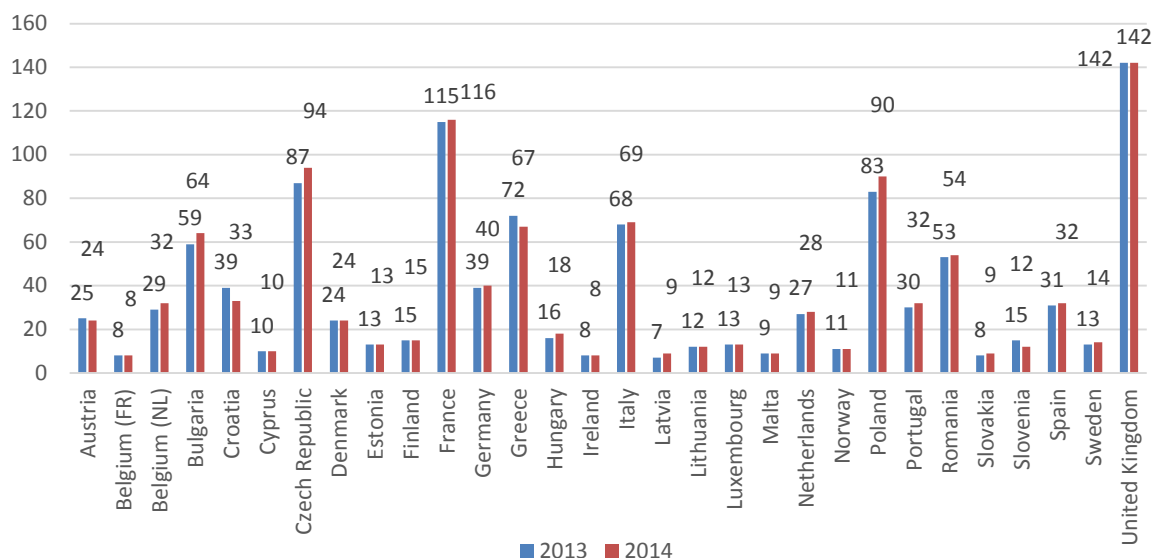
During the reporting period 2013-2014, *the total covered channels*² increased from 1,081 in 2013 to 1,102 in 2014 (Figure 1). The UK had the highest number of covered channels in the period 2013-2014 (142 channels over the period 2013-2014), followed by France (115 in 2013 and 116 in 2014), Czech Republic (87 in 2013 and 94 in 2014) and Poland (83 in 2013 and 90 in 2014). The lowest numbers of covered channels were found in Belgium-French Community (8 channels over the period 2013-2014), Ireland (8 channels over the period 2013-2014), Latvia (7 channels in 2013 and 9 channels in 2014) and Slovakia (8 channels in 2013 and 9 channels in 2014).

In most Member States, the number of TV channels have been stable in the two years under analysis, apart from Bulgaria, Czech Republic, Poland (where the number of covered channels has increased) and Croatia and Greece (where the number of covered channels has significantly decreased).

Figure 1 : Covered channels, period 2013-2014

¹ NRAs were also asked to enter NO if the channel was non-operational, enter NC if no data is available or EX in case of specific exemption for a given year. Channels totally exempted or not operating over the whole period were not be reported in the main tables.

² Covered channels: total number of channels identified minus the number of non-operational channels and the number of channels exempted from their reporting obligation (due to the nature of their programmes) or excluded channels (due to legal exceptions).



Source: Member States, data reporting under Art 16 & 17

Table 30 presents the consolidated results (simple average of the data received) for each Member State and Norway.³ As it is possible to notice:

- Both in 2013 and in 2014, Denmark displays the highest percentages European Works as percentages of Total Qualifying Time. Whereas, Lithuania, the Netherlands and UK exhibit the lowest percentages (both in 2013 and in 2014);
- Both in 2013 and in 2014, Belgium (NL) exhibits the highest percentages of Works made by Independent Producers. Whereas, Italy and UK exhibit the lowest ones (both in 2013 and in 2014);
- Both in 2013 and in 2014, Belgium (NL) exhibits the highest percentages of Recent European Works as a percentage of total European Works made by Independent Producers. Whereas, Slovakia (in 2013) and Denmark (in 2014) exhibit the lowest ones.

Table 30 : Summary table – data reporting under Art. 16 & 17 (simple average)

Country	2013			2014		
	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Austria	62.03%	36.58%	51.75%	75.35%	49.21%	57.70%
Belgium (FR)	69.14%	41.26%	31.89%	66.59%	39.47%	33.76%
Belgium (NL)	61.07%	70.29%	86.09%	61.10%	65.84%	85.47%
Bulgaria	55.51%	20.51%	35.23%	58.41%	24.07%	38.14%
Croatia	65.94%	38.80%	61.55%	62.89%	35.04%	55.78%
Cyprus	59.66%	39.15%	20.34%	54.99%	38.44%	17.66%
Czech Republic	65.80%	36.82%	68.60%	66.36%	40.10%	68.71%

³ EEA countries do not have an obligation to report on the implementation of AVMSD but Norway voluntarily provided information

Country	2013			2014		
	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Denmark	78.96%	33.05%	48.06%	80.81%	32.88%	15.00%
Estonia	69.15%	38.45%	N/A	70.29%	42.55%	N/A
Finland	57.60%	37.18%	88.18%	56.85%	35.57%	88.05%
France	73.32%	45.63%	63.31%	71.51%	43.37%	63.53%
Germany	69.00%	43.82%	67.92%	66.90%	42.83%	67.96%
Greece	58.27%	24.76%	54.33%	58.83%	25.74%	55.34%
Hungary	72.8%	38.0%	67.5%	70.5%	37.0%	63.6%
Ireland	61.20%	28.60%	48.20%	59.60%	26.40%	65.40%
Italy	60.04%	16.18%	14.18%	61.06%	17.90%	16.58%
Latvia	68.00%	40.25%	N/A	57.37%	32.14%	15.6%
Lithuania	48.01%	33.80%	24.40%	48.60%	33.40%	24.00%
Luxembourg	69.37%	38.21%	59.52%	70.05%	36.47%	60.11%
Malta	76.80%	27.97%	33.31%	72.33%	33.10%	44.92%
Netherlands	41.70%	28.85%	78.96%	48.00%	30.54%	75.36%
Norway ⁴	50.83%	43.08%	68.67%	50.35%	41.51%	58.40%
Poland ⁵	83.02%	33.88%	77.65%	79.89%	32.71%	68.49%
Portugal	66.78%	31.13%	58.81%	67.21%	26.27%	50.64%
Romania	73.01%	28.35%	59.61%	73.60%	30.36%	59.51%
Slovakia	65.04%	20.00%	10.00%	63.66%	29.74%	20.72%
Slovenia	77.56%	34.72%	61.03%	72.64%	22.97%	56.55%
Spain	64.02%	37.56%	68.85%	64.33%	39.01%	68.97%
Sweden ⁶	66.65%	37.33%	72.81%	63.44%	37.26%	74.85%
United Kingdom	37.3%	18.9%	65.3%	38.1%	17.8%	69.0%

Source: Member States, data reporting under Art 16 & 17

2.1.2. Application of Article 16

This section provides an analysis of compliance with the obligation to broadcast, where practicable, a majority of European works as set out in Article 16 of the Directive.⁷

⁴EEA countries do not have an obligation to report on the implementation of AVMSD but Norway voluntarily provided information.

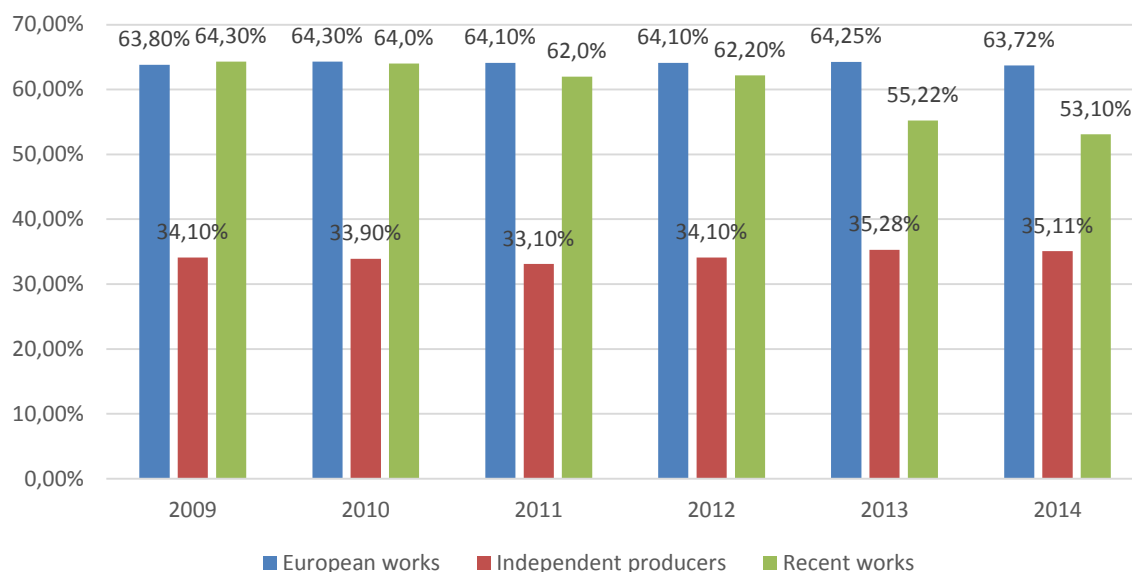
⁵ Averages based on all TV channels monitored, on which data has been provided.

⁶ Based only on the sample of channels above the audience threshold (channels above the 0.3% audience).

The EU average transmission time dedicated to European works by all reported channels in the EU-28 was 64.25% in 2013 and 63.72% in 2014. This indicates in general a stable level of European works with a very minor decrease in 2014 compared to 2009 (63.8%). Three Member States did not meet, on average, the required proportion of European works over the reference period 2013-2014 (Lithuania, the Netherlands and UK).

Trends in the transmission time reserved for European works over the period 2009-2014 in each Member State have been reproduced in charts below:

Figure 2 : Trends in the transmission time reserved for European works over the period 2009-2014



Source: Member States, data reporting under Art 16 & 17

EU-average compliance rates⁸ regarding European works were slightly decreasing over the reporting period with 64.35% in 2013 and 66.57% in 2014 (68.8% in 2009, 69.6% in 2010, 69.1% in 2011 and 68.6% in 2012). Compliance rates do not merely reflect the channels' achievement of the European works proportions set out in Article 16, but also the level of communicated/non-communicated data.

2.1.3. Application of Article 17

This section presents the results achieved at European level as regards European works made by independent producers (i.e. "independent productions") set out in Article 17.⁹

The EU-average proportion reserved for independent productions by all reported channels in 25 Member States¹⁰ was 35.28% in 2013 and 35.11% in 2014. When

⁷ According to Article 16 broadcasters shall reserve for European works a majority proportion of their transmission time, excluding the time allotted to news, sports events, games, advertising, teletext services and teleshopping.

⁸ The compliance rate is obtained by determining the number of channels achieving the required proportions under Articles 16 and 17 and comparing these figures with the number of channels covered by Articles 16 and 17. The channels for which no data were communicated are considered non-compliant for the purpose of this indicator.

⁹ Article 17 establishes the obligation for broadcasters to reserve at least 10% of their transmission time, excluding the time allotted to news, sports events, games, advertising, teletext services and teleshopping, or alternately, at the discretion of the Member State, at least 10 % of their programming budget, for European works created by producers who are independent of broadcasters.

compared to the previous reporting periods, the overall level increased (34.1% in 2009, 33.8% in 2010, 33.1% in 2011 and 34.1% in 2012).

EU-average compliance rates regarding independent productions were 74.60% in 2013 and 75.77% in 2014.¹¹ This indicates a relatively decreasing trend when compared to the previous reporting periods, with some minor fluctuations within the years (the compliance rate was 80.4% in 2009, 81.9% in 2010, 80% for 2011 and 82% for 2012).

The EU average transmission time dedicated to recent independent productions¹² was 55.2% in 2013 and 53.2% in 2014. Overall results regarding recent independent productions show a pronounced downward trend as compared to the previous reporting periods (64.3% in 2009, 64% in 2010, 62% in 2011 and 62.2% in 2012).

Two Member States have not reported on the percentages of recent independent works in 2013 (Latvia and Estonia) and one Member States has not reported on the percentages of recent independent works in 2014 (Estonia).

2.1.4. Exemption from the reporting obligation of channels

In 2011 the Commission decided to give channels with a very low audience share (below 0.3%) the possibility to request an individual exemption from their reporting obligation under Articles 16 and 17. The underlying reason behind this exemption was the flexible wording of Articles 16 and 17 ("where practicable") and the emergence of new and small channels. This exemption only concerns the reporting obligation, and not the obligation to comply with the obligatory shares set out in the Directive and can be granted by the competent national authorities.

Based on the results of the online survey launched in the course of this study, several national authorities reported that they have granted such exemptions during the reference period.

14 Member States have reported that such individual exemptions have been granted on the basis of a very low audience share (below 0.3%): Croatia, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Lithuania, the Netherlands, Slovenia, Spain, Sweden, United Kingdom (12 Member States in 2012).

The number of exempted channels varies considerably among Member States: while some Member States only reported about 1 (i.e. Estonia) to 3 such exemptions (i.e. Croatia), this number was 90 in Spain, 222 in the Netherlands and 859 in the United Kingdom.

Other arguments for exemption used by some Member States was the existence of channels set under the jurisdiction of a Member State but targeting audiences outside the EU (Cyprus, Portugal) and the channel broadcasts entirely in a language that has no official status as one of the languages of one or more Member States (Luxembourg, Norway, Sweden, UK).

¹⁰ France, Italy and the Netherlands have been excluded from the calculation of the averages as their national legislation impose investment obligations in independent productions.

¹¹ Channels from France, Italy and the Netherlands have been excluded from the calculation as their national legislation impose investment obligations in independent productions.

¹² i.e. works broadcast within five years of their production. The proportion of recent independent productions is obtained by determining the average transmission time reserved for independent productions on each channel covered by Article 17 for which data were communicated ('reported channels') when comparing that figure with the transmission time reserved for all independent productions.

2.1.5. Reasons for non-compliance

Member States gave reasons for non-compliance with the proportions required under Articles 16 and 17 of the Directive as in previous reference periods.

Like in the previous reports, a substantial number of Member States referred to the difficulty for specialized and thematic channels to comply with the obligatory shares. This would be due to the lack of availability of European works in specific programmes and often combined with the argument that such productions are often less attractive to the audience than US productions.

A difference from the previous reports is that “*difficulties related to the downturn economic conditions*” has not been mentioned as arguments for non-compliance.

The current chapter summarizes the main reasons most frequently mentioned in the national reports:

- **Problems with the acquisition of European programmes**

Five national reports (Austria, Denmark, Finland, Lithuania and UK) indicated that is expensive to acquire European productions. This was pointed out in comparison to non-EU acquisitions that are often cheaper than either commissioning or purchasing European content and for budgetary reasons broadcasters used more non-EU content.

Similarly for independent productions, some broadcasters said that they could not afford to commission independent productions.

- **Recently launched channels**

Some national reports indicated that recently launched channels found it difficult to meet the obligations set out in Articles 16 and 17 from the start of their operations.

The Directive leaves open the possibility of progressively building up to the required proportions of European works. Also, Article 16(3) allows the Commission to take into consideration the circumstances of new broadcasters.

- **Small channels**

Almost all Member States mentioned that the required shares are difficult to reach for small channels with a low audience share and for small local channels.

As set out in Article 18, the obligations on Articles 16 and 17 do not apply to television broadcasts that are intended for local audiences and do not form part of a national network. Regional television broadcasters broadcast almost exclusively home-made programs in local language and given their local nature, these channels contain a lot of European works.

As regards channels with a low audience share (below 0.3%), national authorities can grant these channels individual exemptions from the reporting obligation. However, such individual exemptions only concern the reporting obligation and not the obligation to comply with the mandatory shares set down by the Directive.

- **Thematic channels**

Many Member States pointed out that channels specialising in one genre, or targeting a very specific audience, find it difficult to reach the required proportions of European and independent works. Like in the previous report, Member States mentioned this issue in particular as regards channels broadcasting a large proportion of general news, political news and sports events.

Similarly, channels specializing in non-European content e.g. Turkish AV contents, were also exempted. Member States often granted individual exemptions for such channels.

It appears that there is an increasing number of very specialized channels in various genres e.g. cooking, lifestyle, human interest, crime, interior design, health, entertainment news, or specific audiences e.g. children, young public. Several Member States reported that such specialized channels have difficulties to find appropriate European content because of the lack of availability of such specialized content.

There are channels which are licenced as solely focused on advertising and teleshopping. These channels are automatically exempted from the obligation of promotion of European works.

- **Other exceptions granted by national legislation**

Six Member States have in place special derogations clauses regarding the quota of European works.

For instance, the Italian legislation provides that if broadcasters belong to the same group, programming quotas have to be calculated on the global amount of programming time, with a minimum threshold on each channel of 20%.¹³ A similar approach has been applied in Denmark, in Germany, in Luxembourg, in Ireland and in Spain in the period 2013-2014.

2.1.6. Measures adopted or planned to remedy cases of non-compliance

Based on the results of the online survey launched in the course of this study, compared to the previous reporting period where many Member States stated to not apply specific sanctions to penalise broadcasters who fail to report and/or comply with Articles 16 and 17, only 3 Member States declared to not have a sanction mechanism in place (Cyprus, Greece, Germany).

The sanction mechanism, in any case, differs from one Member State to another. In most cases authorities get in contact with non-compliant broadcasters drawing their attention to the need to achieve the required proportions of European/independent works (e.g. Denmark, Finland, UK). Broadcasters are usually required to explain the reasons for the failure to reach.

Seven Member States (Czech Republic, Croatia, Estonia, France, Italy, Slovenia and the Netherlands) issued warnings or infringement notices pointing to future possible steps in case of continued non-compliance in the period 2013-2014. Two Member States (Hungary and Slovenia) applied fines or other similar monetary sanctions for non-compliance.

2.2. **Non-linear service providers Art. 13**

2.2.1. Data reporting under Art. 13

Member States were also asked to perform a similar exercise on on-demand service providers. According to Art. 13 of the AVMS Directive, Member States shall report to the Commission every 4 years on its implementation.

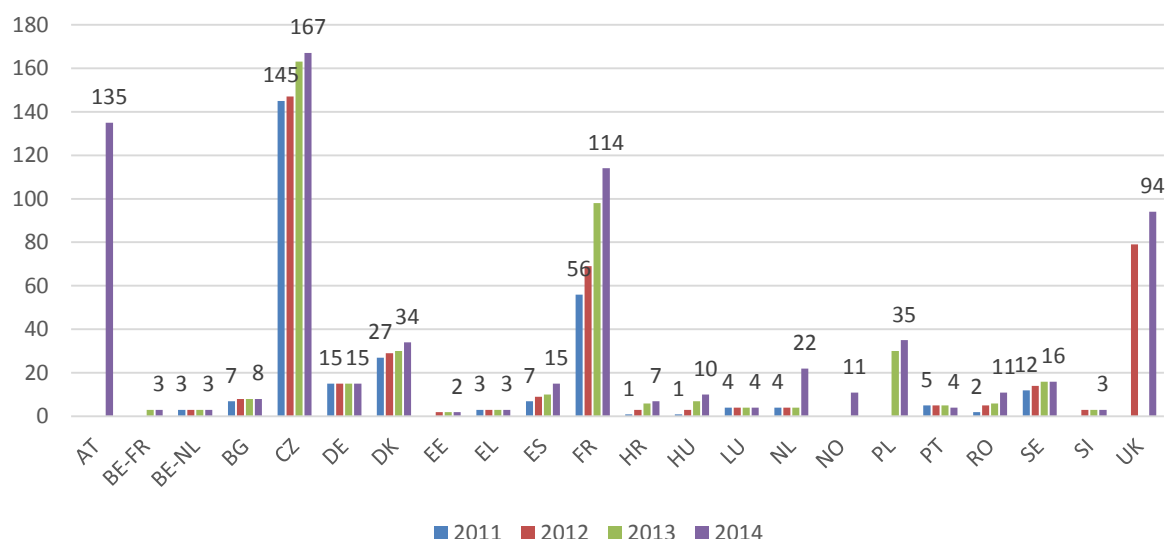
¹³ The Italian legislation changed in the course of 2017.

Not all data reported by NRAs provided information about the number of on-demand services active in the period 2011-2014.¹⁴

According to the information available, the number of on-demand services was estimated at 202 in 2011 (data from 14 countries), at 303 in 2012 (data from 18 countries), at 236 in 2013 (data from 18 countries) and 629 in 2014 (data from 21 countries).

Czech Republic had the highest number of on-demand services available in the period 2011-2014 (145 services in 2011, 147 in 2012, 163 in 2013 and 167 in 2014), followed by Austria (135 in 2014), France (56 in 2011, 69 in 2012, 98 in 2013 and 114 in 2014) and UK (79 in 2012 and 94 in 2014). 8 Member States (Denmark, Germany, Hungary, the Netherlands, Poland, Romania and Sweden) plus Norway stated that the number of on-demand services was above 10 in 2014. The lowest numbers of on-demand services were found in Estonia (2 services over the period 2011-2014), Belgium (3 in the French Community, 3 in the Dutch Community), Greece (3 services over the period 2011-2014) and Slovenia (3 services over the period 2011-2014).

Figure 3 : Number of non-linear services providers by country and evolution hereof over the period 2011-2014



Source: Member States, data reporting under Art 13

For over 80% of the services, details about the type (i.e. VoD, Catch-up, Mixed, etc..) were not provided. By analysing the data available, it results that the most common type of service in the period 2011-2014 was "VoD" (27.1%), followed by "Other" (17.8%), "News/Sports" (16.3%) and "Mixed Services" (11.6%). "Catch-up" represented the 8.5% of the services and other categories mentioned were: "Free-on-demand / Public funding" (8.5%), "Digital TV Platform" (5.4%) and "Digital Cable Network" (1.6%).

The present Study noted that few Member States have implemented Article 13 in a very detailed way (please refer to the main Study report Chapter 5). In addition, there is a high degree of divergence in both the legislation and practice of the Member States. For example, In Wallonia-Brussels Federation, the obligations that were implemented are prominence measures and contribution to production, the quota obligation does not exist. In Italy, to comply with their obligations for the period 2011-2014, non-linear providers were required to either reserve 20% of their catalogue to

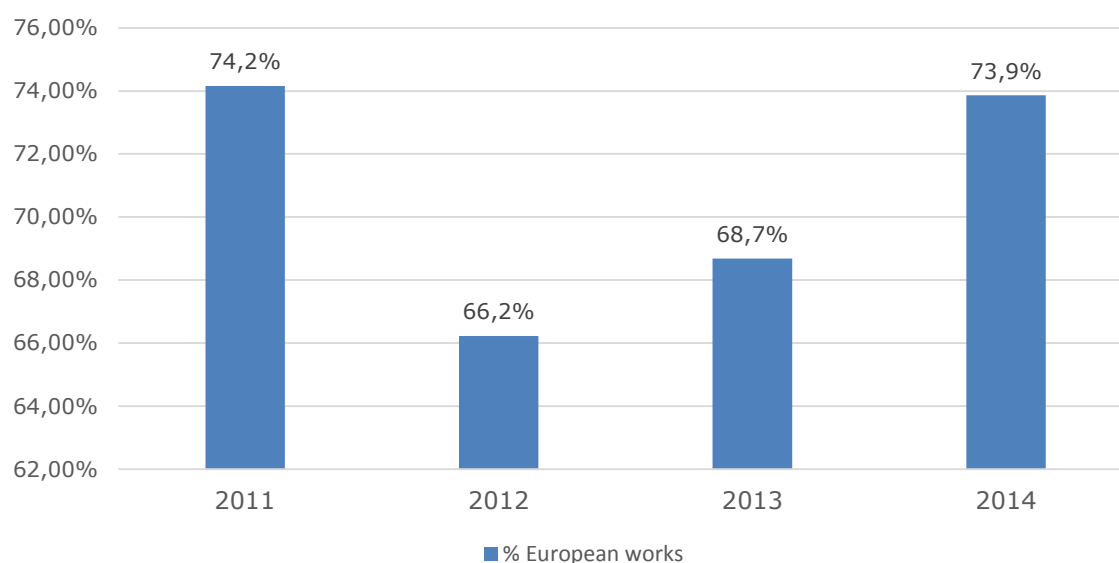
¹⁴ Information was provided by 20 Member States + Norway.

EU audio-visual works, or to devote 5% of their net annual revenues to the production or acquisition of EU audio-visual works.

Therefore, considering the heterogeneity of the practices and the issues that emerged in capturing non-linear data (some Member states calculated the percentages in terms of titles others in terms of hours), it is not possible to draw fully representative and reliable conclusions on the application of Article 13 in the same way as it was done for Art. 16 & 17.

Figure 4 shows the trend about the distribution of European works over the period 2011-2014. However, considering the number of non-linear service providers, the sample of countries and the methodology for data collection vary considerably each year,¹⁵ the explanatory power of these EU averages is very limited.

Figure 4 : Trends in the percentage of European works over the period 2011-2014 in non-linear service providers – based on a sample of Member States and assuming that the methodology to collect the data is homogeneous



Source: Member States, data reporting under Art 13

It is also important to highlight that the above averages do not include most of the multinational VOD service providers which play, nowadays, a major role with "lion's shares" in (almost) every Member State. Compared to the 2011 study, it in the last few years, the country of origin has been of diminishing importance. There are many more multi-country services than before and many more business models. However, the data refer only to the reporting period 2011-2014 and many multinational players enter the European market only in more recently. For example, Netflix is under the jurisdiction of the Netherlands since the beginning of 2015.

¹⁵ Sample overview:

- 2011: 202 services from 14 countries (BE-NL, CZ, DE, DK, EL, ES, FR, LU, HR, HU, NL, PT, RO, SE);
- 2012: 303 services from 18 countries (BE-NL, BG, CZ, DE, DK, EE, EL, ES, FR, HR, HU, LU, NL, PT, RO, SE, SI, UK);
- 2013: 236 services from 18 countries (BE-NL, BG, CZ, DE, DK, EE, EL, ES, FR, HR, HU, LU, NL, PL, PT, RO, SE, SI);
- 2014: 629 services from 21 countries (AT, BE-NL, BG, CZ, DE, DK, EE, EL, ES, FR, HR, HU, LU, NL, NO, PL, PT, RO, SE, SI, UK);

2.2.2. Application of Art. 13

9 Member States (Denmark, Germany, Greece, Ireland, Latvia, Lithuania, Malta, Slovakia and Sweden) declared to have not implemented a monitoring system for Article 13. Among these 9, 3 Member States declared to collect the information from service providers only in connection with the periodic reports to the European Commission.

19 Member States and Norway run monitoring activities. However, the frequency of data requests varies considerably across Member States ranging from a monthly check (BE-FR), annual check (e.g. Italy, BE-NL), biannual check (e.g. UK) to 4-year check (e.g. Austria, Norway and the Netherlands).

The majority of Member States, which run monitoring activities, relied solely on data provided by operators with no verification of the data provided. Belgium (French-speaking community), Croatia, Estonia, France, Italy, the Netherlands, Portugal and Spain foresee verification mechanism of statistical reports submitted by on-demand service providers.

2.2.3. Reasons for non-compliances

According to the reporting obligations and the information provided by Member States in the online survey launched in the course of this study, most non-linear service providers met the proportions required under Article 13 of the Directive in the period 2011-2014. In the event this did not happen, the most frequently mentioned reasons for non-compliance were:

- Two Member States (Austria, Czech Republic) referred to non-linear service providers specialized in news and sports as exempted from complying with the obligatory shares.
- Three Member States (Czech Republic, Croatia and Poland) indicated that services which started their activity in the course of the year were exempted from reporting that year.

As pointed out in the main study report, the monitoring obligations require important resources for operators and NRAs. Lack of accessible catalogue and other data was found a barrier for a number of Member States in performing their monitoring duties.

2.2.4. Measures adopted or planned to remedy cases of non-compliance

Based on the results of the online survey launched in the course of this study, 12 Member States stated to not apply specific sanctions to penalise non-linear service providers which fail to report and/or comply with Article 13.¹⁶

15 Member States and Norway declared to have a sanction mechanism in place. For all Member States, the sanction mechanism is based on warnings and fines. Six national authorities (BE-FR, BE-NL, France, Luxembourg, Norway and Spain) foresee the withdrawal and/or restriction on licenses. In most cases, authorities foresee to get in contact with non-compliant service providers drawing their attention to the need to achieve the required proportions of European works. Three Member States (Czech Republic, Denmark and the Netherlands) foresee the adoption of a commonly agreed remedy/corrective plan.

In the period 2011-2014, no Member State imposed a fine for non-compliance with reference to Art. 13.

¹⁶ Austria, Cyprus, Finland, Germany, Greece, Hungary, Ireland, Latvia, Malta, Poland, Sweden and UK.

2.3. Austria

2.3.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored with a frequency of 4 years.

KommAustria / RTR does not foresee any verification mechanism of statistical reports submitted by on-demand service providers.

Table 31 : Detailed data for non-linear services in Austria

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
www.hochkoenig.at	Aberg-Hinterthal-Bergbahnen AG	N.A.	N.A.	N.A.	N.A.	100%
www.kanal3.tv	AiNet Telekommunikations-Netzwerk Betriebs GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.mmflash.at	Albatros Media GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.alpendorf.com/de/sommer/bergbahn/wetter-webcams.html	ALPENDORF BERGBAHNEN AG	N.A.	N.A.	N.A.	N.A.	No service
www.atv.at	ATV Privat TV GmbH & Co KG	N.A.	N.A.	N.A.	N.A.	almost 100%
www.atv2.at		N.A.	N.A.	N.A.	N.A.	100%
A1 TV (A1 Kabel TV)	A1 Telekom Austria Aktiengesellschaft	N.A.	N.A.	N.A.	N.A.	almost 100%
VodafoneLive!		N.A.	N.A.	N.A.	N.A.	almost 100%
www.kult1.tv	Bad Kleinkirchheimer Sat-Kabelfernsehen GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.enjoykitz.tv	Bergbahn Aktiengesellschaft Kitzbühel	N.A.	N.A.	N.A.	N.A.	100%
www.btvon.at	Bezirks TV St.Veit Produktions- und Vertriebs.ges. m.b.H.	N.A.	N.A.	N.A.	N.A.	100%
www.kaerntentv.tv		N.A.	N.A.	N.A.	N.A.	100%
www.btv.cc	Bezirks TV Vöcklabruck GmbH	N.A.	N.A.	N.A.	N.A.	100%

Service	Provider	Type	Percent age share of Europe an product ion 2011	Percent age share of Europe an product ion 2012	Percent age share of Europe an product ion 2013	Percent age share of Europe an product ion 2014
blue-danube.tv	blue-danube.tv - Verein zur Förderung der Medienvielfalt und der Freiheit der Meinungsäußerung	N.A.	N.A.	N.A.	N.A.	almost 100%
BOHMANN	BOHMANN Druck- und Verlag - Gesellschaft m.b.H. & Co. KG	N.A.	N.A.	N.A.	N.A.	100%
www.zzapp.tv	Christian Kuen	N.A.	N.A.	N.A.	N.A.	100%
www.stv1.at	Christian Parzer - STV1 regional TV Bad Ischl	N.A.	N.A.	N.A.	N.A.	100%
Austria24 TV	COLESNICOV TV, Film, Medienproduktion KG	N.A.	N.A.	N.A.	N.A.	almost 100%
http://fs1.tv/stream-tv/deine-mediathek.html	Community TV Salzburg Gemeinnützige BetriebsgmbH	N.A.	N.A.	N.A.	N.A.	100%
www.okto.tv/schauen/oktothek	Community TV-GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.youtube.com/oktotv		N.A.	N.A.	N.A.	N.A.	100%
www.diepresse.com/home/videos	Die Presse Verlags-Gesellschaft m.b.H. & Co KG	News and Sport	N.A.	N.A.	N.A.	100%
www.dorftv.at/video	DORF TV GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.arf.at	Dr. Rainer Hilbrand (Ausseer Regionalfernsehen)	N.A.	N.A.	N.A.	N.A.	100%
www.salz-tv.at		N.A.	N.A.	N.A.	N.A.	100%
www.falter.at/falter	Falter Verlagsgesellschaft m.b.H.	N.A.	N.A.	N.A.	N.A.	100%
www.feratel.com	feratel media technologies AG	N.A.	N.A.	N.A.	N.A.	100%
http://download.filmladen.at	FILMLADEN Filmverleih GmbH	N.A.	N.A.	N.A.	N.A.	around 90%
http://shop.filmladen.at		N.A.	N.A.	N.A.	N.A.	around 90%
www.flimmit.com	Flimmit GmbH	N.A.	N.A.	N.A.	N.A.	75%

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
www.suedsteiermark.tv	Gerhard Ogrisek	N.A.	N.A.	N.A.	N.A.	100%
www.ennstal-tv.com	Gerhard Scott	N.A.	N.A.	N.A.	N.A.	100%
www.tv1-steiermark.at	Harald Milchberger (V.I.P. Film & Video-Produktion)	N.A.	N.A.	N.A.	N.A.	100%
3Videothek	Hutchison Drei Austria GmbH	N.A.	N.A.	N.A.	N.A.	No service
www.hip90.com	Ilteko GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.wntv.at	Johann Georg Walsberger - WNTV - Ihr Privatfernsehen	N.A.	N.A.	N.A.	N.A.	100%
www.rtv-vorarlberg.at	Kabel TV Lampert GmbH & Co KG	N.A.	N.A.	N.A.	N.A.	100%
www.kremstaldirekt.at	Kapfer Kunsthandel und Filmproduktion Ges. mbH	N.A.	N.A.	N.A.	N.A.	100%
innvideo.at	Karl-Heinz Butter	N.A.	N.A.	N.A.	N.A.	100%
www.kleinezeitung.at/s/video/index.do	Kleine Zeitung GmbH & Co KG	N.A.	N.A.	N.A.	N.A.	100%
krone.tv	Krone Multimedia GesmbH & Co KG	News and Sport	N.A.	N.A.	N.A.	99,99%
www.kt1.at	KT1 Privatfernsehen GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.laola1.tv	LAOLA1 GmbH	Sport	N.A.	N.A.	N.A.	100%
www.linzland.tv	Linz Land Fernsehen Medien GmbH	N.A.	N.A.	N.A.	N.A.	100%
LIWEST Infokanal	LIWEST Kabelmedien GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.lt1.at	LT1 Privatfernsehen GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.woo.at		N.A.	N.A.	N.A.	N.A.	100%
www.etalks.tv	Mag. Amir Abou Roumié	N.A.	N.A.	N.A.	N.A.	100%
www.wien.at/tv	Magistrat der Stadt Wien - Magistratsabteilung 53 Presse und Informationsdienst	N.A.	N.A.	N.A.	N.A.	100%
www.imst-tv.at	Manfred Siegl (Imst Film)	N.A.	N.A.	N.A.	N.A.	100%

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
www.munde-tv.at		N.A.	N.A.	N.A.	N.A.	100%
www.youtube.com/oberlandtv		N.A.	N.A.	N.A.	N.A.	100%
Hardcore Island	Maxodus Media GmbH	N.A.	N.A.	N.A.	N.A.	60%
PlanetSexxx		N.A.	N.A.	N.A.	N.A.	75%
VideoZone		N.A.	N.A.	N.A.	N.A.	95%
www.burgenlandtv.at	MD Media Film und Marketing GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.mematvo.at	Mema Medien-Marketing GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.ht1.at	MGH Medienproduktion GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.tyrolvision.at	Michael Prantl (TyrolVision)	N.A.	N.A.	N.A.	N.A.	100%
www.muehlviertel.tv	MMag. Elisabeth Keplinger-Radler (Mühlviertel TV)	N.A.	N.A.	N.A.	N.A.	100%
www.youtube.com/user/chrisschruns	Montafonerbah n Aktiengesellschaft	N.A.	N.A.	N.A.	N.A.	100%
www.stadtwerke-murau.at/murauTV.htm	Murauer Stadtwerke Gesellschaft m.b.H.	N.A.	N.A.	N.A.	N.A.	100%
kanal3(mmr)	Mur-Mürztal Regionalfernse h GmbH	N.A.	N.A.	N.A.	N.A.	No service
www.autorevue.at/video	news network world internet service GmbH	N.A.	N.A.	N.A.	N.A.	No service
www.news.at/video		N.A.	N.A.	N.A.	N.A.	No service
www.bvz.at/fotosvideos/videos	NÖ Pressehaus Druck- und Verlagsgesellschaft m.b.H.	N.A.	N.A.	N.A.	N.A.	100%
www.noen.at/fotosvideos/videos		N.A.	N.A.	N.A.	N.A.	100%
www.n1tv.at	N1 Niederösterreich TV Fernseh GmbH	N.A.	N.A.	N.A.	N.A.	No service
www.rt24.co.at		N.A.	N.A.	N.A.	N.A.	No service
www.oe24.at	oe24 GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.nachrichten.at/ooentv/	OÖ Online GmbH & Co KG	N.A.	N.A.	N.A.	N.A.	100%
www.oeamtc.tv	Österreichische r Automobil-, Motorrad- und Touring	N.A.	N.A.	N.A.	N.A.	100%

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
	Club ÖAMTC					
www.salzi.tv	Philipp Wiatschka	N.A.	N.A.	N.A.	N.A.	100%
www.sportinwien.tv	POPUP Film und TV Produktion GmbH	Sport	N.A.	N.A.	N.A.	100%
www.rantv.at	PULS 4 TV GmbH & Co KG	Sport	N.A.	N.A.	N.A.	100%
www.puls4.com		N.A.	N.A.	N.A.	N.A.	99%
www.p3tv.at	P3-Kabel-News GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.seefeld-tv.at	rabemedia gmbH	N.A.	N.A.	N.A.	N.A.	100%
www.redbull.tv	Red Bull Media House GmbH	N.A.	N.A.	N.A.	N.A.	50%
Red Bull Mobile Zone		N.A.	N.A.	N.A.	N.A.	50%
www.redbull.at		N.A.	N.A.	N.A.	N.A.	10%
www.seitenblicke.at		N.A.	N.A.	N.A.	N.A.	10%
www.redbull.com		News	N.A.	N.A.	N.A.	almost 100%
www.servustv.com/mediathek		N.A.	N.A.	N.A.	N.A.	60%
www.kbtv.at	Richard Steinbacher - Film- und Videoproduktion	N.A.	N.A.	N.A.	N.A.	100%
www.rtv-kufstein.at		N.A.	N.A.	N.A.	N.A.	100%
www.spacemovie.tv	Roswitha Soukup	N.A.	N.A.	N.A.	N.A.	100%
www.regionaltv.at	RTV Regionalfernsehen GmbH	N.A.	N.A.	N.A.	N.A.	50%
www.austria.com/video	Russmedia Digital GmbH	N.A.	N.A.	N.A.	N.A.	90%
www.vol.at/laendletv		N.A.	N.A.	N.A.	N.A.	90%
www.vienna.at/video		N.A.	N.A.	N.A.	N.A.	90%
www.vol.at		N.A.	N.A.	N.A.	N.A.	90%
www.salzburg24.at/video	Salzburg Digital GmbH	News	N.A.	N.A.	N.A.	100%
www.salzburg.com/video	Salzburger Nachrichten Verlagsgesellschaft m.b.H. & Co. KG	News	N.A.	N.A.	N.A.	100%
http://schaumedia.at/schautv.html	schau media Wien Ges.m.b.H.	N.A.	N.A.	N.A.	N.A.	100%

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
www.oetz.com	SCHIREGION HOCHOETZ Erschließungs-GmbH & Co KG	N.A.	N.A.	N.A.	N.A.	100%
www.schmittten.at/de/youtube.html	Schmitttenhöhe bahn AG	N.A.	N.A.	N.A.	N.A.	100%
www.signtime.tv	Sign Time GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.sky.at	Sky Österreich Fernsehen GmbH	Sport	N.A.	N.A.	N.A.	100%
www.skysportaustria.at		Sport	N.A.	N.A.	N.A.	100%
www.sporttime.tv	Sporttime Media GmbH	Sport	N.A.	N.A.	N.A.	100%
www.laatv.at	Stadtgemeinde Laa an der Thaya	N.A.	N.A.	N.A.	N.A.	100%
www.kitz.net/de/aktueller-film.html	Stadtwerke Kitzbühel	N.A.	N.A.	N.A.	N.A.	100%
www.miss.at/home/video/index.do	Styria Multi Media GmbH & Co KG	N.A.	N.A.	N.A.	N.A.	
http://sportnet.at/home/video/index.do		Sport	N.A.	N.A.	N.A.	100%
www.sw1tv.at	SW1 - Schwechat TV Fernsehproduktionen GmbH	N.A.	N.A.	N.A.	N.A.	No service
www.ccm-tv.at	Sylvia Fleck	N.A.	N.A.	N.A.	N.A.	100%
www.bahnorama.com	Symes-Schutzmann & Co KG	N.A.	N.A.	N.A.	N.A.	100%
vielgesundheit.at/filme	teamworx mediamanagement GmbH	N.A.	N.A.	N.A.	N.A.	100%
video.kurier.at	Telekurier Online Medien GmbH & Co KG	News	N.A.	N.A.	N.A.	100%
www.tiroltv.at	Tirol TV GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.oetztal.com	Tourismusverb and Ötztal Tourismus	N.A.	N.A.	N.A.	N.A.	100%
www.electric-mountain-festival.com		N.A.	N.A.	N.A.	N.A.	100%
www.freizeit-soelden.com		N.A.	N.A.	N.A.	N.A.	100%
www.gaysnowhappening.com		N.A.	N.A.	N.A.	N.A.	100%
www.haiming.at		N.A.	N.A.	N.A.	N.A.	100%
www.hochoetz.com		N.A.	N.A.	N.A.	N.A.	100%
www.laengenfeld.com		N.A.	N.A.	N.A.	N.A.	100%
tv.obergurgl.com		N.A.	N.A.	N.A.	N.A.	100%

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
www.oetz.com		N.A.	N.A.	N.A.	N.A.	100%
www.oetztaler-radmarathon.com		N.A.	N.A.	N.A.	N.A.	100%
www.oetztal-mitte.com		N.A.	N.A.	N.A.	N.A.	100%
www.sautens.com		N.A.	N.A.	N.A.	N.A.	100%
www.vent.at		N.A.	N.A.	N.A.	N.A.	100%
www.1st-hotels-soelden.com		N.A.	N.A.	N.A.	N.A.	100%
www.soelden.com		N.A.	N.A.	N.A.	N.A.	100%
ww.tripple.net/contator.tv	Tripple Internet Content Services, Roland M. Kreutzer	N.A.	N.A.	N.A.	N.A.	100%
www.meins.tv	Upperpixel TV & Filmproduktion GmbH	N.A.	N.A.	N.A.	N.A.	100%
Franckviertel TV	Verein Franckviertel TV	N.A.	N.A.	N.A.	N.A.	100%
www.medienwerkstattlinz.at/sendungspool	Verein Medienwerkstatt Linz (MWL)	N.A.	N.A.	N.A.	N.A.	100%
www.mmone.at		N.A.	N.A.	N.A.	N.A.	100%
webmail.linz.at/OWA/UrlBlockedError.aspx		N.A.	N.A.	N.A.	N.A.	100%
www.vulkan.tv	Vulkan TV GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.walgau.tv	WalgauTV GmbH & CoKG	N.A.	N.A.	N.A.	N.A.	100%
www.kanal3.tv	Weststeirische Regionalfernsehh GmbH	N.A.	N.A.	N.A.	N.A.	100%
http://WienTV.org	WienTV.org zivilgesellschaftliches Videokollektiv	N.A.	N.A.	N.A.	N.A.	100%
www.m4tv.at	Wirth GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.wirtschaftsblatt.at/home/foto_video/index.do	WirtschaftsBlatt Medien GmbH	News and Sport	N.A.	N.A.	N.A.	100%
www.wko.tv	Wirtschaftskammer Steiermark	N.A.	N.A.	N.A.	N.A.	100%
www.wt1.at	WT1 Privatfernsehen GmbH	N.A.	N.A.	N.A.	N.A.	100%
www.w24.at	W24 Programm GmbH	N.A.	N.A.	N.A.	N.A.	80%
www.wienweb.at		N.A.	N.A.	N.A.	N.A.	80%

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
www.reeins.tv	4M Digital Media OG	N.A.	N.A.	N.A.	N.A.	90%
ORF TV THEK	ORF	N.A.	N.A.	N.A.	N.A.	100%

Source: KommAustria, data reporting under Art 13

2.3.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

KommAustria, the regulatory authority, has developed a mechanism by which media service providers regularly report on compliance with their obligation with Art. 13 of AVMSD. Data are transmitted in terms of hours. The control mechanism was established in 2014. Therefore, no data were collected for the period 2011-2013 as legally there was no reporting obligation.

According to the Austrian NRA, what can be concluded out of the monitoring procedure is that some registered services in 2014 only provided news or sports events and were therefore exempted from the requirements of Article 13. Almost all of the remaining registered services in 2014 had restricted themselves to the distribution of their own productions, so that in any case these programs were of complete European origin. The same is valid for the public service broadcaster ORF and its on demand service "ORF TVTHEK" which consists to almost 100% of productions that qualify as European works.

2.3.3. Data reporting under Art. 16 & 17

Table 32 : Detailed data for linear services in Austria

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IPT)	EW (%TQT)	IP (%TQT)	RW (%IPT)
ATV	ATV PRIVAT TV GMBH & CO KG	generalist	33.7%	33.7%	28.7 %	34.0%	34.0%	27.8 %
ATV2	ATV PRIVAT TV GMBH & CO KG	generalist	45.4%	45.4%	30.7 %	41.0%	41.0%	22.6 %
DM SAT	Dragana Mirkovic Bijelic SAT TV KG	generalist	100.0 %	30.0%	27.0 %	100.0 %	30.0%	27.0 %
Fashion TV	Fashion TV Programmgesellschaft mbH	generalist	66.6%	60.0%	80.0 %	66.6%	60.0%	80.0 %
Fashion TV Men	Fashion TV Programmgesellschaft mbH	generalist	66.6%	60.0%	80.0 %	66.6%	60.0%	80.0 %
gotv	gotv Fernseh Gmbh	generalist	80.0%	15.0%	14.0 %	80.0%	15.0%	14.0 %
kabel eins austria	PROSIEBEN AUSTRIA GMBH	generalist	0.0%	0.0%	0.0%	100.0 %	100.0 %	100.0 %
Puls 4	PULS 4 TV GMBH & CO KG	generalist	50.1%	20.8%	56.3 %	50.3%	20.5%	67.3 %
ProSieben Austria	PROSIEBEN AUSTRIA GMBH	generalist	100.0 %	0.0%	0.0%	100.0 %	0.0%	0.0%
ProSieben Maxx Austria	ProSieben Sat.1 PULS 4 GmbH	generalist	NO	NO	NO	100.0 %	100.0 %	100.0 %
Red Bull TV	Red Bull Media House GmbH	generalist	54.0%	64.0%	90.0 %	64.0%	51.0%	85.0 %

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQ T)	IP (%TQ T)	RW (%IP)	EW (%TQ T)	IP (%TQ T)	RW (%IP)
Red Bull TV Deutschland	Red Bull Media House GmbH	generalist	65.0%	75.0%	90.0 %	64.0%	51.0%	85.0 %
Sat.1 Österreich	SAT.1 PRIVATRUNDfunk UND PROGRAMMGESELLSCHAFT M.B.H.	generalist	100.0 %	1.8%	100.0 %	100.0 %	1.7%	100.0 %
Sat.1 Gold Österreich	ProSieben Sat.1 PULS 4 GmbH	generalist	NO	NO	NO	100.0 %	0.0%	0.0%
Schau TV	Bohmann Druck- und Verlag Gesellschaft m.b.H. & Co KG	generalist	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Servus TV	Red Bull Media House GmbH	generalist	57.0%	55.0%	79.0 %	53.0%	48.0%	74.0 %
Servus TV Deutschland	Red Bull Media House GmbH	generalist	57.0%	55.0%	79.0 %	53.0%	48.0%	74.0 %
sixx Austria	AUSTRIA 9 TV GMBH & CO KG	generalist	100.0 %	0.0%	0.0%	100.0 %	52.0%	100.0 %
SPARK	Autentic GmbH	generalist	90.5%	90.5%	54.0 %	90.2%	90.2	38.6 %
Spartenprogramme 3MobileTV	Hutchison Drei Austria GmbH	generalist	0.0%	0.0%	0.0%	100.0 %	100.0 %	0.0%
Spartenprogramme 3Mobile TV Erotik	Hutchison Drei Austria GmbH	other	0.0%	0.0%	0.0%	50.0%	100.0 %	0.0%
Spartenprogramme TMobile Erotic	Maxodus Media GmbH	Other	60.0%	NC	NC	NC	NC	NC
Hallo TV	Telecommunication Niessl GmbH	generalist	NC	NC	NC	NC	NC	NC
ORFeins	ORF	generalist	36.4%	28.7%	76.5 %	33.0%	24.2%	74.2 %
ORF2	ORF	generalist	66.3%	41.0%	66.5 %	65.2%	25.0%	63.1 %
ORF Kultur und Information	ORF	specialized channel	98.1%	28.8%	86.7 %	97.5%	29.4%	72.1 %

Source: KommAustria, data reporting under Art 16 & 17

2.3.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

No disputes for non-compliance had to be settled for the 2013/2014 period.

During the period 2013-2014, ATV, a provider operating only in the Austrian market, did not meet the requirements. The justification received is that the operator in order to keep costs down, used existing film rights for non-European works. However, the data do not include the self-produced contents of ATV and they must be corrected accordingly.

Concerning the data for the channels belonging to Pro7Sat1Puls4 group, it should be noted that the data transmitted by Austria relates only to the Austrian window programs and not to the overall program broadcast via satellite in Germany and Switzerland.

2.4. Belgium – FR

2.4.1. Data reporting under Art. 13

In Wallonia-Brussels Federation, in regard to Article 13 of the Directive, the obligations that were implemented are prominence measures and contribution to production, the quota obligation does not exist.

Concerning the prominence obligation: providers are monitored monthly, the proportion and type of European works promoted on VOD platforms are collected, the data is compared to the amount of the films in the TOP50 of rentals provided by the providers. The providers also describe in detail promotional tools and campaigns they implement to ensure prominence of EU works (premieres, events, editorial, social networks).

2.4.2. Data reporting under Art. 16 & 17

Table 33 : Detailed data for linear services in Belgium (French-speaking community)

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
AB3	AB THEMATIQUES		59.10%	45.20%	16.30%	50.90%	37.20%	15.70%
AB4	AB THEMATIQUES		92.30%	67.40%	22.80%	100.00%	43.00%	43.00%
Be 1	BETV		55.32%	42.93%	42.51%	55.70%	42.90%	42.90%
Be Ciné	BETV		50.94%	50.21%	49.76%	55.10%	54.10%	54.10%
Be Séries	BETV		51.31%	42.57%	42.01%	51.10%	41.90%	41.90%
La Deux (RTBF2)	RTBF - RADIO-TELEVISION BELGE DE LA COMMUNAUTE CULTURELLE FRANCAISE		82.37%	23.24%	23.24%	67.93%	22.21%	20.22%
La Trois (RTBF3)	RTBF - RADIO-TELEVISION BELGE DE LA COMMUNAUTE CULTURELLE FRANCAISE		82.51%	35.78%	35.78%	74.53%	45.36%	31.26%
La Une (RTBF1)	RTBF - RADIO-TELEVISION BELGE DE LA COMMUNAUTE CULTURELLE FRANCAISE		79.23%	22.71%	22.71%	77.50%	29.08%	21.00%

Source: CSA, data reporting under Art 16 & 17

2.5. Belgium – NL

2.5.1. Data reporting under Art. 13

Working method Flemish Regulator for the Media

European works non-linear television broadcasters

The relevant provision is Article 157 of the Flemish Act on radio and television broadcasting (the 'Flemish Media Act'). This article is stipulated as follows:

"The non-linear television broadcasters will promote the production of and access to European productions, insofar as this is feasible and is implemented with suitable resources. Such promotion could relate, inter alia, to the financial contribution made by the non-linear

television broadcasters to the production and rights acquisition of European productions or to the share and/or prominence of European productions in the catalogue of programs offered by the on-demand program catalogue of the non-linear television service.

A considerable share of the promotional resources, referred to in the first indent, has to be used for Dutch-language European productions.

The Flemish Government can lay down the potential resources and measures, as mentioned in the first indent."

The Flemish Regulator for the Media proceeds as follows:

- a) First of all, the Flemish Regulator for the Media makes a risk analysis in which is examined, where possible failures could occur in the reporting by the non-linear television broadcasters.
- b) The Flemish Regulator for the Media, on the basis of the Articles 157, defines which information will be requested from which non-linear television broadcasters.
- c) The Flemish Regulator for the Media asks the selected non-linear television broadcasters to report by 31 March of each year how they have complied with the provisions of Article 157 in the past year.
- d) The selected television broadcasters deliver the information by 31 March of each year. The Flemish Regulator for the Media checks where possible whether the information contained therein is in accordance with Article 157 of the Media Act.

This procedure is repeated every year.

During the last five years the following non-linear television services have been selected by the Flemish Regulator for the Media:

- * The television broadcaster of the Flemish Community's VRT;
- * NV Medialaan;
- * NV SBS Belgium.

Table 34 : Detailed data for non-linear services in Belgium (Dutch-speaking community)

Service	Provider	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
NV Vlaamse Radio- en Televisieomroeporganisatie			99%	99%	99%	99%

Service	Provider	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
NV Medialaan			85-90%	85-90%	85-90%	85-90%
NV SBS Belgium			69%	64%	67%	63%

Source: Vlaamse Regulator voor de Media, data reporting under Art 13

2.5.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

The service providers in the Flemish Community of Belgium have a programming which is basically linear. Their non-linear offer consists basically of catch up services which allow viewers to watch programs which were broadcast beforehand in their linear programming. As a result of this, the conclusions drawn by our regulatory authority concerning the linear service providers apply also to the non-linear service providers.

For that reason, the legislator did not insert an obligation for the non-linear service providers in the Flemish Act on Radio and Television Broadcasting to report to the regulatory authority concerning the European works which they distribute. The Media Act only contains such an obligation for the linear service providers:

"Article 156 - Every year, the television broadcaster of the Flemish Community and the private linear television broadcasters will submit a report to the Flemish Regulator for the Media before 31 March on the manner in which they have complied with the provisions of articles 154 and 155. The Flemish Regulator for the Media will publish these data."

In view of an efficient enforcement and although the Act does not contain a reporting obligation, the VRM asks the 3 major linear service providers (NV Vlaamse Radio- en Televisieomroeporganisatie VRT, NV Medialaan and NV SBS Belgium) once a year to submit, in addition to the report mentioned in article 156, a report concerning their non-linear programming.

Based on these reports the following conclusions can be drawn concerning their non-linear offer:

For 2011:

NV Vlaamse Radio- en Televisieomroeporganisatie: Nearly all programs are European works.

NV Medialaan: By means of co-productions and pre-purchase this service provider is one of the major investors in Flemish local content. The percentage of promotional resources used for Dutch-language European works is between 85 and 90 %. The access to European works is guaranteed by the use of billboards, ads in newspapers and magazines and the use of credits at the end of productions.

NV SBS Belgium: 69% of the non-linear offer consists of European works (in Dutch). (35 out of 51 titles were European; 16 were not European)

The non-linear offer is promoted by promotion spots on TV, the use of credits at the end of productions, references to programs in the publications of network service providers, announcements and visual references on the websites of SBS Belgium.

64% of the promotion resources were invested in non-linear European works (in Dutch), 36% in international series.

For 2012:

NV Vlaamse Radio- en Televisieomroeporganisatie: Nearly all programs are European works.

NV Medialaan: By means of co-productions and pre-purchase, this service provider is one of the major investors in Flemish local content. The percentage of promotional resources used for Dutch-language European works is between 85 and 90 %. The access to European works is guaranteed by the use of billboards, ads in newspapers and magazines and the use of credits at the end of productions.

NV SBS Belgium: 64% of the non-linear offer consists of European works (in Dutch). (36 out of 56 titles were European; 20 were not European)

The non-linear offer is promoted by (separate) promotion spots on TV, the use of credits at the end of productions, references to programs on Facebook and Twitter, the use of banners through the network service providers, the use of logo animation, announcements and visual references on the websites of SBS Belgium.

67% of the promotion resources were invested in non-linear European works (in Dutch), 33% in international series.

For 2013:

NV Vlaamse Radio- en Televisieomroeporganisatie: Nearly all programs are European works.

NV Medialaan: By means of co-productions and pre-purchase this service provider is one of the major investors in Flemish local content. The percentage of promotional resources used for Dutch-language European works is between 85 and 90 %. The access to European works is guaranteed by the use of billboards, ads in newspapers and magazines and the use of credits at the end of productions.

NV SBS Belgium: 63% of the non-linear offer consists of European works (in Dutch). (31 out of 49 titles were European; 18 were not European)

The non-linear offer is promoted by (separate) promotion spots on TV, the use of credits at the end of productions, references to programs on Facebook and Twitter, the use of banners through the network service providers, the use of logo animation, announcements and visual references on the websites of SBS Belgium.

70% of the promotion resources were invested in non-linear European works (in Dutch), 30% in international series.

For 2014:

NV Vlaamse Radio- en Televisieomroeporganisatie: Nearly all programs are European works.

NV Medialaan: By means of co-productions and pre-purchase this service provider is one of the major investors in Flemish local content. The percentage of promotional resources used for Dutch-language European works is between 85 and 90 %. The access to European works is guaranteed by the use of trailers, ads in newspapers and magazines, the use of spots, the use of credits at the end of productions and the use of bannerings.

NV SBS Belgium: 63 % of the non-linear offer consists of European works (in Dutch).

The non-linear offer is promoted by (separate) promotion spots on TV, the use of credits at the end of productions, references to programs on Facebook and Twitter, the use of banners through the network service providers, the use of logo animation, announcements and visual references on the websites of SBS Belgium.

70% of the promotion resources were invested in non-linear European works (in Dutch), 30% in international series.

2.5.3. Data reporting under Art. 16 & 17

Table 35 : Detailed data for linear services in Belgium (Dutch-speaking community)

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
2BE	NV MEDIALAAN		15.70%	99.90%	54.60%	10.60%	75%	28%
Acht TV	BITES EUROPE		47.58%	42.24%	81.88%	59.01%	53.68%	85.52%
ACTUA TV	ACTUA TV		100.00 %	100.00 %	100.00 %	100.00 %	100.00 %	100.00 %
Anne	NV MEDIALAAN		100%	98%	100%	100%	98%	98%
Culture 7	LINT MEDIA		100%	100%	80%	100%	90%	78%
Kanaal Z	Belgian Business Television		100%	41%	100%	100%	56%	100%
Dobbit	DOBBIT		100%	13%	100%	100%	26%	100%
Één (VRT)	VRT - DE VLAAMSE RADIO-EN TELEVISIEOMROEP		92%	19%	88%	90%	22%	93%
JUST TV	LIFE] TV BROADCASTING COMPANY		N.C.	N.C.	N.C.	20%	50%	90%
JIM	NV MEDIALAAN		80%	7%	95%	73%	8%	95%
Licht TV	BITES EUROPE		22.41%	90.53%	79.10%	7.75%	24.60%	75%
MENTtv	MENT MEDIA		90%	70%	95%	90%	94%	80%
Njam!	NJAM!		n.m.	52%	90%	96%	46.17%	70%
Platteland s TV	NTV		N.O.	N.O.	N.O.	24.79%	13.30%	100%
Prime Action	TELENET		5.81%	96.43%	94.65%	11.14%	93.18%	92.12%
Prime Family	TELENET		13.59%	97.82%	91.43%	15.76%	96.77%	84.98%
Prime Fezztival	TELENET		32.85%	95.40%	89.74%	31.72%	91.48%	92.48%
Prime Series	TELENET		9.53%	99.70%	98.47%	5.75%	96.42%	93.64%
Prime Star	TELENET		16.44%	98.21%	97.50%	23.04%	98.56%	96.27%
Libelle TV	Sanoma Media Belgium		19%	19%	78%	54%	54%	88%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Sport 10	LINT MEDIA		100%	100%	90%	100%	100%	90%
Stories TV	VLAMEX		95%	100%	N.C.	100%	100%	100%
Studio 100 TV	TELENET		100%	N.C.	N.C.	97%	92%	73%
Vier	SBS BELGIUM		36.69%	83.79%	93.65%	33.24%	79.46%	93.83%
Vijf	SBS BELGIUM		17.46%	92.62%	94.41%	14.98%	77.16%	88.45%
TMF	VIMN BELGIUM		60.00%	60.00%	88.00%	50.00%	48.00%	95.00%
Vitaya	MEDIA AD INFINITUM		46.30%	99.70%	71.70%	48.50%	98.60%	63.60%
VRT Canvas	VRT - DE VLAAMSE RADIO-EN TELEVISIE OMROEP		89%	7%	93%	87%	7%	90%
VRT Ketnet	VRT - DE VLAAMSE RADIO-EN TELEVISIE OMROEP		77%	23%	57%	81%	24%	57%
VRT Op.12	VRT - DE VLAAMSE RADIO-EN TELEVISIE OMROEP		93%	56%	97%	94%	66%	99%
VTM	NV MEDIALAAN		48.30%	82.50%	50.90%	61.80%	41.50%	66.10%
VTMkzoom	NV MEDIALAAN		63.30%	94.50%	61.60%	75.00%	86.00%	79.00%

Source: Vlaamse Regulator voor de Media, data reporting under Art 16 & 17

2.5.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

Working method Flemish Regulator for the Media

European works linear television broadcasters

The relevant provisions are Article 154 and 155 of the Flemish Act on radio and television broadcasting (the 'Flemish Media Act'). These articles are stipulated as follows:

"Article 154

The television broadcaster of the Flemish Community and the private linear television broadcasters aim to reserve the major share of the time that is not reserved for information, sports, games, advertising, teletext and teleshopping for European productions.

A significant proportion of this must be devoted to Dutch-language European productions.

The Flemish Government can impose quota in implementation of indent 1 and indent 2."

"Article 155

The television broadcaster of the Flemish Community and the private linear television broadcasters aim to reserve at least ten percent of the time that is not reserved for information, sports, games, advertising, teletext and teleshopping for European productions that have been created by independent producers, which have no ties with television broadcasters."

The Flemish Regulator for the Media proceeds as follows:

- a) First of all, the Flemish Regulator for the Media makes a risk analysis in which is examined, where possible failures could occur in the reporting by the television broadcasters.
- b) The Flemish Regulator for the Media, on the basis of the Articles 154 and 155, defines which information will be requested from which linear television broadcasters.
- c) The Flemish Regulator for the Media delivers linear television broadcasters a form requesting them to enter by 31 March the data of the past working year in this form. The broadcasters also receive a document with an explanation.
- d) The television broadcasters use the form of the Flemish Regulator for the Media to deliver the information. The Flemish Regulator for the Media checks where possible whether the information contained therein is in accordance with Article 154 and 155 of the Media Act.

This procedure is repeated every year. The following findings could be established:

- The Flemish Community broadcaster (VRT) and the private linear television broadcasters (including private and regional broadcasters) fall under the application of the articles 154 and 155 of the Flemish Media Act:
 - * The television broadcaster of the Flemish Community's VRT reports figures obtained through a continuous measurement. The recorded information is internally reviewed and communicated via the form provided by the Flemish Regulator for the Media.

This is carried out concretely as follows:

- The VRT receives a daily time logging from the private company Nielsen. All programs, parts of programs, commercials, program trailers, radio promotions, announcements are monitored by Nielsen. Some standard variables include titles, subtitles, start time, end time, duration, recurrence or first broadcast, program genre, etc.
- These data are processed in a specially developed software package (MMW or Mark Data Media Workstation). Additionally, internal coding of some additional variables that are essential for internal and external reporting is done by the VRT. Thus, each program receives a unique code containing the year of production, the country of origin, the net airtime and language. These are variables that are required to calculate the information asked by the Flemish Regulator for the Media. The calculation itself is done after an export from MMW to Excel using pivot tables.
- Regarding the private linear broadcasters, there are two major players in the Flemish television market, namely NV Medialaan and NV SBS Belgium. Both broadcasters operate on the basis of exact figures obtained through a continuous measurement. The recorded information will be internally reviewed and communicated via the form provided by the Flemish Regulator for the Media.
 - NV Medialaan operates with a software package called 'Whats on' containing all the details of the broadcast. The data are collected on the basis of an internal system in which broadcast schedules are recorded with detailed processing of programs.

- NV SBS Belgium also works with the software 'Whats on' containing all the details of the broadcast.
- There are also a number of smaller private linear broadcasters present on the Flemish television market. Here the situation is slightly different from that of the major players:
 - Most actors like NV Belgian Business Television (Kanaal Z) also provide exact figures obtained through a continuous measurement.
 - A number of smaller players such as NV Dobbit TV (Dobbit TV), NV Vlamex (Stories TV), give us an estimate or work with samples. These are broadcasters with a low risk their programs, given their local nature contain a lot of European works.
- Regional television broadcasters broadcast almost exclusively home-made programs in Dutch language. These are also broadcasters with a low risk their programs, given their local nature contain a lot of European works.

For practical reasons it is not possible for the Flemish Regulator for the Media to perform continuous monitoring. Therefore, the Flemish Regulator works as follows:

- The Flemish Regulator for the Media makes a risk assessment and judges whether the data of the television broadcasters with a high-risk profile meet the provisions of Article 154 and Article 155 of the Media Act.
- The Flemish Regulator for the Media takes samples to verify whether the information provided by the linear television services is realistic.
- If it appears that there is a problem, contact is made with the relevant broadcaster asking for further explanation. Until now, The Flemish Regulator has not encountered any problems in this field.

The Flemish Regulator for the Media intends to refine this method in the future and also to work with samples to investigate whether the conditions of Article 154 and 155 of the Media Act are met.

2.6. Bulgaria

2.6.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored with a yearly frequency.

The Council for Electronic Media does not foresee any verification mechanism of statistical reports submitted by on-demand service providers.

Table 36 : Detailed data for non-linear services in Bulgaria

Service	Provider	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
BTV	BTV Media Group	Catch-up TV service VOYO.bg	Launched on 09.03.12	62%	54%	78%

Service	Provider	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Global Communication Net	Global Communication Net	VOD and Pay Per View	N.A.	34%	37%	39%
Mobiltel	Mobiltel	VOD Catch-up	N.A.	33%	30%	32%
Netera TV	Netera Communications	VOD Catch-up	N.A.	N.A.	68%	68%
Skat	Skat TV	PPV	N.A.	82%	87%	89%
Tyankov TV	Tyankov	PPV	N.A.	100%	100%	N.A.
Vestitel BG	Vestitel BG	VOD	N.A.	100%	N.A.	N.A.
City TV	Web radio and TV	Rock, DJ, Hip-hop, pop, Folk	N.A.	N.A.	N.A.	N.A.

Source: Council for Electronic Media, data reporting under Art 13

2.6.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

The Bulgarian Radio and Television Act (the national legislation for media service providers in Bulgaria under which CEM operates) provides for conditionality when offering European works in on-demand services – *encouraging the creation and access to European works where feasible*. The provision is not “imperative” and does not provide for administrative sanctions.

CEM has not taken any administrative actions against media service providers for failure to provide the data and it does not foresee a verification mechanism of statistical reports.

2.6.3. Data reporting under Art. 16 & 17

Table 37 : Detailed data for linear services in Bulgaria

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Б ТВ	БТВ Медиа Груп ЕАД	Generalist	67%	17%	100%	63.70%	34.00%	95.50%
bTV COMEDY		Other	27%	13%	75%	26.90%	15.10%	86.40%
bTV ACTION		Other	17%	6%	84%	10.90%	3.20%	58.40%
bTV LADY		Other	39%	9%	76%	46.60%	19.90%	42.30%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
RING		Other	0%	0%	0%	ND	ND	ND
НОВА ТЕЛЕВИЗИЯ	Нова Броудкастинг Груп АД	Generalist	71%	21%	100%	65.07%	30.69%	100.00%
KINONOVA		Other	24%	0%	100%	30.08%	0.18%	100.00%
Диема		Other	33%	4%	100%	32.59%	3.13%	100.00%
ДИЕМА ФЕМИЛИ		Other	29%	8%	100%	23.46%	4.27%	100.00%
БНТ 1	Българската Национална Телевизия	Generalist	78%	13%	11%	76.37%	18.98%	8.60%
БНТ 2		Generalist	89%	24%	14%	91.80%	13.09%	1.70%
БНТ Свят		Generalist	99%	8%	4%	99.50%	6.70%	1.03%
БНТ HD		Generalist	N/A	N/A	N/A	57.17%	14.33%	100.00%
TV 7	ТВ Седем ЕАД	Generalist	52%	43%	86%	62.00%	13.00%	21.00%
Супер 7		Children	10%	4%	76%	12.10%	7.30%	74.00%
NEWS 7	Балкан Българска Телевизия ЕАД	Generalist	54%	14%	39%	48.20%	9.60%	12.40%
BULGARIA ON AIR	България он ер ООД	Generalist	77%	42%	5%	81.90%	24.70%	19.60%
Евроком	Евроком Национална Кабелна Телевизия ООД	Generalist	52%	18%	35%	47.30%	15.40%	22.70%
Е-Кидс		Other	36%	12%	23%	32.70%	13.50%	20.22%
Алфа ТВ	ПП Атака		61%	0%	16%	63.00%	0.00%	17.00%
Канал 3	Елит Медиа България ЕООД	Generalist	0%	5%	0%	100%	12.50%	50%
Военен телевизионен канал	Информационен център на МО	Generalist	90%	0%	10%	88.70%	0.40%	10.00%
СКАТ	СКАТ ООД	Generalist	100%	12%	7%	100.00%	12.00%	9.00%
СКАТ +		Generalist	100%	10%	5%	100.00%	10.00%	5.00%
Планета Фолк	Пайнер Медиа ООД	Other	100%	11%	10%	100.00%	11.50%	10.00%
ТВ Планета		Other	100%	12%	10%	100.00%	12.00%	12.00%
Планета HD		Other	100%	12%	10%	100.00%	12.00%	12.00%
Fox	Фокс Интернешънъл Ченълс България ЕООД	Other	7%	1%	92%	3.73%	1.14%	ND
Fox life		Other	17%	1%	85%	11.26%	1.60%	80.37%
Fox crime		Other	44%	4%	71%	45.76%	6.90%	52.13%
Нешънъл Джиографик		Other	27%	0%	0%	28.06%	0.17%	84.48%
24 KITCHEN		Other	83%	1%	48%	95.75%	3.03%	80.56%
Виваком Арена	Абнер комуникационен ЕООД	Cinema	53%	ND	ND	51%	ND	ND
Шанс ТВ	Ай Си Ес ЕАД	Other	0%	0%	0%	0.00%	0.00%	0.00%
DSTV	Ай Ди Пи Медиа ЕООД	Other	10%	20%	30%	24 hour	ND	ND
Телевизия Родина	ВВД - Руйчев ЕООД	Other	0%	0%	0%	0.00%	0.00%	0.00%
GCN	Глобъл комуникационен нет АД	Cinema	47%	16%	7%	45.00%	14.00%	5.60%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
TV 1	Естейт ТВ ЕООД	Other	77%	30%	16%	76.58%	29.80%	16.06%
Българска - Национална Патр. Телевизия	Жули М ЕООД	Other	0%	0%	0%	0.00%	0.00%	0.00%
Кис 13	Кис ООД	Generalist	80%	50%	50%	80.00%	55.00%	45.00%
Кис М+		Other	100%	100%	60%	100.00%	100.00%	65.00%
Черно море	Медийна група Черно море ЕООД	Generalist	63%	18%	8%	65.00%	19.60%	8.50%
MOVIESTAR	Мувистар ЕООД	Cinema	N/A	N/A	N/A	20.00%	12.00%	3.00%
Телевизия Стойчев	Нико груп ООД	Other	95%	10%	10%	95.00%	10.00%	10.00%
The Voice TV	Радио Веселина ЕАД	Other	60%	57%	ND	60.00%	57.09%	ND
City TV	Радио и Телевизия Сити ЕООД	Other	40%	0%	0%	40.20%	80.50%	60.00%
Алма Матер	СУ "Св. Климент Охридски"	Generalist	N/A	N/A	N/A	ND	ND	ND
Телевизия Европа	Телевизия Европа АД	Generalist	4%	0%	0%	4.00%	0.00%	0.00%
Телевизия Туризм	Телевизия Туризм ООД	Other	100%	80%	50%	100.00%	50.00%	50.00%
TVART	ТиВиАрт АД	Other	100%	0%	0%	100.00%	0.00%	0.00%
Фолклор ТВ	Фолклор ТВ ЕООД	Other	100%	56%	40%	100.00%	70.00%	33.00%
Sportal	Спортал.БГ АД	Other	40%	0%	0%	40.00%	0.00%	0.00%
ЕФ+	БГ САТ АД	Generalist	72%	72%	98%	52.00%	100.00%	35.00%
ТВ+	БГ САТ АД	Generalist	80%	80%	94%	27.08%	33.33%	50.00%
VTV	ВТВ АД	Generalist	65%	18%	14%	65.00%	18.00%	14.00%
BOX TV	Конов 79 ЕООД	Other	ND	60%	60%	0.00%	60.00%	70.00%
BG INFO CHANNEL	Агенция за консултации и комуникации ЕООД	Other	0%	0%	0%	36.00%	32.00%	48.00%
Фен ТВ	Кю Мюзик Медия Груп ООД	Other	90%	90%	30%	90.00%	30.00%	30.00%
Балканика Мюзик ТВ	Кю Мюзик Медия Груп ООД	Other	45%	50%	50%	45.00%	50.00%	50.00%
Фен фолк ТВ	Ди Ен Кей Медия Груп ООД	Other	N/A	N/A	N/A	100.00%	50.00%	40.00%
BG Music channel	Ди Ен Кей Медия Груп ООД	Other	N/A	N/A	N/A	100.00%	50.00%	60.00%
Дестинация BG	БГ Топ Мюзик ЕООД	Other	100%	21%	12%	100.00%	20,3%	11,4%
Хоби лов	БГ Топ Мюзик ЕООД	Other	100%	28%	18%	100.00%	26,4%	16,9%
БГ Топ Мюзик	БГ Топ Мюзик ЕООД	Other	N/A	N/A	N/A	100.00%	100.00%	100.00%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Хоби ТВ	БГ Топ Мюзик ЕООД	Other	100%	26%	18%	95.00%	24,1%	18,6%
Travel TV / T.TV.I	ТТВИ ЕООД	Other	14%	15%	14%	0.00%	30.00%	50.00%
T.TV.I HD	Ейч Ди Ченъл ЕООД	Generalist	12%	8%	10%	0.00%	20.00%	50.00%
Magic TV	Агенция Атлантик ЕООД	Other	N/A	N/A	N/A	68.00%	68.00%	ND

Source: Council for Electronic Media, data reporting under Art 16 & 17

2.6.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The national legislation, as well as Art. 16 of AVMSD, entrusts the obligation to provide European works by linear service providers where this is "practically possible". According to CEM, the data shows that a large percentage of European works were present in the majority of the programmes. Where a lower share is indicated, it is explained by the fact that:

- the programme is part of a media group and, itself, has a profile that does not imply a significant percentage of European works. While the "core" programme significantly exceeds the minimum percentage for European works;
- the programme profile does not imply the inclusion of a volume of European work – the programme is dominated by current affairs programmes;

Where data shows a high percentage of European works, this is explained by the fact that providers take account of the Bulgarian works they offer. Some of the programmes are specialised and are entirely formed of their own production and/or of Bulgarian works only.

2.7. Croatia

2.7.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored with a yearly frequency.

The Agency for Electronic Media foresees a verification mechanism of statistical reports submitted by on-demand service providers.

Table 38 : Detailed data for non-linear services in Croatia

Service	Provider	Percentage share of European production 2011		Percentage share of European production 2012		Percentage share of European production 2013		Percentage share of European production 2014	
		Hours	Titles	Hours	Titles	Hours	Titles	Hours	Titles
Hrvatski telekom d.d.	MAX tv	48.23%	NC	48.41%	47.79%	58.36%	55.48%	55.48%	37.24%
Vipnet d.o.o.	BNET i VIP Videoteka	EX	NC	31.91%	31.91%	37.30%	NC	NC	40.36%
H1 Telekom		EX	EX	NC	46.06%	37.70%	NC	NC	36.51%
Optima telekom d.d.	OptiTV	EX	EX	NC	58.94%	47.00%	NC	NC	31.56%
Nova TV d.d.	OYO.hr	EX	EX	56.94%	58.39%	42.00%	48.19%	48.19%	44.33%
Iskon Internet d.d.	Iskon TV videoteka	EX	EX	NC	54.77%	51.70%	NC	NC	49.88%
Pickbox d.o.o	Pickbox	NO	NO	NO	NO	EX	EX	37.18%	29.89%

Source: Agency for Electronic Media, data reporting under Art 13

2.7.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

Regarding exemption cases in year 2011, 2012, 2013 and 2014, Agency for Electronic Media applied article 7 of *Croatian Rulebook on Criteria and the Way to Increase the Scope of European Works*. That article specifies that non-linear service providers are exempted from reporting the percentage share of European works in first year of activity, after receiving the official permission (license) for on-demand service from the Council for Electronic media.

The following non-linear service providers were exempted:

- In year 2011 – Iskon Internet d.d., Optima Telekom d.d., Nova Tv d.d., and H1 Telekom d.d. obtained the license in 2011 and therefore they were exempted from obligation to report under Article 13 for that year;
- Vipnet d.o.o. acquired the license permission in year 2012; and
- Pickbox d.o.o. acquired the license permission in year 2013. Therefore, they were exempted from obligation to report under Article 13

Measures imposed by Agency for Electronic Media regarding reporting on European works (on-demand services):

- H1 telekom d.d.: issued monition for not reaching required share of EU works in catalogue for 2013;
- VIPnet d.o.o.: issued monition for not reaching required share of EU works in catalogue for 2013;
- Optima telekom d.d.: issued monition for not delivering report for 2014.

2.7.3. Data reporting under Art. 16 & 17

Table 39 : Detailed data for linear services in Croatia

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Cinestar Action & Thriller (Serbia)	DUPLICATO MEDIA D.O.O.	cinema	NC	NC	NC	NC	NC	NC
Cinestar Action and Thriller (Slovenia)	DUPLICATO MEDIA D.O.O.	cinema	NC	NC	NC	NC	NC	NC
CineStar Fantasy (Croatia)	DUPLICATO MEDIA D.O.O.	cinema	NC	NC	NC	NC	NC	NC
Cinestar Premiere (Slovenia)	DUPLICATO MEDIA D.O.O.	cinema	NC	NC	NC	NC	NC	NC
Cinestar Premiere 2 (Slovenia)	DUPLICATO MEDIA D.O.O.	cinema	NC	NC	NC	NC	NC	NC
Cinestar TV (Serbia)	DUPLICATO MEDIA D.O.O.	cinema	NC	NC	NC	NC	NC	NC
Cinestar TV (Slovenia)	DUPLICATO MEDIA D.O.O.	cinema	NC	NC	NC	NC	NC	NC
CMC Croatian Music Channel	AUTOR D.O.O.	other	99.10%	84.00%	45.00%	NC	NC	NC
Doma TV	NOVA TV D.D.	fiction	30.02%	14.04%	44.92%	24.13%	13.14%	49.87 %
Hit TV (Croatia)	HIT NAKLADA d.o.o.	other	NC	NC	NC	NC	NC	NC
HRT HD	HRVATSKA RADIOTELEVIZIJA	generalist	NC	NC	NC	NC	NC	NC
HRT1	HRVATSKA RADIOTELEVIZIJA	generalist	70.40%	5.52%	73.42%	83.38%	22.70%	56.69 %
HRT2	HRVATSKA RADIOTELEVIZIJA	generalist	67.62%	17.79%	96.42%	66.28%	43.06%	67.25 %
HRT3	HRVATSKA RADIOTELEVIZIJA	other	68.11%	2.73%	30.53%	75.89%	28.35%	25.80 %
HRT-SAT	HRVATSKA RADIOTELEVIZIJA	other	NC	NC	NC	NC	NC	NC
Jukebox.hr	INTERNET RADIO d.o.o.	other	NC	NC	NC	NC	NC	NC
Kanal 5 (Croatia)	MONTURA d.o.o.	generalist	25.87%	10.06%	100.00 %	EX	EX	EX
Klasik TV	TELEVIZIJA CLASSICUM	cinema	100.00 %	100.00 %	11.62%	100.00 %	100.00 %	10.60 %

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	D.O.O.							
M1 Film (version in Macedonia)	M1 Film d.o.o.	cinema	NC	NC	NC	NC	NC	NC
M1 Gold (version in Macedonia)	M1 Film d.o.o.	cinema	NC	NC	NC	NC	NC	NC
MediaTravel TV	MediaHUB d.o.o.	documentaries	NC	NC	NC	NC	NC	NC
MINI TV	NOVA TV D.D.	children	44.89%	44.89%	25.57%	54.41%	54.41%	48.58%
Moja Uprava			NC	NC	NC	NC	NC	NC
Narodna Muzika TV	RADIO CROATIA d.o.o.	other	NC	NC	NC	NC	NC	NC
Nova TV (Croatia)	NOVA TV D.D.	generalist	56.42%	29.61%	60.48%	55.22%	26.87%	67.50%
Nova World	NOVA TV D.D.	generalist	NC	NC	NC	NC	NC	NC
OK Bambino	ORLANDO KLINCI d.o.o.	children	100.00%	100.00%	NC	EX	EX	EX
OK Orlando Kids (Croatia)	ORLANDO KLINCI d.o.o.	children	99.97%	99.97%	NC	EX	EX	EX
OK Orlando Kids (Serbia)	ORLANDO KLINCI d.o.o.	children	NC	NC	NC	NC	NC	NC
OK Orlando Kids (Slovenia)	ORLANDO KLINCI d.o.o.	children	NC	NC	NC	NC	NC	NC
OK Orlando Kids (version in Albanian)	ORLANDO KLINCI d.o.o.	children	NC	NC	NC	NC	NC	NC
OK Orlando Kids (version in Macedonia)	ORLANDO KLINCI d.o.o.	children	NC	NC	NC	NC	NC	NC
OYO Cinema	NOVA TV D.D.	fiction	46.58%	NC	NC	48.19%	NC	NC
OYO Family	NOVA TV D.D.	fiction	46.58%	NC	NC	48.19%	NC	NC
RTB TV	RADIO BANOVIN d.o.o.	other	100.00%	0.00%	0.00%	EX	EX	EX
RTL 2 (Croatia)	RTL HRVATSKA D.O.O.	generalist	30.01%	14.66%	38.07%	48.18%	35.75%	29.89%
RTL Televizija	RTL HRVATSKA D.O.O.	generalist	40.63%	12.05%	97.28%	53.26%	16.52%	79.89%
Jabuka TV	Otvorena televizija Zagreb d.o.o.	generalist	78.85%	21.57%	100.00%	84.16%	23.06%	99.97%
Sportska televizija	HOO TV d.o.o.	other	100.00%	86.00%	100.00%	EX	EX	EX
Mreza TV Zagreb	NET d.o.o.	generalist	80.97%	16.75%	100.00%	EX	EX	EX

Source: Agency for Electronic Media, data reporting under Art 16 & 17

2.7.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

Measures imposed by Agency for Electronic Media regarding reporting on European works and European works of independent producers (linear services):

- Televizija Primorja i Gorskog Kotara d.o.o.: issued monition for not delivering report for 2013;
- TV nova d.o.o.: issued monition for not delivering report for 2013;
- Nova TV d.d.: issued monition for not reaching required share of EU works for 2013;
- RTL Hrvatska d.o.o.: issued monition for not reaching required share of EU works for 2013;
- Croatian radiotelevision (PSB): issued monition for not reaching required share of EU works of independent producers for 2013;
- Nova TV d.d.: issued monition for not reaching required share of EU works for 2014;
- Autor d.o.o.: issued monition for not delivering report for 2014;
- Nova TV d.d.: issued warning for not reaching required share of EU works for 2015;
- RTL Hrvatska d.o.o.: issued warning for not reaching required share of EU works for 2016;
- Nova TV d.d.: issued warning for not reaching required share of EU works for 2015;
- RTL Hrvatska d.o.o.: issued warning for not reaching required share of EU works for 2016.

2.8. Cyprus

2.8.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored with a frequency of 2 years.

The Cyprus Radio Television Authority does not foresee any verification mechanism of statistical reports submitted by on-demand service providers.

2.8.2. Data reporting under Art. 16 & 17

Table 40 : Detailed data for linear services in Cyprus

Channel Identification	Statistical data	
	2013	2014

Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
ANT1 TV (Cyprus)	ANTENNA T.V. LIMITED	generalist	92%	58.6%	19.4%	91.2%	62.6%	30.1%
MEGA (Cyprus)	TELETYPOS CYPRUS LIMITED	generalist	39.6%	0%	0%	39.4%	0%	0%
Plus TV (Cyprus)	C.N.C. (CYPRUS NEW CHANNEL) PLUS T.V.	generalist	5.9%	41.2%	41.2%	3.7%	36.8%	36.8%
RIK1 (CyBC1)	CYPRUS BROADCASTING CORPORATION	generalist	79.2%	21.4%	21.4%	75%	19%	19%
RIK2 (CyBC2)	CYPRUS BROADCASTING CORPORATION	generalist	77.4%	13.3%	13.3%	84.2%	6.5%	6.5%
RIK HD (CyBC)	CYPRUS BROADCASTING CORPORATION	generalist	NC	NC	NC	NC	NC	NC
RIK Sat	CYPRUS BROADCASTING CORPORATION	generalist	NC	NC	NC	NC	NC	NC
SIGMA	SIGMA RADIO T.V. PUBLIC LIMITED	generalist	69.4%	69.4%	40.2%	72.1%	72.1%	48.9%
CAPITAL TV	CAPITAL TV	generalist	37.0%	12.5%	0.0%	39.0%	10.5%	0.0%
EXTRA TV	EXTRA TV	generalist	76.8%	96.8%	27.2%	35.0%	100%	0.0%

Source: Cyprus Radio Television Authority, data reporting under Art 16 & 17

2.8.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

Comments from the Cyprus Radio Television Authority with regards to the implementation of articles 13, 16 and 17 of the AVMS in Cyprus:

- Mad Cyprus and Movies Best channels were deleted from excel page referring to Detailed data for linear services in Cyprus and were added to excel page referring to Channels exempted from the whole reporting period-Cyprus. This decision was based on the rationale that both aforementioned channels are not generalist and therefore they are not obliged to follow the regulatory provisions regarding broadcast of European Work. To be more precise, Mad Cyprus is a thematic music channel and Movies Best is a thematic channel, which broadcast movies. During 2013-2014 Movies Best was operating having acquired an authorization by the relevant regulatory body of the audiovisual media services.
- Capital TV Cyprus and Extra TV Limassol were deleted from excel page referring to Channels exempted from the whole reporting period-Cyprus and were added to the excel page referring to Detailed data for linear services in Cyprus (please see justification provided in the point 1 above).
- With regards to excel page titled Detailed data for linear services in Cyprus no information is provided for the following channels: Al Hayat, FETV (Far East TV), K1 Cobbs TV, K2 Cobbs, METV (Middle East TV). This is due to the fact that the aforementioned channels are not under the jurisdiction of the Cyprus Radio Television Authority and therefore there are no available data.
- With regards to the inclusion of Bayrak Radyo Televizyon Kurumu (BRT) the Cyprus Radio Television Authority would like to emphasise that this channel operates in the so-called "Turkish Republic of Northern Cyprus", which is not recognised by any international organisation. The Cyprus Radio Television Authority also points out that the Security Council of the United Nations, the European Union and the international community condemned the unilateral

declaration of part of the Republic of Cyprus by the so called “Turkish Republic of Northern Cyprus”.

2.9. Czech Republic

2.9.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored every year: the Council demands non-linear service providers to fill in a reporting document, which evaluates the fulfilment of obligations to promote European works. In this document, on-demand services providers must also explain their reasons for non-compliance.

The Council for Radio and Television Broadcasting does not foresee any verification mechanism of statistical reports submitted by on-demand service providers.

Table 41 : Detailed data for non-linear services in Czech Republic

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Aleš Kadlec/Webové stránky	N/A	N/A	service commenced in the course of 2013	N/A
AMC Networks Central Europe s.r.o. / Megamax On Demand Hungary	service was non-operational in 2011	service was non-operational in 2012	service was non-operational in 2013	48%
Barrandov Televizní Studio a.s. / www.barrandov.tv	N/A	N/A	service commenced in the course of 2013	100%
BEDNA TV a.s. / BEDNA TV	service was non-operational in 2011	service was non-operational in 2012	service commenced in the course of 2013	100%
Belžík Richard/Návrat do reality	N/A	N/A	service terminated in 2013	N/A
Bontonfilm a. s. / cinema.cz	67%	service terminated in 2012	service terminated in 2013	100%
Brunclík Milan / BONUS TV	N/A	N/A	own production solely	100%
Burda Media 2000 s.r.o. / Elle TV	N/A	100%	100%	40%
Burda Praha s.r.o. / JOY TV	N/A	100%	100%	100%
Bydžov s.r.o. / VCTV	N/A	N/A	service commenced in the course of 2013	100%
Centrum Holdings s.r.o. / aktualne.centrum.cz/video	30%	no data from the provider is available	30%	100%
Centrum Holdings s.r.o./Vaření.cz	N/A	N/A	own production solely	N/A
ČESKÁ REGIONÁLNÍ TELEVIZE – ČRTV, s.r.o. / ČRTV	100%	no data from the provider is available	own production solely	100%
Česká televize / iVysílání	90%	100%	90%	100%
České dráhy a.s. / Televizní portál ČD	N/A	service commenced in the course of	100%	service terminated in 2014

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
		2012		
Československá filmová společnost s.r.o. / Portál CS Film	100%	100%	100%	60%
Československá filmová společnost s.r.o. / Portál CS Mini	100%	100%	100%	80%
CET 21, spol. s r. o. / nova.cz	85%	100%	71%	80%
Chello Central Europe s. r. o. / Megamax On Demand Hungary	N/A	no data from the	61%	N/A
Chello Central Europe s. r. o. / Minimax On Demand Hungary	N/A	no data from the	61%	N/A
Církev Slovo života, sbor Brno / TV7.cz	N/A	N/A	N/A	100%
Církev Slovo života, sbor Brno / TV7.cz	N/A	service commenced in the course of 2012	100%	N/A
Czech Idea s. r. o. / VideaČesky.cz	N/A	service commenced in the course of 2012	fulfilled other way	13%
Doc-Air o.s. / Doc Alliance Films	90 %	90%	90%	90%
Economia, a.s. / video.aktualne.cz	N/A	N/A	N/A	100%
Economia, a.s./ Video IHNED.cz	N/A	N/A	N/A	100%
Economia, a.s./ Video respekt.cz	N/A	N/A	N/A	100%
Elektrika.cz spol. s r.o. / Elektrika.cz	no data from the provider is available	service ceased to fulfil the category of audiovisual media service on demand	N/A	N/A
EQUINET s.r.o./EquiTV	N/A	N/A	service commenced in the course of 2013	N/A
Eva Stejskalová / Převzaté regionální a lokální videozpravodajství*	100%	service ceased to fulfil the category of audiovisual media service on demand	service commenced in the course of 2013	evidence of the service made in 2014
FIBERA s.r.o./IFK regionální televize Třinec	N/A	N/A	service commenced in the course of 2013	N/A
FK Mladá Boleslav a. s. / Bolka TV	N/A	service commenced in the course of 2012	N/A	N/A
Fotbalová asociace České republiky / Internetová televize FAČR	N/A	service commenced in the course of 2012	N/A	N/A
František Stýblo / PPNA.cz	N/A	service commenced in the course of 2012	N/A	N/A
FTV Prima spol. s r.o. / Trosečníci na D1	N/A	N/A	N/A	evidence of the service made in 2014
FTV Prima spol. s r.o. / PrimaPLAY	N/A	N/A	N/A	79%
FTV Prima spol. s r.o./PrimaPLAY	N/A	N/A	72%	N/A

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
FTV Prima spol. s r.o./PrimaPLAY Premium	N/A	N/A	100%	N/A
FTV Prima spol. s r.o./VIDEA Z VILY	N/A	N/A	100%	N/A
FTV Prima, spol. s r. o. / PrimaPLAY	N/A	60%	N/A	N/A
FTV Prima, spol. s r. o. / PrimaPLAY premium	N/A	100%	N/A	N/A
FTV Prima, spol. s r.o. / Videoarchiv	90%	100%	100%	100%
Futura a.s. / Internetová televize	no data from the provider is available	service terminated in 2012	N/A	N/A
Gama media s.r.o. / Regionální zpravodajský server	11%	service terminated in 2012	N/A	N/A
Genius Media, s. r. o. / Webová televize Ústeckého kraje	N/A	service commenced in the course of 2012	service terminated in 2013	N/A
GENUS TV a. s. / GENUS PLUS	N/A	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO GO Bosnia Herzegovina*	25%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO GO Croatia*	24%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO GO Czech Republic & Slovakia*	service commenced in the course of 2011	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO GO Hungary*	22%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO GO Poland*	29%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO GO Romania	36%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO GO Serbia*	25%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO GO Slovenia*	25%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO On Demand	29%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO On Demand Adria*	23%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Česká republika s.r.o. / HBO On Demand Hungary*	24%	service commenced in	service terminated in	N/A

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
		the course of 2012	2013	
HBO Česká republika s.r.o. / HBO On Demand Poland	30%	service commenced in the course of 2012	service terminated in 2013	N/A
HBO Europe s. r. o. / HBO GO Bosnia Herzegovina	N/A	35%	35%	30%
HBO Europe s. r. o. / HBO GO Bulgaria	N/A	35%	35%	30%
HBO Europe s. r. o. / HBO GO Croatia	N/A	35%	35%	30%
HBO Europe s. r. o. / HBO GO Czech Republic & Slovakia	N/A	30%	36%	32%
HBO Europe s. r. o. / HBO GO Hungary	N/A	42%	35%	31%
HBO Europe s. r. o. / HBO GO Poland	N/A	26%	39%	31%
HBO Europe s. r. o. / HBO GO Romania	N/A	38%	37%	33%
HBO Europe s. r. o. / HBO GO Serbia	N/A	35%	35%	30%
HBO Europe s. r. o. / HBO GO Slovenia	N/A	35%	35%	30%
HBO Europe s. r. o. / HBO On Demand	N/A	36%	27%	23%
HBO Europe s. r. o. / HBO On Demand Adria	N/A	26%	25%	20%
HBO Europe s. r. o. / HBO On Demand Hungary	N/A	30%	26%	22%
HBO Europe s. r. o. / HBO On Demand Poland	N/A	26%	33%	19%
HBO Netherlands Channels s.r.o. / HBO GO Netherlands	N/A	18%	20%	22%
HBO Netherlands Channels s.r.o./ HBO Netherlands On Demand	N/A	19%	22%	20%
HC LEV, a.s. / Web TV HC LEV Praha	N/A	N/A	N/A	evidence of the service made in 2014
HC Slavia Praha a. s. / Web TV	N/A	service commenced in the course of 2012	N/A	N/A
HC Sparta Praha a. s. / Reds TV	N/A	service commenced in the course of 2012	N/A	N/A
Hodrmant Jaroslav/Internetový informační server	N/A	N/A	service terminated in 2013	N/A
Hollywood C.E., s.r.o. / IVIO	N/A	N/A	N/A	evidence of the service made in 2014
Infoportály	N/A	no data from the provider is available	61%	0%
INTERNETOVÉ VYSÍLÁNÍ MČ PRAHA 5*	N/A	no data from the provider is available	61%	0%
J.D.Production/Archiv pořadů televize slovácko	N/A	N/A	service commenced in the course of 2013	N/A
Jan Popelka/Televize Blansko	N/A	N/A	service	N/A

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
			commenced in the course of 2013	
Jaromír Kučera / Živé internetové přenosy s jejich archivací	N/A	100%	N/A	N/A
Jaroslav Heindl/Videoarchív	N/A	N/A	service commenced in the course of 2013	N/A
Jaroslav Malatinec / Internetová videokuchařka	100%	100%	service commenced in the course of 2013	0%
Jaroslav Vojtěch / Video Liberec	N/A	service terminated in 2012	N/A	N/A
Jiří Středa	N/A	N/A	N/A	evidence of the service made in 2014
KABEL OSTROV, s.r.o. / Videoarchiv vysílání TV Ostrov	N/A	N/A	N/A	evidence of the service made in 2014
Kabelová televize Kopřivnice, s. r. o. / www.ktkstudio.cz	N/A	service commenced in the course of 2012	N/A	N/A
KANTÁTA s. r. o. / TV Integral	N/A	N/A	N/A	service terminated in 2014
KANTÁTA s. r. o./TV Integral	N/A	N/A	service commenced in the course of 2013	N/A
KLIKBOX CZ s. r. o. / KLIKBOX TV	N/A	service commenced in the course of 2012	N/A	N/A
KLIKBOX CZ s.r.o./KLIKBOX TV	N/A	N/A	no data from the provider is available	N/A
KLIKTV CZ s.r.o./KLIKBOX TV	N/A	N/A	N/A	service suspended
Kulturní a společenské středisko Chodov s.r.o./Poskytování archivních audiovizuálních záznamů pro	N/A	N/A	service commenced in the course of 2013	N/A
Kulturní magazín Zoom, o.s. / Kulturní magazín Zoom	N/A	N/A	N/A	evidence of the service made in 2014
Libor Tohola / Internetovka.cz	N/A	service commenced in the course of 2012	N/A	N/A
LOCAL TV PLUS spol. s r. o./LTV PLUS	N/A	N/A	service commenced in the course of 2013	N/A
Lukáš Mynařík / Loupak.cz	75%	character of the service will be analysed	service commenced in the course of 2013	evidence of the service made in 2014
MAFRA a.s. / VIDEO iDNES	90%	85%	85%	70%
Malatinec Jaroslav / Internetová videokuchařka	N/A	N/A	100%	100%

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Martin Dušek / Televize BLIK	N/A	service commenced in the course of 2012	N/A	N/A
Martin Král/Videodokumenty.cz	N/A	N/A	service commenced in the course of 2013	N/A
Martin Mithofer / Internetová kuchařka	N/A	service commenced in the course of 2012	N/A	N/A
Martin Šváb / TV Mělníček	N/A	N/A	service commenced in the course of 2013	100%
MediaMax, s.r.o. / StreamTech.tv	no data from the provider is available	service ceased to fulfil the category of audiovisual media service on demand	service commenced in the course of 2013	100%
Město Kralupy nad Vltavou /	100%	service ceased to fulfil the category of audiovisual media service on demand	service commenced in the course of 2013	100%
Město Štětí / Zprávy KTV Štětí	N/A	N/A	N/A	evidence of the service made in 2014
Městská část Praha 5 /	100%	service ceased to fulfil the category of audiovisual media service on demand	service commenced in the course of 2013	evidence of the service made in 2014
Metropolitní s.r.o. / Vysíláme Živě	N/A	N/A	N/A	evidence of the service made in 2014
MF TV s.r.o. / Metropol	N/A	N/A	service commenced in the course of 2013	service terminated in 2014
Michal Šebek / Na hraně života – regionální pořad	N/A	N/A	N/A	evidence of the service made in 2014
Milan Brunclík / BONUS TV	100%	character of the service will be analysed	N/A	N/A
Miroslav Smejkal/TVMS	N/A	N/A	service commenced in the course of 2013	N/A
Miroslav Všetečka / MVTV	N/A	service commenced in the course of 2012	N/A	N/A
Mithofer Martin / Internetová kuchařka	N/A	N/A	100%	100%
MITON CZ / Moviezone.cz	no data from the provider is available	current identity of the provider is unknown	100%	100%
MITON CZ / Vaření.cz	90%	current identity of the provider is unknown	100%	100%

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
MITON CZ s.r.o./Moviezone.cz	N/A	N/A	service terminated in 2013	N/A
MTV NETWORKS s. r. o. / Comedy Central Hungary On Demand*	15%	15%	service terminated in 2013	N/A
MTV NETWORKS s. r. o. / VIVA Hungary On Demand*	15%	15%	service terminated in 2013	N/A
MTV NETWORKS s.r.o. / VIVA Polska On Demand	N/A	N/A	57%	service terminated in 2014
MTV NETWORKS s.r.o. / Comedy Central Family On Demand	N/A	N/A	N/A	service terminated in 2014
MTV NETWORKS s.r.o. / Comedy Central Hungary On Demand	N/A	N/A	N/A	95%
MTV NETWORKS s.r.o. / Comedy Central Polska On Demand	N/A	N/A	12%	service terminated in 2014
MTV NETWORKS s.r.o. / MTV Hungary On Demand	N/A	N/A	5%	20%
MTV NETWORKS s.r.o. / MTV Polska On Demand	N/A	N/A	53%	service terminated in 2014
MTV NETWORKS s.r.o. / Nickelodeon Hungary On Demand	N/A	N/A	N/A	evidence of the service made in 2014
MTV NETWORKS s.r.o. / VH1 Polska On Demand	N/A	N/A	12%%	service terminated in 2014
MTV NETWORKS s.r.o. / VIVA Hungary On Demand	N/A	N/A	75%	80%
MTV Networks s.r.o./Comedy Central Family On Demand	N/A	N/A	10%	N/A
Multimediální zpravodaj Prahy 7	N/A	15%	53%	service terminated in 2014
MUVI.cz production s. r. o. / videosever	N/A	character of the service will be analysed	N/A	N/A
MUVI.cz production s.r.o. / videosever	no data from the provider is available	character of the service will be analysed	53%	service terminated in 2014
MUVI.cz production s.r.o./videosever	N/A	N/A	no data from the	N/A
NaCesty.cz s. r. o. / Videa z cestování	N/A	service terminated in 2012	N/A	N/A
NaCesty.cz s.r.o. / NaCesty.cz	no data from the provider is available	service terminated in 2012	N/A	N/A
New Tang Dynasty o.s./Poskytování zpravodajské informovanosti	N/A	N/A	service terminated in 2013	N/A
New Tang Dynasty, o. s. / Poskytování zpravodajské informovanosti	N/A	service commenced in the course of 2012	N/A	N/A
NTV Pictures, s. r. o. / Našetelevize.cz	100%	service commenced in the course of 2012	service terminated in 2013	service terminated in 2014
o. s. UK Media / Ukáčko.tv	N/A	service ceased to fulfil the	N/A	N/A

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
		category of audiovisual media service on demand		
o.s. UK media / Ukáčko.tv*	service commenced in the course of 2011	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	service terminated in 2014
O2Active	N/A	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	service terminated in 2014
O2TV TV archiv	N/A	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	service terminated in 2014
O2TV Videotéka	N/A	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	service terminated in 2014
OIK TV, s. r. o. / OIK TV – regionální televizní zpravodajský server*	100%	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	service terminated in 2014
Oldřich Bíla TIRIS / TV Hradec	100%	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	service terminated in 2014
Oldřich Bíla TIRIS / TV INTERNET	100%	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	service terminated in 2014
Oldřich Jurečka / TVDOG	N/A	N/A	N/A	evidence of the service made in 2014
Ondřej Veselý / Internetová televize*	15%	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	evidence of the service made in 2014
Otrokovická s.r.o./Městská televize Otrokovice	N/A	N/A	service commenced in the course of 2013	N/A
Pavel Kalista / FILMpro	N/A	N/A	service commenced in the course of 2013	100%
Petr internetová televize pro Karlovarský kraj	N/A	N/A	service commenced in the course of	N/A

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
			2013	
Petr Uher / TV Fenix	N/A	N/A	N/A	evidence of the service made in 2014
PK 62 a.s. / LEO TV	N/A	service commenced in the course of 2012	70%	85%
PLAY NET a.s. / best4man.cz	no data from the provider is available	service ceased to fulfil the category of audiovisual media service on demand	N/A	N/A
POLAR televize Ostrava s.r.o. /	100%	service ceased to fulfil the category of audiovisual media service on demand	N/A	N/A
POLAR televize Ostrava s.r.o. /	100%	service ceased to fulfil the category of audiovisual media service on demand	N/A	N/A
POLAR televize Ostrava s.r.o. /	100%	service ceased to fulfil the category of audiovisual media service on demand	70%	85%
POLAR televize Ostrava s.r.o. / TV Medicina	N/A	N/A	100%	100%
POLAR televize Ostrava s.r.o./Infoportály	N/A	N/A	100%	100%
POLAR televize Ostrava s.r.o./TVportály	N/A	N/A	100%	N/A
PRAHA TV s.r.o. / PRAHA TV	N/A	N/A	N/A	evidence of the service made in 2014
Prosperita o.p.s. / ERUDIA	100%	character of the service will be analysed	100%	100%
První boleslavská, s.r.o. / První boleslavská	100%	character of the service will be analysed	100%	100%
První zpravodajská a.s. / Internetový archiv pořadů TV Z1	service was non-operational in 2011	character of the service will be analysed	100%	100%
R Media, spol. s r.o. / Noviny Kraj Vysočina	N/A	N/A	N/A	evidence of the service made in 2014
Richard Belžík / Webový portál	50%	character of the service will be analysed	own production solely	evidence of the service made in 2014
Ringier Axel Springer CZ a.s. / Blesk.cz	60%	no data from the	100%	95%
Ringier Axel Springer CZ a.s. / iSport TV	N/A	N/A	service commenced in the course of 2013	75%
Romea o. p. s. / Romea TV	N/A	N/A	N/A	100%
SAT Plus s.r.o. / HD Plus	100%	no data from the	90%	100%

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
SAT Plus s.r.o. / UPC EXPRESS	100%	no data from the	95%	100%
SATT a.s./Televize Vysočina	N/A	N/A	service commenced in the course of 2013	N/A
Sdružení pro rozvoj podnikání /	30%	no data from the provider is available	service commenced in the course of 2013	100%
Sdružení pro rozvoj podnikání / www.cestovize.cz	30%	no data from the provider is available	service commenced in the course of 2013	100%
Sdružení pro rozvoj podnikání/TV Senior	N/A	N/A	service commenced in the course of 2013	N/A
Sdružení pro svobodné podnikání / Svobodná internetová TV	30%	service ceased to fulfil the category of audiovisual media service on demand	N/A	N/A
Seznam.cz a.s. / FILM.SEZNAM.CZ	90%	100%	100%	77%
Seznam.cz a.s. / MIXER.CZ	95%	48%	12%	18%
Seznam.cz a.s. / Stream.cz	90%	90%	95%	98%
Seznam.cz a.s. / SUPERVIDEA	95%	95%	90%	90%
Seznam.cz a.s. / VIDEO NOVINKY	100%	90%	80%	80%
Seznam.cz a.s. / VIDEO PROZENY.CZ	90%	95%	100%	100%
Seznam.cz a.s. / VIDEO SPORT	N/A	90%	65%	65%
SMART Comp., a.s. / NETBOX® Videopůjčovna	46%	27%	27%	29%
Sni s.r.o. / tv star	100%	27%	27%	65%
Spolek pro občanskou informovanost / TV Senior	N/A	N/A	N/A	12%
SPORT 5 a.s. / Archiv pořadů televize SPORT 5	N/A	N/A	N/A	evidence of the service made in 2014
SPORTSTREAM s. r. o. / SPORTSTREAM	N/A	service ceased to fulfil the category of audiovisual media service on demand	N/A	N/A
Stanice O, a.s. / Óčko.tv	N/A	N/A	N/A	evidence of the service made in 2014
Statutární město Hradec Králové / hkhlt	100%	service ceased to fulfil the category of audiovisual media service on demand	27%	evidence of the service made in 2014
Statutární město Most / Mostecké televizní vysílání – TV Most Expres	100%	service ceased to fulfil the category of audiovisual media service on demand	27%	evidence of the service made in 2014

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
StockholmDream Production s.r.o. / ALL TELEVISION	N/A	service commenced in the course of 2012	N/A	10%
Strakonická televize s. r. o./ Strakonická televize	N/A	N/A	N/A	evidence of the service made in 2014
Studio ReVi, s. r. o. / Webové stránky TV RTM	N/A	service commenced in the course of 2012	27%	100%
Telefónica O2 Czech Republic a.s. / O2 Active	70%	70%	70%	70%
Telefónica O2 Czech Republic a.s. / O2TV TV Archiv	100%	100%	100%	100%
Telefónica O2 Czech Republic a.s. / O2TV Videotéka	40%	40%	40%	40%
Televize HBin, družstvo / TELEVIZE HBin	N/A	N/A	N/A	evidence of the service made in 2014
Televize Přerov, s. r. o. / www.tvprerov.cz	N/A	service commenced in the course of 2012	N/A	N/A
T-Mobile CZ a. s. / T-music	N/A	30%	N/A	N/A
T-Mobile CZ a. s. / Videozóna	N/A	11%	N/A	N/A
T-Mobile CZ a.s. / T-music	no data from the provider is available	11%	40%	30%
T-Mobile CZ a.s. / Videozóna	no data from the provider is available	11%	40%	evidence of the service made in 2014
TOCCULIO s.r.o. / BOOMtv	no data from the provider is available	100%	100%	100%
Tomčík Viktor / Animaxo.cz	N/A	N/A	no data from the	service terminated in 2014
Tomčík Viktor / Fajn-seriály	N/A	N/A	no data from the	service terminated in 2014
Topfun Media a.s. / Topfun	no data from the provider is available	20%	30%	25%
TP Pohoda s.r.o. / TV Pohoda	N/A	service commenced in the course of 2012	no data from the provider is available	100%
TV KRALUPY	N/A	service commenced in the course of 2012	no data from the provider is available	100%
TV Medicina*	N/A	service commenced in the course of 2012	no data from the provider is available	100%
TV MORAVA s.r.o. / Minuty regionu	N/A	N/A	N/A	service terminated in 2014
TV MORAVA s.r.o. / R1 MORAVA	N/A	N/A	N/A	service terminated in 2014
TV MORAVA s.r.o. / TV MORAVA	N/A	N/A	N/A	evidence of the service made in 2014

Provider / Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
TV portály	N/A	service commenced in the course of 2012	no data from the provider is available	100%
TV PRODUKCE DAKR s.r.o./ TV DAKR	N/A	N/A	N/A	evidence of the service made in 2014
TV Proxima s.r.o. / tvhradec	N/A	service commenced in the course of 2012	no data from the provider is available	evidence of the service made in 2014
TVCOM, s. r. o. / TVCOM – SPORTOVNÍ VIDEO SERVER*	service commenced in the course of 2011	service commenced in the course of 2012	no data from the provider is available	evidence of the service made in 2014
Viktor Tomčík / Animaxo.cz	N/A	service commenced in the course of 2012	N/A	N/A
Viktor Tomčík / Fajn-seriály	N/A	service commenced in the course of 2012	N/A	N/A
WBI Systems, a. s.	service commenced in the course of 2011	service ceased to fulfil the category of audiovisual media service on demand	N/A	N/A
ZAK TV s.r.o. / R1 ZAK	100%	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	N/A
Západočeská kabelová televize s.r.o. / ZKTV	N/A	N/A	N/A	evidence of the service made in 2014
Zavadil Martin / Sledujeme divadlo	N/A	N/A	N/A	evidence of the service made in 2014
ZZIP, s. r. o. / Internetové zpravodajství Olomouc*	100%	service ceased to fulfil the category of audiovisual media service on demand	service terminated in 2013	N/A

Source: Ministry of Culture, data reporting under Art 13

2.9.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

The Czech Act 132/2010 Coll. on on-demand audiovisual media services, and amending the On-demand Audiovisual Media Services Act, provides for that every on-demand audiovisual service provider shall submit a report to the Council about the obligation of the promotion of European works, within 30 days at the end of each calendar year.

In this report, on-demand services must indicate whether they have reserved for European works at least 10% of the total number of programmes offered in their catalogues of programmes or whether they have spent at least 1% of total revenues generated by the service on the production of European works, or the paid acquisition of rights to use European works through the on-demand audiovisual media service.

According to the Act, non-linear service providers are not obliged to provide information about the percentages of European works in their catalogues.

In the event of non-compliance, the provider is meant to submit an explanation. According to the Council, the cases of non-compliance with the proportions only concerne the services which cannot meet the proportions due to their character (type). The only exemption are the services of the provider „MTV NETWORKS s.r.o.“, who has identified problems in the acquisition of rights to use European works.

The Council believes that non linear service providers have a slightly difficult position compared to television broadcasters. In fact, television broadcasters can declare and prove that their channel cannot meet the proportion of European works (due to the character of the channel) already during the licence procedure. Whereas, on-demand service providers must go only through the process of company registration, and they cannot make such a declaration. Thus, they do not receive any „licencing“ document, where they could declare or take into consideration the special character of the service or the impossibility of meeting the proportion of European works.

The Council is aware of the differences between audiovisual services and takes into account their specific character while monitoring the promotion of European works. It is believed that it would be discriminatory to impose a penalty to the on-demand service providers that cannot meet the obligation of promotion of European works, compared to the television broadcasters which were granted an exception directly in the licence for broadcasting.

2.9.3. Data reporting under Art. 16 & 17

Table 42 : Detailed data for linear services in Czech Republic

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
LEO TV	PK 62, a.s.	other	94.20%	23.50%	23.05%	94.2%	23.5%	21.4%
CS film	Československá filmová společnost, s.r.o.	cinema	100.00%	99.00%	EX 7,78%	100%	91.67%	EX 8,06%
CS mini	Československá filmová společnost, s.r.o.	children	100%	76%	EX 6,03%	100%	88%	EX 14,22%
ČT :D	Česká televize	children	75%	33%	42%	70%	33%	39%
Disney Channel (CZ, SK, Hungary)	The Walt Disney Company Limited, s.r.o.	children	12.44%	0.24%	100%	50.92%	6.22%	56%
Disney Channel (Poland)	The Walt Disney Company Limited, s.r.o.	children	21%	5%	7%	49%	9%	100%
Disney Channel (Romania, Bulgaria, Ukraine)	The Walt Disney Company Limited, s.r.o.	children	20.70%	3.60%	14.37%	51.57%	4.24%	24.2%
Disney Junior	The Walt Disney	children	36%	14%	94%	60%	14%	100%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	Company Limited s.r.o.							
Disney XD	The Walt Disney Company Limited s.r.o.	children	19%	3%	70%	54%	30%	99%
MEGAMAX (Hungary, CZ, SK)	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	children	62%	EX 60%	EX 48%	60%	59%	50%
MEGAMAX ROMANIA	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	children	63%	EX 63%	EX 46%	56%	56%	45%
Minimax	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	children	58%	56%	68%	56%	56%	58%
Nickleodeon	MTV NETWORK S s.r.o.	children	EX 9%	EX 8%	76%	EX 14%	EX 14%	76%
Nickleodeon HD	MTV NETWORK S s.r.o.	children	EX 6%	EX 6%	87%	EX 18%	EX 18%	80%
Nickleodeon European	MTV NETWORK S s.r.o.	children	EX 7%	EX 7%	71%	EX 18%	EX 18%	80%
ČT art	Česká televize	other	92%	19%	58%	88%	19%	36%
DOKU CS	FILM EUROPE, s.r.o.	documentaries	EX 100%	100%	EX 1,1%	EX 100%	100%	EX 0%
KinoSvět	Československá filmová společnost, s.r.o.	other	100%	62%	19%	98%	82%	19%
Comedy Central Hungary	MTV NETWORK S s.r.o.	cinema	EX 29%	EX 17%	89%	11%	9%	63%
Comedy Central Family	MTV NETWORK S s.r.o.	cinema	8%	8%	24%	9%	8%	24%
Comedy Central Extra	MTV NETWORK S s.r.o.	cinema	EX 0%	EX 0%	EX 0%	EX 7%	EX 7%	EX 100%
NOVA	CET 21	generalist	57%	16%	20%	57%	13%	19%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	spol. s r.o.							
Nova Cinema	CET 21 spol. s r.o.	cinema	EX 32,42%	28%	18%	EX 24,51%	23%	14%
NOVA NEWS	CET 21, spol. s r.o.	other	100%	EX 0%	EX 0%			
VOYO	CET 21, spol. s r.o.	other	54%	52%	19%	52%	49%	11%
fanda	CET 21 spol. s r.o.	other	EX 46,29%	23%	32%	EX 40,28%	29%	48%
SMÍCHOV	CET 21 spol. s r.o.	other	EX 42,23%	EX 14,39%	28%	EX 42,89%	EX 15,76%	18%
Telka	CET 21 spol. s r.o.	other	96%	11%	63%	100%	EX 4,72%	EX 27,57%
MTV	CET 21 spol. s r.o.	other	EX 73,01%	EX 4,92%	76%			
Nova Sport	CET 21, spol. s r.o.	other				EX 98,57%	EX 40,43%	EX 99,52%
Prima (Prima Family until 31.7.2013)	FTV Prima, spol. s r.o.	generalist	66%	26%	90%	68%	18%	77%
Prima COOL	FTV Prima, spol. s r.o.	fiction	EX 17,91%	13%	61%	EX 17,9%	12%	63%
Prima love	FTV Prima, spol. s r.o.	other	35%	15%	61%	38%	17%	94%
Prima ZOOM	FTV Prima, spol. s r.o.	documentaries	EX 52,92%	23%	100%	EX 52,75%	48%	50%
Rebel	Digital Broadcasting s.r.o.	other	59%	41%	35%	58%	58%	87%
POHODA - RELAX (TV Pohoda)	TP Pohoda s.r.o.	other	70%	41%	26%	63%	18%	73%
Televize Barrandov	Barrandov Televizní Studio a.s.	generalist	60%	37%	19%	59%	47%	19%
HBO (CZ, SK)	HBO Europe, s.r.o.	cinema	EX 33,83%	17%	96%	EX 27,73%	18%	97%
HBO 2 (CZ, SK, Hungary)	HBO Europe, s.r.o.	cinema	EX 26,48%	13%	96%	EX 24,41%	16%	96%
Cinemax, Cinemax 2 (Bulgaria, Croatia, Slovenia, Serbia, Montenegro, Bosnia-Herzegovina, Macedonia) NEBO (Bulgaria, CZ, Hungary, Moldavia, Poland, Romania, SK, Croatia, Slovenia)	HBO Europe, s.r.o.	other	EX 42,41%	37%	66%	EX 46,75%	37%	66%
FILM CAFÉ (Hungary)	AMC Networks Central Europe s.r.o. (former Chello	other	EX 34%	18%	34%	EX 53%	EX 46%	EX 37%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	Central Europe s.r.o.							
FILM CAFÉ ROMANIA	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	other	EX 56%	32%	42%	49%	49%	34%
MGM CHANNEL CENTRAL-EASTERN EUROPE new title of the channel for 2014: AMC CHANNEL CENTRAL AND EASTERN EUROPE	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	cinema	EX 16%	EX 16%	EX 9%	EX 23%	EX 23%	EX 8%
MGM CHANNEL new title of the channel for 2014: AMC CHANNEL	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	cinema	EX 19%	EX 19%	EX 7%	EX 19%	EX 19%	EX 7%
AMC CHANNEL BENELUX (former MGM CHANNEL BENELUX)	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	cinema				EX 24%	EX 24%	EX 2%
AMC CHANNEL HUNGARY (former MGM CHANNEL HUNGARY)	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	cinema				EX 25%	EX 25%	EX 18%
SPEKTRUM	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	documentaries	54%	53%	76%	57%	49%	79%
C8 (Hungary)	AMC Networks	other				52%	43%	55%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	Central Europe s.r.o. (former Chello Central Europe s.r.o.)							
C8 (Czech Republic and Slovakia)	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	other				58%	49%	65%
C8 (Romania)	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	other				74%	58%	58%
Film Europe Channel, the title for 2014 is Film Europe	FILM EUROPE, s.r.o.	cinema	100%	100%	EX 24%	EX 100%	EX 100%	17%
HOROR FILM	Československá filmová společnost, s.r.o.	cinema	60%	EX 60,32%	29%	61%	EX 60,65%	15%
KINO CS	FILM EUROPE, s.r.o.	cinema	EX 100%	100%	EX 0%	EX 100%	100%	EX 0%
HBO (Bulgaria, Croatia, Slovenia, Serbia, Montenegro, Bosnia-Herzegovina, Macedonia)	HBO Europe, s.r.o.	cinema	EX 25,72%	EX 14,21%	96.50%	EX 24,03%	EX 15,73%	93.72%
HBO 2 (Poland)	HBO Europe, s.r.o.	cinema	EX 34,79%	EX 19,81%	94%	EX 29,98%	EX 20,92%	93%
HBO COMEDY (Poland)	HBO Europe, s.r.o.	cinema	EX 26,54%	EX 19,12%	96%	EX 23,49%	EX 16,98%	96%
HBO COMEDY (Bulgaria, Croatia, Slovenia, Serbia, Montenegro, Bosnia-Herzegovina, Macedonia)	HBO Europe, s.r.o.	cinema	EX 19,91%	EX 12,27%	94%	EX 17,25%	EX 11,19%	96%
HBO COMEDY (CZ, Hungary, Moldavia,	HBO Europe, s.r.o.	cinema	EX 17,54%	10%	91%	EX 16,85%	10%	91%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Romania, SK)								
HBO (Hungary)	HBO Europe, s.r.o.	cinema	EX 30,02%	EX 15,68%	96%	EX 25,85%	EX 15,61%	96%
HBO (Poland)	HBO Europe, s.r.o.	cinema	EX 35,31%	EX 22,28%	95%	EX 28,23%	EX 20,24%	96%
HBO (Romania, Moldavia)	HBO Europe, s.r.o.	cinema	EX 30,22%	EX 16,38%	98%	EX 28,48%	EX 20,13%	96%
HBO Netherlands	HBO Netherlands Channels s.r.o.	cinema	EX 22,34%	EX 11,58%	90%	EX 22,35%	EX 13,55%	88%
HBO 2 Netherlands	HBO Netherlands Channels s.r.o.	cinema	EX 25,37%	EX 12,4%	92%	EX 23,95%	EX 12,65%	90%
HBO 3 Netherlands	HBO Netherlands Channels s.r.o.	cinema	EX 23,51%	EX 10,5%	87%	EX 17,04%	EX 8,79%	83%
ČT1	Česká televize	generalist	95%	22%	31%	96%	26%	31%
ČT2	Česká televize	generalist	81%	21%	54%	82%	24%	50%
ČT 24	Česká televize	other	EX 100%	EX 1,9%	EX 61,4%	EX 100%	EX 1,6%	EX 26,8%
ČT sport	Česká televize	other	EX 99%	EX 40,3%	EX 94,5%	EX 99,5%	EX 25,9%	EX 96,2%
MUZIKA CS	FILM EUROPE, s.r.o.	other	EX 100%	100%	EX 0%	EX 100%	100%	EX 0%
FASHION TV (Czech and Slovak)	FASHION TV, a.s.	other	100%	42.65%	100%	100%	72%	100%
TV Paprika (Romania, Moldavia)	AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.)	other	77%	67%	80%	69%	62%	80%
MTV European	MTV NETWORK S s.r.o.	other	23%	14%	100%	EX 25%	EX 21%	97%
VH1 Classic European	MTV NETWORK S s.r.o.	other	43%	43%	0%	EX 42%	EX 42%	EX 0%
VH 1 European	MTV NETWORK S s.r.o.	other	31%	31%	49%	33%	33%	55%
VH 1	MTV NETWORK S s.r.o.	other	45%	45%	80%	68%	58%	81%
MTV Hungary	MTV NETWORK S, s.r.o.	other	25%	20%	100%	15%	10%	100%
MTV Polska	MTV NETWORK S, s.r.o.	other	EX 34%	EX 32%	100%	43%	40%	100%
Viva Polska	MTV NETWORK	other	50%	48%	94%	64%	15%	99%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	S, s.r.o.							
Comedy Central Polska	MTV NETWORK S, s.r.o.	cinema	EX 32%	EX 30%	23%	32%	31%	12%
Viva Hungary	MTV NETWORK S s.r.o.	other	EX 44%	EX 39%	99%	EX 47%	EX 42%	EX 100%
Viacom BLINK!	MTV NETWORK S, s.r.o.	other	11%	9%	93%	83%	27%	62%
Paramount Channel	MTV NETWORK S, s.r.o.	cinema				15%	4%	17%
MTV Dance International	MTV NETWORK S, s.r.o.	other				53%	53%	93%
MTV Rocks International	MTV NETWORK S, s.r.o.	other				50%	49%	86%
MTV Hits International	MTV NETWORK S, s.r.o.	other				32%	32%	100%
regionalnitelevize	Regionální televize CZ s.r.o.	other	100%	100%	100%	100%	100%	100%
regionalnitelevize.cz	Regionální televize CZ s.r.o.	other	100%	82%	100%	100%	69%	100%
GOLF CHANNEL	ATV CZ, s.r.o.	other	EX 6,99%	EX 6,99%	100%	EX 27%	EX 27%	100%
O ("Óčko")	Stanice O, a.s.	other	100%	13%	100%	100%	11%	100%
Óčko Gold	Stanice O, a.s.	other	100%	18%	100%	100%	24%	100%
O Óčko Expres	Stanice O, a.s.	other	100%	10%	100%	100%	24%	99%
Retro Music Television	Hudební televize, s.r.o.	other	100%	22%	100%	100%	29%	100%
FUN 1	SAT Plus, s.r.o.	other	58%	100%	70%	84%	84%	75%
TV NOE	TELEPACE, s.r.o.	other	90%	38%	72%	97%	69%	72%
SPORT 5	SPORT 5 a.s.	other	EX 100%	EX 24%	EX 100%	EX 100%	EX 63%	EX 34%
STARS.TV	STARS.TV s.r.o.	other	NC	NC	NC			
Brno TV	AIDEM a.s.	other	92%	11%	66%			
FILMpro	Pavel Kalista	other	NC	EX	EX	100%	EX 0%	EX 0%
TV Regina	Saavedramedia spol. s r.o.	other				81%	30%	71%

Source: Ministry of Culture, data reporting under Art 16 & 17

2.9.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The following notes explain exemptions for some broadcasters comprised in licences for their channels. This explanatory note must thus be considered when assessing the reached limits of European, independent and recent works.

2013

There is no information about channels which are licenced as solely focused on advertising and teleshopping in the tables attached. These channels are automatically exempted from the obligation of promotion of European works.

Explanatory notes on some of the channels:

- Telka – broadcasting was commenced in the course of 2013, data therefore does not cover the whole year.
- ČT 24 - information/publicity channel; most of the content is therefore exempted. Nevertheless, the broadcaster provided the data on programmes which allow classification. The channel does not fulfil the obligation on promoting European independent production due to thematic content. Nevertheless, the broadcaster provided the data on programmes which allow classification.
- ČT sport – a sport channel; most of the content is therefore exempted. Nevertheless, the broadcaster provided the data on programmes which allow classification.
- ČT :D - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year.
- ČT art - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year.
- Rebel - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year.
- Broadcaster FTV Prima – reports it doesn't hold the information on the first world-wide making the programmes public, therefore this data is not included in the report. Information on the independence of the producers of non-Czech programmes is reported only when it is available.
- PRIMA ZOOM - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year. The licence provides for the 20% limit of European works.
- regionalnitatevize - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year.
- Óčko Gold - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year.
- Óčko Expres - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year.
- Prima COOL – the licence of this channel provides for minimum of 10% of European works.
- Prima Love – did not fulfil the obligation. According to the broadcaster due to lack of suitable programmes which would fit the thematic character of the channel.
- Broadcaster Barrandov Televizní studio a.s. – fulfilled the obligation on promoting European works in all categories. At the same time, it spent minimum of 10% of its programme budget on the production and purchase of

European works created by independent producers and at least 10% of such an amount on works which were first made public 5 years ago or less.

- Nova Cinema, fanda, SMÍCHOV – channels did not reach the majority of European works, nevertheless in accordance with the licence conditions (Nova Cinema's licence comprises obligation of 10% of European production, fanda's licence comprises 20% of European production, SMÍCHOV's licence comprises obligation of 5% of European production). The broadcaster also exceeded 2% of European independent works as provided for in the licence of SMÍCHOV channel (it reached more than 14 %).
- Channel O ("Óčko") reaches 100% share of European and recent works. Channels Óčko Gold a Óčko Espres reaches 100% Czech and European production. This is because the programmes on these channels are produced either by the broadcaster or an independent producer although these programmes comprise only music clips. The same is the reason for 100% of recent independent production. The same occurs in the case of channel Retro Music Television. KinoSvět - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year.
- HOROR FILM - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year. The broadcaster being Československá filmová společnost, s.r.o., reached 60,32% of European independent works in 2013, highly above legal limit. Nevertheless, according to the licence, the broadcaster is obliged to 70% share of independent production.
- MGM CHANNEL CENTRAL-EASTERN EUROPE - broadcasting was commenced in the course of 2013, data therefore does not cover the whole year.
- SPORT 5 – is licenced as a thematic sports channel, most of the content is therefore exempted. Data therefore cover only the programmes that can refer to quotas. Broadcasting was also commenced in the course of 2013, data therefore does not cover the whole year.
- The data from the broadcaster THE WALT DISNEY COMPANY LIMITED show, that none of its five channels reached the majority of European works as stipulated by law. The licences of these channels did not provide for any exemption. The same broadcaster declares that in 2013 it has spent minimum of 10% of its programme budget on the production and purchase of European works created by independent producers, and at least 10% of such an amount on works which were first made public 5 years ago or less.

A number of channels disseminated by means of satellite (and cable) does not reserve the majority proportion of the broadcasting time for European works, works of independent producers and recent works. This is mainly due to the thematic character of these channels which (in some cases) does not enable to fulfil these obligations. The licences to disseminate such channels therefore comprise such conditions that allow the broadcasters not to fulfil the above-mentioned obligations. Such licence conditions are fully compatible with the law (and the Directive) which provides that the promotion of European works is in place "where practicable and by appropriate means".

- In licences of the broadcaster HBO Europe s.r.o. the promotion of European works is usually regulated to at least 10%, respectively some licences set the minimum representation of European works to 12%. The minimum share of European independent production in the channels of HBO Europe s.r.o. is set by the licences at 5%, but for the the HBO channel disseminated in the Czech Republic and Slovakia it is 10%. The promotion of recent independent works is

regulated in the licences of this broadcaster according to the law. Shares for broadcasting of European works enshrined in the licence of HBO Europe s.r.o., are fulfilled, some even significantly exceeded - especially recent European quota for independent productions.

- Broadcaster HBO Europe s.r.o., focuses in his channels on offering first-run titles, on that principle, it is clear that it uses in most cases the European works of independent producers that are less than five years old. The recent European independent production reaches from 66,08% - 98,19% of total broadcasting time of European independent works.
- The European works were increasing in all the channels disseminated by HBO Europe s.r.o. in 2013. For example the channels Cinemax and Cinemax 2 reached 42% of European works, while in 2012 it was only 30%.
- Broadcaster MTV NETWORKS s.r.o. has the licence conditions regarding the European works set differently from the requirements of the law, but not in all cases. For example, in the licence for the Viva Polska channel, the promotion of European works is set according to the Directive, but in contrast, a licence to operate channels Nickleodeon, Nickleodeon HD and Nickleodeon European set the share of European works and European independent production below the legal limit (at least 2 % of European works and less than 1% of European independent works). These channels focus on American audiovisual production. However, the shares of European and independent works exceeded those set in their licences (for example the channel Nickleodeon HD fulfilled 6% of European and independent works of the total broadcasting time).
- In some cases this broadcaster nevertheless significantly exceeded the requirements of the licences. For example channel Comedy Central Hungary reached 29% of European production, while the licence provides for only 15%, and 17% of independent works while the
- licence provides for only 10%. The channel Comedy Central Polska reached 32% of European production, while the licence provides for only 10%, and 30% of independent works while the licence provides for only 5%. The channel Viva Hungary reached 44% of European production, while the licence provides for only 15%, and 39% of independent works while the licence provides for only 5%. The channel MTV Polska reached 34% of European production in 2013, while in 2012 only 19%, and 32% of independent works while in 2012 the share was only 13%. Its licence however allows only 5% share of European and independent works.
- The channel Comedy Central Extra didn't broadcast European production in 2013, fully in accordance with its licence.
- The broadcaster FILM EUROPE, s.r.o., has the licence conditions to channels DOKU CS, KINO CS and MUZIKA CS adjusted to the desired proportions of European works identically. In these channels European works should reach 80%, independent production should reach 10% and recent works should not be represented at all. This specific treatment is understandable, since the channels focus on a retro archive of programming, and their supply is absent from contemporary works. By contrast, in its fourth program, Film Europe Channel, the broadcaster FILM EUROPE, s.r.o. did not reach the required standard of 30 % representation of recent European independent production (only 24% was fulfilled).
- GOLF CHANNEL – reached 6,99% of European and independent European works, while the licence provides for only 5%.

- The broadcaster Chello Central Europe s.r.o. highly fulfils the obligations on channels MEGAMAX and MEGAMAX ROMANIA. In both channels, the broadcaster has committed to allocate at least 30% for European independent works and 30% of this share to works which were first made public 5 years ago or less. Both channels exceeded these limits, MEGAMAX with 60% of European independent production (and 48% of the works first made public less than 5 years ago) and MEGAMAX ROMANIA with 63% of European works (and 46% of the works first made public less than 5 years ago). Also, the channels MINIMAX and TV Paprika highly support the European production and European independent production in spite of the fact that licences do not exceed the legal limit.
- MGM CHANNEL MGM CHANNEL CENTRAL-EASTERN EUROPE – these channels have lower limit for European production of 3%, of European independent production of 2% and 2% of recent works from total time of European independent works. FILM CAFÉ - licence provides for lower limit of European production of 15%. FILM CAFÉ ROMANIA – licence provides for lower limit of European production of 10%.
- The broadcaster Chello Central Europe s.r.o. also declares that it spent minimum of 10% of its programme budget on the production and purchase of European works created by independent producers and at least 10% of such an amount on works which were first made public 5 years ago or less.
- Licence of the broadcaster CET 21 spol. s r.o. entitling to broadcast MTV channel until the end of 2013 also provides for the promotion of European works differently from the requirements of the law, respectively differently regulates the minimum representation of European works and independent European production. European works broadcast by MTV channel should be represented by at least 20%, and European independent production at least 3%. Despite this reduced quota the European works represented 73.01% of MTV channel in 2013.
- The specific situation concerns the channels aimed at unilaterally archival audiovisual works. In addition to the abovementioned channels of the broadcaster FILM EUROPE, s.r.o. it is also the case of channels CS Film and CS mini, the broadcaster being Československá filmová společnost, s.r.o. These two channels focus on Czech and Czechoslovak old movies. For this reason, they fulfil the quotas for the production of European and European independent works, but due to the nature of their programming they cannot meet – in accordance with the licence conditions - the quota for the recent European independent production.
- NOVA NEWS – does not comprise European independent and recent works in full accordance with the licence. The channel is focused only on own production which also explains 100% of European production on this channel.
- HBO NETHERLANDS, HBO NETHERLANDS 2 and HBO NETHERLANDS 3 - the licences provide for minimum of 12% of European production and minimum of 5% of independent production.
- FILMpro – according to the licence the channel is exempted as for the European independent and recent production.
- Nova Sport - is licenced as solely thematic sports channel, therefor it is exempted from the promotion of European works.

There is no information about channels which are licences as solely focused on advertising and teleshopping in the tables attached. These channels are automatically exempted from the obligation of promotion of European works.

- ČT 24 - information/publicity channel; most of the content is therefore exempted. Nevertheless, the broadcaster provided the data on programmes which allow classification. The channel does not fulfil the obligation on promoting European independent production due to thematic content.
- ČT sport – a sport channel; most of the content is therefore exempted. Nevertheless, the broadcaster provided the data on programmes which allow classification.
- Broadcaster FTV Prima – declares it doesn't hold the information on the first world-wide making the programmes public, therefore this data is not included in the report. Information on the independence of the producer is reported only when it is available.
- MEGAMAX ROMANIA – the licence expired 1 October 2014. C8 (Czech Republic and Slovakia) - broadcasting was commenced in the course of 2014.
- C8 Romania - broadcasting was commenced in the course of 2014.
- Nova Sport - is licenced as a thematic sports channel, most of the content is therefore exempted. The broadcaster nevertheless reported data related to programmes that are relevant for promotion of European works.
- MTV Polska - the licence expired 31 August 2014.
- VIVA Polska – the licence expired 31 August 2014.
- Comedy Central Polska - the licence expired 31 August 2014.
- VH1 - the licence expired 31 August 2014.
- MTV Hungary – the licence expired 8 January 2014.
- Comedy Central Family - the licence expired 31 August 2014.
- ViacomBLINK! – the licence expired 30 June 2014.
- Paramount Channel – the broadcast started 14 February 2014.
- MTV Dance International - the broadcast started 27 May 2014.
- MTV Rocks International - the broadcast started 27 May 2014.
- MTV Hits International - the broadcast started 27 May 2014.
- TV Regina - the broadcast started 1 March 2014.
- SPORT 5 – is licenced as a thematic sports channel, most of the content is therefore exempted. Data therefore cover only the programmes that can refer to quotas.
- The broadcaster The Walt Disney Company Limited, s.r.o. declares that in 2014 it has spent minimum of 10% of its programme budget on the production and purchase of European works created by independent producers, and at least

10% of such an amount on works which were first made public 5 years ago or less.

- Broadcaster Barrandov televizní studio a.s. – fulfilled the obligation on promoting European works in all categories. At the same time, it spent minimum of 10% of its programme budget on the production and purchase of European works created by independent producers and at least 10% of such an amount on works which were first made public 5 years ago or less.
- Nova Cinema, fanda, SMÍCHOV – channels did not reach the majority of European works, nevertheless in accordance with the licence conditions (Nova Cinema's licence comprises obligation of 10% of European production, fanda's licence comprises 20% of European production, SMÍCHOV's licence comprises obligation of 5% of European production). The broadcaster also exceeded 2% of European independent works as provided for in the licence of SMÍCHOV channel (it reached more than 15 %).
- Telka channel is focused on the archive own production of the broadcaster therefore it cannot reach the limit for independent and recent works (the licence determines 3% for independent works and allows no recent works on this channel). The recent works nevertheless represented 27% of independent works in 2014.
- Prima ZOOM – the channel reached 52% of European production although the licence determines only 20%.
- Prima COOL – the licence of this channel provides for minimum of 10% of European works.
- Prima Love – did not fulfil the obligation of promotion of European works. According to the broadcaster due to lack of suitable programmes which would fit the thematic character of the channel.
- Channel O ("Óčko") reaches 100% share of European and recent works. Channels Óčko Gold a Óčko Espres reaches 100% Czech and European production on Óčko Gold channel and 100% of European production and almost 100% of Czech production on Óčko Expres channel. This is because the programmes on these channels are produced either by the broadcaster or an independent producer although these programmes comprise only music clips. The same is the reason for 100% of recent independent production. The same occurs in the case of channel Retro Music Television.

A number of programmes disseminated by means of satellite (and cable) does not reserve the majority proportion of the transmission time for European works, works of independent producers and recent works. This is mainly due to the thematic character of these programmes which (in some cases) does not enable to fulfil these obligations. The licences to disseminate such channels therefore comprise such conditions that allow the broadcasters not to fulfil the above-mentioned obligations. Such licence conditions are fully compatible with the law (and the Directive) which provides that the promotion of European works is in place "where practicable and by appropriate means".

- In licences of the broadcaster HBO Europe s.r.o. the promotion of European works is usually regulated to at least 10%, respectively some licences set the minimum representation of European works to 12%. The minimum share of European independent production in the channels of HBO Europe s.r.o. is set by the licences at 5%, but for the HBO channels disseminated in the Czech Republic and Slovakia it is 10%. The promotion of recent independent works is

regulated in the licences of this broadcaster according to the law. Shares of European works enshrined in the licences HBO Europe s.r.o. fulfils, some even significantly exceeds - especially the quota for recent independent productions. Broadcaster HBO Europe s.r.o. focuses in his channels on offering first-run titles, on that principle, it is clear that it uses in most cases the European works of independent producers that are less than five years old.

- Broadcaster MTV NETWORKS Ltd. has most of its licensing adjusted proportion of European works differently from the requirements of the law, but not in all cases. For example, in the licence for the Viva Polska, which expired on 31 August 2014, the promotion of European works is set according to the law, but in contrast, a licence to operate channels Nickleodeon, Nickleodeon HD and Nickleodeon European set the share of European works and European independent production below the legal limit (at least 2 % of European works and at least 1% of European independent works). These lower limits are due to specific programming of the channels. All these three channels focus on American audiovisual production. Nevertheless, the shares of European and independent works exceeded those set in the licence in 2014 and in the case of independent works they even exceeded legal share for independent works. Channel MTV European reached 25% of European works (licence determines only 10%) and 21 % of independent works (licence determines only 8%). Channel VH1 Classic European also reached positive results with 42% of European and independent production, while the licence determines only 25% of European works and 10% of independent works. No recent works on this channel are in accordance with the licence.
- VIVA Hungary channel licence determines only 15% of European works and 5% of independent and recent works. Nevertheless, the channel reached in 2014 the share of 47% of European works, 42% of independent works and 100% of recent independent works.
- The channel Comedy Central Extra didn't broadcast European production in 2014, fully in accordance with its licence. The channel focuses on American comedy production, however in 2014 its content comprised 7% of European works.
- The broadcaster FILM EUROPE s.r.o. has the licence conditions to channels DOKU CS, KINO CS and MUZIKA CS adjusted to the desired proportions of European works identically. European works should reach 80%, independent production should reach 10 % and recent works should not be represented at all. This specific treatment is understandable, since the channels are focused on a retro archive programmes, and their supply is absent of contemporary works. On Film Europe channel the broadcaster achieved the requirements of the licence for European and independent works – both should be represented more than 90% and reached also the 10% limit for recent works.
- GOLF CHANNEL – reached 27% of European and independent European works, while the licence provides for only 5%.
- The broadcaster AMC Networks Central Europe s.r.o. (former Chello Central Europe s.r.o.) fulfils the obligations of promotion of European works on most of his channels. The channel FILM CAFÉ reaches 53% of European works (the licence provides for only 10%), 46% of independent works (the licence provides for only 7%) and 37% of recent works (the licence provides for only 5%).
- AMC CHANNEL AMC CHANNEL CENTRAL AND EASTERN EUROPE AMC CHANNEL BENELUX and ANC CHANNEL HUNGARY licences of these channels provide for

significantly lower limit of European works, 3% for European works, 2% for independent works (in case of AMC CHANNEL and AMC CHANNEL CENTRAL AND EASTERN EUROPE 3%) and 2% for recent independent works (in case of AMC CHANNEL and AMC CHANNEL CENTRAL AND EASTERN EUROPE 3%)

- The specific situation concerns the channels aimed at unilaterally archival audiovisual works. In addition to the above-mentioned channels of the broadcaster FILM EUROPE, s.r.o. it is also the case of channels CS Film and CS mini, the broadcaster being Československá filmová společnost, s.r.o. These two-channel focus on Czech and Czechoslovak old movies. For this reason, they fulfil the quotas for the production of European and European independent works. In 2014 channel CS mini surprisingly reached also the limit for recent independent works (14,22%), which is not stipulated even in the licence.
- HOROR FILM, broadcaster being Československá filmová společnost, s.r.o., reached 60,65% of European independent works in 2014, highly above legal limit. Nevertheless, according to the licence, the broadcaster is obliged to 70% share of independent production.
- The broadcaster WALT DISNEY THE COMPANY LIMITED, s.r.o. got a warning from the Council for Radio and Television Broadcasting in 2014 because the majority of European works on the channels of this broadcaster were not fulfilled in 2013. Warning had an intentional effect because in 2014 the broadcaster fully reached this limit.
- HBO NETHERLANDS, HBO NETHERLANDS 2 and HBO NETHERLANDS 3 - the licences of these channels provide for minimum of 12% of European production and minimum of 5% of independent production. Lower limits are reasonable due to focus on American film and series production. Only the limit for recent European independent works is the same as the limit set by law.
- FILMpro – European production represents 100% of the broadcast, but according to the licence the channel is exempted as for the European independent and recent production.
- Sport 2 - is licenced as solely thematic sports channel, therefor it is exempted from the promotion of European works.

2.10. Denmark

2.10.1. Data reporting under Art. 13

The Agency of Culture and Palaces does not monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive and it does not foresee any verification mechanism of statistical reports submitted by on-demand service providers.

The Board of the Agency of Culture and Palaces collects data from private broadcasters in connection with the periodic reports to the European Commission.

Table 43 : Detailed data for non-linear service providers in Denmark

Channel (A-Z)	Broadcaster	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
b.dk	Berlingske Media	news	>90%	>90%	>90%	>90%

Channel (A-Z)	Broadcaster	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
business.dk	Berlingske Media	news	>90%	>90%	>90%	>90%
bt.dk	Berlingske Media	other	>90%	>90%	>90%	>90%
Billedbladet Play ¹⁷	Aller Media A/S	other	N/A	N/A	N/A	N/A
Børsen Play ¹⁸	Dagbladet Børsen A/S	news	N/A	N/A	N/A	N/A
Jyllands-Posten TV	JP/Politikens Hus A/S	news	>50%	>50%	>50%	>50%
Politiken TV	JP/Politikens Hus A/S	news	>50%	>50%	>50%	>50%
Ekstra Bladet TV	JP/Politikens Hus A/S	other	>50%	>50%	>50%	>50%
Fyens.dk	Jysk Fynske Medier	other	100%	100%	100%	100%
jv.dk	Jysk Fynske Medier	other	100%	100%	100%	100%
frdb.dk	Jysk Fynske Medier	other	100%	100%	100%	100%
vafo.dk	Jysk Fynske Medier	other	100%	100%	100%	100%
hsfo.dk	Jysk Fynske Medier	other	100%	100%	100%	100%
stiften.dk,	Jysk Fynske Medier	other	100%	100%	100%	100%
amtsavisen.dk,	Jysk Fynske Medier	other	100%	100%	100%	100%
viborg-folkeblad.dk,	Jysk Fynske Medier	other	100%	100%	100%	100%
ringskjern.dk,	Jysk Fynske Medier	other	100%	100%	100%	100%
dagbladet-holstebro--struer.dk	Jysk Fynske Medier	other	100%	100%	100%	100%
folkebladetlemvig.dk	Jysk Fynske Medier	other	100%	100%	100%	100%
Altinget.dk TV ¹⁹	ALTINGET.DK ApS	other	N/A	N/A	N/A	100%
Politikens Lokalaviser	Politikens Lokalaviser A/S	other	>50%	>50%	>50%	>50%
mx.dk	Metroexpress A/S	other	>90%	>90%	>90%	>90%
24Nordjyske	Nordjyske Medier	news	100%	100%	100%	100%
Altibox Film og serier	Altibox Danmark a/s	film and series	70.13%	69.79%	69.49%	71.74%
Blockbuster ²⁰	TDC A/S	film and series	N/A	N/A	N/A	30-40%
YouSee	TDC A/S	film and series	N/A	N/A	N/A	20-30%
Jyske Bank TV	Jyske Bank	other	100%	100%	100%	100%
Min Bio	Nordisk Film A/S	film and series	N/A	N/A	90%	90%

¹⁷ The service opened in 2015 so no data from 2011-2014 available

¹⁸ The service opened in 2015 so no data from 2011-2014 available

¹⁹ The service opened in 2014 so only data available from 2014

²⁰ The service opened in 2014 so only data available from 2014

Channel (A-Z)	Broadcaster	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Filmstriben - hjemmefra	Dansk Bibliotekscenter A/S	film and series	N/A	60%	60%	60%
Filmstriben - fra biblioteket	Dansk Bibliotekscenter A/S	film and series	N/A	90%	90%	90%
Filmcentralen	Det Danske Filminstitut	film and series	80-90%	80-90%	80-90%	80-90%
Stofa Smart TV	Stofa A/S	film and series	36%	52%	60%	52%
Telia Movie shop	Telia Danmark	film and series	22%	21%	21%	22%
TV 2 Play	TV 2 Danmark A/S	other	>80%	>80%	>80%	>80%
Wao! Bio	Wao! A/S	film and series	56%	72%	80%	72%
Boxer Bio ²¹	Boxer TV A/S	film and series	N/A	N/A	N/A	30-40 %

Source: Agency of Culture and Palaces, data reporting under Art 13

2.10.2. Data reporting under Art. 16 & 17

Table 44 : Detailed data for linear services in Denmark

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
dk4	BRAVAD PRODUCTION APS	generalist	99%	18%	14%	99%	20%	15%
DR1	DR	generalist	67%	14%	NC	71%	24%	NC
DR2	DR	generalist	80%	8%	NC	77%	9%	NC
DR 3	DR	generalist	41%	5%	NC	57%	6%	NC
DR K	DR	generalist	83%	11%	NC	81%	13%	NC
DR Ramasjang	DR	children	83%	28%	NC	92%	34%	NC
DR Synstolkning	DR	other	NC	NC	NC	NC	NC	NC
DR Ultra	DR	children	57%	24%	NC	57%	21%	NC
DR Total (all channels)	DR	generalist	69%	14%	NC	72%	17%	NC
TV 2 Charlie	TV2/DANMARK A/S	Other	88.90%	71.10%	29.20%	85.30%	70.70%	NC
TV 2 (Denmark)	TV2/DANMARK A/S	generalist	62%	84%	NC	73%	82%	NC
TV 2 Fri	TV2/DANMARK A/S	Other	99%	64%	80%	99%	63%	NC
TV 2 Zulu	TV 2 ZULU A/S	Other	30.00%	66.10%	69.15%	32%	61%	NC
TV 2 Bornholm	TV 2 Bornholm	generalist	>90%	44%	NC	>90%	22%	NC

²¹ Service only operated from 2014-2015

Channel Identification			Statistical data					
			2013			2014		
TV 2 Fyn	TV 2 Fyn	generalist	>90%	4%*	NC	>90%	0%**	NC
TV 2 Lorry	TV 2 Lorry	generalist	>90%	NC	NC	>90%	NC	NC
TV Midt-Vest	TV Midt-Vest	generalist	>90%	62%	NC	>90%	62%	NC
TV 2 NORD	TV 2 NORD	generalist	>90%	NC*	NC	>90%	22%**	NC
TV 2 ØSTJYLLAND	TV 2 ØSTJYLLAND	generalist	>90%	51%	NC	>90%	79%	NC
TV SYD	TV SYD A/S	generalist	>90%	26%	NC	>90%	12%	NC
TV ØST	TV ØST	generalist	>90%	1%	NC	>90%	7%	NC
Uptown Christmas TV	UPTOWN TV APS		63%	>90%	NC	68%	>90%	NC
Uptown Classic TV	UPTOWN TV APS		>90%	>90%	NC	>90%	>90%	NC
Uptown TV	UPTOWN TV APS		>90%	>90%	NC	>90%	>90%	NC

Source: Agency of Culture and Palaces, data reporting under Art 16 & 17

2.10.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

In 2013 and 2014 the channel TV 2 Zulu failed to transmit a majority of European works in their transmission time. In 2013 the channel DR3 failed to transmit a majority of European works in their transmission time. DR3 and TV 2 Zulu are both part of larger public service television companies i.e., the DR (the Danish Broadcasting Corporation, six TV-channels), and TV 2 Danmark (four TV-channels).

On an overall scale the channels of the DR transmitted 67% European works in 2013. On an overall scale the channels of TV 2 Danmark transmitted 69.975% European works in 2013 and 72.325% in 2014.

The channels in the DR-Company, DR2 and DR3, had difficulties complying with the proportion in 2013 and 2014. Again, the RTB notes, that DR2 and DR3 are only two out of six TV-channels broadcasted by DR. On an overall scale the TV-channels of DR comply with the proportion and the RTB therefore consider DR to fulfil the demand altogether.

The regional TV 2 station TV 2/Øst could not meet the proportion of European works by independent producers in 2013. In 2014, TV 2/Øst and TV 2/Lorry failed to fulfil the demand. In connection with their public service reports for these years, the broadcasters have explained to the RTB, that this was due to difficulties finding affordable independent producers. The issue has been focused on in the RTB statements regarding these broadcasters' public service reports regarding the years in question.

Further, a number of the regional TV 2 stations (TV 2/FYN, TV 2/Øst, TV 2/Østjylland and TV 2/Lorry) have had difficulties in regard to the method of collecting the data in 2013. The RTB therefor has not been able to assess whether the data complies with the proportion. In 2014, to some extent the same problem was still the case for TV 2/Fyn and TV 2/Syd.

Uptown TV, Uptown TV Classic and Uptown Christmas TV initially failed to deliver data on the compliance with article 16 and 17 regarding the years 2013 and 2014. The fail

to deliver in time has been prosecuted in a decision by the RTB by 5 December 2017, and the importance of the delivery of data in time has been emphasized to the channels in question.

2.11. Estonia

2.11.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored yearly.

There are only 2 on-demand media services providers in Estonia and both of them keep statistics of European productions expressed in terms of titles.

The Estonian Technical Regulatory Authority foresees a verification mechanism of statistical reports submitted by on-demand service providers.

Table 45 : Detailed data for non-linear services in Estonia

Channel (A-Z)	Broadcaster	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Elion Ettevõtte Ltd.	Elioni Videolaenutus (service started 08.09.2011)	VoD, SVoD	N/A	35%	60%	33.14%
AS Starman	Starmani videolaenutus (service started 09.10.2012)	VoD	N/A	51.64%	53.36%	1) Country of origin made visible in the catalogue to the viewer 2) Separate catalogue made for local production

Source: Estonian Technical Regulatory Authority, data reporting under Art 13

2.11.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

AVMSD art. 13 does not set any specific quota or proportion. In terms of art. 13 Estonian legislation has chosen another way to promote the production of and access to European works, for example prominence of European works in the catalogue of programmes.

2.11.3. Data reporting under Art. 16 & 17

Table 46 : Detailed data for linear services in Estonia

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Alo TV	ALO-TV OÜ	other	91%	21%	NC	91%	21%	NC
ETV (Eesti Televisioon)	ERR - EESTI RAHVUSRINGHÄÄLI NG	generalist	96%	49%	NC	94%	46%	NC
Kanal 2	KANAL 2 AS	generalist	62%	51%	NC	69%	57%	NC
Kidzone (version in Estonian)	KIDS NETWORK TELEVISION OU	children	74%	74%	NC	66%	66%	NC
Orsent TV	ORSENT OÜ	generalist	59%	11%	NC	56%	10%	NC
Seitse	TELEKANAL SEITSE OU	other	55%	35%	NC	55%	37%	NC
Kanal 11 (Estonia)	KANAL 2 AS	generalist	50%	40%	NC	59%	48%	NC
Kanal 12 (Estonia)	KANAL 2 AS	generalist	53%	42%	NC	62%	57%	NC
TV3 (Estonia)	TV3 AS	generalist	62%	62%	NC	57%	57%	NC
TV6 (Estonia)	TV3 AS	generalist	64%	43%	NC	65%	65%	NC
ETV2 (Eesti Televisioon)	ERR - EESTI RAHVUSRINGHÄÄLI NG	generalist	82%	45%	NC	77%	44%	NC
Tallinna TV	SA TALLINNA TELEVISIOON	generalist	90%	12%	NC	85%	15%	NC
TVN (TV-Network)	MTU AB VIDEO (AB MEDIA GROUP)	generalist	62%	16%	NC	78%	42%	NC

Source: Estonian Technical Regulatory Authority, data reporting under Art 16 & 17

2.11.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

AVMSD art. 17 does not set a quota for recent works, therefore precise data is not collected. Estonian Media Services Act state a general requirement, that a programme should contain works of European origin that have been produced less than 5 years ago and this requirement is fulfilled by media service providers. Most issued licenses have also a set side condition to show certain amount of recent works of Estonian authors, which can be qualified as Recent European Works as well. The fulfilment of this side condition is monitored at least yearly.

In 2013, Kanal 11 received a warning with requirement to make certain steps to ensure that percentages of European works were as demanded per AVMSD. The warning was successful and no additional sanctions were needed.

2.12. Finland

2.12.1. Data reporting under Art. 13

FICORA (NRA) declared that there is not a process or system to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive.

Nonetheless, each year the service providers are requested to deliver to FICORA information on how the availability of European works has been promoted in their services. Television broadcasters are requested to deliver their percentages regarding

linear television. Currently, linear television broadcasters are the most prominent VoD service providers in Finland. Thus, the increase of the number of European works in linear television broadcasting also increases their number in VoD services in Finland.

In their answers on how the availability of European works has been promoted in their services, Finnish VoD service providers usually say they are promoting domestic production in their television services and they usually keep the broadcasting rights for their on-demand services for all their domestic television programs. Often, they keep their broadcasting rights for their on-demand services for European television programs. Also, for domestic tv-programs some television companies have additional material in their on-demand services. Altogether, the share of European works is greater in their on-demand services than in the linear television side. That is, because to their on-demand services, it is easier to get broadcasting rights for domestic television programs especially and usually also for European works comparing, for example, to Hollywood production.

TV-companies give some examples of real activities how they have promoted European works in their on-demand services. Usually TV-companies mentioned how much more domestic TV-programs they have comparing previous years and that means also that the share of European works has risen in their on-demand services. They mention that they have acquired particular tv-programs only to show their on-demand services. These programs are most often domestic or European programs.

In addition, TV-companies usually show that from which country the TV-program is from, but it is not possible to make searches according to country of origin. But some, the biggest ones, TV-companies said that they have developing projects for to make possible to make searches according to country of origin.

2.12.2. Data reporting under Art. 16 & 17

Table 47 : Detailed data for linear services in Finland

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
AVA TV	MTV OY	generalist	40%	28%	98%	51%	35%	95%
FOX (version in Finnish)	FOX INTERNATIONAL CHANNELS OY		58%	46%	97%	52%	46%	83%
JIM	SANOMA MEDIA FINLAND OY		37%	37%	100%	38%	38%	100%
Kutonen	SBS DISCOVERY TELEVISION OY		69%	69%	69%	65%	17%	100%
LIV	SANOMA MEDIA FINLAND OY		53%	53%	100%	51%	51%	100%
MTV3	MTV OY		54%	27%	100%	59%	41%	100%
MTV Juniori	MTV OY		62%	47%	90%			
MTV MAX	MTV OY		51%	23%	98%	42%	31%	95%
Nelonen	SANOMA MEDIA FINLAND OY		43%	43%	100%	44%	44%	100%
Sub	MTV OY		35%	18%	100%	32%	38%	100%
TV5	SBS DISCOVERY TELEVISION OY		18%	18%	18%	15%	15%	84%
YLE FEM	YLE - YLEISRADIO OY		78%	42%	83%	97%	37%	85%
YLE Teema	YLE - YLEISRADIO OY		98%	42%	60%	77%	46%	57%

Channel Identification			Statistical data					
			2013			2014		
YLE TV1	YLE - YLEISRADIO OY		93%	27%	52%	95%	28%	62%
YLE TV2	YLE - YLEISRADIO OY		75%	30%	75%	77%	32%	71%

Source: FICORA, data reporting under Art 16 & 17

2.12.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The Finnish Regulatory Authority collects data from the broadcasters falling under Finnish jurisdiction. The monitoring method is a survey, which is sent to all channels on a yearly basis.

A) Reasons given by the Member State for failure to reach

1. Majority proportion of European works (Article 16):

The report shows that the Finnish broadcasters generally fulfill the requirement as regards European works. The report also shows a clear improvement as regards European works in relation to the figures in previous reports.

Five channels have a rate below the requisite proportion of 50 % in 2013. These channels are AVA TV (40 %), Sub (42 %), Sub (44 %) Nelonen (43 %), JIM (37 %), TV5 (18 %).

Five channels have a rate below the requisite proportion of 50 % in 2014. These channels are MTV MAX (42 %), Sub (32 %) Nelonen (44 %), JIM (38 %) and TV5 (15 %).

Main reason for failure mentioned in the discussions with the broadcasters is the lack of production of certain types of programs in Europe. Also, European production is expensive compared to other international television program production.

2. A minimum proportion of European works by independent producers (Article 17)

All Channels achieved the requisite proportion of 15% of Section 17 of the Act on Television and Radio Operations.

B) Measures taken by or envisaged by the Member State

Ficora has issued a reminder to all of the channels who have failed to comply with Section 16 of the Act on Television and Radio Operations. Ficora has obligated the channels to increase the proportion of European works.

C) Further comments

Sanoma Media Finland Oy (further Sanoma) appealed in 2015 to Helsinki Administrative Court about FICORA's interpretation of the provision in section 209 of Information Society Code where is stated that a broadcaster shall reserve a major part of its annual broadcasting time for European works.

Sanoma required that Helsinki Administrative Court overrules FICORA's decision where FICORA reminded about Sanoma that its certain channels had European works rates under required proportion 50 per cent in 2013.

Ficora's interpretation of the provision in section 209 is that it means that European works is over 50 per cent of its annual broadcasting time. Sanoma's interpretation is that the provision means that European works is the biggest group comparing for

example to American, Asian and Australian works. So, European works is one category and American works is another category and so on.

In December 2016 Helsinki Administrative Court dismissed Sanoma's appeal.

2.13. France

2.13.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored with a yearly frequency. The monitoring is mainly based on declaration by VOD providers + sense check by the CSA. The Conseil Supérieur de l'audiovisuel foresees a verification mechanism of statistical reports submitted by on-demand service providers. This mechanism consists of checking a share of catalogue: **two days are randomly picked to check the fulfilment of obligations**. This control process, however, is challenging for the small VOD providers who do not a sophisticated archiving system.

Table 48 : Detailed data for non-linear services in France

Average % of European works	1 st Day – average % of European works	2 nd Day – average % of European works	Overall Average % of European works
2011 (based on 56 non-linear service providers)	68%	72.88%	70.44%
2012 (based on 69 non-linear service providers)	76.12%	70.71%	73.42%
2013 (based on 98 non-linear service providers)	73.02%	73.12%	73.07%
2014 (based on 114 non-linear service providers)	67.7%	67.4%	67.6%

Source: CSA, data reporting under Art 13

2.13.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

Decree of 30 November 2010, implementing Directive 2010/13/EU on the Audiovisual Media Services - AVMSD in the French legislation, requires that service providers under the scope of the regulation -the ones offering at least 20 cinematographic works of long duration or 20 audiovisual works- must have a certain proportion of European works/ French original content in their catalogue as well on their homepage. The monitoring system is the following: the Superior Council for Audiovisual -Conseil Supérieur de l'Audiovisuel CSA- randomly picks up two dates and demands a posteriori to the service providers to indicate what were these proportion of European Works these days.

However, there is an exception in Article 11 of the Decree: service providers that do not reach the threshold of 20 cinematographic works/ audio-visual works do not need to comply with the quota requirement.

In case of non-compliance, service providers received a mail/email from the CSA reminding them their duties. If there are repeated violations of Article 12 of the Decree (about the quotas) over a two years period, the CSA alerts the stakeholder and warns it to not breach its duties again.

The CSA provides percentages of the proportion of European works in services providers' catalogues distinguished by kind of service. However, two points should be highlighted:

- There is mandatory quota for the European works in the French legislation (see Article 12 of the Decree of 30 November 2010 on the Directive X on the Audiovisual Media Services -AVMS-: "Audiovisual service providers must have at least 60% of European works out of the total number of titles in their catalogue").
- The monitoring process happens during two days over a year: data are therefore a snapshot and do not account for the proportion of the European works throughout the year.

About the difficulties to always comply with the quotas requirements

The annual reports of the service providers from 2011 to 2012 have shown that some service providers have faced issues to comply with the requirement for the proportion of European/French works at any time. The set-up of a monitoring process of the catalogues can be sometimes burdensome in terms of equipment or staff capabilities. At the end, the service providers which had not developed such monitoring process were unable to provide evidence of their compliance over the two dates.

Since 2011, it seems that service providers have not faced major issues in complying with the obligations related to the proportion on their home page. This, because, the expression of "substantial proportion" used in the legislation leaves "room of manoeuvre" in compliance.

Thematic channels

Several service providers have reported their impossibility to comply with the obligations related to the proportion in their catalogues/homepages. This is, for instance, the case of providers specialised in non-European content (e.g of the channels for the Japanese manga).

2.13.3. Data reporting under Art. 16 & 17

Table 49 : Detailed data for linear services in France

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQ T)	IP (TQT %)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
13ème Rue	NBC UNIVERSAL GLOBAL NETWORKS FRANCE	fiction	60%	56%	46%	58%	58%	43%
2 Rives TV	LYON TV CABLE	other	NO	NO	NO	NO	NO	NO
314 TV	TELETHIC	other	NO	NO	NO	NO	NO	NO
6Ter	M6 GENERATION	generalist	67%	35%	63%	63%	11%	16%
6Ter Suisse	M6 GENERATION	generalist	67%	35%	63%	63%	11%	16%
AB 1	AB THEMATIQUES	fiction	62%	11%	100 %	66%	10%	70%
AB	AB THEMATIQUES	other	68%	46%	82%	61%	41%	93%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQ T)	IP (TQT %)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
Moteurs								
Action	AB THEMATIQUES	fiction	66%	66%	7%	62%	62%	5%
Aerostar TV	AEROSTAR TV	other	NO	NO	NO	NO	NO	NO
Africabox TV	Cœur de cible	other	60%	57%	85%	NO	NO	NO
Animaux	AB THEMATIQUES	documentaries	81%	62%	40%	66%	54%	65%
BEBLACK	CITY MEDIA	other	NC	NC	NC	NC	NC	NC
BEBLACK Classik (BBLK Classik)	OBOUO MEDIA SARL	other	NO	NO	NO	NO	NO	NO
Berbère Télévision	Berbère Télévision	other	100%	29%	2%	100%	1%	100%
Beur TV	BEUR TV	other	NO	NO	NO	NO	NO	NO
Brezhoweb	Lionel Buannic Krouin	other	94%	27%	45%	92%	24%	24%
C8 Suisse	C8	generalist	85%	19%	41%	82%	18%	44%
Campagnes TV	Campagnes TV	other	100%	94%	93%	93%	89%	90%
Canal J	Lagardère Thématiques	children	68%	68%	35%	62%	58%	40%
Canal+	CANAL PLUS	generalist	70%	13%	98%	71%	12%	98%
Canal+ Cinéma	SOCIETE D'EDITION CANAL PLUS	cinema	70%	13%	98%	71%	12%	98%
Canal+ Décalé	SOCIETE D'EDITION CANAL PLUS	generalist	70%	13%	98%	71%	12%	98%
Canal+ Family	SOCIETE D'EDITION CANAL PLUS	generalist	70%	13%	98%	71%	12%	98%
Canal+ Séries	SOCIETE D'EDITION CANAL PLUS	fiction	NO	NO	NO	71%	12%	98%
Canal+ Sport	SOCIETE D'EDITION CANAL PLUS	other	70%	13%	98%	71%	12%	98%
Cap Canal	LYON TV CABLE	other	95%	37%	35%	97%	30%	38%
Chasse et pêche	AB THEMATIQUES	documentaries	87%	79%	28%	75%	70%	54%
Chérie 25	CHERIE HD	generalist	47%	12%	67%	66%	11%	56%
Cine FX	AB THEMATIQUES	cinema	63%	61%	10%	65%	63%	12%
Ciné Polar	AB THEMATIQUES	cinema	71%	69%	1.0%	65%	59%	3%
Ciné+ Classic	MULTI THEMATIQUES	cinema	74%	46%	17%	72%	47%	13%
Ciné+ Club	MULTI THEMATIQUES	cinema	79%	60%	50%	79%	70%	40%
Ciné+ Emotion	MULTI THEMATIQUES	cinema	68%	45%	47%	71%	48%	53%
Ciné+ Famiz	MULTI THEMATIQUES	cinema	68%	36%	20%	64%	39%	24%
Ciné+ Frisson	MULTI THEMATIQUES	cinema	67%	54%	49%	64%	50%	43%
Ciné+ Premier	MULTI THEMATIQUES	cinema	72%	77%	70%	65%	59%	64%
Comédie +	MULTI THEMATIQUES	fiction	73%	63%	61%	66%	46%	87%
Cuisine+	Multithématiques	other	91%	36%	49%	20%	22%	75%
D17 /	Cstar	other	85%	8%	2%	83%	13%	1%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQ T)	IP (TQT %)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
Cstar								
D8 / C8	C8	generalist	85%	19%	41%	82%	18%	44%
Dating TV	26PROD	other	NO	NO	NO	NO	NO	NO
Demain	DEMAIN Saison 2	other	100%	34%	100 %	100%	62%	100 %
Disney Channel France	THE WALT DISNEY COMPANY FRANCE SA	children	56%	48%	60%	56%	48%	66%
Disney Junior France	THE WALT DISNEY COMPANY FRANCE SA	children	70%	62%	82%	64%	56%	60%
Disney XD France	THE WALT DISNEY COMPANY FRANCE SA	children	56%	46%	37%	58%	51%	49%
Encyclo / Science & Vie TV	AB THEMATIQUES	documentaries	68%	46%	53%	66%	43%	30%
Equidia Life	EQUIDIA	other	94%	92%	96%	95%	97%	96%
Equidia Live	EQUIDIA	other	99%	91%	97%	100%	96%	99%
Escales / Trek	AB THEMATIQUES	documentaries	91%	51%	48%	80%	57%	46%
France 2	FRANCE TELEVISIONS	generalist	91%	23%	97%	91%	23%	97%
France 3	FRANCE TELEVISIONS	generalist	87%	23%	97%	87%	23%	97%
France 4	FRANCE TELEVISIONS	generalist	67%	23%	97%	78%	23%	97%
France 5	FRANCE TELEVISIONS	generalist	91%	20%	98%	92%	20%	97%
France O	FRANCE TELEVISIONS	generalist	81%	20%	98%	76%	20%	97%
Game One	GAME ONE	other	67%	5%	30%	68%	18%	75%
Gulli	LAGARDERE ACTIVE	children	69%	9%	66%	67%	10%	58%
HB7 TV	HB7	fiction	NO	NO	NO	NO	NO	NO
HD1 (France)	TELEVISION FRANCAISE 1 (TF1)	fiction	69%	13%	92%	73%	12%	91%
Histoire	Histoire	documentaries	89%	52%	45%	91%	64%	45%
Hlive	Hlive	other	NO	NO	NO	NO	NO	NO
Hope Channel International	Global Medias Group	other	NO	NO	NO	NO	NO	NO
Icon Africa TV	Icon Africa Television	other	NO	NO	NO	NO	NO	NO
Jalsa TV	Jalsa TV	other	NO	NO	NO	NO	NO	NO
Jimmy	Multithématiques	other	84%	84%	39%	66%	65%	85%
J-One	GAME ONE	other	NO	NO	NO	59%	58%	63%
June (France)	Lagardère Thématiques	other	56%	48%	55%	49%	47%	32%
KTO	KTO	other	100%	19%	72%	100%	20%	81%
L'Enorme TV	LES CHAINES TV INTERACTIVES	other	NC	NC	NC	61%	52%	66%
La Chaîne Accordéon	PYLPROD	other	NO	NO	NO	NO	NO	NO

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQ T)	IP (TQT %)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
La Chaîne Théâtres	Les Chaînes TV Interactives	other	NC	NC	NC	100%	52%	83%
LATV3D	LaTV3D	other	NO	NO	NO	NO	NO	NO
M6	METROPOLE TELEVISION	generalist	69%	11%	95%	66%	12%	86%
M6 Music	M6 Communication	other	67%	61%	81%	NC	NC	NC
M6 Music Black	M6 Communication	other	54%	51%	93%	NC	NC	NC
M6 Music Club	M6 Communication	other	78%	76%	84%	NC	NC	NC
M6 Suisse	METROPOLE TELEVISION	generalist	69%	11%	95%	66%	12%	86%
Maison+	Multithématiques	other	78%	78%	70%	92%	92%	80%
Mandarin TV	C-MEDIA	other	NO	NO	NO	NO	NO	NO
Mangas	AB THEMATIQUES	other	60%	45%	3%	60%	46%	5%
MCE (Ma Chaîne Etudiante)	SENTI	other	84%	36%	95%	92%	43%	95%
MCM	Lagardère Thématiques	other	55%	39%	74%	55%	45%	48%
MCM Pop / RFM TV	Lagardère Thématiques	other	74%	70%	13%	73%	71%	29%
MCM Top	Lagardère Thématiques	other	64%	58%	84%	67%	62%	90%
MCS Maison	MCS	other	NO	NO	NO	NO	NO	NO
Melody TV	HARMONY	other	90%	90%	22%	NC	NC	NC
Men's UP TV	WARM-UP INTERACTIVE	other	100%	100%	100 %	100%	100%	100 %
Mezzo	Mezzo	other	97%	91%	85%	97%	93%	82%
Mezzo Live HD	Mezzo	other	98%	95%	87%	99%	93%	90%
Mithaq TV	Mithaq France	other	NO	NO	NO	NO	NO	NO
Montagne TV	MONTAGNE TV	other	89%	27%	96%	100%	46%	100 %
Motors TV	MOTORS TV	other	61%	51%	100 %	NC	NC	NC
Nolife	NOLIFE	other	76%	71%	42%	77%	70%	38%
NRJ 12	NRJ 12	generalist	74%	12%	67%	69%	11%	56%
NRJ Dance	NRJ 12	other	NO	NO	NO	NO	NO	NO
NRJ Hits	NRJ 12	other	63%	60%	99%	66%	66%	99%
NRJ Pop Rock	NRJ 12	other	NO	NO	NO	NO	NO	NO
NT1	NT1	generalist	62%	13%	92%	62%	12%	91%
NT1 Suisse	NT1	generalist	62%	13%	92%	62%	12%	91%
Numéro 23	Diversité TV France	other	50%	18%	40%	58%	11%	28%
O5 (Ofive)	OYAS TV	other	NC	NC	NC	NC	NC	NC
OC Télé	OC PROD	other	NO	NO	NO	69%	58%	69%
OCShoc	OCS	fiction	59%	55%	40%	57%	54%	39%
OCSCity	OCS	fiction	60%	57%	57%	55%	53%	52%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (TQT %)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
OCSGears	OCS	fiction	65%	63%	7%	69%	67%	12%
OCSMax	OCS	fiction	55%	52%	64%	61%	56%	56%
Oito TV	OITO TV	other	NO	NO	NO	NO	NO	NO
Paris Premiere	Paris Première	generalist	65%	44%	59%	57%	43%	50%
Pink TV	PINK TV	other	84%	84%	66%	NO	NO	NO
Piwi+	Multithématiques	children	65%	65%	14%	62%	62%	20%
Planète+	Planète Câble	documentaries	74%	71%	69%	70%	65%	56%
Planète+ Justice / Planète+ CI	Planète Câble	documentaries	74%	73%	72%	63%	70%	65%
Planète+ No Limit / Planète+ A&E	Planète Câble	documentaries	65%	64%	81%	64%	60%	49%
Planète+ Thalassa	Planète Câble	documentaries	91%	52%	72%	93%	52%	36%
Rejoice TV (France)	Association culturelle de l'église évangélique de Rejoice Chapel Ministries	other	NO	NO	NO	NO	NO	NO
RMC Découverte	RMC DECOUVERTE	documentaries	40%	15%	0%	52%	28%	67%
Seasons	Multithématiques	other	99%	99%	88%	94%	94%	74%
Série Club	EXTENSION TV	fiction	59%	54%	12%	59%	32%	16%
Star24	L'Agence Exclusive	other	NO	NO	NO	NO	NO	NO
Stylia	Société d'Exploitation de Documentaires	other	67%	55%	67%	71%	64%	90%
Sud1ère	Eyo Active & Média	other	NO	NO	NO	NO	NO	NO
TéléSud / 3A TéléSud	WIAM Wireless and Internet Afromedia		79%	36%	71%	75%	21%	50%
Télétoon + / Télétoon +1	Multithématiques	children	80%	80%	60%	79%	80%	59%
Téva	SEDI TV	fiction	68%	50%	60%	64%	51%	60%
TF1	TELEVISION FRANCAISE 1 (TF1)	generalist	66%	13%	92%	66%	12%	91%
TF1 Suisse	TELEVISION FRANCAISE 1 (TF1)	generalist	66%	13%	92%	66%	12%	91%
TF6	TF6	fiction	56%	41%	30%	58%	40%	35%
The Museum Channel	PURESCREENS	other	NO	NO	NO	NO	NO	NO
Tiji	Lagardère Thématiques	children	72%	71%	53%	62%	62%	48%
TMC	Télé Monté-Carlo	generalist	64%	13%	92%	64%	12%	91%
TMC Suisse	Télé Monté-Carlo	generalist	64%	13%	92%	64%	12%	91%
Toute l'Histoire	AB THEMATIQUES	documentaries	92%	78%	25%	91%	75%	30%
Trace Africa	TRACE TV	other	36%	17%	63%	11%	9%	91%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQ T)	IP (TQT %)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
Trace Tropical	TRACE TV	other	65%	46%	93%	57%	51%	91%
Trace Urban (version in French)	TRACE TV	other	61%	42%	95%	53%	45%	94%
TV Breizh	TV Breizh	generalist	62%	62%	25%	67%	61%	23%
TV5MON DE France Belgique Suisse (FBS)	TV5 MONDE	generalist	86%	54%	91%	86%	56%	89%
Ushuaia TV	Société Paneuropéenne d'Édition et d'Exploitation de Documentaires	documentaries	85%	65%	63%	90%	68%	74%
Vivolta	TELEVISTA	other	69%	40%	34%	71%	56%	36%
Voyage	VOYAGE SAS	documentaries	77%	42%	83%	65%	50%	83%
W9	EDI TV	other	78%	14%	69%	72%	14%	71%
W9 Suisse		other	78%	14%	69%	72%	14%	71%

Source: CSA, data reporting under Art 16 & 17

2.13.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The CSA presented some indications about the results in the Tables in the previous section, relating to the IP/RW quotas:

- All the data in the table relate to the different obligations under the French legislation and not the European one.
- According to the French legislation, the estimation of the investment obligations is not based on the budget of the programmes but in percentages of the revenues/resources;
- The French legislation distinguishes between audio-visual works and cinematographic works. Different obligations are applicable per regimes;
- The French definition of audio-visual work is more stringent than the European one as live shows, variety shows, and cinematographic works are not covered;
- For TF1, Canal +, France Télévisions, the scope for the audio-visual works is even more narrow. Indeed, only investments geared toward audio-visual works labelled as "patrimonial" are taken into account. This category encompasses the following: fiction, animation, creative documentary, music video, live shows.
- For the pay-per-view channels, the figures in the table take into account the ones reported annually for the quotas of the Directive.
- For the linear services, data in the table were provided by the CSA. The CSA has taken into account the reported investments for the production of cinematographic works as well as the ones for the production of audio-visual works as defined above.
- Some service providers are part of a broader group: TF1 (TF1, NT1, TMC, HD1, Histoire, StyliA, TV Breizh, Ushuaïa TV) France Télévisions (France 2, France 3, France 4, France 5, France 6), Canal+ (Canal+, Comédie, Jimmy, Maison+, Piwi, Planète+, Planète Justice+, Planète No Limit+, Planète Thalassa+, Seasons, Teletoon) et le groupe Lagardère (Gulli, Canal J, June, Mezzo, MCM, MCM Pop, MCM Top, Tiji). When reporting, these groups aggregate the funds for the audio-

visual production from their different members. Subsequently, for the channels of these groups, the figures were calculated on the base of the global investment from the group.

- For the investments geared toward independent productions, were only taken into account, the ones to the works matching the criteria of the French legislation.
- In the French legislation, there is no notion for recent works. Thus, were taken into account the investment into the original production (pre-purchase, coproduction and expenses for the writing). These works are "new works" (produced during the year) and not "recent" work.

All these factors explain why several service providers are below the threshold of the Directive. Indeed, under the French legislation, there are less eligible works (e.g with the notion of audio-visual works) but taken into account but a larger base (turnover or resources and not the budget of the program).

This is why:

- in 2013, the IP percentages (Independent production) for Cstar/ D17 (8%), Gulli, (9%), Canal + Cinéma (9%) were below 10%.
- in 2013, the RW percentages (recent works) for RMC Découverte (0%), Cstar/D17 (2%) (1% in 2014) were almost inexistent.

Analysis of the 2013-2014 results by the CSA:

After the analysis of the 2013 reports about the different obligations related to the promotion of European works, the CSA:

- has alerted Chérie 25 for non-compliance with its obligations in terms of audio-visual works and especially the European ones. The proportion of European works are indeed below the required proportion by 18.5 points -875 transmission hours.
- has warned Game One in 2014 because the channel was breaching its obligation to have at least 10% of European works coming from independent producers.
- has warned RMC Découverte and Trace Africa in 2014 because they did not meet the target of broadcasting a majority of European works. They have respectively broadcasted only 40% and 36% of European works.

After the analysis of the 2014 reports, the CSA:

- has warned Berbère Télévision because the channel has broadcasted only 1% of European works coming from independent productions instead of 10% as required. However, the CSA has considered the specific audience (Berbères) of the channel which explains its difficulty to promote French content.
- Cuisine Tv and June have not reached the majority of European works in their programmes (respectively 20% and 49%). However, both the channels have stopped their activity so there was no need for the CSA to alert them.
- TRACE Africa did not broadcast a majority of European works (only 11%) neither a minimum of 10% of European works coming from independent producers (9%). The CSA has considered the justification provided by the channel: there are too few European works producing a content falling under the scope of the channel (African music).

2.14. Germany

2.14.1. Data reporting under Art. 13

Die Medienanstalten declared that there is not a process or system to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive.

Data are collected in connection with the periodic reports to the European Commission.

Table 50 : Data reporting for non-linear services in Germany

Service	Provider	Type	Genre	Percent age share of European production on 2011	Percent age share of European production on 2012	Percent age share of European production on 2013	Percent age share of European production on 2014
ARD Mediathek	ARD - ARBEITSGEMEINSCHAFT DER ÖFFENTLICH-RECHTLICHEN RUNDFUNKANSTALTEN DER BUNDESREPUBLIK DEUTSCHLAND	Free-on-demand	Generalist	>99%	>99%	>99%	>99%
ARD EinsFestival / ONE	ARD - ARBEITSGEMEINSCHAFT DER ÖFFENTLICH-RECHTLICHEN RUNDFUNKANSTALTEN DER BUNDESREPUBLIK DEUTSCHLAND	Free-on-demand	Generalist	>99%	>99%	>99%	>99%
BR (Part of ARD)	Bayerischer Rundfunk	Free-on-demand / Public funding	Generalist	>99%	>99%	>99%	>99%
BR - alpha/ARD-alpha	Bayerischer Rundfunk	Free-on-demand / Public funding	Education	>99%	>99%	>99%	>99%
hr	Hessischer Rundfunk	Free-on-demand / Public funding	Generalist	>99%	>99%	>99%	>99%
KiKa (Part of ARD and ZDF)	Kinderkanal von ARD und ZDF	Free-on-demand / Public funding	Children	100%	100%	100%	100%
MDR (Part of ARD)	Mitteldeutscher Rundfunk	Free-on-demand / Public funding	Generalist	>99%	>99%	>99%	>99%
NDR (Part of ARD)	Norddeutscher Rundfunk	Free-on-demand / Public funding	Generalist	>99%	>99%	>99%	>99%
PHOENIX	PHOENIX	Free-on-demand	Documentaries	>99%	>99%	>99%	>99%
RB (Part of ARD)	Radio Bremen	Free-on-demand / Public funding	Generalist	>99%	>99%	>99%	>99%

Service	Provider	Type	Genre	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
rbb (Part of ARD)	Rundfunk Berlin-Brandenburg	Free-on-demand/Public funding	Generalist	>99%	>99%	>99%	>99%
SR (Part of ARD)	Saarländischer Rundfunk	Free-on-demand / Public funding	Generalist	>99%	>99%	>99%	>99%
SWR (Part of ARD)	Südwestrundfunk	Free-on-demand / Public funding	Generalist	>99%	>99%	>99%	>99%
WDR (Part of ARD)	Westdeutscher Rundfunk Köln	Free-on-demand / Public funding	Generalist	>99%	>99%	>99%	>99%
ZDF Mediathek	ZDF - ZWEITES DEUTSCHES FERNSEHEN	Free-on-demand	Generalist	>99%	>99%	>99%	>99%

Source: die medienanstalten, data reporting under Art 13

2.14.2. Data reporting under Art. 16 & 17

Table 51 : Detailed data for linear services in Germany

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQ T)	IP (%TQ T)	RW (%IP P)	EW (%TQ T)	IP (%TQ T)	RW (%IP P)
3sat	ZDF - ZWEITES DEUTSCHES FERNSEHEN		92%	34%	81%	91%	34%	80%
Animal Planet Deutschland	DISCOVERY COMMUNICATIONS DEUTSCHLAND GMBH & CO. KG		45%	100%	3%	36%	100%	1%
ARD1 (Das Erste)	ARD - ARBEITSGEMEINSCHAFT DER ÖFFENTLICH-RECHTLICHEN RUNDFUNKANSTALTEN DER BUNDESREPUBLIK DEUTSCHLAND	generalist	96%	32%	86%	93%	31%	87%
ARD Alpha	BR - BAYERISCHER RUNDfunk		100%	3%	100%	100%	5%	100%
ARD EinsFestival /	ARD - ARBEITSGEMEINS		90%	77%	62%	94%	72%	62%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQ T)	IP (%TQ T)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
ONE	CHAFT DER ÖFFENTLICH- RECHTLICHEN RUNDFUNKANSTAL TEN DER BUNDESREPUBLIK DEUTSCHLAND							
BR Fernsehen (Bayerischer Rundfunk)	BR - BAYERISCHER RUNDFUNK	generalist	99%	19%	81%	99%	18%	88%
Comedy Central (Germany)	VIMN GERMANY GMBH		7%	1%	65%	4%	1%	87%
Discovery Channel (version in German)	DISCOVERY COMMUNICATIONS DEUTSCHLAND GMBH & CO. KG		32%	100%	12%	32%	100%	20%
DMAX Austria	DISCOVERY COMMUNICATIONS DEUTSCHLAND GMBH & CO. KG		35%	100%	20%	36%	100%	21%
DMAX Deutschland	DISCOVERY COMMUNICATIONS DEUTSCHLAND GMBH & CO. KG		35%	100%	20%	36%	100%	21%
HR Fernsehen (Hessischer Rundfunk)	HR - HESSISCHER RUNDFUNK		95%	14%	48%	97%	13%	49%
Kabel Eins	PROSIEBENSAT.1 TV DEUTSCHLAND GMBH		34%	31%	84%	38%	35%	90%
KiKA	ARD, ZDF	children	77%	61%	54%	80%	65%	50%
Kinowelt TV	KINOWELT TELEVISION GMBH		60%	98%	5%	52%	98%	8%
MDR Fernsehen (Mitteldeutscher Rundfunk)	MDR - MITTELDEUTSCHE R RUNDFUNK		92%	24%	54%	94%	29%	65%
MTV (Germany)	VIMN GERMANY GMBH		54%	2%	100 %	56%	1%	100 %
NDR Fernsehen (Norddeutscher Rundfunk)	NDR - NORDDEUTSCHER RUNDFUNK	generalist	99%	28%	96%	99%	27%	96%
Nickelodeon (Germany)	VIMN GERMANY GMBH	other	9%	9%	38%	7%	7%	57%
Parlamentsfern sehen	Bundestag		67%	31%	NC	64%	34%	NC
PHOENIX	ARD, ZDF	documenta ries	98%	1%	100 %	98%	1%	100 %
ProSieben	PROSIEBENSAT.1 TV DEUTSCHLAND GMBH	other	25%	12%	83%	17%	9%	85%
ProSieben Maxx	PROSIEBENSAT.1 TV DEUTSCHLAND GMBH	other	Audience Share: 0,2 %			24%	23%	77%
Radio Bremen TV (RB)	RB - RADIO BREMEN	generalist	99%	28%	96%	99%	27%	96%
RBB Fernsehen (Rundfunk Berlin- Brandenburg)	RBB - RUNDFUNK BERLIN BRANDENBURG	generalist	95%	18%	71%	95%	17%	67%
RTL	RTL TELEVISION GMBH		85%	61%	90%	85%	60%	92%
RTL 2	RTL 2 FERNSEHEN GMBH & CO. KG	generalist	62%	58%	82%	70%	62%	79%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQ T)	IP (%TQ T)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
RTL Nitro	RTL TELEVISION GMBH		41%	99%	7%	35%	99%	2%
Sat.1	SAT.1 SATELLITEN FERNSEHEN GMBH	other	74%	72%	89%	69%	67%	90%
Sat.1 Gold	PROSIEBENSAT.1 TV DEUTSCHLAND GMBH	other	100%	91%	50%	75%	73%	60%
SIXX TV	PROSIEBENSAT.1 TV DEUTSCHLAND GMBH	other	34%	33%	72%	20%	19%	69%
SR Fernsehen	SR - SAARLAENDISCHE R RUNDFUNK		99%	10%	84%	99%	12%	49%
Super RTL	SUPER RTL DISNEY FERNSEHEN GMBH & CO. KG		14%	100%	80%	19%	100%	80%
SWR Fernsehen	SWR - SÜDWESTRUNDFUNK	generalist	99%	10%	84%	99%	12%	49%
VIVA (Germany)	VIVA MEDIA GMBH	other	59%	7%	100%	58%	2%	100%
VOX	VOX TELEVISION GMBH		72%	90%	79%	73%	90%	77%
WDR Fernsehen (Westdeutscher Rundfunk)	WDR - WESTDEUTSCHER RUNDFUNK	generalist	98%	19%	91%	99%	15%	96%
ZDF	ZDF - ZWEITES DEUTSCHES FERNSEHEN		91%	30%	82%	91%	35%	81%
ZDF.kultur	ZDF - ZWEITES DEUTSCHES FERNSEHEN		89%	30%	75%	95%	34%	77%
ZDF Neo	ZDF - ZWEITES DEUTSCHES FERNSEHEN		74%	38%	75%	80%	40%	64%
ZDF infokanal	ZDF - ZWEITES DEUTSCHES FERNSEHEN	other	68%	39%	80%	68%	43%	77%

Source: die medienanstalten, data reporting under Art 16 & 17

2.14.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The VPRT stated that not meeting the quotas by a single audiovisual media service provider could be due to its individual concept of programme. Sometimes, proportions are met by looking at the over-arching media group. Those providers that are not able to fulfil the quotas for independent producers are normally resorting to the portfolio of their mother-companies.

2.15. Greece

2.15.1. Data reporting under Art. 13

Ministry of Digital Policy, Telecommunications and Media declared that there is not a process or system to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive.

NCRTV (the National Council for Radio-Television, the regulator) collects data from private broadcasters in connection with the periodic reports to the European Commission and it verifies the accuracy and completeness of the data.

Table 52 : Detailed data for non-linear services in Greece

Service	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
OTE S.A.	12%	8%	23%	15%
Forthnet Media S.A	30%	30%	30%	30%
Vodafone Hellas	21%	23%	23%	25%

Source: Ministry of Digital Policy, Telecommunications and Media, data reporting under Art 13

2.15.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

OTE S.A.: OTE started operations on the pay-TV market at the end of October 2011, after it had signed (16-6-2011) a Concession Agreement with the Greek State for the provision of satellite pay-TV services, while at the same time it provided services through broadband networks.

Pursuant to Article 14 of Presidential Decree 109/2010, which transposed Article 13 of Directive 2010/13 into Greek law, "On-demand audiovisual media services should, **where feasible, promote, using appropriate means**, the production of European works and access to them. This promotion may comprise, in particular, financial contributions made by the said services towards the production and rights acquisition of European works, or the significant proportion and/or attractive presentation of European works in the programme catalogue offered by the on-demand audiovisual media service".

The wording of the provision sets out clearly that the reference to promotional methods is indicative (see "in particular") and in any case dissociative (see '... financial contributions made by the said services towards the production and rights acquisition of European works, or the significant proportion ... "etc). As a result, the non-linear service provider may, to its discretion, take an appropriate measure to promote production and access to European works.

In light of the above, OTE fully complies with the obligation set out in article 8 par. 4 of Law 3905/2010, as currently in force, and in Articles 2 and 4 of implementing Ministerial Decision 82204/3885/54/20-8-2012 for the investment in Greek cinematographic production, during period 2011-2014, participated as a co-producer in the production of 19 Greek films, which have received a certificate of Greek citizenship.

Given that Article 2(1)(n)(i) of Presidential Decree 109/2010 states that European works are works originating in Member States of the European Union, the aforementioned 19 Greek films are European works. Additionally, OTE has extensively advertised and promoted these films to the Greek public, for example by organizing competitions with free admissions to the cinematic screening of these films. During period 2011-2014 the company was in cooperation with the English company Vubiquity Ltd in order to manage its non-linear services in terms of their technical implementation and content. Since January 2017, the company has fully undertaken the promotion of films in its non-linear services. In view of the upcoming revision of Directive 2010/13 (providing for a 30% quota), a significant proportion of the list of non-linear services now concerns European works.

FORTHNET MEDIA S.A: The 30% ratio is reflected in both total of hours and titles in the service and it includes all types of programs of European origin: movies, series, shows, fillers, etc. It's worthwhile noting that especially during 2014 the European ratio reached almost 45% of the total titles in the service.

VODAFONE: The total percentages of European works reported during period 2011-2014 concerned a percentage of the total catalogue titles for each year's content. There is no information on the percentage of total hours.

2.15.3. Data reporting under Art. 16 & 17

Table 53 : Detailed data for linear services in Greece

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (% TQT)	IP (% TQT)	RW (% IP)	EW (% TQT)	IP (% TQT)	RW (% IP)
Acheloos TV	ΑΧΕΛΩΟΣ MEDIA ΡΑΔΙΟΤΗΛΕΟΠΤΙΚΕΣ ΕΠΙΧΕΙΡΗΣΕΙΣ ΔΥΤΙΚΗΣ ΕΛΛΑΔΑΣ		55 %	45 %	11 %	56 %	44 %	10 %
ACTION 24 (data not sent by supplier)	SPORT TV ΡΑΔΙΟΤΗΛΕΟΠΤΙΚΗ ΠΡΟΒΟΛΗ Α.Ε.	other	NC	NC	NC	NC	NC	NC
Aigaio Tv	RADIOTILEOPTIKI KALYMNOY Α.Ε		51. 66 %	12. 91 %	20. 83 %	53. 04 %	15. 34 %	21. 52 %
ALPHA TV	ΑΛΦΑ ΔΟΥΡΥΦΟΡΙΚΗ ΤΗΛΕΟΡΑΣΗ ΑΕ	genera list	74. 88 %	37. 79 %	63. 74 %	87. 49 %	35. 02 %	61. 57 %
ANIMAL PLANET	DISCOVERY COMMUNICATIONS EUROPE LTD	docum entarie s	48. 15 %	22. 95 %	84. 78 %	46. 11 %	12. 21 %	71. 47 %
ANTENNA	ANTENNA T. V. Α.Ε.	genera list	70. 60 %	48. 70 %	43. 45 %	87. 43 %	57. 41 %	31. 20 %
ANT1 (Greece)	ANTENNA TV S.A.		80. 2%	55. 1%	34. 3%	86 %	56. 2%	32. 8%
ARKADIKI TV	ΑΡΚΑΔΙΚΗ TV Α.Ε.		20 %	20 %	20 %	20 %	20 %	15 %
ART TV	CITY NEWS S.A.		52 %	8%	NC	52 %	8%	2%
ATLAS TV	RADIOTELEVISION ENTERPSISES S.A -ATLAS TV - RADIO ATHOS		71 %M	48 %	65 %	76 %	52 %	75 %
BOOMERANG	TURNER BROADCASTING SYSTEM EUROPE LTD	childre n	20. 78 %	11. 17 %	100 .00 %	17. 88 %	8.8 0%	0.2 7%
Channel 4U	KRITIKI RADIOTILEORASI S.A.	genera list	60 %	15 %	10 %	65 %	19 %	10 %
DIMOSIA TILEORASI (as of 18/9/2013)	ΕΛΛΗΝΙΚΟ ΔΗΜΟΣΙΟ	genera list	79. 81 %	12. 12 %	40. 48 %	90. 78 %	10. 10 %	56. 10 %
DISCOVERY CHANNEL	DISCOVERY COMMUNICATIONS EUROPE LTD	docum entarie s	42. 67 %	4.3 6%	57. 48 %	34. 32 %	2.0 1%	60. 80 %
DISCOVERY HD SHOWCASE	DISCOVERY COMMUNICATIONS EUROPE LTD	docum entarie s	25. 42 %	11. 34 %	79. 96 %	23. 67 %	7.2 8%	59. 03 %
DISNEY XD	THE WALT DISNEY COMPANY LIMITED	childre n	7.5 6%	1.1 1%	100 .00 %	5.7 2%	3.0 1%	100 .00 %
DISNEY CHANNEL	THE WALT DISNEY COMPANY LIMITED	childre n	14. 66 %	2.0 9%	22. 48 %	43. 34 %	1.2 7%	100 .00 %

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (% TQT)	IP (% TQT)	RW (% IP)	EW (% TQT)	IP (% TQT)	RW (% IP)
DORCEL TV	ΑΤΤΙΚΕΣ ΕΚΔΟΣΕΙΣ ΑΕ	other	86. 81 %	86. 81 %	82. 35 %	86. 81 %	86. 81 %	82. 35 %
E! ENTERTAINMENT	E ENTERTAINMENT UK LIMITED	other	0.0 7%	0.0 6%	100 .00 %	0.0 7%	0.0 6%	100 .00 %
EPSILON TV (2013 data not sent by supplier)	ΡΑΔΙΟΤΗΛΕΟΠΤΙΚΗ Α.Ε.	genera list	NC	NC	NC	87. 26 %	20. 59 %	44. 07 %
ERT HD	GREEK RADIO TELEVISION (ERT) S.A.		65. 70 %	18 %	19 %	59. 60 %	20 %	20 %
ERT1	GREEK RADIO TELEVISION (ERT) S.A.		68. 10 %	27 %	16 %	N/A	N/A	N/A
ERT2	GREEK RADIO TELEVISION (ERT) S.A.		65. 70 %	18 %	19 %	N/A	N/A	N/A
ERT3	GREEK RADIO TELEVISION (ERT) S.A.		80 %	12 %	26 %	N/A	N/A	N/A
ET1/HD (up to 10/6/2013) - data not sent by supplier / data based on 2012 average	ΕΛΛΗΝΙΚΗ ΡΑΔΙΟΦΩΝΙΑ ΤΗΛΕΟΡΑΣΗ Α.Ε.	genera list	83. 23 %	9.9 9%	67. 31 %	NO	NO	NO
ET3 (up to 10/6/2013) - data not sent by supplier / data based on 2012 average	ΕΛΛΗΝΙΚΗ ΡΑΔΙΟΦΩΝΙΑ ΤΗΛΕΟΡΑΣΗ ΤΡΙΑ	genera list	36. 03 %	23. 21 %	11. 64 %	NO	NO	NO
ΔΤ			60. 30 %	14 %	11 %	62. 80 %	17 %	4%
FOX	FOX INTERNATIONAL CHANNELS	cinem a	15. 75 %	1.9 1%	100 .00 %	15. 19 %	1.4 3%	100 .00 %
FOX LIFE	FOX INTERNATIONAL CHANNELS	cinem a	17. 45 %	3.1 9%	88. 36 %	16. 99 %	3.6 1%	93. 93 %
HISTORY CHANNEL	AETN UK LTD	docum entarie s	4.8 8%	4.7 9%	85. 23 %	2.6 9%	2.6 9%	84. 72 %
HUSTLER HD (2013 data not sent by supplier)	ΑΤΤΙΚΕΣ ΕΚΔΟΣΕΙΣ ΑΕ	other	NC	NC	NC	31. 66 %	31. 66 %	100 .00 %
Kanali 6 (Xanthi)	KANALI 6 XANTHIS S.A.	genera list	62 %	34 %	32 %	60 %	32 %	31 %
Kriti TV (Crete TV)	IKAROS RADIO TV ENTERPRISES S.A.	genera list	80 %	25 %	10 %	75 %	23 %	10 %
KONTRA CHANNEL	KONTRA MEDIA ΜΕΣΑ ΜΑΖΙΚΗΣ ΕΝΗΜΕΡΩΣΗΣ Α.Ε.	genera list	100 .00 %	0.0 0%	0.0 0%	88. 81 %	0.0 0%	0.0 0%
MAD GREEKZ	MAD TV ΑΝΩΝΥΜΗ ΕΤΑΙΡΕΙΑ	other	100 .00 %	100 .00 %	95. 82 %	100 .00 %	100 .00 %	91. 46 %
MAD TV	MAD TV ΑΝΩΝΥΜΗ ΕΤΑΙΡΕΙΑ	other	93. 84 %	93. 84 %	90. 51 %	96. 02 %	96. 02 %	94. 99 %
MAKEDONIA TV	ΜΑΚΕΔΟΝΙΑ TV Α.Ε.	genera list	63. 59 %	33. 65 %	49. 17 %	59. 64 %	18. 96 %	73. 51 %
MEGA	ΤΗΛΕΤΥΠΟΣ Α.Ε.	genera list	82. 30 %	39. 82 %	52. 55 %	82. 51 %	41. 92 %	46. 18 %

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (% TQT)	IP (% TQT)	RW (% IP)	EW (% TQT)	IP (% TQT)	RW (% IP)
MEZZO	LAGARDERE TELEVISION INTERNATIONAL	other	98.01 %	98.01 %	85.75 %	98.06 %	98.06 %	85.82 %
MOTORS TV	MOTORS TV	other	10.69 %	10.49 %	100.00 %	3.97 %	3.97 %	100.00 %
MTV GREECE	MTV NETWORKS EUROPE	other	15.00 %	10.00 %	100.00 %	45.45 %	41.99 %	100.00 %
NATIONAL GEOGRAPHIC	NGC EUROPE LTD	documentaries	39.25 %	37.62 %	81.94 %	41.98 %	40.63 %	57.99 %
NATIONAL GEOGRAPHIC HD	NGC EUROPE LTD	documentaries	37.00 %	36.55 %	80.03 %	39.01 %	38.48 %	81.08 %
NAT GEO WILD / HD	NGC EUROPE LTD	documentaries	25.53 %	23.86 %	94.48 %	25.98 %	24.60 %	84.87 %
NERIT (4/5/2014 - 31/12/2014)	ΕΛΛΗΝΙΚΟ ΔΗΜΟΣΙΟ	generalist	NO	NO	NO	93.82 %	9.70 %	57.64 %
NET (up to 10/6/2013) - data not sent by supplier / data based on 2012 average	ΕΛΛΗΝΙΚΗ ΡΑΔΙΟΦΩΝΙΑ ΤΗΛΕΟΡΑΣΗ Α.Ε.	generalist	89.58 %	5.39 %	68.09 %	NO	NO	NO
NICKELODEON	MTV NETWORKS EUROPE	children	60.00 %	60.00 %	100.00 %	66.67 %	66.67 %	100.00 %
NOVACINEMA1 / HD	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	cinema	51.80 %	10.32 %	94.07 %	51.04 %	10.45 %	91.97 %
NOVACINEMA2	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	cinema	50.26 %	10.08 %	75.67 %	50.95 %	10.77 %	81.68 %
NOVACINEMA3	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	cinema	52.09 %	11.25 %	90.36 %	51.13 %	11.08 %	84.22 %
NOVACINEMA 4	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	cinema	51.26 %	10.98 %	88.05 %	50.44 %	10.09 %	83.94 %
NOVAlife (as of 13/5/2013)	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	cinema	49.81 %	9.95 %	56.31 %	50.88 %	10.13 %	64.06 %
NOVA STARS (1-25/02/13)	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	cinema	50.49 %	9.86 %	0.00 %	49.84 %	10.18 %	38.88 %
NOVA X-MAS (1-6/1/13 & 20-31/12/13)	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	cinema	39.95 %	0.00 %	0.00 %	40.25 %	0.00 %	0.00 %
NOVA 3D	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	cinema	49.54 %	0.00 %	0.00 %	47.30 %	0.00 %	0.00 %
NOVASPORTS 1 / HD	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	other	90.79 %	0.00 %	0.00 %	91.81 %	0.00 %	0.00 %
NOVASPORTS 2 / HD	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	other	86.89 %	0.00 %	0.00 %	87.64 %	0.00 %	0.00 %
NOVASPORTS 3	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	other	88.62 %	0.00 %	0.00 %	89.00 %	0.00 %	0.00 %
NOVASPORTS 4	MULTICHOICE HELLAS S.A./FORTHNET MEDIA	other	57.22 %	0.00 %	0.00 %	62.32 %	0.00 %	0.00 %

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (% TQT)	IP (% TQT)	RW (% IP)	EW (% TQT)	IP (% TQT)	RW (% IP)
	HOLDINGS		%			%		
NOVASPORTS 6	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	other	100 .00 %	0.0 0%	0.0 0%	100 .00 %	0.0 0%	0.0 0%
NOVASPORTS 7	MULTICHOICE HELLAS S.A./FORTHNET MEDIA HOLDINGS	other	76. 44 %	0.0 0%	0.0 0%	78. 92 %	0.0 0%	0.0 0%
OTE CINEMA 1	HELLENIC TELECOMMUNICATIONS ORGANIZATION S.A.		37. 8%	16. 3%	N/A	32. 31 %	12. 3%	N/A
OTE CINEMA 2	HELLENIC TELECOMMUNICATIONS ORGANIZATION S.A.		37 %	18. 7%	N/A	38 %	16. 4%	N/A
OTE CINEMA 3	HELLENIC TELECOMMUNICATIONS ORGANIZATION S.A.		100 %	97 %	N/A	100 %	97 %	N/A
PRIVATE SPICE / BRAZZERS TV EUROPE	ΑΤΤΙΚΕΣ ΕΚΔΟΣΕΙΣ ΑΕ	other	97. 20 %	97. 20 %	81. 68 %	96. 20 %	96. 20 %	95. 08 %
PLAYBOY CHANNEL	ΑΤΤΙΚΕΣ ΕΚΔΟΣΕΙΣ ΑΕ	other	85. 59 %	85. 59 %	88. 24 %	78. 36 %	78. 36 %	99. 58 %
SITIA TV	SITIA TV RADIOTELEVISION ENTERPRISES SA	genera list	52 %	12 %	10 %	57 %	14 %	9%
SKAI TV	ΕΙΔΗΣΕΙΣ ΝΤΟΤ ΚΟΜ Α.Ε.	genera list	83. 33 %	21. 51 %	92. 91 %	73. 21 %	19. 40 %	86. 06 %
STAR	ΝΕΑ ΤΗΛΕΟΡΑΣΗ Α.Ε.	genera list	52. 50 %	26. 87 %	84. 27 %	54. 26 %	27. 68 %	80. 15 %
Star Kentrikis Ellados (Star Central Greece)	STAR CHANNEL CENTRAL GREECE S.A.		87 %	13 %	100 %	92 %	14 %	100 %
TRAVEL CHANNEL	LANDMARK TRAVEL CHANNEL LIMITED	docum entarie s	27. 61 %	11. 22 %	100 .00 %	20. 61 %	18. 16 %	100 .00 %
VH1	MTV NETWORKS EUROPE	other	31. 41 %	31. 25 %	49. 13 %	33. 13 %	32. 93 %	54. 96 %
VOULI CHANNEL	ΚΑΝΑΛΙ ΒΟΥΛΗΣ ΤΩΝ ΕΛΛΗΝΩΝ	genera list	95. 21 %	8.2 3%	77. 52 %	94. 91 %	19. 24 %	39. 67 %
West Channel	WEST CHANNEL S.A.	genera list	82. 13 %	48. 72 %	77. 72 %	85. 61 %	44. 63 %	82. 42 %

Source: Ministry of Digital Policy, Telecommunications and Media, data reporting under Art 16 & 17

2.15.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The NRA commented that while the compliance percentage of the national linear service providers reached 100%, in regard to regional stations, only 2 out of 17 respondents failed to meet the required percentage. In essence, almost the majority of Greece's regional stations are of local broadcast, after the digital switchover that occurred in 2014. In spite of this, the NRA addressed them mostly for statistical reasons and for reasons of continuity and coherence with Greece's previous reports on Articles 16 & 17 of the AVMS Directive.

2.16. Hungary

2.16.1. Data reporting under Art. 13

Media Act Section 20 para. (2) Over one-quarter of the total sum of the length of the programs made available in a given calendar year in the program schedule of on-demand audiovisual media services shall be composed of European works, and at least ten per cent shall be composed of Hungarian works.

Table 54 : Detailed data for non-linear services in Hungary

Service	Provider	Type	Genre	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Antenna Hungária - VOD	N/A	N/A	N/A	NO	NO	NO	100%
AXN	N/A	N/A	N/A	NO	NO	NO	59.2%
D1 TV Web	N/A	N/A	N/A	NO	85.6%	100%	100%
Indafilm	N/A	N/A	N/A	NO	NO	NO	100%
Invi TV Videotéka	N/A	N/A	N/A	NO	NO	100%	100%
RTL Klub	N/A	N/A	N/A	NO	NO	72.8%	83.3%
MT TV GP	N/A	N/A	N/A	95%	97%	100%	26.2%
Telekom Moziaréna	N/A	N/A	N/A	NO	NO	29.8%	37.3%
Telekom Videotéka	N/A	N/A	N/A	NO	82%	47.1%	50.6%
TV2	N/A	N/A	N/A	NO	NO	100%	100%

Source: National Media and Infocommunications Authority, data reporting under Art 13

2.16.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

Working method Hungarian Regulator for the Media

In the reporting period of 2011-2014, there were 12 on-demand audiovisual media services registered at the National Media and Infocommunications Authority. Hungary has quantitative quota obligations for on-demand media services: according to Section 20 of the Hungarian Media Act over one-quarter of the total sum of the length of the programs made available in a given calendar year in the program schedule of on-demand audiovisual media services shall be composed of European works, and at least ten per cent shall be composed of Hungarian works.

The Act sets out that service providers may request exemption from this quota obligation. Media service providers may, upon request addressed to the Media Council, also attain these ratios gradually, in a manner laid down in a public contract with the Media Council. Such exemption granted in a public contract may only be authorized for a maximum of three calendar years on condition that the media service provider shall gradually increase the ratio of Hungarian and European works it has broadcast and works produced by an independent producer until it reaches the prescribed ratios.

There were 2 media providers (3 services) who applied for such an exemption.

- Hungarian Telekom applied for exemption under the quota obligation for its „Moziaréna” service for the period between 2013 – 2015. The company was not able to reach the 25 % quota before 2013. The Media Council approved the exemption with a condition to gradually increase the amount of European works in the catalogue of the service. The quota obligations for the service were the following: 2013: 5% European works; 2014: 10 % European works.

- Hungarian Telekom applied for exemption under the quota obligation for its „Videotéka” service for the period between 2013 – 2015. The company was not able to reach the 25 % quota before 2013. The Media Council approved the exemption with a condition to gradually increase the amount of European works in the catalogue of the service. The quota obligations for the service were the following: 2013: 10% European works; 2014: 15 % European works.
- Invitel Zrt. applied for exemption under the quota obligation for its „inviTV Videotéka” service for the period between 2012 – 2014. The company was not able to reach the 25 % quota before 2012. The Media Council approved the exemption with a condition to gradually increase the amount of European works in the catalogue of the service. The quota obligations for the service were the following: 2012: 5% European works; 2013: 15% European works 2014: 20 % European works.

2.16.3. Data reporting under Art. 16 & 17

Table 55 : Detailed data for linear services in Hungary

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
4 Story TV (4 -es csatorna)	SANOMA DIGITAL MEDIA KOZEP-EUROPAI Zrt.		43.1%	22.9%	27.5 %	39.7%	23.4%	18.5 %
5 Story TV	SANOMA DIGITAL MEDIA KOZEP-EUROPAI Zrt.		47.2%	15.0%	17.9 %	43.5%	14.1%	41.7 %
Duna TV	Duna Médiaszolgáltató Részvénytársaság		89.4%	34.8%	60.4 %	91.8%	44.9%	58.5 %
Duna World	Duna Médiaszolgáltató Részvénytársaság		97.9%	29.4%	70.5 %	99.8%	33.5%	77.4 %
Film Mania	AMC NETWORKS CENTRAL EUROPE KORLATOLT FELELOSSEGU TARSASAG	cinema	65.0%	42.4%	46.3 %	50.7%	35.2%	40.8 %
M1 (Magyar Televízió 1)	Duna Médiaszolgáltató Részvénytársaság		77.4%	32.8%	67.2 %	78.7%	34.8%	64.9 %
M2 (Magyar Televízió 2) / Petofi	Duna Médiaszolgáltató Részvénytársaság		65.9%	45.6%	36.0 %	62.7%	47.5%	48.2 %
M3 Anno (Magyar Televízió 3)	Duna Médiaszolgáltató Részvénytársaság					98.5%	11.6%	0.0%
Magyar ATV	AGRO TV-ATV ELSŐ MAGYAR MAGÁNTELEVÍZIÓ S ZÁRTKÖRŰEN MŰKÖDŐ RÉSZVÉNYTÁRSASÁG	generalist	88.1%	20.8%	95.8 %	85.3%	25.5%	96.8 %
Minimax (Version in Hungary n)	AMC NETWORKS CENTRAL EUROPE KORLATOLT FELELOSSEGU TARSASAG	children				51.2%	44.4%	59.1 %
Muzsika	MAGYAR RTL		99.8%	74.5%	95.6	99.1%	73.0%	96.9

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
TV	TELEVÍZIÓ RT.				%			%
RTL KLUB	MAGYAR RTL TELEVÍZIÓ RT.	generalist	55.4%	34.0%	95.8 %	62.1%	41.1%	93.6 %
Spektrum Home (version in Czech)	AMC NETWORKS CENTRAL EUROPE KORLATOLT FELELOSSEGU TARSASAG	other	74.6%	34.6%	77.5 %	67.0%	30.5%	67.1 %
Spektrum Home (version in Hungaria n)	AMC NETWORKS CENTRAL EUROPE KORLATOLT FELELOSSEGU TARSASAG	other	74.6%	34.6%	77.5 %	67.0%	30.5%	67.1 %
Spektrum TV (Hungary)	AMC NETWORKS CENTRAL EUROPE KORLATOLT FELELOSSEGU TARSASAG	documentari es	63.0%	46.6%	75.4 %	61.2%	45.5%	74.6 %
TV2 (Hungary)	TV2 MEDIA CSOPORT KORLATOLT FELELOSSEGU TARSASAG	generalist	56.5%	27.8%	67.7 %	58.6%	29.1%	80.4 %
TV Paprika (Version in Czech)	AMC NETWORKS CENTRAL EUROPE KORLATOLT FELELOSSEGU TARSASAG	other	83.4%	56.4%	84.5 %	76.2%	50.5%	79.2 %
TV Paprika (Version in Hungaria n)	AMC NETWORKS CENTRAL EUROPE KORLATOLT FELELOSSEGU TARSASAG	other	83.4%	56.4%	84.5 %	76.2%	50.5%	79.2 %

Source: National Media and Infocommunications Authority, data reporting under Art 16 & 17

2.16.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

Act CLXXXV of 2010 on Media Services and on the Mass Media (hereinafter: the Media Act) – transposing the provisions of the AVMS Directive – has considerably extended the scope of services, which fall under the quota obligations, as apart from the local commercial television broadcasters, all other service providers fall under the obligation

2014 was the first year when the Media Council was able to scrutinize all those qualified service providers which fell under the obligations. Before 2014, the Media Council had lacked the necessary means and data, thus it had only been able to scrutinize a much smaller number of service providers.

- In 2013, 4 procedures were launched out of which 1 procedure ended with a written warning, while 3 others ended with a fine.
- In 2014, 25 procedures were launched, out of which 22 ended with a written warning, while 1 case with a fine. Yet, this single service provider was fined as it had not carried out its obligation pertaining to the Hungarian quotas.

According to Section 185 (2) of the Media Act: „In taking the necessary legal measures, the Media Council and the Office - under the principle of equal treatment - shall act in line with the principles of progressivity and proportionality; shall apply the

legal consequence proportionately in line with the gravity and rate of re-occurrence of the infringement, taking into account all circumstances of the case and the purpose of the sanction" This provision might explain the fact that in most cases the Media Council only issued a written warning.

2.17. Ireland

2.17.1. Mandatory reporting under Art. 13

The BAI (NRA) does not regulate on-demand services. This is the role of a voluntary organisation (OnDemand Audiovisual Services – ODAS - group). Responsibilities regarding on-demand and European works are set out in their Code of Practice. The statutory framework for on-demand services is set out in Statutory Instrument 258/2010²² and Section 11 (1) and (2) details the obligations in respect of European Works, including reporting. Reporting falls to either the regulatory body (ODAS) or the Minister.

As such, the BAI has no statutory function in respect of reporting by on-demand services against article 13, either in terms of share of European works in the catalogues, the financial contribution made by these services to the production and rights acquisition of European works or the prominence of European works in the catalogue of programmes offered. Accordingly, BAI does not collect any of this information as part of its regulatory obligations and reports only on Article 16/17.

2.17.2. Mandatory reporting under Art. 16 & 17

Table 56 : Detailed data for linear services in Ireland

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
3e	TV3 TELEVISION NETWORK LIMITED	generalist	66%	18%	28%	65%	20%	65%
Cúla4	Telefis na Gaeilge	children	NC	NC	NC	NC	NC	NC
RTE 1	RTE	generalist	60%	20%	61%	65%	19%	84%
RTE 2	RTE	generalist	44%	29%	48%	29%	20%	43%
RTEjr	RTE	children	NC	NC	NC	NC	NC	NC
TG4	Telefis na Gaeilge	generalist	55%	54%	52%	53%	52%	61%
TRTE	RTE		NC	NC	NC	NC	NC	NC
TV3 (Ireland)	TV3 TELEVISION NETWORK LIMITED	generalist	81%	22%	52%	86%	21%	74%

Source: Broadcasting Authority of Ireland, data reporting under Art 16 & 17

²² <http://www.irishstatutebook.ie/eli/2010/si/258/made/en/print>

2.17.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

It is possible to note that one channel, RTÉ 2, did not meet the quota for European Works in 2013 and 2014.

In this regard, the broadcaster states that in respect of this channel, it is RTÉ's current scheduling policy to broadcast the majority of Irish productions on RTÉ One as that channel has the greater audience reach while international acquisitions tend to play mainly on RTÉ 2. They also state that the broadcaster's extensive sports coverage mainly goes out on RTÉ 2 rather than on RTÉ One. They cite these factors as the reasons as to why there are differences in respect of the percentage of European Works on each channel.

More generally, the broadcaster states that based on its analysis of total output on both channels combined, the broadcaster achieved 53% European Works for 2013 and 54.5% for 2014. These figures have not been verified by the BAI and the attached report is based on our sample of output

2.18. Italy

2.18.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored with an annual frequency. AGCOM foresees a verification mechanism of the statistical reports submitted by on-demand service providers.

AGCOM's decision n.66/09/CONS, art.4-bis, para.2, prescribes that the legal provisions for non-linear AVMS providers – that came into force in 2011 – should be applied "gradually" during a first period of 4 years, considering market conditions and the availability of rights on the audio-visual works. This provision recognises a transitional regime for non-linear AVMS providers, considering that these services were at that time all in a start-up phase, and therefore provided for a light regulatory approach at that stage. It should be considered that the transitional regime foreseen by AGCOM's decision n.66/09/CONS is in line with the "where practicable and by appropriate means" clause pursuant to Art.13.1 of the AVMSD.

Starting from 2015, AGCOM has collected a complete set of information from the non-linear AVMS providers, concerning the fulfilment of the obligations of Art.13. This includes also the adoption of prominence criteria, as issued by AGCOM's decision n.149/15/CONS, that, according to the latter allow providers to eventually reduce the quota (either the 20% of the catalogue or the 5% of the annual revenues).

2.18.2. Data reporting under Art. 16 & 17

Table 57 : Detailed data for linear services in Italy

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%T QT)	IP (%T QT)	RW (%I P)	EW (%T QT)	IP (%T QT)	RW (%I P)
Cielo	Sky Italia S.r.l. con socio unico	generalist	38%	18%	16%	32%	17%	15%
Sky 3D	Sky Italia S.r.l. con socio unico	documentaries	75%	18%	16%	76%	17%	15%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%T QT)	IP (%T QT)	RW (%I P)	EW (%T QT)	IP (%T QT)	RW (%I P)
Sky Arte	Sky Italia S.r.l. con socio unico	documentaries	81%	18%	16%	82%	17%	15%
Sky Assist	Sky Italia S.r.l. con socio unico	other	100%	18%	16%	100%	17%	15%
Sky Atlantic	Sky Italia S.r.l. con socio unico	other	0%	18%	16%	59%	17%	15%
Sky Cinema 1	Sky Italia S.r.l. con socio unico	cinema	36%	18%	16%	36%	17%	15%
Sky Cinema Classics	Sky Italia S.r.l. con socio unico	cinema	41%	18%	16%	77%	17%	15%
Sky Cinema Comedy	Sky Italia S.r.l. con socio unico	cinema	73%	18%	16%	62%	17%	15%
Sky Cinema Cult	Sky Italia S.r.l. con socio unico	cinema	56%	18%	16%	50%	17%	15%
Sky Cinema Family	Sky Italia S.r.l. con socio unico	cinema	27%	18%	16%	32%	17%	15%
Sky Cinema Hits	Sky Italia S.r.l. con socio unico	cinema	37%	18%	16%	26%	17%	15%
Sky Cinema Max	Sky Italia S.r.l. con socio unico	cinema	16%	18%	16%	20%	17%	15%
Sky Cinema Passion	Sky Italia S.r.l. con socio unico	cinema	37%	18%	16%	37%	17%	15%
Sky Inside	Sky Italia S.r.l. con socio unico	other	100%	18%	16%	100%	17%	15%
Sky Meteo 24	Sky Italia S.r.l. con socio unico	other	100%	18%	16%	100%	17%	15%
Sky Uno	Sky Italia S.r.l. con socio unico	generalist	39%	18%	16%	45%	17%	15%
La7	La7 S.r.l.	generalist	76%	38%	37%	80%	25%	24%
La7d	La7 S.r.l.	generalist	71%	38%	37%	79%	25%	24%
DeA Kids	De Agostini Editore S.p.A.	children	75%	17%	15%	67%	19%	16%
DeA Junior	De Agostini Editore S.p.A.	children	60%	17%	15%	77%	19%	16%
DeA Sapere HD	De Agostini Editore S.p.A.	documentaries	72%	17%	15%	63%	19%	16%
Explora	De Agostini Editore S.p.A.	generalist	NC	17%	15%	65%	19%	16%
Super!	De Agostini Editore S.p.A.	documentaries	45%	17%	15%	41%	19%	16%
TV2000	Rete Blu S.p.A.	generalist	59%	11%	5%	56%	27%	1%
Alice	LT Televisioni S.r.l.	other	100%	9%	9%	100%	22%	22%
Arturo	LT Televisioni S.r.l.	documentaries	61%	9%	9%	NC	NC	NC
Leonardo	LT Televisioni S.r.l.	documentaries	83%	9%	9%	80%	22%	22%
Marcopolo	LT Televisioni S.r.l.	documentaries	81%	9%	9%	80%	22%	22%
Nuvolari	LT Televisioni S.r.l.	documentaries	65%	9%	9%	70%	22%	22%
Real Time	Discovery Italia S.r.l.	other	56%	18%	7%	47%	10%	10%
Dmax	Discovery Italia S.r.l.	other	38%	18%	7%	38%	10%	10%
FRISBEE	Discovery Italia S.r.l.	children	NC	18%	7%	40%	10%	10%
K2	Discovery Italia S.r.l.	children	NC	18%	7%	64%	10%	10%
GXT	Discovery Italia S.r.l.	cinema	69%	18%	7%	71%	10%	10%
Discovery World	Discovery Italia S.r.l.	documentaries	54%	18%	7%	50%	10%	10%
Canale 5	R.T.I. S.p.A.	generalist	86%	10%	10%	88%	11%	11%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%T QT)	IP (%T QT)	RW (%I P)	EW (%T QT)	IP (%T QT)	RW (%I P)
Italia 1	R.T.I. S.p.A.	generalist	31%	10%	10%	34%	11%	11%
Retequattro	R.T.I. S.p.A.	generalist	62%	10%	10%	67%	11%	11%
Boing	R.T.I. S.p.A.	children	47%	10%	10%	43%	11%	11%
Cartoonito	R.T.I. S.p.A.	children	47%	10%	10%	39%	11%	11%
Iris	R.T.I. S.p.A.	cinema	56%	10%	10%	66%	11%	11%
La5	R.T.I. S.p.A.	generalist	57%	10%	10%	59%	11%	11%
MediasetExtra	R.T.I. S.p.A.	generalist	100%	10%	10%	100%	11%	11%
Mediaset Italia 2	R.T.I. S.p.A.	generalist	48%	10%	10%	40%	11%	11%
Top Crime	R.T.I. S.p.A.	fiction	32%	10%	10%	40%	11%	11%
Foryou	R.T.I. S.p.A.	other	93%	10%	10%	NO	NO	NO
RaiUno	RAI Spa	generalist	84%	15%	EX	92%	16%	EX
RaiDue	RAI Spa	generalist	59%	15%	EX	72%	16%	EX
RaiTre	RAI Spa	generalist	76%	15%	EX	87%	16%	EX
Rai4	RAI Spa	generalist	20%	15%	EX	20%	16%	EX
Rai5	RAI Spa	generalist	57%	15%	EX	76%	16%	EX
Rai Gulp	RAI Spa	children	63%	15%	EX	55%	16%	EX
Rai Movie	RAI Spa	cinema	53%	15%	EX	52%	16%	EX
Rai Premium	RAI Spa	cinema	63%	15%	EX	72%	16%	EX
Rai Scuola	RAI Spa	other	90%	15%	EX	87%	16%	EX
Rai Storia	RAI Spa	documentaries	94%	15%	EX	99%	16%	EX
Rai YoYo	RAI Spa	children	85%	15%	EX	87%	16%	EX
MTV	MTV	generalist	47%	15%	15%	40%	11%	9%
MTV MUSIC	MTV	other	56%	15%	15%	62%	11%	9%
MTV HITS	MTV	other	62%	15%	15%	66%	11%	9%
MTV CLASSIC	MTV	other	62%	15%	15%	58%	11%	9%
Comedy Central	Viacom	other	71%	15%	15%	81%	11%	9%
Nickelodeon	Viacom	children	33%	15%	15%	25%	11%	9%
NICK JR	Viacom	children	40%	15%	15%	32%	11%	9%
Fox Animation	Fox International Channels Italy S.r.l.	children	NO	NO	NO	22%	38%	38%
Fox Comedy	Fox International Channels Italy S.r.l.	other	NO	NO	NO	26%	38%	38%
Fox Sports	Fox International Channels Italy S.r.l.	other	100%	20%	20%	100%	38%	38%
Fox Sports2	Fox International Channels Italy S.r.l.	other	NO	NO	NO	83%	38%	38%
History Channel	Fox International Channels Italy S.r.l.	documentaries	50%	20%	20%	NO	NO	NO
Nat Geo Adventure	Fox International Channels Italy S.r.l.	documentaries	54%	20%	20%	45%	38%	38%
Nat Geo Wild	Fox International Channels Italy S.r.l.	documentaries	44%	20%	20%	57%	38%	38%
National Geographic Channel	Fox International Channels Italy S.r.l.	documentaries	52%	20%	20%	60%	38%	38%

Source: AGCOM, data reporting under Art 16 & 17

2.18.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

In verifying the application of Articles 16 and 17, Agcom refers to three monitoring methods:

- Firstly, data are reported directly by broadcasters, to which Agcom sends a yearly request for information about the programming of European audiovisual works and the investments in European audiovisual works produced by independent producers. Broadcasters are requested to fill out a specific form to be sent back every year by the 30th of September, so as to take account of the last balances.
- In order to cross-check the fulfilment of programming obligations, Agcom receives monthly reports by a specialized company, selected through tendering procedure. For the period covered by the present report, Geca Italia S.r.l., an independent media research company has provided its services. The collecting methodology has been established by Agcom, so as to ensure data compatibility. The following channels are covered by this report: Rai 1, Rai 2, Rai 3, Rai 4, Canale 5, Italia 1, Boing, La7, La7d, Mtv, Sky Cinema 1, Cielo, Fox. Data are collected on a daily basis over the entire day (00:00 to 23:59).
- Similarly, data concerning investment obligations received by broadcasters are cross-checked by Agcom with the information gathered internally in a database called "Economic Information System", to which all operators subject to the control of Agcom have to provide information about their budgets and balances every year.

A) Reasons given by the Member State for failure to reach

1. Majority proportion of European works (Article 16):

Italian legislation provides that if broadcasters belong to the same group, programming quotas have to be calculated on the global amount of programming time, with a minimum threshold on each channel of 20%. Considering the rigidity of the form, which does not leave much room for national adjustments, in line with the report submitted and validated for 2009-2010 and 2011-2012, so as not to affect the compliance rate and at the same time provide more detailed and consistent data about this requirement, the sheet "TV Channels" includes all channels belonging to the same group even though their single audience share might in certain cases be below the 0,3% threshold. These channels are therefore not repeated in the sheet "Exempted Channels". In the same vein, the latter does not include channels belonging to the group considered as a whole in the first sheet, in case they have been explicitly exempted due to a derogation request. In this case, they are included in the sheet "TV Channels".

2. A minimum proportion of European works by independent producers (Article 17)

In Italy, obligations concerning European audiovisual works produced by independent producers refer to a 10% investment quota (i.e. a broadcaster should invest in such works not less than 10% of its net annual turnover), according to article 44 (3) of the decree n.177/05 as amended by the decree n. 44/10. Similarly to what happens with the programming obligations, where reference is made to the editorial groups as to the compliance rate, investments are calculated not only on the revenues collected by the concerned broadcaster, but also considering the companies which own the broadcaster, or which are owned or controlled by the broadcaster itself, provided that reference is made only to the investments destined to the Italian market. In such a case, the investment quota is calculated without the inter-group relations. Concerning the obligations on recent works, there is not a specific quota, but broadcasters have to

invest an “adequate proportion” of their annual net revenues in European recent works by independent producers. Considering that the form makes only reference to programming time, which does not reflect the implementation of the AVMSD into Italian legislation, as already submitted and validated for the report 2009-2010 and 2011-2012, data inserted into the sheet “TV Channels” refer to investments and not to programming, so as to reflect the obligations as applicable to broadcasters subject to Italian jurisdiction.

B) Measures taken by or envisaged by the Member State

A situation of non-compliance would lead, according to Italian legislation, to a sanctioning procedure. This solution is nevertheless considered by Agcom only as a last option, after a careful assessment and evaluation of the reasons of the failure in reaching the required proportion. In this process, particular attention is paid to the factors that have influenced such a company's investments in independent productions, along with any and all pending initiatives that could not be successfully carried out due to economic reasons. Three cases of non-compliance have been envisaged for the period 2013-2014.

C) Further comments

As mentioned in par. A.1, channels listed in the sheet “TV Channels” pertain to broadcasters that collect more than 0,3% audience share with their channels. Considering the features of the Italian legislation, where compliance has to be ensured by editorial groups as a whole, this has been reflected in the table in the following way:

- some channels covered by the audience de minimis rule are reported along with the other channels belonging to the same group. These ones therefore appear in the first sheet “TV Channels”;
- where these channels are of thematic character (e.g. sport), they have been excluded from the editorial group they belong to, because of their exemption in response to a request of derogation. These ones appear in the second sheet “Exempted Channels”;
- channels falling below the de minimis threshold, not belonging to a specific editorial group, are reported in the second sheet “Exempted Channels”;
- in some case the audience rate is unknown, as not all channels are covered by the national audience measurement provided by Auditel. These ones are reported in the sheet “Exempted Channels” as NC in accordance with the instructions;
- decimal data rounded to one decimal.

2.19. Latvia

2.19.1. Data reporting under Art. 13

The National Electronic Mass Media Council of Latvia declared that there are two methods to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive.

- 1) National Electronic Mass Media Council of Latvia can demand information about share of European works in the on-demand catalogues. Under Electronic Mass

Media Law broadcasters are obligated to submit requested information to National Electronic Mass Media Council of Latvia.

- 2) National Electronic Mass Media Council of Latvia can manually monitor audiovisual content and calculate share of European works in the on-demand catalogues.

2.19.2. Data reporting under Art. 16 & 17

Table 58 : Detailed data for linear services in Latvia

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
iTV "Īstas izklaides televīzija"	RIGAS NAMI SIA	other	NO	NO	NO	NO	NO	NO
Kanāls 2	LATVIJAS NEATKARIGA TELEVIZIJA AS	cinema	NC	NC	NC	68.7%	38%	NC
LNT	LATVIJAS NEATKARIGA TELEVIZIJA AS	generalist	52%	60%	NC	62%	43%	NC
LTV1 (Latvia)	LATVIJAS TELEVIZIJA SIA	generalist	84%	18%	NC	69%	11.5%	NC
LTV7	LATVIJAS TELEVIZIJA SIA	generalist	69%	35%	NC	51	9.50%	NC
Nu Art TV (Latvia)	ARTLAB SIA	other	NO	NO	NO	NO	NO	NO
PBK Estonia (Pirmais Baltijas Kanāls Igaunija)	PIRMAIS BALTIJAS KANALS SIA	generalist	NO	NO	NO	NO	NO	NO
PBK Latvia (Pirmais Baltijas Kanāls Latvija)	PIRMAIS BALTIJAS KANALS SIA	generalist	NC	NC	NC	53%	10.00%	NC
PBK Lithuania (Pirmais Baltijas Kanāls Lietuva)	PIRMAIS BALTIJAS KANALS SIA	generalist	NO	NO	NO	NO	NO	NO
Re:TV	VIDZEMES TELEVIZIJA SIA	generalist	EX ²³	EX	EX	65%	12%	NC

²³ Audicence share below 0.3% in 2013

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
RīgaTv 24	TV LATVIJA AS	generalist	EX ²⁴	EX	EX	71.8%	11.2%	15.6%
Topfilm TV	SIA "Top Film TV		NO	NO	NO	NO	NO	NO
TV3 (Latvia)	TV 3 LATVIA SIA	generalist	51%	48%	NC	50.6%	67%	NC
TV6 (Latvia)	TV 3 LATVIA SIA	cinema	NC	NC	NC	50.3%	24%	NC
TV XXI (TV 21)	TV-21 SIA	cinema	NO	NO	NO	NO	NO	NO
STV Pirmā!	MEDIA 360 SIA	other	NO	NO	NO	NO	NO	NO

Source: National Electronic Mass Media Council of Latvia, data reporting under Art 16 & 17

2.19.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

In this period (2013 and 2014) information requested by the Council was incorrect. Council requested to submit information about Recent European Works (5 years) as a percentage of Total Qualifying Time instead of Recent European Works as a percentage of total European Works made by Independent Producers. Mistake is corrected and for the next periods Council will be able to provide information about Recent European Works as a percentage of total European Works made by Independent Producers.

Regarding the non-compliance in the years 2013, 2014 under Article 17, there was only one case where European Works made by Independent Producers as a percentage of Total Qualifying Time where under 10%. The program LTV7 had 9.5%. The Council requested the broadcaster to comply with AVMSD and Electronic Mass Media Law.

2.20. Lithuania

2.20.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive.

There were four on-demand service providers registered in the period of 2011-2014. However, no data have been gathered on the application of Article 13 (the Audiovisual Media Services Directive (2010/13/EU)) concerning the promotion of and access to European works regarding those service providers.

2.20.2. Data reporting under Art. 16 & 17

Table 59 : Detailed data for linear services in Lithuania

Channel Identification		Statistical data	
		2013	2014

²⁴ Audience share below 0.3% in 2013

Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
BTV (Baltijos TV)	UAB LAISVAS IR NEPRIKLAUSOMAS KANALAS		51%	51%	51%	44%	44%	44%
Lietuvos Rytas TV	UAB LIETUVOS RYTO TELEVIZIJA		52%	41%	41%	62%	43%	43%
LIUKS!	UAB LAISVAS IR NEPRIKLAUSOMAS KANALAS		85%	14%	10%	87%	15%	12%
LNK	UAB LAISVAS IR NEPRIKLAUSOMAS KANALAS		51%	51%	51%	50%	50%	50%
LRT	VSI LIETUVOS NACIONALINIS RADIJAS IR TELEVIZIJA (LRT)		82%	61%	16%	83%	63%	18%
LRT Kultūra	VSI LIETUVOS NACIONALINIS RADIJAS IR TELEVIZIJA (LRT)		85%	46%	12%	89%	48%	12%
LRT Lituanica	VSI LIETUVOS NACIONALINIS RADIJAS IR TELEVIZIJA (LRT)		NC	NC	NC	NC	NC	NC
Seimas Tiesiogiai (ST)	UAB CGATES		NC	NC	NC	NC	NC	NC
TV1 (Lithuania)	UAB LAISVAS IR NEPRIKLAUSOMAS KANALAS		24%	24%	13%	25%	25%	15%
TV3 (Lithuania)	UAB TV3		21%	21%	21%	20%	20%	20%
TV6 (Lithuania)	UAB TV3		7%	7%	7%	7%	7%	7%
TV8 (Lithuania)	UAB TV3		22%	22%	22%	19%	19%	19%

Source: The Radio and Television Commission of Lithuania, data reporting under Art 16 & 17

2.20.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The RTCL reminded the relevant linear service providers about the obligation under Art. 16 and/or Art. 17 and requested them to fulfil the foreseen quota accordingly in the future.

The responses the RTCL got from the broadcasters were similar to the ones received in previous years, i. e. lack of finances. Achieving the statutory quota was hampered by the high cost of purchasing high-quality products produced by the local producers, or products produced in other Member States by the thematic TV channels (TV1 and TV8). It should be noted that the TV8 channel was granted a broadcasting licence in 2013.

2.21. Luxembourg

2.21.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored with a frequency of 4 years.

Ministère d'Etat - Service des Médias et des Communications (SMC) does not foresee an automatic verification mechanism of statistical reports submitted by on-demand service providers (only in the event of doubts, data are double checked).

As Article 13 of the AVMSD does not lay down binding indicators but gives flexibility as to the choice of measures to be taken in order to promote European works. Luxembourg decided to maintain this flexibility within the national law. The reporting takes into account the measures taken to fulfil this obligation (i.e. mechanisms that emphasize European works).

VOD service	VOD provider	Measures adopted for the promotion of European works
Post TV	POST Telecom SA	European works constitute 20-25% of the catalogue. This proportion has been stable throughout the years. Post works with several services providers specialised in the distribution of European works. The VOD portal gives prominence to European works, especially those with a Luxembourg cooperation (which will be further developed in the future to enhance the access to all European works).
Tango TV	Tango SA	Tango took a number of measures to give prominence to European works, which is shown by the success of the "Top 20" category, which lists and strengthens the visibility of the 20 most watched movies every week. 35-40% of those movies are European productions. Among the measures taken to give prominence to European works, the following actions can be mentioned: - "Coin des cinéphiles": gives prominence to new movies to be discovered every month. 60% of those movies are European productions. - "Cinéma européen" : access to all European productions of the catalogue - "Special": movies by theme or personality, 50% of the movies are European productions. - "Cinefeel films": movies awarded at the festivals of Cannes, Berlin and Venice. 70% of the movies are European productions. The remaining 30% are independent productions to be discovered (such as from South-America or Asia, some of which are also European co-productions). All those categories are accessible from the "home page" of the VOD service. Additional measures have been taken to promote Luxembourg productions, as well as some Portuguese productions. Tango also works with different local distributors (across Europe) to ensure a large proportion of European works in the catalogue.
RTL XL	CLT-Ufa SA	RTL XL mostly contains Dutch productions, which are commissioned and financed by CLT-Ufa themselves.
RTL à l'infini	RTL Belux SA	73% of the catalogue are European works (with a total of 227 works). In addition, financial contributions to the production of movies are made (for example to the movies "Boule et Bill" and the TV drama "La méthode Claire" in 2014).

Table 60 : Detailed data for non-linear services in Luxembourg

Service	Provider	Type	Genre	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Post TV	POST Telecom SA	N/A	N/A	20-25%	20-25%	20-25%	20-25%
Tango TV	Tango SA	N/A	N/A	35-40%	35-40%	35-40%	35-40%
RTL XL	CLT-Ufa SA	N/A	N/A	mostly contains Dutch productions, which are commissioned and financed	mostly contains Dutch productions, which are commissioned and financed	mostly contains Dutch productions, which are commissioned and financed	mostly contains Dutch productions, which are commissioned and financed

Service	Provider	Type	Genre	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
				by CLT-Ufa themselves	by CLT-Ufa themselves	by CLT-Ufa themselves	by CLT-Ufa themselves
RTL à l'infini	RTL Belux SA	N/A	N/A	73%	73%	73%	73%

Source: Ministère d'Etat - Service des Médias et des Communications (SMC), data reporting under Art 13

2.21.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

The following three services have been exempted from reporting:

- *RTL Telekids* (CLT-Ufa SA): This service is mainly an app with hardly any audiovisual content and a small number of subscribers (service launched in April 2014);
- *RTL nieuws* (CLT-Ufa SA): This is a news platform with hardly any audiovisual content;
- *Horse Lifestyle* (Horse Lifestyle sàrl): Exemption due to its specific thematic nature.

2.21.3. Data reporting under Art. 16 & 17

Table 61 : Detailed data for linear services in Luxembourg

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Luxe TV	OPUNTIA SA	documentaries	100.00 %	55.85%	69.77 %	100.00 %	56.99%	69.96 %
RTL-TVI	RTL Belux S.A. & Cie	generalist	76%	23%	19%	77%	25%	23%
Club RTL	RTL Belux S.A. & Cie	generalist	39%	33%	29%	41%	28%	23%
Plug RTL	RTL Belux S.A. & Cie	generalist	81%	68%	66%	90%	70%	68%
RTL 4	CLT-Ufa SA	generalist	75%	53%	93%	80%	48%	99%
RTL 5	CLT-Ufa SA	generalist	51%	39%	83%	58%	37%	83%
RTL 7	CLT-Ufa SA	generalist	66%	57%	98%	65%	42%	99%
RTL 8	CLT-Ufa SA	generalist	51%	42%	80%	55%	43%	69%
RTL 9	RTL 9 S.A.	generalist	50%	28%	5%	51%	40%	3%
RTL Crime	CLT-Ufa SA	other	50%	50%	16%	42%	42%	36%
RTL Lounge	CLT-Ufa SA	generalist	68%	45%	96%	58%	41%	88%
RTL Télé Lëtzebuerger	CLT-Ufa SA	generalist	98%	1%	nc	98%	1%	nc
RTL Télé Lëtzebuerger 2	CLT-Ufa SA	generalist	98%	1%	nc	98%	1%	nc

Source: Ministère d'Etat - Service des Médias et des Communications (SMC), data reporting under Art 16 & 17

2.21.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

Two channels (Club RTL and RTL Crime) are below the 50% threshold of the transmission time with regards to European works.

The broadcasters concerned (RTL Belux for Club RTL / CLT-Ufa for RTL Crime) however comply with the obligation of reserving a majority of their transmission time to European works considering all the services of the concerned broadcaster taken together. We consider therefore that they comply with the obligations of articles 16 and 17.

As for RTL Crime, the following information was submitted in addition: "Unfortunately, the output of high quality crime content has always been small in the Netherlands. The size of the country compared to cost per episode makes a commercial viable model very difficult for commercial broadcasters. RTL Crime, as a pay channel, is highly dependent on the output generated by FTA channels who commission such quality crime content. Although RTL Crime currently does not adhere to the European works quotas, RTL Crime aims to increase this percentage to the extent possible".

With regards to the low % of Independent works of "RTL Télé Lëtzebuerg" this is explained by the fact that this is a local channel exclusively destined to the Luxembourg population, with mainly local news, discussion roundtables or thematic magazines. They are all locally produced and transmitted in Luxembourg language (which is not an official language of the EU and so does not need to be taken into account according to the guidelines).

2.22. Malta

2.22.1. Data reporting under Art. 13

The Broadcasting Authority declared that there is not a process or system to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, as at the time the services in question were still small market players with no clear impact on a significant proportion of the general public.

2.22.2. Data reporting under Art. 16 & 17

Table 62 : Detailed data for linear services in Malta

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
F Living	F MEDIA LIMITED	other	100%	15%	0%	100%	10%	0%
Go Stars	GO P.L.C.	cinema	22.63%	22.63%	62.18%	20.94%	20.94%	83.46%
Melita More	MELITA CABLE PLC	other	19%	0%	0%	16%	0%	0%
Net TV	MEDIA.LINK COMMUNICATIONS COMPANY LTD	generalist	78%	22%		50%	50%	
One TV (Malta)	ONE PRODUCTIONS LIMITED	generalist	100%	11%	2%	100%	13%	4%
Parlament TV	Parlamentta' Malta		NO	NO	NO	NO	NO	NO
Smash TV	SMASH COMMUNICATION	Generalist	80%	15%	5%	75%	25%	NC

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	S LIMITED							
TVM	PUBLIC BROADCASTING SERVICES LIMITED	generalist	97%	72%	86%	95%	73%	98%
TVM 2	PUBLIC BROADCASTING SERVICES LIMITED	generalist	100%	84%	61%	99%	86%	89%
Xeik TV	CALYPSO MEDIA COMMUNICATIONS LIMITED		95%	10%	50%	95%	20%	40%

Source: Broadcasting Authority, data reporting under Art 16 & 17

2.22.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The Parliament TV only broadcast local Parliamentary sittings and as the report indicates it does not broadcast any European works.

The Authority does not have any verification mechanisms of the data submitted by service providers and hence it cannot confirm it.

2.23. Netherlands

2.23.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored at random checks.

Commissariaat voor de Media foresees a verification mechanism of the statistical reports submitted by on-demand service providers that can be either conducted in-house or outsourced to external consultants.

Table 63 : Detailed data for non-linear services in the Netherlands

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
B.V. Info Thuis	www.infothuis.tv	www.infothuis.tv	N/A	N/A	N/A	N/A
Chellome dia Direct Programming B.V.	Film 1 Video on Demand service	digital cable networks UPC and Ziggo	N/A	N/A	N/A	non-operating
Coöperatie Rabobank Amersfoort en omstreken U.A.	Rabobank TV	www.amersfoort.rabobank.nl	N/A	N/A	N/A	100%
Cybersales Media B.V.	DVDDownload	www.dvddownload.nl	N/A	N/A	N/A	non operating
Disney	www.disneychannel.nl	www.disney.nl	0%	0%	0%	59%

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
Channels (Benelux) B.V.	I					
Disney Channels (Benelux) B.V.	Disney on Demand	digital cable networks UPC and Ziggo	0%	0%	0%	14%
EU1 B.V.	www.eu1.tv	www.eu1.tv	N/A	N/A	N/A	100%
Filmotech Netherlands B.V.	www.ximon.nl	www.ximon.nl	N/A	N/A	N/A	non operating
Game network B.V.	www.babestation.co.uk	www.babestation.co.uk	N/A	N/A	N/A	100%
Interned1 B.V.	Branche TV	http://branchetv.tv	N/A	N/A	N/A	100%
Liberty Global Services B.V.	UPC's VOD Section (Austria)	digital TV platform UPC	N/A	N/A	N/A	31%
Liberty Global Services B.V.	UPC's VOD Section (Hungary)	digital TV platform UPC	N/A	N/A	N/A	28%
Liberty Global Services B.V.	UPC's VOD Section (Poland)	digital TV platform UPC	N/A	N/A	N/A	38%
Liberty Global Services B.V.	UPC's VOD Section (Netherlands)	digital TV platform UPC	N/A	N/A	N/A	40%
Liberty Global Services B.V.	UPC VOD's section (Switzerland)	digital TV platform UPC	N/A	N/A	N/A	31%
Liberty Global Services B.V.	<u>UPC's VOD Section (Ireland)</u>	<u>digital TV platform UPC</u>	N/A	N/A	N/A	38%
MOD B.V.	meYesne.com	www.meYesne.com	N/A	N/A	N/A	10%
NewsByte B.V.	www.3dopen.tv	www.3dopen.tv	N/A	N/A	N/A	non operating
Pathé Theatres B.V.	Pathé Thuis	www.pathe-thuis.nl	N/A	N/A	N/A	27%
Radio 538 B.V.	www.538gemist.nl	www.538gemist.nl	100%	100%	100%	100%
Radio 538 B.V.	www.youtube.com/radio538	www.youtube.com/radio538	100%	100%	100%	100%
SBS Broadcasting B.V.	website Kijk	www.kijk.nl	N/A	N/A	N/A	54%
SPI International B.V.	Filmbox Live	www.filmboxlive.com	N/A	N/A	N/A	No report received
Stendhal Productions	On-stage.tv	http://on-stage.tv	N/A	N/A	N/A	100%
The Entertainment Group	www.videolandondemand.com	www.videolandondemand.com	N/A	N/A	N/A	10%

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
B.V.						
The Entertainment Group B.V.	www.moviemaxonline.eu	www.moviemaxonline.eu	N/A	N/A	N/A	10%
United Football Broadcasting B.V.	Sport1	video.sport1.nl (and via the settopbox of UPC and Ziggo and via apps for smartphones and tablets)	N/A	N/A	N/A	only sports
Younity Media B.V.	www.smulweb.tv	www.smulweb.tv	N/A	N/A	N/A	100%
Ziggo B.V.	Ziggo On Demand	digital TV platform Ziggo	N/A	N/A	N/A	33%

Source: Commissariaat voor de Media, data reporting under Art 13

2.23.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

The Dutch policies in the area of promotion of and access to European works were adopted only in the course of 2013 and official data can only be provided as from 2014. Non-linear service providers report data in terms of hours which is also in line with the way linear service providers do.

It is also important to realize that the VOD service provider Netflix is under the jurisdiction of the Netherlands since the beginning of 2015 and its data are therefore not included in this monitoring period.

Working method of the CvdM

Before adopting final guidelines, the CvdM considered it necessary to consult also industry and explore what would be an efficient and effective way to promote the production of and access to European works in on-demand media services. For the CvdM was also important that new policies should prevail from introducing new administrative burdens for media service providers. Furthermore, the data requested from the media service providers should be relatively easy to monitor and evaluate by the CvdM. In order to assess the needs and expectations the CvdM organised an expert meeting in March 2013. A relatively small but representative group of stakeholders attending our meeting welcomed the opportunity very much to share their experiences and thoughts with us. For the CvdM the workshop provided more insight in the possible effects of implementation of its policies.

Based on the feedback collected in the experts meeting the CvdM created a form including an instruction which media service providers should use when reporting each year on the promotion of European works in their on-demand media services. All indicators used are originating from the reporting guidelines of the European Commission. The CvdM has opted for those indicators which can be applied relatively easy in practice. For the media service providers collecting and reporting the data should not be a too time-consuming exercise and the same goes for the CvdM when it comes to check the data's validity and reliability and monitor compliance to European quota obligations.

Regarding share it is stated that media service providers should report on the amount of European works in their catalogue on day, picked at random during specific period each year. Share is defined in duration of videos. The CvdM explains which program categories can be left out from calculation because they should be considered as games, news and current affairs.

Regarding the access to their catalogues, the CvdM asked media service providers to answer the following questions which can be easily answered with yes or no:

- Can the user search within the catalogue for videos labelled as European works? For instance, are tags or labels regarding nationality/origin used?
- Has the service provider developed tools in order to recommend to users European works?
- Is there in the catalogue, website or EPG a special section dedicated to European works?
- Does the service provider use any other instruments to facilitate access to European works?

2.23.3. Data reporting under Art. 16 & 17

Table 64 : Detailed data for linear services in the Netherlands

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQ T)	IP (%TQ T)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
NPO 1	Publieke landelijke omroep	generalist	100%	37%	92%	99%	36%	90%
NPO 2	Publieke landelijke omroep	generalist	98%	20%	92%	97%	18%	93%
NPO 3	Publieke landelijke omroep	generalist	90%	48%	68%	87%	44%	68%
24Kitchen	24 Kitchen B.V.	other	82%	82%	91%	79%	79%	79%
Disney Channel	Disney Channels (Benelux) B.V.	children	50%	27%	46%	50%	34%	66%
Disney Channel (België)	Disney Channels (Benelux) B.V.	children	50%	26%	47%	54%	23%	39%
Disney XD (digitaal)	Disney Channels (Benelux) B.V.	children	50%	33%	79%	56%	29%	86%
Fox	Eredivisie Media & Marketing C.V.	generalist	5%	5%	100%	100%	100%	84%
Net 5	SBS Broadcasting B.V.	generalist	52%	33%	99%	48%	25%	89%
SBS 6	SBS Broadcasting B.V.	generalist	83%	39%	100%	68%	42%	98%
Comedy Central	The Box Holland B.V.	fiction	31%	31%	100%	50%	50%	100%
DisneyXD/Veronica (tot 31-12-09 Jetix/Veronica)	TV 10 B.V. p/a SBS Broadcasting B.V.	other	45%	26%	98%	47%	16%	100%
Comedy Central Family	VIMN Netherlands B.V.	fiction	43%	43%	4%	37%	37%	9%
Comedy Central Sweden	VIMN Netherlands B.V.	fiction	Ex	Ex	Ex	100%	0%	100%
MTV Denmark	VIMN Netherlands B.V.	other	26%	24%	99%	24%	20%	98%
MTV Finland	VIMN Netherlands B.V.	other	25%	23%	99%	27%	24%	99%
MTV Sweden	VIMN Netherlands B.V.	other	25%	24%	95%	27%	23%	92%
MTV The Netherlands	VIMN Netherlands B.V.	other	35%	32%	95%	34%	28%	97%
MTV	VIMN Netherlands B.V.	other	22%	20%	96%	20%	17%	95%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQ T)	IP (%TQ T)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
Vlaanderen								
MTV Wallonia	VIMN Netherlands B.V.	other	33%	30%	99%	34%	32%	99%
Nick Jr. (Flanders)	VIMN Netherlands B.V.	children	39%	39%	75%	41%	37%	32%
Nick Jr. (Netherlands)	VIMN Netherlands B.V.	children	34%	34%	71%	38%	35%	26%
Nickelodeon (Netherlands)	VIMN Netherlands B.V.	children	17%	15%	59%	26%	16%	53%
Nickelodeon Denmark	VIMN Netherlands B.V.	children	17%	17%	57%	15%	14%	51%
Nickelodeon Nordic (Nickelodeon Norway)	VIMN Netherlands B.V.	children	10%	9%	76%	17%	17%	52%
Nickelodeon Sweden	VIMN Netherlands B.V.	children	16%	15%	38%	26%	25%	74%
Nickelodeon Vlaanderen (Flanders)	VIMN Netherlands B.V.	children	23%	22%	68%	24%	16%	52%
Nickelodeon Wallonia	VIMN Netherlands B.V.	children	25%	25%	89%	19%	18%	89%

Source: Commissariaat voor de Media, data reporting under Art 16 & 17

2.23.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

Working method of the CvdM

The CvdM applies the so-called "tolerance threshold", which was introduced in the European Commission's Revised Guidelines for Monitoring the Application of Articles 16 and 17 of the Audiovisual Media Services (AVMS) Directive of July 2011 (Doc CC AVMSD (2011) 2). As a consequence of the amended guidelines, the CvdM modifies its own policy guidelines on programme quota provisions.²⁵

In its modified guidelines the CvdM has stated that commercial TV channels with a technical reach of less than 75% of the Dutch households and a national market share smaller than 0.3% are exempted from the regular reporting obligation once in two years. However, the providers of these TV channels still have to meet the European quota obligations so despite the general exemptions they can always be required by the CvdM to submit all relevant data in order to check compliance.

In order to assess whether a TV programme channel has a market share of 0.3% or more in at least one of the EU Member States the CvdM uses the following sources:

1. For the Dutch market, CvdM applied the market shares as measured by SKO, the television audience measurement service in the Netherlands in order to determine which channels licensed by our authority and targeting the Dutch market have a market share of at least 0.3% and are subject to reporting obligations;

²⁵ Amendment of the Regulation of the Commissariaat voor de Media of 18 December 2007 consisting of policy guidelines regarding European, independent, recent, Dutch or Frisian programmes and also subtitling. <http://www.cvdM.nl/dsresource?objectid=14010&type=org>

2. For all other European markets, CvdM used the market shares as stated in the Yearbooks 2013 and 2014 published by the European Audiovisual Observatory (EAO). Based on these data, CvdM determines whether TV programme channels licensed by our authority in one of the EU Member States have a market share of 0.3% or more. In the specific (rare) cases where market share data over 2014 were not (yet) available CvdM used the data of the year 2013;
3. In addition, for channels licensed in the Netherlands but specially targeting another EU Member State the CvdM has been in contact on bilateral level with the competent media authority of that specific Member State being the country of reception. In this way, CvdM has collected up-to-date information regarding market shares in Belgium, Denmark, Norway and Sweden.

The total market share of TV channels targeting the Dutch market and which as a consequence of the tolerance threshold are not required to report stays under the max of 10%²⁶.

As far as the national channels of the public service media are regarded the NPO (Dutch National Public Broadcasting) collects the data for main channels Nederland 1, Nederland 2 en Nederland 3 based on the total programming (minus the categories which are exempted such as news, sports etc. and submits them to the CvdM.

The CvdM has assigned 4 sample weeks over which the TV programme channels subject to the reporting requirement should report.

- Saturday 16-3-2013 until Friday 22-3-2013;
- Saturday 01-6-2013 until Friday 07-6-2013;
- Saturday 21-9-2013 until Friday 27-9-2013;
- Saturday 16-11-2013 until Friday 22-11-2013.
- Saturday 1-2-2014 until Friday 7-2-2014;
- Saturday 17-5-2014 until Friday 23-5-2014;
- Saturday 20-9-2014 until Friday 26-9-2014;
- Saturday 22-11-2014 until Friday 28-11-2014.

Reasons given for failure to reach the majority proportion of European works (Article 16):

Because of non-compliance with the minimum percentage for European works in 2011 and/or 2012 we organized meetings with VIMN Netherlands B.V. (before MTV Networks) The Box Holland B.V., SBS Broadcasting B.V. and TV 10 B.V.

During these meetings the media service providers elaborated which measures they would implement to secure the requirements would be met during the reporting period 2013-2014

The media service providers which despite the measures taken failed (again) to reach the minimum percentages in the reporting 2013-2014 have been notified by the CvdM by means of an official warning letter.

SBS Broadcasting B.V. : the share of European works on the programme channel Net 5 was 52% in 2013 and 48% in 2014.

²⁶ Data of the Stichting KijkOnderzoek (SKO) for 2014 show that the following TV channels have a market share of 0.3% or more: NPO 33.2%, Sanoma Group (SBS) 13.5%, Viacom (MTV/Nickelodeon) 4.1%, Walt Disney Company 1.2%, FOX international 3.1%, furthermore Bertelsmann (RTL Nederland) 24.1%, others 4.8% (this comprises the rather popular public service broadcasters from Belgium, Germany and the UK) and DVD/HDR 5.4%.

TV 10 B.V. p/a SBS Broadcasting B.V. : DisneyXD/Veronica is a TV programme channel on which two media service providers cooperate and offer their programmes under one license. As a consequence, this will be evaluated as one programme channel. On the programme channel DisneyXD/Veronica the share of European works was 45% in 2013 and 47% in 2014.

VIMN Netherlands B.V. (Viacom): Sixteen TV channels of VIMN Netherlands B.V. did not meet the minimum requirement of 50% European works. VIMN Netherlands B.V. is of the opinion that the (quota) provisions laid down in the Dutch Media Act 2008 are primarily aimed at the programming of general interest channels and do not leave enough room for special interest channels such as those offered by VIMN Netherlands B.V. and can also contribute to a varied media offer. VIMN Netherlands B.V. stresses that it has committed itself more to national productions, originally in Dutch. VIMN Netherlands B.V. points forward that it is highly depending on the availability of an affordable and suitable national offer which fits in the specific themes and format of their channels and the interests of their target audience. Local produced programme offer, if even available for the thematic channels, does often not meet the minimum quality requirements imposed by VIMN Netherlands B.V. The broadcaster has a relatively small market share and it's hard to earn enough to return investments in suitable European/local content. For the same reason it is not possible to produce on large scale own content.

The Box Holland B.V. : The share of European works on the TV channel Comedy Central was 31% in 2013 en 50% in 2014. Also, the Box Holland B.V. holds the opinion that the provisions in Media Act 2008 are mostly written for the programming of general interest channels and do not recognize the special position of general interest channels, such as the ones offered by The Box Holland B.V., that can also contribute to a varied media offer. The Box Holland B.V. confirms it increasingly commits itself to broadcast independently produced national works. Also, it is highly depending on the availability of an affordable and suitable national offer which fits in the specific themes and format of their channels and the interests of their target audience. Locally produced programme offer, if even available for the thematic channels, does often not meet the minimum quality requirements imposed by The Box Holland B.V. Furthermore: nationally produced programmes which would fit in the channel's format are rarely available as a consequence of the exclusive deals that broadcasters with a larger market share such as RTL and the public service media have concluded with (local) production companies. According to The Box Holland B.V. it is not feasible to make in-house productions on a large scale because the possible revenues would not justify the investments it would require.

Measures taken by or envisaged

As already was stated in the previous report over the period 2011-2012, the CvdM has required all media service providers who did not meet the requirements to declare which measures will be imposed to improve the situation and to secure compliance in the period 2013-2014. In the meetings with VIMN Netherlands B.V., The Box Holland B.V., SBS Broadcasting B.V. and TV 10 B.V. the CvdM stressed that the provisions regarding European works need to be respected. At the occasion of these meetings the media service providers have elaborated the measures and actions they intend to implement in order to increase the share of European works and make sure during the reporting period 2013-2014 the channels meet the minimum requirements.

Despite all efforts not all media service providers managed to increase the percentages. All media service providers that fail to comply with one or more requirements have been notified by a formal warning letter of the CvdM.

Further comments

It is obvious that TV 10 B.V., at least since 2014, has imposed measures and actions to improve the situation and meet (better) the minimum percentages and other requirements. The supervisory policies of the CvdM towards TV 10 B.V., including a meeting at the end of 2013, has also yielded its benefits. TV 10 B.V. has declared that the minimum percentage of 50% was met in 2016 and it indicates this will also be the case for the year 2017. It goes without saying that the CvdM will verify this at a later occasion but if this is the case TV 10 B.V. will most likely be compliant.

During the reporting period 2013-2014 none of the channels operated by VIMN Netherlands B.V. has reached the minimum threshold for European works. According to the CvdM the broadcaster has convincingly motivated that it is has to deal with fierce competition and that also as a consequence of the changing audience behaviour (increasing importance of on-demand viewing) its business model is under pressure. Furthermore, the CvdM understands for (linear) niche channels it can indeed be more challenging to meet the minimum requirements for European works.

In any case VIMN Netherlands B.V. declared that since 2013 it has imposed measures to improve its performance. VIMN Netherlands B.V. indicated that in 2015 at least Comedy Central en MTV have reached the 50% minimum percentages. As far as 2016 is concerned, VIMN Netherlands B.V. indicated and demonstrated it has invested much more in local productions. It is expected that these investments will positively affect the performance in the area of European works in the year 2016. Also here the CvdM will check and verify the data that will be submitted under the next reporting period. But so far the CvdM considers the broadcaster's argumentation plausible and convincing. And also the recently imposed measures and investments in local/national productions demonstrate that the broadcaster is committed to achieve better scores in near future.

To conclude:

It is to be expected that TV 10 B.V. in 2016 and 2017 will have made further progress regarding the prescribed minimum share of 50% of European productions. Furthermore, VIMN Netherlands B.V. has declared it will commit itself to compliance with the minimum percentage where possible. Meanwhile - as always - the CvdM will continue to control and verify the reports. If the CvdM identifies again structural problems with some broadcasters it will address the issues in formal correspondence and meetings. Similar to how the CvdM operated with regard to TV 10 B.V. and VIMN Netherlands B.V. in recent past, the broadcasters will have to provide an update of the situation, explain reasons for failure and declare which measures will be imposed to ensure compliance where possible in future.

2.24. Norway

2.24.1. Data reporting under Art. 13

The Norwegian Media Authority declared that there is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive.

However, on-demand services reported for the first time in 2014 and therefore the NMA has collected statistics from that year only.

Table 65 : Detailed data for non-linear services in Norway

Service	Provider	Type	Percentage share of European production in 2011	Percentage share of European production in 2012	Percentage share of European production in 2013	Percentage share of European production in 2014
Canal Digital Kabel-TV AS	N/A	VOD	N/A	N/A	N/A	39%
TV2 AS	N/A	(VOD/catch up)	N/A	N/A	N/A	43%
Andersen Produksjoner	N/A	(VOD)	N/A	N/A	N/A	7%
Norgesfilm AS	N/A	(VOD)	N/A	N/A	N/A	78%
Altibox AS	N/A	(VOD)	N/A	N/A	N/A	50%
Canal Digital Norge AS	N/A	(VOD)	N/A	N/A	N/A	39%
Stiftelsen Solheim -	N/A	Catch-up	N/A	N/A	N/A	0%
Multimedia TV Halden	N/A		N/A	N/A	N/A	
Stavanger Aftenblad AS	N/A	VOD	N/A	N/A	N/A	99%
DB Medialab AS	N/A	VOD	N/A	N/A	N/A	100%
Get AS	N/A	VOD	N/A	N/A	N/A	39%
Nextgentel AS	N/A	VOD	N/A	N/A	N/A	42%

Source: The Norwegian Media Authority, data reporting under Art 13

2.24.2. Data reporting under Art. 16 & 17

Table 66 : Detailed data for linear services in Norway

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Miracle Channel (Norway)	TROENS BEVIS VERDENS EVANGELISER		5%	95%	50%	2%	98%	70%
NRK 1	NRK - NORSK RIKSKRINGKASTING AS		86%	29%	64%	72%	34%	22%
NRK 2	NRK - NORSK RIKSKRINGKASTING AS		76%	52%	58%	63%	39%	29%
NRK 3 / NRK Super	NRK - NORSK RIKSKRINGKASTING AS		52%/69%	58%/63%	78%/66%	57%/75%	47%/60%	37%/38%
RiksToto (Norway)	STIFTELSEN NORSK RIKSTOTO		99%	100%	95%	96%	100%	98%
TV 2 Bliss (Norway)	TV 2 AS		17%	7%	88%	15%	6%	88%
TV 2 Film (Norway)	TV 2 AS		18%	12%	6%	22%	7%	0%
TV 2 (Norway)	TV 2 AS		63%	36%	79%	58%	34%	81%
TV 2 Zebra (Norway)	TV 2 AS		11%	5%	73%	29%	9%	73%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
)								
TV Norge	DISCOVERY NETWORKS NORWAY AS		23%	18%	99%	25%	20%	94%
Visjon Norge	TV VISJON NORGE AS		91%	42%	68%	91%	44%	71%

Source: The Norwegian Media Authority, data reporting under Art 16 & 17

2.25. Poland

2.25.1. Data reporting under Art. 13

The National Broadcasting Council in Poland (KRRiT) declared that there is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive. This monitoring activity is carried out annually. VOD services are checked against criteria, such as the promotion of European Works and others, but The National Broadcasting Council doesn't verify the share of European Works in the service's catalogue.

The percentage share of European production in 2013 and 2014 are expressed in terms of hours (more precisely: the basis for calculating the percentage was the sum of the products of the duration and time of making the program available in a given calendar quarter). These data come from providers reports.

The National Broadcasting Council does not foresee a verification mechanism of statistical reports submitted by on-demand service providers.

Table 67 : Detailed data for non- linear services in Poland

Service	Provider	Type	Genre	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
alekinoplus.pl	ITI Neovision S.A.	N/A	cinema	N/A	N/A	61%	61%
cineman.pl	Cineman Sp. z o.o.	N/A	cinema	N/A	N/A	48%	48%
edusat.pl	EDUSAT Sp. z o.o.	N/A	Other	N/A	N/A	100%	100%
eska.tv	ESKA TV S.A.	N/A	Other	N/A	N/A	25%	42%
eskago.pl	TIME S.A.	N/A	cinema	N/A	N/A	n/d	64%
filmweb.pl	Filmweb Sp. z o.o.	N/A	Other	N/A	N/A	21%	24%
fokus.tv	TV Spektrum Sp. z o.o.	N/A	documentaries	N/A	N/A	n/d	89%
gazeta.tv	AGORA S.A.	N/A	documentaries	N/A	N/A	100%	96%
gorlice.tv	GORLICE.TV Sp z o. o.	N/A	news	N/A	N/A	n/d	100%
interia.tv	Grupa INTERIA.PL Spółka z o.o.	N/A	other	N/A	N/A	20%	n/d
ipla.tv	Redefine Sp. z o.o.	N/A	cinema	N/A	N/A	93%	94%
iplex.pl	PROJEKT VOD Sp. z o.o.	N/A	cinema	N/A	N/A	71%	n/d

Service	Provider	Type	Genre	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
istv.pl	ISTV Media Sp. z o.o.	N/A	Other	N/A	N/A	100%	100%
kafeteria.pl	Grupa Wirtualna Polska sp. z o.o.	N/A	Other	N/A	N/A	78%	80%
kinoplex.pl	Agora S.A.	N/A	cinema	N/A	N/A	61%	41%
miniregion.pl	Przedsiębiorstwo wielobranżowe Katarzyna Gróbarczyk	N/A	news	N/A	N/A	100%	100%
mmtv.pl	MULTIMEDIA POLSKA S.A.	N/A	cinema	N/A	N/A	40%	36%
murator.tv	ZPR Media S.A.	N/A	Other	N/A	N/A	100%	100%
ncplus.pl	ITI Neovision S.A.	N/A	cinema	N/A	N/A	38%	38%
orange.tv	Orange Polska S.A.	N/A	cinema	N/A	N/A	35%	42%
outfilm.pl	Tongariro Releasing Sp. z o.o.	N/A	cinema	N/A	N/A	26%	31%
player.pl	TVN S.A.	N/A	cinema	N/A	N/A	95%	89%
polotv.pl	Lemon Records sp. z o.o.	N/A	Other	N/A	N/A	100%	100%
pudelek.tv	HTTP Sp. z o. o.	N/A	Other	N/A	N/A	43%	70%
razem.tv	Amicus Media Sp. z o.o.	N/A	Other	N/A	N/A	100%	100%
strefavod.pl	STREFA VOD Sp. z o.o.	N/A	cinema	N/A	N/A	52%	57%
strimeo.tv	Info - serwis Jacek Jarosz	N/A	news	N/A	N/A	n/d	100%
superexpress.tv	ZPR Media S.A.	N/A	Other	N/A	N/A	100%	100%
telewizja.radom.pl	Grupa Medialna Utkowski Robert, Prusiński Sławomir, Mazur Piotr	N/A	news	N/A	N/A	100%	100%
telewizjarepublika.pl	Telewizja Republika S.A.	N/A	news	N/A	N/A	n/d	100%
tosiewytnie.pl	Grupa Wirtualna Polska Spółka z o.o.	N/A	Other	N/A	N/A	n/d	40%
vod.interia.tv	Interia.pl Sp. z o.o.	N/A	cinema	N/A	N/A	56%	51%
vod.pl	GRUPA ONET.PL S.A.	N/A	cinema	N/A	N/A	89%	69%
vod.toya.net.pl	TOYA Spółka z o.o.	N/A	cinema	N/A	N/A	45%	50%
voxmusic.tv	LEMON RECORDS	N/A	cinema	N/A	N/A	n/d	33%

Service	Provider	Type	Genre	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
	Sp.z o.o						
wp.tv	Grupa Wirtualna Polska Spółka z o.o.	N/A	documentaries	N/A	N/A	75%	69%
wtkplay.pl	WTK SP. z o.o.	N/A	news	N/A	N/A	100%	100%

Source: Krajowa Rada Radiofonii i Telewizji, data reporting under Art 13

2.25.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

Regulations regarding the promotion of European programs entered into force in Poland in 2012, the obligation for non-linear service providers to submit reports has been introduced since 2013.

In the years 2013-2014, no measures were taken if the VoD providers did not implement European quotas.

2.25.3. Data reporting under Art. 16 & 17

Table 68 : Detailed data for linear services Poland

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%T QT)	IP (%T QT)	RW (%IP)	EW (%T QT)	IP (%T QT)	RW (%IP)
4fun.tv	4fun Media S.A.	other	96%	25%	100%	100%	14%	100%
ALE KINO+	ITI Neovision S.A.	cinema	70%	39%	29%	66%	32%	62%
ATM ROZRYWKA TV	ATM Grupa S.A.	other	100%	77%	44%	83%	62%	46%
CANAL + FILM	ITI Neovision S.A.	cinema	61%	40%	69%	53%	28%	61%
CANAL+	ITI Neovision S.A.	cinema	62%	36%	82%	57%	31%	73%
CANAL+ FILM 2	ITI Neovision S.A.	cinema	61%	43%	77%	53%	30%	69%
CANAL+FAMILY	ITI Neovision S.A.	other	71%	41%	80%	59%	29%	72%
CANAL+FAMILY 2	ITI Neovision S.A.	other	71%	38%	82%	56%	30%	73%
CANAL+SPORT	ITI Neovision S.A.	other	93%	20%	99%	97%	22%	100%
Disco Polo Music	Telewizja POLSAT Sp. z o.o.	other	NO	NO	NO	50%	48%	48%
DOMO+	ITI Neovision S.A.	documentaries	68%	46%	83%	69%	46%	91%
EDUSAT	Wyż.Szkoła Społ.-Ekonomiczna	documentaries	82%	80%	100%	92%	88%	100%
ESKA TV	ESKA TV S.A.	other	99%	14%	100%	100%	16%	100%
Fokus TV.	TV Spektrum Sp. z o.o.	documentaries	NO	NO	NO	32%	9%	42%
iTV	TELESTAR S.A.	other	100%	24%	100%	100%	28%	100%
KINO POLSKA	Kino Polska TV S.A.	cinema	99%	54%	16%	99%	45%	21%
KINO POLSKA MUZYKA	Kino Polska TV S.A.	other	100%	39%	47%	100%	59%	51%
KUCHNIA+	ITI Neovision S.A.	documentaries	66%	42%	77%	70%	50%	71%
ŁUŻYCE	Telewizja Łużyce Sp. z o.o	other	100%	12%	100%	100%	15%	89%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%T QT)	IP (%T QT)	RW (%IP)	EW (%T QT)	IP (%T QT)	RW (%IP)
MiniMini+	ITI Neovision S.A.	children	45%	29%	90%	51%	39%	82%
MJUZYK.TV /previously RBL	4fun Media S.A.	other	96%	31%	100%	100 %	26%	100 %
muzo.tv	Telewizja POLSAT Sp. z o.o.	other	NO	NO	NO	22%	2%	17%
Nickelodeon Polska	VIMN Poland Sp. z o.o.	children	43%	39%	53%	48%	16%	60%
nSport/nSport+	ITI Neovision S.A.	other	99%	20%	100%	99%	18%	100 %
NTL RADOMSKO	NTL-Radomsko Sp. z o.o.	other	89%	32%	100%	89%	51%	54%
ORANGE SPORT	Telekomunikacja Polska S.A./ migut?	other	67%	20%	100%	60%	23%	99%
PLANETE+	ITI Neovision S.A.	document aries	74%	28%	88%	77%	62%	58%
POLO TV	Lemon Records Sp. z o.o.	other	99%	78%	68%	95%	76%	73%
POLSAT / HD	Telewizja POLSAT Sp. z o.o.	generalist	60%	46%	88%	69%	51%	88%
POLSAT 2	Telewizja POLSAT Sp. z o.o.	generalist	89%	77%	63%	99%	86%	54%
POLSAT CAFE	Telewizja POLSAT Sp. z o.o.	other	62%	56%	88%	67%	56%	91%
POLSAT FILM	Telewizja POLSAT Sp. z o.o.	cinema	51%	29%	58%	50%	41%	65%
POLSAT NEWS / HD	Telewizja POLSAT Sp. z o.o.	other	99%	13%	100%	99%	15%	97%
POLSAT NEWS 2/ Polsat BIZNES	Telewizja POLSAT Sp. z o.o./Media-Biznes Sp. z o.o.	other	65%	23%	83%	78%	15%	89%
POLSAT PLAY	Telewizja POLSAT Sp. z o.o.	other	63%	57%	79%	60%	51%	89%
POLSAT ROMANS	Telewizja POLSAT Sp. z o.o.	cinema	NO	NO	NO	54%	48%	64%
POLSAT SPORT / POLSAT SPORT HD	Telewizja POLSAT Sp. z o.o.	other	100%	21%	100%	100 %	15%	100 %
POLSAT SPORT EXTRA	Telewizja POLSAT Sp. z o.o.	other	99%	34%	100%	98%	29%	100 %
POLSAT SPORT NEWS	Telewizja POLSAT Sp. z o.o.	other	98%	29%	100%	99%	24%	100 %
POLSKIE RADIO "CZŁOWIEK"	POLSKIE RADIO S.A.	other	73%	42%	86%	NO	NO	NO
PULS 2	Telewizja PULS Sp. z o.o.	generalist	55%	39%	41%	52%	38%	63%
Religia.tv	Telewizja Religia Sp. z o.o.	other	76%	25%	60%	78%	14%	45%
RODIN TV	Rodin Tv Sp. z o.o.	other	71%	15%	25%	NO	NO	NO
Stars	Stars TV. S.r.o.	other	NO	NO	NO	49%	49%	15%
Stopklatka TV	Stopklatka	cinema	NO	NO	NO	34%	19%	8%
SUPERSTACJA	Superstacja Sp. z o.o.	other	100%	51%	100%	100 %	57%	100 %
Tele5	MEDIASAT Sp. z o.o.	generalist	41%	25%	71%	47%	30%	33%
teleTOON+ Hyper	ITI Neovision S.A.	children	74%	28%	88%	69%	24%	72%
Telewizja Republika	Telewizja Niezależna S.A.	other	NO	NO	NO	39%	3%	17%
TRWAM	Fundacja LUX VERITATIS	other	86%	18%	73%	83%	19%	68%
TTV	Stavka Sp. z o.o.	document aries	81%	37%	93%	74%	39%	93%
TV R	TVR Sp. z o.o.	other	100%	35%	61%	100 %	38%	36%
TV 4	Telewizja POLSAT Sp. z o.o.	generalist	54%	38%	87%	53%	38%	79%
TV 6	Telewizja POLSAT Sp.	other	55%	44%	69%	56%	43%	64%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%T QT)	IP (%T QT)	RW (%IP)	EW (%T QT)	IP (%T QT)	RW (%I P)
	z o.o.							
TV PULS	Telewizja PULS Sp. z o.o.	generalist	51%	31%	68%	51%	25%	73%
TV.DISCO	4fun Media S.A.	other	96%	22%	100%	96%	24%	100%
TVN /HD	TVN S.A.	generalist	80%	30%	94%	78%	28%	89%
TVN 24	TVN S.A.	other	94%	18%	100%	94%	15%	99%
TVN INTERNATIONAL [USA]	TVN S.A.	generalist	85%	40%	82%	NC	NC	NC
TVN INTERNATIONAL WEST	TVN S.A.	generalist	85%	40%	77%	NC	NC	NC
TVN METEO	TVN S.A.	other	77%	73%	100%	87%	72%	96%
TVN SIEDEM	TVN S.A.	other	49%	33%	70%	61%	37%	71%
TVN STYLE	TVN S.A.	other	79%	38%	94%	83%	44%	95%
TVN TURBO	TVN S.A.	other	83%	34%	90%	76%	31%	97%
TVN24 Biznes i Świat/ TVN CNBC	TVN S.A.	other	97%	10%	100%	84%	23%	100%
TVP 1 / TVP1 HD	Telewizja Polska S.A.	generalist	72%	38%	68%	69%	36%	64%
TVP 2 / TP2 HD	Telewizja Polska S.A.	generalist	83%	44%	55%	82%	46%	56%
TVP 3 Białystok	Telewizja Polska S.A.	other	97%	21%	76%	97%	19%	59%
TVP 3 Bydgoszcz	Telewizja Polska S.A.	other	96%	21%	86%	97%	19%	65%
TVP 3 Gdańsk	Telewizja Polska S.A.	other	96%	21%	89%	98%	19%	64%
TVP 3 Gorzów Wielkopolski	Telewizja Polska S.A.	other	97%	16%	85%	98%	18%	59%
TVP 3 Katowice	Telewizja Polska S.A.	other	97%	19%	87%	97%	20%	66%
TVP 3 Kielce	Telewizja Polska S.A.	other	97%	22%	77%	98%	18%	63%
TVP 3 Kraków	Telewizja Polska S.A.	other	97%	24%	90%	98%	22%	68%
TVP 3 Lublin	Telewizja Polska S.A.	other	96%	16%	87%	98%	16%	61%
TVP 3 Łódź	Telewizja Polska S.A.	other	97%	15%	85%	98%	15%	59%
TVP 3 Olsztyn	Telewizja Polska S.A.	other	97%	21%	89%	99%	19%	67%
TVP 3 Opole	Telewizja Polska S.A.	other	97%	21%	85%	98%	19%	61%
TVP 3 Poznań	Telewizja Polska S.A.	other	97%	18%	81%	98%	17%	59%
TVP 3 Rzeszów	Telewizja Polska S.A.	other	96%	17%	87%	98%	17%	64%
TVP 3 Szczecin	Telewizja Polska S.A.	other	94%	16%	85%	97%	16%	58%
TVP 3 Warszawa	Telewizja Polska S.A.	other	96%	19%	75%	98%	17%	55%
TVP 3 Wrocław	Telewizja Polska S.A.	other	97%	17%	82%	98%	16%	58%
TVP ABC	Telewizja Polska S.A.	children	NO	NO	NO	68%	39%	15%
TVP HD	Telewizja Polska S.A.	generalist	98%	59%	63%	98%	56%	55%
TVP HISTORIA	Telewizja Polska S.A.	documentaries	97%	38%	24%	98%	41%	28%
TVP INFO (was replaced TVP 3)	Telewizja Polska S.A.	other	NO	NO	NO	98%	7%	98%
TVP KULTURA	Telewizja Polska S.A.	other	90%	42%	31%	90%	48%	34%
TVP POLONIA	Telewizja Polska S.A.	generalist	99%	54%	62%	99%	52%	60%
TVP Rozrywka	Telewizja Polska S.A.	other	73%	32%	14%	97%	21%	33%
TVP Serieale	Telewizja Polska S.A.	fiction	89%	70%	49%	91%	75%	51%
TVP SPORT	Telewizja Polska S.A.	other	91%	13%	56%	91%	14%	98%
TVT [Rybnik]	Telewizja TVT Sp. z o.o.	other	99%	54%	83%	100%	75%	74%
VOX MUSIC TV	Lemon Records Sp. z o.o.	other	NO	NO	NO	50%	11%	50%

Source: Krajowa Rada Radiofonii i Telewizji, data reporting under Art 16 & 17

2.25.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

Linear service providers, which did not meet the proportions required under Article 16 and/or 17 of the Directive in the years 2013, 2014 **are listed below with legal reasons for non-compliance** according to **Regulation of The National Broadcasting Council of 18 May 2016 concerning a lower share of broadcasts originally**

*produced in the Polish language and of European broadcasts on television programmes and verbal-musical works performed in the Polish language on radio programmes.*²⁷

Channel Identification			Additional information	
			Launched in:	Exemption - comments
Channel (A-Z)	Broadcaster	Type		
Fokus TV	TV Spektrum Sp. z o.o.	Documentaries	11.2013	The thematic programme services, for which the number of available programmes is insufficient
MiniMini+	ITI Neovision S.A.	children		The thematic programme services, for which the number of available programmes is insufficient
muzo.tv	Telewizja POLSAT Sp. z o.o.	other	04.2014	Exemption from obligations in the first year
Nickelodeon Polska	VIMN Poland Sp. z o.o.	children		The first year of transmission of programme service
Stars	Stars TV. S.r.o.	other	02.2014	The first year of transmission of programme service
Stopklatka TV	Stopklatka	cinema	10.2013	The first year of transmission of programme service
Telewizja Republika	Telewizja Niezależna S.A.	other	05.2013	The first year of transmission of programme service
TVP INFO (was replaced TVP 3)	Telewizja Polska S.A.	other	04.2013	The first year of transmission of programme service
VOX MUSIC TV	Lemon Records Sp. z o.o.	other	04.2014	The first year of transmission of programme service

Pursuant to Polish law we mentioned above the Regulation determines a lower share of broadcasts originally produced in the Polish language and of European broadcasts on television programmes for:

- broadcasters during the first year of distribution of their programmes;
- specialised programmes for which the number of broadcasts produced originally in the Polish language and of European broadcasts or verbal-musical works performed in the Polish language is insufficient;
- programmes broadcast under a licence specifying that these programmes are addressed to national and ethnic minorities and communities speaking regional languages.

Nevertheless, two Broadcasters (Tele5 and TVN Siedem) have been called to remove infringements. As a result, they amended the infringements and adjusted the percentage of European works (EW) to legal requirements.

²⁷ <http://www.krrit.gov.pl/en/for-broadcasters-and-operators/legal-regulations/>.

2.26. Portugal

2.26.1. Data reporting under Art. 13

There is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored with an annual frequency.

ERC foresees a verification mechanism of the statistical reports submitted by on-demand service providers.

At the moment, ERC does not have data by time (hours) but only by title, date of introduction in the platform VOD, year of production and origin of production.

Table 69 : Detailed data for non- linear services in Portugal

Service	Provider	Type	Genre	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
CABOVISÃO	N/A	N/A	N/A	23.30%	26.70%	36.90%	32.00%
ZON	N/A	N/A	N/A	42.60%	37.50%	28.90%	N/A
PT Comunicações	N/A	N/A	N/A	17.40%	17.30%	20.00%	22.90%
VODAFONE	N/A	N/A	N/A	33.50%	28.50%	43.70%	31.40%
OPTIMUS	N/A	N/A	N/A	18.2%	21.9%	37.00%	N/A
NOS	N/A	N/A	N/A	Merger ZON+OPTIMUS			25.40%

Source: ERC, data reporting under Art 13

2.26.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

The ERC considered the percentages collected sufficient for the fulfilment of Art. 13, due to the initial state of development of the on-demand market in Portugal.

2.26.3. Data reporting under Art. 16 & 17

Table 70 : Detailed data for linear services in Portugal

Channel Identification	Statistical data	
	2013	2014

Channel (A-Z)	Broadcaster	Type	EW (%TQ T)	IP (%TQ T)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
A BOLA tv	Vicra Comunicações, Lda	other	NC	NC	NC	75.2%	21.3%	66.8 %
Biggs	DREAMIA - SERVICOS DE TELEVISAO, S.A.	childre n	40.3%	40.0%	0.0%	40.0%	0.4%	0.4%
BTV1	Benfica TV	other	NC	NC	NC	100.0 %	20.4%	96.6 %
Canal 180 Outra Televisao	OSTV, LDA	other	92.1%	23.9%	78.0 %	89.7%	23.9%	75.3 %
Canal Hollywood (Portugal)	DREAMIA - SERVICOS DE TELEVISAO, S.A.	cinema	19.3%	19.3%	6.6%	23.7%	23.7%	2.9%
Canal Panda Portugal	DREAMIA - SERVICOS DE TELEVISAO, S.A.	childre n	65.5%	65.5%	0.0%	57.1%	56.1%	2.1%
Canal Q	PRODUCOES FICTICIAS, LDA	other	100.0 %	4.8%	20.7 %	100.0 %	8.6%	7.3%
Cinemundo	CINEMUNDO, LDA	cinema	NO			14.2%	14.2%	23.0 %
CMTV (Correio da Manhã TV)	COFINA - SGPS, S.A.	genera list	NC			79.3%	13.9%	12.9 %
Hot TV	FILMES HOTGOLD - CINEMA, VIDEO E DISTRIBUICAO, S.A	cinema	16.6%	7.1%	77.7 %	14.5%	10.4%	77.5 %
MOV	DREAMIA - SERVICOS DE TELEVISAO, S.A.	cinema	18.2%	18.2%	21.3 %	19.3%	19.3%	20.8 %
MTV (Portugal)	MTV NETWORKS, LDA.	other	50.9%	0.7%	100.0 %	52.5%	6.5%	100.0 %
MVM	NEXTV TELEVISAO, RADIO E MULTIMÉDIA, S.A.	other	100.0 %	69.4%	97.7 %	96.8%	16.4%	81.5 %
Porto Canal	Av.Aliados- Soc.Comunicação	genera list	100.0 %	23.4%	88.7 %	100.0 %	8.6%	7.3%
RTP1	RADIOTELEVISAO PORTUGUESA- SERVIÇO PUBLICO DE TELEVISAO, S.A.	genera list	71.0%	27.5%	92.0 %	80.1%	53.9%	90.0 %
RTP2 (Dois)	RADIOTELEVISAO PORTUGUESA- SERVIÇO PUBLICO DE TELEVISAO, S.A.	genera list	74.8%	46.2%	59.9 %	79.9%	48.9%	59.1 %
RTP Africa	RADIOTELEVISAO PORTUGUESA- SERVIÇO PUBLICO DE TELEVISAO, S.A.	genera list	88.9%	57.4%	90.8 %	90.2%	68.5%	94.2 %
RTP Internacional	RADIOTELEVISAO PORTUGUESA- SERVIÇO PUBLICO DE TELEVISAO, S.A.	genera list	97.3%	32.4%	89.9 %	97.3%	57.8%	93.8 %
RTP Memoria	RADIOTELEVISAO PORTUGUESA- SERVIÇO PUBLICO DE TELEVISAO, S.A.	other	97.3%	47.9%	0.6%	98.6%	48.2%	2.1%
SIC	SOCIEDADE INDEPENDENTE DE COMUNICAÇÃO, S.A. (SIC)	genera list	58.7%	44.4%	90.6 %	55.7%	45.8%	96.3 %
SIC Caras	SOCIEDADE INDEPENDENTE DE COMUNICAÇÃO, S.A. (SIC)	other	NO			71.4%	49.1%	74.7 %
SIC International	SOCIEDADE	genera	99.8%	61.5%	89.0	99.8%	64.2%	92.6

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQ T)	IP (%TQ T)	RW (%I P)	EW (%TQ T)	IP (%TQ T)	RW (%I P)
	INDEPENDENTE DE COMUNICAÇÃO, S.A. (SIC)	list			%			%
SIC K	SOCIEDADE INDEPENDENTE DE COMUNICAÇÃO, S.A. (SIC)	children	29.8%	26.4%	52.4 %	36.1%	34.6%	25.4 %
SIC Mulher	SOCIEDADE INDEPENDENTE DE COMUNICAÇÃO, S.A. (SIC)	other	50.6%	32.4%	52.9 %	48.9%	27.2%	32.3 %
SIC Radical	SOCIEDADE INDEPENDENTE DE COMUNICAÇÃO, S.A. (SIC)	other	57.3%	50.4%	90.5 %	48.7%	33.7%	98.5 %
TVC1	NOS LUSOMUNDO TV, S.A.	cinema	24.5%	24.1%	42.3 %	34.7%	34.5%	45.5 %
TVC2	NOS LUSOMUNDO TV, S.A.	cinema	45.0%	42.1%	22.9 %	55.8%	55.7%	22.3 %
TVC3	NOS LUSOMUNDO TV, S.A.	cinema	25.8%	25.5%	27.5 %	40.3%	39.9%	22.9 %
TVC4	NOS LUSOMUNDO TV, S.A.	cinema	21.2%	21.2%	28.9 %	36.4%	35.5%	20.1 %
TVSÉRIES	NOS LUSOMUNDO TV, S.A.	cinema	11.8%	11.8%	21.9 %	10.5%	10.5%	21.5 %
TVI	TVI-TELEVISÃO INDEPENDENTE, S.A.	generalist	81.7%	29.7%	87.3 %	84.6%	28.0%	85.4 %
TVI Ficção	TVI-TELEVISÃO INDEPENDENTE, S.A.	fiction	NC			97.2%	15.4%	11.0 %

Source: ERC, data reporting under Art 16 & 17

2.26.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The cases where a linear service provider does not fulfil the proportions required under Articles 16 and / or 17 of the Directive in 2013, 2014 are related to the specificity of thematic broadcaster in the field of information, education, culture and entertainment.

For example, the thematic services of films and series that have authorizations for services which exhibit mainly American cinema. Nevertheless, there is a commitment of these channels to incorporate works of European production and independent production in the emissions.

The other cases of non-compliance are related to channels target to children. In these cases, the operators justify these non-compliances with the lack of European programming dedicated to these audiences. However, they have been warned and sensitized to incorporate more European and independent programming.

2.27. Romania

2.27.1. Data reporting under Art. 13

The National Audiovisual Council in Romania declared that there is a process to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive. This monitoring activity is conducted annually.

Decision 320/2012 sets out that on-demand service providers must ensure within the catalogue of programmes a percentage of minimum 20% reserved for European audiovisual works, except for the time allotted to news, sports events, games, advertising, as well as teletext and teleshopping services.

The calculation formula is $(\Sigma \text{UE} / \Sigma) \times 100$, where the symbols have the following meaning:

- ΣUE - Sum of duration of presence within the catalogue of the European audiovisual works (expressed in hours), recorded in the reporting year;
- Σ - Sum of duration of presence within the catalogue of the audiovisual works, European and non-European (expressed in hours), recorded in the reporting year.

The National Audiovisual Council does not foresee a verification mechanism of statistical reports submitted by on-demand service providers, mainly due to the high cost of any verification mechanisms. For this reason, the Council relies only on data submitted by on-demand service providers.

Table 71 : Detailed data for non-linear services in Romania

Service	Provider	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
SC PRO TV SRL	VOYO	VOD, Catch-up TV	NO	52%	53%	57%
SC PRO TV SRL	PRO TV PLUS	Catch-up TV	NO	NO	NO	100%
SC ORANGE ROMANIA SA	TV & VIDEO	VOD, Catch-up TV	NO	NO	20.60%	23.5%
TEMATIC CABLE SRL	M SLAGAR TV	Catch-up TV	NO	NO	NO	100%
FISHING & HUNTING TEMATIC SRL	The Fishing and Hunting Channel	Catch-up TV	NO	NO	NO	100%
SC ANTENA TV GROUP SA	ANTENA PLAY	VOD, Catch-up TV, mixed service	NO	NO	100%	100%
SC DIRECT ONE SA	SEENOW	VOD, mixed service	NO	15%	N/A	30%
SC RCS & RDS SA	DIGI PLAY	VOD	NO	NO	NO	4.47%
MUSIC CHANNEL SRL	Music Channel	Catch-up TV	75%	75%	75%	75%
SC ProfiMusic SRL	Hora TV	Catch-up TV	100%	100%	100%	100%
SC TELEKOM ROMANIA COMMUNICATIONS SA	Dolce TV	Mixed services	NO	19%	19%	19%

Source: National Audiovisual Council, data reporting under Art 13

2.27.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

The following information were transmitted regarding the cases of non-compliance for the period 2011-2014:

- SC DIRECT ONE SA: On demand audiovisual service provision note withdrew in 2015;
- SC RCS & RDS SA: The service was launched in September 2014;
- SC TELEKOM ROMANIA COMMUNICATIONS SA: The service was launched in October 2012.

2.27.3. Data reporting under Art. 16 & 17

Table 72 : Detailed data for linear services in Romania

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Music Channel (with version in Hungarian - Music Channel HU)	MUSIC CHANNEL SRL	other	75%	13%	11%	76%	15%	11%
Acasa Gold	PRO TV SA	other	51.50%	34.52%	19.20 %	57.74%	42.05%	42.23 %
Acasa TV	PRO TV SA	other	53.3%	27.53%	59.60 %	52.51%	39.94%	55.70 %
Agro TV	SC AGRO TV NETWORK SRL	other	NC	NC	NC	NC	NC	NC
Alfa Omega TV	ALFA-OMEGA TV PRODUCTION SRL	other	51%	11.4%	100%	51%	11.4%	100%
Alfa Omega TV International	ALFA-OMEGA TV PRODUCTION SRL	other	81%	10%	100%	51%	10%	100%
Antena 1	ANTENA TV GROUP SA	generalist	72%	19%	94%	75%	18%	97%
Antena 2	ANTENA TV GROUP SA	generalist	96.7%	5%	65%	NO	NO	NO
Antena International (Antena 5)	ANTENA 3 SA		100%	NC	NC	100%	NC	NC
Antena Stars	ANTENA TV GROUP SA	other	100%	0.8%	100%	99.8%	3%	72%
Bollywood TV (together with its secondary channels, Bollywood TV Film, Bollywood Clasic, BollyShow)	SC I SG TV SRL		NC	NC	NC	NC	NC	NC
Credo TV	SC EXPRES IMAGE SRL		NC	NC	NC	NC	NC	NC
Digi Animal World (together with its	RCS & RDS SA ("DIGI TV")	documentaries	53%	15%	78%	54%	17%	81%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
secondary channel, Animal World Channel)								
Digi Film	RCS & RDS SA ("DIGI TV")	cinema	19%	17.25%	68.15%	21.25%	19.00%	62.25%
Digi Life (with its secondary TV channel: Life Channel)	RCS & RDS SA ("DIGI TV")	other	49%	19.5%	90%	51%	21%	96%
Digi World	RCS & RDS SA ("DIGI TV")	documentaries	56%	18%	83%	58%	19%	87%
DoQ	DOQ MEDIA TV SRL	documentaries	60%	10%	NC	NO	NO	NO
Erdély TV	ETV CENTER SRL		NC	NC	NC	NC	NC	NC
Etno TV	ETNO FOLCLOR MEDIA SRL	other	100%	34.3%	100%	100%	35.1%	100%
Favorit TV	CLAS MEDIA SRL	other	100%	46%	100%	100%	59%	100%
Film+CZ (Film+Adria)	IKO ROMANIA SRL	cinema	50%	15%	NC	50%	15%	NC
FOCUS TV	SC EX-COMPUTER SRL		NC	NC	NC	NC	NC	NC
Happy Channel	ANTENA TV GROUP SA	other	55%	100%	90%	51%	100%	95%
HORA TV	SC ProfiMusic SRL	other	100%	100%	100%	100%	100%	100%
H!T Music Channel (with version in Hungarian - H!T Music Channel HU)	MUSIC CHANNEL SRL	other	55%	14%	10%	71%	11%	10%
INEDIT TV	INEDIT TV SRL		NC	NC	NC	NC	NC	NC
Kanal D (Romania)	DOGAN MEDIA INTERNATIONAL SA	generalist	89.9%	45.1%	91.2%	88.4%	32.9%	84.7%
Kiss TV (Romania)	SC Kiss TV Music SRL	other	60%	12%	70%	62%	14%	70%
Look Plus	NCN STUDIO TV SA	generalist	40.87%	12.76%	12.31%	67.97%	13.22%	11.43%
Look TV (Romania)	TRANSILVANIA LOOK SA	generalist	50.87%	13.05%	10.54%	25.98%	10.22%	10.40%
M Slager TV	TEMATIC CABLE SRL	other	NO	NO	NO	100%	25%	25%
Mooz Dance	MOOZ TV SRL		NC	NC	NC	NC	NC	NC
Mooz HD	MOOZ TV SRL		NC	NC	NC	NC	NC	NC
Mooz Hits TV	MOOZ TV SRL		NC	NC	NC	NC	NC	NC
Mooz Ro	MOOZ TV SRL		NC	NC	NC	NC	NC	NC
MTV (Romania)	PRO TV SA	other	50.10%	50.10%	39.50%	50.50%	50.50%	42.00%
National 24 Plus	CLAS MEDIA SRL	generalist	78%	34%	67%	79%	33%	70%
National TV	ABC PLUS	generalist	54%	30%	54%	61%	26%	75%

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	MEDIA SA							
Neptun TV	SOTI CABLE NEPTUN SRL		80%	40%	30%	70%	30%	20%
Prima TV (Romania)	PRIMA BROADCASTING GROUP SRL	generalist	90%	82%	80%	91%	84%	82%
Pro Cinema	PRO TV SA	cinema	53.64%	38.68%	63.03 %	53.76%	38.16%	73.38 %
Pro TV	PRO TV SA	generalist	50.57%	45.07%	72.10 %	50.15%	44.99%	72.74 %
Pro TV International	PRO TV SA	generalist	98.50%	71.00%	62.50 %	99.75%	73.62%	63.46 %
Speranta TV	ASOCIATIA CENTRULUI MEDIA SPERANTA		85%	NC	NC	70,8%	NC	NC
Taraf TV	REAL TOP MEDIA TV SRL	other	100%	31.5%	100.0 %	100.0%	33.7%	100%
The Fishing and Hunting Channel - (with the secondary TV channel: The Fishing and Hunting Channel HD)	FISHING & HUNTING TEMATIC SRL	other	NO	NO	NO	100%	20%	20%
Traditii TV	BROADCAST MEDIA ENTERPRISES SRL	other	100%	34.52%	100%	100%	40%	100%
Travel Mix	MIXMONTAN SRL		NC	NC	NC	NC	NC	NC
Trinitas TV	Patriarhia Romana	other	80%	20%	13%	82%	23%	16%
TV H	MASS MEDIA ROMANIA DE MAINE SRL	other	93.29%	10%	10%	94.58%	10%	10%
TVR1	TVR - TELEVIZUNEA ROMANIA	generalist	68.75%	10.20%	2.65%	79.88%	10%	6.61%
TVR2	TVR - TELEVIZUNEA ROMANIA	generalist	84.31%	10.18%	2.37%	65.49%	10.01%	1.83%
TVR3	TVR - TELEVIZUNEA ROMANIA	generalist	100%	NC	NC	100%	NC	NC
TVR HD	TVR - TELEVIZUNEA ROMANIA	generalist	87.11%	10.01%	2%	87.02%	3.08%	2.18%
TVR International	TVR - TELEVIZUNEA ROMANIA	generalist	100%	5.76%	NC	100%	9.98%	NC
U TV - U Televiziune Interactiva	NEW TREND MEDIA SRL	other	67%	17.9%	55.4%	69.0%	19.8%	56.8%
ZU TV	ANTENA TV GROUP SA		NO	NO	NO	68%	54%	98%

Source: National Audiovisual Council, data reporting under Art 16 & 17

2.27.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The following information were transmitted regarding the cases of non-compliance for the period 2013-2014:

- The broadcaster SC RCS&RDS S.A. submitted the following clarifications: the Digi Film Channel is a PayTV - Premium service. Digi Film offers a wide range of recent film and TV productions with box-office quotes, award-winning or highlighted productions in various international festivals. Furthermore, Digi Film pays particular attention to the selection and acquisition of programmes, keeping in mind the acquisition of recent European works, this being a strategic objective assumed by the management team of the TV channel. From this perspective, the share of European works of independent producers and recent European works fluctuates annually according to the evolution of the market, Digi Film being strategically oriented towards the "tops" of the production. Also, the promotion of European works is treated with great attention, information relating to the structure of the production team, actors, directors and producers being specified in all promotional materials: the Digi Film brochure, on-air promo and the website. For its documentary channels (Digi World, Digi Life and Digi Animal World), the management team is considering purchasing of specific content mainly from European producers (BBC, NG, DW, ORF, Studio Hamburg, etc.). The promotion of these productions is treated with all due attention, concentrating significant efforts and resources in highlighting the quality of production and their provenance. All media partner within the RCS Group are cooperating extensively in providing a broad and complex environment to promote Digi documentary programmes.
- The broadcasters NCN Studio TV SA and Transilvania Look SA have not submitted a point of view regarding the reasons why they did not comply with the provisions of Article 16 of AVMSD. The Council will appeal to the legal means of sanction provided by Art. 91 of the Audiovisual Law no. 504/2002 if the broadcasters fail to comply with the obligations laid down in Articles 13, 16 and 17 of the AVMSD.

2.28. Slovakia

2.28.1. Data reporting under Art. 13

Article 13 leaves Member States the choice how on-demand audiovisual media services shall promote European works, the Slovak legislator decided that the promotion of European works will be carried out by stipulating a specific share of European works in the catalogue of programmes offered by the on-demand audiovisual media service. The share is set at 20 % per calendar month calculated from the duration of all the programmes in the catalogue of programmes (excluding news, sports events and games).

The CBRS declared that no monitoring has been conducted yet whether non-linear service providers fulfil the obligations provided by article 13 of the AVMS Directive.

2.28.2. Data reporting under Art. 16 & 17

Table 73 : Detailed data for linear services in Slovakia

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Dajto TV	MARKIZA - SLOVAKIA, SPOL. S R.O.	generalist	52.9%	11.5%	>10%	53.5%	31.3%	19%
Joj Plus	MAC TV, S.R.O.	generalist	51.6%	22.7%	>10%	52.5%	24.9%	NC
Joj TV	MAC TV, S.R.O.	generalist	52.9%	23.1%	>10%	54.8%	23.3%	NC
Markiza	MARKIZA - SLOVAKIA, SPOL. S R.O.	generalist	54.4%	12.3%	>10%	54.6%	22.5%	16.9%
STV1 (Jednotka)	ROZHLAS A TELEVIZIA SLOVENSKA	generalist	87.7%	27.3%	>20%	86.2%	40.6%	20.6%
STV2 (Dvojka)	ROZHLAS A TELEVIZIA SLOVENSKA	generalist	97%	21.7%	>20%	96.8%	31.8%	19.9%
Television Doma	MARKIZA - SLOVAKIA, SPOL. S R.O.	fiction	58.8%	21.4%	>10%	59.3%	39.4%	27.2%
TV Lux	TV LUX, S.R.O.		NC	NC	NC	NC	NC	NC
TV WAU	MAC TV, S.R.O.	generalist	NO	NO	NO	51.6%	24.1%	NC

Source: CBRS, data reporting under Art 16 & 17

2.29. Slovenia

2.29.1. Data reporting under Art. 13

Every year AKOS collects data from providers' yearly reports and checks if the percentage shares are in accordance with obligations. According to the reports, on-demand service providers have fulfilled the obligations, so no additional supervision procedures was needed in the period 2011-2014.

The AVMS Directive was implemented to the Slovenian law in the end of the year 2011. Only after the implementation of the AVMS Directive providers of non-linear services got obliged to notify their services and fulfil prescribed proportion of EU works. First on-demand services were notified in the year 2012 and the obligation for reporting on EU works for these services has entered into force from 2012 onwards.²⁸

Table 74 : Detailed data for non-linear services in Slovenia

Service	Provider	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
VOYO	POP TV d.o.o. Ljubljana		N/A	N/A	68.76%	72%
DKino	TELEKOM SLOVENIJE, d.d.		N/A	51%	36%	45.93%

²⁸ For this reason, there is no data on percentage shares for the year 2011

Service	Provider	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Dajmedol	TSmedia, d.o.o.		N/A	20%	17%	32%

Source: AKOS, data reporting under Art 13

2.29.2. Data reporting under Art. 16 & 17

Table 75 : Detailed data for linear services in Slovenia

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
Golica TV	ČARLI d.o.o.	other	100.00%	15.61%	66.13%	100.00%	17.83%	85.68%
Kanal A	KANAL A TELEVIZIJSKA POSTAJA D.O.O.	generalist	58.00%	43.00%	32.00%	60.00%	27.00%	50.00%
Planet TV	Antenna TV SL d.o.o.	generalist	55,89%*	33,3%*	83,72%*	51%	15%	79%
Planet TV	Ts Media d.o.o.	generalist	13,46%**	3,33%**	58,82%**	NO	NO	NO
Pop Brio	POP TV DRUZBA ZA MARKETING, INZENIRING, TRGOVINO, S VETOVANJE, STORITVE IN ZASTOPANJE, D.O.O. LJUBLJANA	fiction	52%	34%	50%	70%	43%	50%
POP KINO	POP TV DRUZBA ZA MARKETING, INZENIRING, TRGOVINO, S VETOVANJE, STORITVE IN ZASTOPANJE, D.O.O. LJUBLJANA	cinema	79%	77%	20%	64%	12%	53%
POP OTO	POP TV DRUZBA ZA MARKETING, INZENIRING, TRGOVINO, S VETOVANJE, STORITVE IN ZASTOPANJE, D.O.O. LJUBLJANA	children	58%	59%	43%	52%	19%	51%
Pop TV	POP TV DRUZBA ZA MARKETING, INZENIRING, TRGOVINO, S VETOVANJE, STORITVE IN ZASTOPANJE, D.O.O. LJUBLJANA	generalist	70%	49%	50%	62%	40%	50%
TV 3 Medias	PINK S DRUZBA ZA RADIODIFUZIJO, PRODUKCIJO IN MARKETING D.O.O.	generalist	100%	12%	94%	36%	0%	0%
TV Petelin	PETELIN TELEVIZIJSKA DEJAVNOST D.O.O.	other	100%	11%	61%	EX	EX	EX
TVS1 (SLO 1)	RADIOTELEVIZIJA SLOVENIJA, LJUBLJANA	generalist	94.20%	21.50%	63.30%	94.20%	19.50%	68.30%
TVS2 (SLO 2)	RADIOTELEVIZIJA SLOVENIJA, LJUBLJANA	generalist	93%	39%	77%	92%	36%	80%
TVS3 (SLO 3)	RADIOTELEVIZIJA SLOVENIJA, LJUBLJANA	other	100%	***	***	100%	***	***
TV Veseljak	VESELJAK TV, TELEVIZIJSKA DEJAVNOST, D.O.O.	other	90%	24%	55%	90%	24%	55%
SPORT TV1	ASPN, d.o.o.	other	100%	64%	100%	EX	EX	EX

*data for February - December 2013

**data for January 2013

***parliamentary (information) channel

Source: AKOS, data reporting under Art 16 & 17

2.29.3. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

In 2013 five linear services didn't comply required proportions. However, in four cases (POP KINO, POP OTO, Kanal A, Planet TV) reasons for non-compliance were not objectively justified and AKOS imposed a fine on broadcasters. In one case (TV 3 Medias) the reasons were objectively justified (broadcaster was in insolvency proceedings) and AKOS didn't adopt any measures against the broadcaster.

2.30. Spain

2.30.1. Data reporting under Art. 13

la Comisión Nacional de los Mercados y la Competencia is responsible to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive, and on-demand services are monitored with an annual frequency. la Comisión Nacional de los Mercados y la Competencia foresees a verification mechanism of the statistical reports submitted by on-demand service providers.

Table 76 : Detailed data for non-linear services in Spain

Service	Provider	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
ATRESPLAYER	ATRESMEDIA CORPORACIÓN MEDIOS COMUNICACIÓN, S.A.	Mix	NO	NO	77.80%	72.70%
FILMOTECH	ENTIDAD DE GESTIÓN DE DERECHOS DE PRODUCTORES AUDIOVISUALES (EGEDA)	VOD	69.39%	69.39%	69.39%	69.39%
MEDIASET ON LINE (MITELE.ES)	MEDIASET ESPAÑA COMUNICACIÓN, S.A.	Mix	92.90%	83.80%	79.40%	69.60%
MIRADOR	CABLEUROPA S.A.U.	PPV	41%	62%	57%	46.69%
NUBEOX	ATRESMEDIA CORPORACIÓN MEDIOS COMUNICACIÓN, S.A.	VOD	NO	30.01%	30.0%	32.32%
VIDEOCLUB	FRANCE TELECOM ESPAÑA, S.A.U.	VOD	31%	30.00%	NO	NO
VIDEOCLUB	CABLEUROPA S.A.U.	VOD	38.70%	35.97%	31.05%	57.99%
VIDEOCLUB DE MOVISTAR	TELEFÓNICA DE ESPAÑA S.A.U.	VOD	48.00%	45.00%	32.00%	30.00%
VIDEOCLUB MOTOROLA	CABLEUROPA S.A.U.	VOD	NO	NO	NO	100%
VIDEOCLUB TIVO	CABLEUROPA S.A.U.	VOD	NO	NO	NO	100%
WAKI ALEMANIA	WAKI TV, S.L.U.	VOD	NO	NO	NO	38.00%
WAKI ESPAÑA	WAKI TV, S.L.U.	VOD	39.00%	41.00%	39.00%	43.00%
WAKI ESPAÑA	WAKI TV, S.L.U.	VOD	NO	24.00%	35.00%	50.00%
WAKI	WAKI TV, S.L.U.	VOD	NO	NO	NO	44.00%

Service	Provider	Type	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
FRANCIA						
WAKI UK	WAKI TV, S.L.U.	VOD	NO	NO	25.00%	24.00%
YOMVI PLAY	DTS DISTRIBUIDORA DE TELEVISIÓN DIGITAL, S.A.	VOD	NO	NO	NO	46.31%

Source: Comisión Nacional de los Mercados y la Competencia, data reporting under Art 13

2.30.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

In general, the minimum percentage required for the promotion of European works, set by Spanish regulations, is met. Indeed, all operators exceed the regulatory minimum established in 30% of their catalogues, with the sole exception of Wuaki UK in the years 2013 and 2014 and Wuaki Spain in 2012, with percentages slightly lower than 30%.

Considered the group Wuaki TV, S.L.U as whole, presents a higher percentage than required, the Regulator has not deemed necessary to adopt coercive or sanctioning measures.

2.30.3. Data reporting under Art. 16 & 17

Table 77 : Detailed data for linear services in Spain

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
#0	DTS DISTRIBUIDORA DE TELEVISION DIGITAL S.A.		NO	NO	NO	NO	NO	NO
13 TV (Spain)	13 TV SA	generalist	71.30	21.90	NC	72.93	28.60	21.03
A&E Spain	AMC NETWORKS		NO	NO	NO	EX	EX	EX
Antena 3 (Spain)	ATRESMEDIA CORPORACION DE MEDIOS DE COMUNICACION SA.	generalist	79.42%	36.70%	94.51 %	79.82%	35.40%	94.55 %
Atreseries	ATRESMEDIA CORPORACION DE MEDIOS DE COMUNICACION SA.		NO	NO	NO	NO	NO	NO
Be Mad TV	MEDIASET ESPAÑA COMUNICACIÓN, S.A		NO	NO	NO	NO	NO	NO
Boing (Spain)	MEDIASET ESPAÑA COMUNICACIÓN, S.A	children	29.10%	21.10%	60.67 %	23.20%	14.40%	56.22 %
Buzz	AMC Networks Programmes Services		NO	NO	NO	NO	NO	NO
Canal Sur	RADIO TELEVISIÓN	generalist	85.93%	16.08%	52.41 %	85.61%	18.70%	61.74 %

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	ANDALUCÍA							
Clan TVE	CORPORACION DE RADIO Y TELEVISION ESPANOLA S.A. ("RTVE")	children	41.20%	36.40%	73.55 %	46.69%	39.55%	65.06 %
Cuatro	MEDIASET ESPAÑA COMUNICACIÓN, S.A	generalist	61.56%	55.06%	97.96 %	64.67%	50.96%	92.28 %
DBN TV	DETERMINATI ON TELEVISION SL		NO	NO	NO	NO	NO	NO
Discovery Max (Spain)	VEO TELEVISIÓN, S.A.	documentaries	52.14%	49.31%	71.26 %	54.54%	54.28%	66.49 %
Disney Channel España	SOCIEDAD GESTORA DE TELEVISION NET TV SA	children	50.12%	44.53%	80.38 %	51.23%	46.19%	79.99 %
Divinity (Spain)	MEDIASET ESPAÑA COMUNICACIÓN, S.A	generalist	47.21%	13.00%	86.91 %	34.80%	14.70%	95.86 %
Dkiss	KISS MEDIA, S.A.		NO	NO	NO	NO	NO	NO
Energy (Spain)	MEDIASET ESPAÑA COMUNICACIÓN, S.A	fiction	35.10%	20.70%	97.75 %	59.60%	38.40%	96.72 %
FDF (Factoría de Ficción)	MEDIASET ESPAÑA COMUNICACIÓN, S.A	fiction	69.15%	55.96%	69.74 %	72.68%	64.83%	74.32 %
FOXLIFE (version in Spanish)	FOX INTERNATIONAL CHANNELS ESPANA SL		NO	NO	NO	EX	EX	EX
Intereconomía TV	SOCIEDAD GESTORA DE TELEVISION NET TV SA	generalist	95.28%	12.74%	87.50 %	91.06%	46.37%	53.82 %
La Sexta	ATRESMEDIA CORPORACION DE MEDIOS DE COMUNICACION SA.	generalist	87.70%	27.30%	70.44 %	91.79%	35.40%	80.85 %
Mega TV (Spain)	ATRESMEDIA CORPORACION DE MEDIOS DE COMUNICACION SA.		NO	NO	NO	NO	NO	NO
M. Series Xtra	DTS DISTRIBUIDORA DE TELEVISION DIGITAL S.A.		NO	NO	NO	NO	NO	NO
MTV (España)	VIACOM INTERNATIONAL MEDIA NETWORKS ESPANA, S.L.U.	generalist	47.07%	18.49%	48.88 %	56.00%	12.13%	90.72 %
MUNDO FOX AFRICA	FOX INTERNATIONAL		NO	NO	NO	EX	EX	EX

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	AL CHANNELS ESPANA SL							
Neox	ATRESMEDIA CORPORACION DE MEDIOS DE COMUNICACION SA.	generalist	63.20%	26.64%	40.22 %	58.80%	22.26%	59.82 %
NON STOP PEOPLE	NON STOP PEOPLE SLU		NO	NO	NO	NO	NO	NO
Nova (Spain)	ATRESMEDIA CORPORACION DE MEDIOS DE COMUNICACION SA.	generalist	50.60%	34.16%	66.61 %	33.00%	20.77%	87.12 %
Paramount Channel (Spain)	SOCIEDAD GESTORA DE TELEVISION NET TV SA	cinema	43.20%	37.07%	17.45 %	50.76%	46.43%	19.97 %
Telecinco	MEDIASET ESPAÑA COMUNICACIÓN, S.A	generalist	91.03%	78.67%	98.50 %	90.99%	77.92%	90.22 %
TEN	CENTRAL BROADCASTER MEDIA SLU		NO	NO	NO	NO	NO	NO
TV3CAT	TELEVISIO DE CATALUNYA SA	generalist	86.91%	54.33%	82.56 %	86.03%	45.79%	81.06 %
TVE La 1	CORPORACION DE RADIO Y TELEVISION ESPANOLA S.A. ("RTVE")	generalist	80.55%	29.46%	81.63 %	83.67%	37.85%	86.72 %
TVE La 2	CORPORACION DE RADIO Y TELEVISION ESPANOLA S.A. ("RTVE")	generalist	90.14%	45.08%	77.76 %	91.28%	53.09%	83.86 %
8TV	EMISSIONS DIGITALS DE CATALUNYA SA.	generalist	59.92%	46.52%	29.29 %	66.67%	28.28%	13.34 %
Aragon television	TELEVISION AUTONOMICA DE ARAGON SOCIEDAD ANONIMA.	generalist	77.63%	29.80%	37.76 %	75.20%	25.80%	NC
ETB 2	EUSKAL TELEBISTA TELEVISION VASCA, S.A.	generalist	69.83%	69.83%	85.89 %	79.66%	79.58%	96.90 %
Telemadrid	TELEVISION AUTONOMIA MADRID SA	generalist	67.40	32.90	NC	67.90	37.20	NC
TVCanaria	TELEVISION PUBLICA DE CANARIAS S.A.	generalist	53.88%	53.88%	87.44 %	66.92%	66.92%	87.06 %
TVG Televisión de Galicia	TELEVISION DE GALICIA SA	generalist	84.11%	46.67%	76.69 %	82.80%	35.40%	NC
Nueve	MEDIASET ESPAÑA COMUNICACIÓN, S.A	generalist	86.50%	72.30%	53.68 %	97.30%	77.90%	53.02 %
La Siete	MEDIASET	generalist	98.98%	82.32%	74.64	57.10%	36.82%	88.53

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQT)	IP (%TQT)	RW (%IP)	EW (%TQT)	IP (%TQT)	RW (%IP)
	ESPAÑA COMUNICACIÓN, S.A				%			%
Nitro	ATRESMEDIA CORPORACION DE MEDIOS DE COMUNICACIÓN S.A.	generalist	39.40%	9.19%	47.09%	44.60%	17.41%	73.10%
Xplora	ATRESMEDIA CORPORACION DE MEDIOS DE COMUNICACIÓN S.A.	documentaries	29.16%	26.12%	82.56%	26.64%	23.53%	19.30%
La Sexta 3	ATRESMEDIA CORPORACION DE MEDIOS DE COMUNICACIÓN S.A.	cinema	43.79%	31.86%	12.12%	37.24%	20.99%	6.03%
Nou	RADIO TELVISIÓN VALENCIANA	generalist	61.70%	25.20%	NC	NO	NO	NO

Source: Comisión Nacional de los Mercados y la Competencia, data reporting under Art 16 & 17

2.30.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

2013:

Certain channels have not reached the required minimum threshold of European works reservation.

However, this is achieved if the programming quotas are calculated on the global amount of programming time for channels that belong to the same group. Such is the case of:

- Boing, Divinity and Energy channels. In this case, the provider, MEDIASET ESPAÑA COMUNICACIÓN, S.A. complies with the obligation if the whole group is taken into account (that is the abovementioned three plus Telecinco, Cuatro, FDF, La Siete y Nueve). In addition, as a consequence of the implementation of digital terrestrial television (DTT), these channels began their operations in 2013, so the reserve ratio for European works had to progressively achieved according to appropriate criteria (first paragraph of Article 16 of the Directive);
- Canales Nitro (which also failed meeting the quota of independent works), Xplora and La Sexta 3. The editorial responsibility of these channels belongs to ATRESMEDIA CORPORACIÓN DE MEDIOS DE COMUNICACIÓN, S.A. The broadcaster complies with the obligation, if the total annual broadcasting time of all ATRESMEDIA channels is taken into account (the three mentioned together with Antena 3, Neox, Nova and La Sexta). In addition, these channels began their operations in 2013.
- Clan TV Channel of RTVE Corporation: the broadcaster complies with the obligation if the whole group is taken into account (La 1, La 2 and Clan TV).

There are also channels with a special thematic nature and focused on a specific audience:

- Paramount Channel: the editorial responsibility of this channel belongs to the licensee SOCIEDAD GESTORA DE TELEVISION NET TV, S.A., which was also

responsible in 2013 for other channels (Disney Channel, Intereconomía and MTV Spain). Considering the total broadcasting time of all channels under the same license, the provider has complied with the obligation. It must be also said that Paramount is a channel with a special thematic nature (cinematographic films) and that is focused on a very specific audience. Therefore, considering its thematic nature and the limited audience share (1.64%), the channel could benefit from an exemption, according to the European guidelines.

- MTV Spain Channel: the licensee SOCIEDAD GESTORA DE TELEVISION NET TV, S A. has complied with the broadcasting time dedicated to European works taking into account all its channels under its editorial responsibility. In 2014, the Spanish Supreme Court declared the nullity of Council of Ministers' Agreement of July 16th 2010, by which a digital multiple state coverage is assigned to each of the societies with licence in the digital terrestrial television service. As a result of this decision, Canal MTV España could not broadcast as a free commercial channel and began its new operation as pay-per-view under the responsibility of VIACOM INTERNATIONAL MEDIA NETWORKS ESPANA, S.L.U. As in the previous case (Paramount Channel), also the MTV Channel Spain is a thematic channel (music, reality TV and series) focused on a very specific audience (young audience).

2014:

As for the Boing and Divinity Channels, the explanation is the same as in 2013: the provider of the audiovisual communication service (Mediaset) reaches the percentages if the whole group is considered. In addition, the thematic nature of the channels must be also taken into account: Boing is channel dedicated to animation with child audience.

With respect to the Nitro, Xplora, La Sexta 3 and Nova channels, as in the previous year, the audiovisual communication service provider responsible for these channels (ATRESMEDIA) meets the required percentages, if all the channels operating under the same license are considered as a whole. In addition, the channels Nitro, Xplora and La Sexta 3 have ceased to their operations in May 6th 2014, as a result of the execution of the Supreme Court's Judgment of November 27 of 2012, declaring the nullity of the Agreement of the Council of Ministers of July 16th 2010, by which a digital multiple state coverage is assigned to each of the societies with licence in the digital terrestrial television service.

Finally, in the case of Canal Clan TV, the European work percentage reached only 46.69%. However, the broadcaster complies with the obligation if the whole group of RTVE Corporation is taken into account.

2.31. Sweden

2.31.1. Data reporting under Art. 13

Broadcasting companies and service providers report to the authority through forms that has been developed by the authority. The Swedish Press and Broadcasting Authority have had frequent contacts with the broadcasters regarding the requirements on European and independent works in the Directive and the reporting obligation. The percentage calculations have been made by the authority.

The authority has asked the service providers to report the percentage in either hours or titles. Some service providers have reported both hours and titles, however all calculation have been made based on titles.

Table 78 : Detailed data for non-linear services in Sweden

Service	Provider	Type	Percent age share of European production 2011	Percent age share of European production 2012	Percent age share of European production 2013	Percent age share of European production 2014
Axess Play	Axess Publishing AB	Mixed	NO	NO	80.00%	88.00%
TV Eskilstuna Play, www.tveskilstuna.se	Närmediern as Samarbetsor gan i Eskilstuna	VoD	NO	100.00%	100.00%	100.00%
HBO Nordic	HBO Nordic AB	VoD	NO	18.70%	11.70%	7.50%
Horse1	Hästkanalen AB	Mixed	NO	NO	NO	NO
EFN TV	EFN Ekonomikan alen	VoD	NO	NO	100.00%	0.00%
Aftonbladet TV	Aftonbladet Hierta AB	VoD	100.00%	100.00%	100.00%	100.00%
Artmann Media	Casimir Artmann	Mixed	100.00%	100.00%	100.00%	100.00%
C More Play (Previously Filmnet)	C More Entertainment AB	Mixed	5.00%	5.00%	5.00%	5.00%
Webb-Tv, www.oppnakanalengoteborg.se	Föreningen Öppna Kanalen i Göteborg	Mixed	90.00%	90.00%	90.00%	90.00%
Öppna Kanalen Västerås, www.okvasteras.se	Föreningen Öppna Kanalen Västerås	Catch-up	100.00%	100.00%	100.00%	100.00%
ÖKV-Play, www.okv.se	Föreningen Öppna Kanalen Växjö	Catch-up	100.00%	100.00%	100.00%	100.00%
JLTV Play	Järfälla Lokal-TV Förening	VoD	100.00%	100.00%	100.00%	100.00%
Bambuser JTV, www.bambuser.com/channel/JTV	Jönköpings Lokal TV-förening	Catch-up	100.00%	100.00%	100.00%	100.00%
Moviestone, www.moviestone.se	Sten Anders Sandvall	VoD	100.00%	100.00%	100.00%	100.00%
SVT Play, www.svtplay.se	Sveriges Television AB	Catch-up	78.90%	79.90%	81.30%	81.10%
TV4 Play, http://tv4play.se	TV4 AB	Mixed	65.40%	65.00%	65.00%	65.00%
UR.se	Utbildningsradion AB	Mixed	90.00%	93.00%	92.00%	88.00%

Source: Member States, data reporting under Art 13

2.31.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

The Swedish Press and Broadcasting Authority has no adopted or planned measures to remedy cases of non-compliance.

2.31.3. Data reporting under Art. 16 & 17

Table 79 : Detailed data for linear services in Sweden

Channel Identification			Statistical data					
Channel (A-Z)	Broadcaster	Type	2013			2014		
			EW (%TQ T)	IP (%TQ T)	RW (%IP)	EW (%TQ T)	IP (%TQ T)	RW (%IP)
Axess TV	AXESS PUBLISHING AB	documentaries	94%	73%	80%	94%	73%	80%
SVT1	SVERIGES TELEVISION AB	generalist	86.80 %	16.00 %	74.70 %	88.70 %	13.90 %	71.90 %
SVT2	SVERIGES TELEVISION AB	generalist	85%	23%	89%	87%	22%	87%
Barnkanalen	SVERIGES TELEVISION AB	children	71%	40%	41%	66%	38%	48%
Kunskapskanalen	SVERIGES TELEVISION AB	other	83%	38%	96%	81%	35%	100%
SVT24	SVERIGES TELEVISION AB	generalist	93.60 %	14.90 %	96.50 %	84.60 %	16.90 %	92.90 %
UR	Sveriges Utbildningsradio AB	other	92%	20%	100%	88%	24%	100%
TV4	TV4 AB	generalist	67.00 %	67.00 %	100.00 %	67.00 %	67.00 %	100.00 %
TV4 HD	TV4 AB	generalist	67%	67%	100%	67%	67%	100%
TV4 Fakta	TV4 AB	documentaries	32.00 %	32.00 %	46.90 %	32.00 %	32.00 %	46.90 %
TV4 Film	TV4 AB	cinema	33%	33%	42%	33%	33%	42%
TV4 Guld	TV4 AB	fiction	18%	18%	0%	18%	18%	0%
7 en del av TV4-Gruppen	TV4 AB	generalist	44%	44%	80%	44%	44%	80%
TV12	TV4 AB	generalist				38%	38%	100%

Source: Swedish Press and Broadcasting Authority, data reporting under Art 16 & 17

2.31.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

Reasons for failure to reach majority proportion of European works (Art. 16)

The broadcasting companies have given the following reasons for failure to reach the quotas.

TV4 AB: TV4 AB is always looking for marketable European titles. The audience appreciates news, game shows and Swedish and European sports. Such programs are not regarded as qualified works in this context. Nordic, German and British content perform well. For TV4 AB it is of great interest to find new and marketable material. The ambition is to reach the levels set out in the AV-Directive.

- *TV4 Fakta* is a documentary channel covering crime, medicine, human interest, contemporary life, and documentary classics. TV4 AB is working to raise the amount of European works. The European works in the channel consist to a large extent of British, Danish, Norwegian and some French works.
- *TV4 Fakta XL* is a factual genres channel covering history, science, technology and reality. TV4 AB is working to raise the amount of European works. The European works in the channel consist to a large extent of British, Danish, Norwegian and some French works.
- *TV4 Film* – The channel is a profiled film channel. TV4 AB is working to raise the amount of European works, predominantly Swedish works.
- *TV4 Guld* – The channel is profiled as a channel for tv-classics and the offerings follows what the audience regards as classics. TV4 AB is working to raise the amount of European works.

- *7 en del av TV4-Gruppen* – TV4 AB is working to raise the amount of European works. The European works in the channel consist to a large extent of British, Norwegian and Danish works.
- *TV12* is a broad entertainment channel. TV4 AB is working to raise the amount of European works. The European works in the channel consist to a large extent of British content in the genres of sports, documentary and film.
- *TV4 Komedi* – TV4 AB is working to raise the amount of European works. Danish works are still successful.

C More Entertainment AB: All of C More Entertainment AB: channels have audience shares below the 0,3 percent threshold.

- *C More Emotion* – mainly Hollywood productions – the amount of European productions continues to rise
- *C More Action* – mainly Hollywood productions – the amount of European productions continues to rise
- *C More Series* – Premium TV- series dominated by American producers
- *C More Series HD* – Premium TV- series dominated by American producers
- *C More First* – mainly Hollywood productions – the amount of European productions continues to rise
- *C More Hits* – focus on blockbusters, Hollywood productions are the major source
- *C More Hits HD* – focus on blockbusters, Hollywood productions are the major source
- *C More HD Mix* – The Channels is a mix of a sports channel and the C More Hits channel above

Turner Nordic and Baltic AB: TNT –The Channel output consists of content sourced entirely from the USA, Canada or UK.

Viasat Film AB:

- *Viasat Film HD* – Viasat buy programs and films primarily to suit the purpose and the audience of the channel, hence becomes the origin of secondary importance if there is not enough suitable programs/films of European origin.
- *TV1000 Action East* – The channel is focussing more on US made movies and has done several large volume deals (Sony/NBC/Warner's) that affected 2013 numbers significantly. Viasat have done less and less European movie deals (UK or French made usually) as the US movies tend to perform better. As a general point, the selections from the US studios seem to have been those films that are made in the USA recently.
- *TV1000 Balkan* – Viasat had an amortization issue in 2013 and thus bought less films in 2013 due to budget reductions. Thus, the percentages of the films Viasat have shown effect the percentages. Generally, only bought US movies in 2013 (or inventory in licence). The channel is focussing more on US made movies and has done several large volume deals (Sony/NBC/Warner's). Viasat have done less and less European movie deals (UK or French made usually) as the US movies tend to perform better. Also looking to "ever green" titles (franchise titles that people will watch again), these are generally American.
- *TV1000 East* – The channel is focusing more on US made movies and has done several large volume deals (Sony/NBC/Warner's) that affected 2013 numbers significantly. Viasat have done less and less European movie deals (UK or French made usually) as the US movies tend to perform better. As a general point, the selections from the US studios seem to have been those films that are made in the USA recently.
- *Viasat Film Family, Viasat Film Family HD* – Viasat buy programs and films primarily to suit the purpose and the audience of the channel, hence becomes the origin of secondary importance if there is not enough suitable

programs/films of European origin. Viasat Film Family have a family focus and shall broadcast movies suitable for children, which demand content on a local language. Nordic movies are primarily put in the Viasat Film Nordic channel, and accordingly Viasat Film Family primarily contains movies from the big studios producing content with Swedish voice over.

- *TV1000 Premium (Baltic)* – The channel is focusing more on US made movies and has done several large volume deals (NBC/Fox) that affected 2013 numbers significantly. Viasat have done less and less European movie deals (UK or French made usually) as the US movies tend to perform better. However, Viasat try to include European movies as much as possible. The tendency that the selections from the US studios seem to have been those films that are made in the USA recently.
- *Viasat Film Classic, Viasat Film Drama HD, Viasat Film Drama, Viasat Film Action, Viasat Film Action HD, Viasat Film Comedy*– Viasat buy programs and films primarily to suit the purpose and the audience of the channel, hence becomes the origin of secondary importance if there are not enough suitable programs/films of European origin.

Viasat Pay Channels: Viasat Crime – Viasat Crime has a very specific focus on crime content. It is difficult to find enough content in the genre that is also attractive to the target group, especially since it is a pan-Nordic channel and need content rights for all Nordic content. Desirable EU-content is often not available to us since it is bound up in deals with FTV, podcasters, etc. in different Nordic countries. Independent producers so far have not delivered the product Viasat needed in terms of quality and cultural relevance

Reasons for failure to reach a minimum proportion of European works by independent producers (Art. 17)

The broadcasting companies have given the following reasons for failure to reach the quotas:

Turner Nordic and Baltic AB : *TNT* –The Channel output consists of content sourced entirely from the USA, Canada or UK.

Viasat Film AB : *Viasat Film Action* – Viasat buy programs and films primarily to suit the purpose and the audience of the channel, hence becomes the origin of secondary importance if there are not enough suitable programs/films of European origin.

Viasat Pay Channels : *Viasat Crime* – Viasat Crime has a very specific focus on crime content. It is difficult to find enough content in the genre that is also attractive to the target group, especially since it is a pan-Nordic channel and need content rights for all Nordic content. Desirable EU-content is often not available to us since it is bound up in deals with FTV, podcasters, etc. in different Nordic countries. Independent producers so far have not delivered the product Viasat needed in terms of quality and cultural relevance (a series based in Cataluña is a lot less relevant).

2.32. United Kingdom

2.32.1. Data reporting under Art. 13

Article 13 of the Audiovisual Media Services Directive ("the Directive") requires that the United Kingdom reports to the European Commission every four years on European works on non-linear services.

According to the "European Works Plan 2012-2015", data for the mandatory reporting under Art. 13 were collected from notified services in the UK for two of the years

(2012 and 2014) across the four-year report period.²⁹ As 2011 and 2013 fell outside of the two-year reporting cycle, we do not hold this data.

Ofcom's co-regulator, the Authority for Television on Demand ("ATVOD") collected data from service providers every two years. Ofcom believes that the proposal to collect data at two points during the reporting period is both proportionate, in reducing the burden on non-linear services, while at the same time providing enough data to consider the trends within this emerging sector.³⁰

The method of calculation of the percentage of European works in catalogues is expressed in hours.

Table 80 : Detailed data for non- linear services in UK

Service	Provider	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
All 4	Channel 4 Television Corporation & 4Ventures Ltd	N/A	91%	N/A	93%
A&E Networks UK	AETN UK	N/A	26%	N/A	12%
ALL3MEDIA (From the Makers of ...)	ALL3MEDIA Ltd	N/A	100%	N/A	N/d
Amateur Girlfriends/100% Babes/Barely Legal TV/Hustler XXX Movies	Broadcasting (Gaia) Ltd	N/A	8%	N/A	11%
Amazon Instant Video	Amazon Instant Video Limited	N/A	N/d	N/A	26%
AMC Channel	AMC Networks Programme Services Ltd	N/A	N/d	N/A	9%
AMC/MGM/Extreme Sports Channels	AMC Networks International Broadcasting Ltd	N/A	N/d	N/A	8%

²⁹ https://www.ofcom.org.uk/__data/assets/pdf_file/0027/27459/march2013.pdf

³⁰ https://www.ofcom.org.uk/__data/assets/pdf_file/0027/27459/march2013.pdf

Service	Provider	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Arsenal Player	Arsenal Broadband Ltd	N/A	100%	N/A	100%
Bay TV Liverpool	Bay TV Liverpool Ltd	N/A	98%	N/A	100%
BBC Worldwide	BBC Worldwide Ltd	N/A	97%	N/A	100%
BFI Player	British Film Institute	N/A	N/d	N/A	90%
Blinkbox	Blinkbox Entertainment Ltd	N/A	20%	N/A	33%
BSL Zone Player	British Sign Language Broadcasting Trust	N/A	N/d	N/A	100%
BT Vision	British Telecommunications Plc t/a BT Vision	N/A	58%	N/A	34%
CBS Reality	CBS Chellozone UK Channels Partnership	N/A	24%	N/A	N/d
CBS AMC EMA Channels Partnership - Catch-up and VOD	CBS AMC Networks EMEA Channels Partnership	N/A	N/d	N/A	11%
CBS AMC Networks UK Channels Partnership - Catch-up and VOD	CBS AMC Networks UK Channels Partnership	N/A	N/d	N/A	7%
Channel 7	Estuary TV CIC Ltd	N/A	100%	N/A	100%

Service	Provider	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
	(formerly Channel 7 Community Interest Company)				
Chelsea TV Online	Chelsea Digital Media	N/A	100%	N/A	100%
Chiswickbuzz.net	Localbuzz Media Network Ltd	N/A	N/d	N/A	100%
Chrominance Television	Chrominance Television	N/A	N/d	N/A	10%
Cirkus	Cirkus Limited	N/A	N/d	N/A	98%
Classical TV	Classical TV Ltd	N/A	90%	N/A	100%
Comedy Central	Paramount UK Partnership t/a Comedy Central	N/A	27%	N/A	20%
Community Channel	Community Channel	N/A	67%	N/A	78%
Curzon Home Cinema	Curzon Cinemas Limited	N/A	70%	N/A	66%
Dave	UK Gold Services Ltd	N/A	90%	N/A	N/d
Demand 5	Channel 5 Broadcasting Ltd	N/A	71%	N/A	58%
Discovery Networks Video-On-Demand	Discovery Communications Europe Ltd	N/A	31%	N/A	27%
Discovery Networks Northern Europe Play	Discovery Networks Northern Europe Limited	N/A	N/d	N/A	72%
E! Entertainment	E! Entertainment UK Limited	N/A	0%	N/A	0%
Elite Web Media LTD	Elite Web Media LTD	N/A	N/d	N/A	100%
English Milf	Matthew Forrester	N/A	100%	N/A	100%

Service	Provider	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Extreme Sports Channel	Zonemedia Broadcasting Ltd	N/A	11%	N/A	N/d
FilmDoo	FilmDoo Ltd	N/A	N/d	N/A	40%
FilmFlex Movies Ltd	FilmFlex Movies Ltd	N/A	20%	N/A	19%
Filmon.com	Filmon TV Limited	N/A	34%	N/A	34%
Food Network	Scripps Networks International (UK) Limited	N/A	36%	N/A	N/d
Fox International Channels	Fox International Channels UK Limited	N/A	32%	N/A	12%
G Spot Productions	G Spot Productions	N/A	100%	N/A	N/d
Globe Player	The Shakespeare's Globe Trust	N/A	N/d	N/A	97%
Home Studio Ltd t/a Mistress Whiplash	Home Studio Ltd	N/A	N/d	N/A	100%
ITV Player	ITV Consumer Limited	N/A	88%	N/A	85%
JimJam	JimJam Television Limited	N/A	76%	N/A	73%
JimJam	Polsat Jimjam Limited	N/A	N/d	N/A	65%
Journeyman Pictures VOD	Journeyman Pictures Ltd	N/A	47%	N/A	40%
Levant TV	Versus Media Ltd t/a Levant TV	N/A	N/d	N/A	100%
Liverpoolfc.tv	Liverpool Football Club & Athletic Grounds Ltd	N/A	N/d	N/A	100%
London Live	ESTV Ltd	N/A	N/d	N/A	0%

Service	Provider	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Lovefilm Instant	Lovefilm UK Ltd	N/A	31%	N/A	N/d
Lucy Zara	DLM Media Ltd	N/A	N/d	N/A	100%
MANOTO1	Marjan Television Network Limited	N/A	10%	N/A	3%
Miss Jones Products	S J L Consultants	N/A	100%	N/A	100%
MTV	MTV Networks Europe	N/A	64%	N/A	66%
Mustard TV	Mustard TV Ltd	N/A	N/d	N/A	100%
MUTV Online	Manchester United Interactive Ltd	N/A	90%	N/A	100%
Nickelodeon & Nick Jr.	Nickelodeon UK Ltd	N/A	15%	N/A	9%
Northern Visions/NvTV	Northern Visions	N/A	100%	N/A	100%
Notts TV	Notts TV	N/A	N/d	N/A	0%
On Demand/VOD Services of the Walt Disney Company Limited	The Walt Disney Company Limited	N/A	22%	N/A	22%
OnView	Made Television Ltd	N/A	N/d	N/A	0%
OT Publishing Limited	OT Publishing Ltd	N/A	0%	N/A	100%
Otudoor Channel	Outdoor TV Ltd	N/A	N/d	N/A	0%
Paul Raymond Media Limited	Paul Raymond Media Limited	N/A	80%	N/A	N/d
Picturebox Films	Universal Pictures Subscription Television Ltd	N/A	32%	N/A	53%
Planet Knowledge / Ketchup TV	Videoondemand365 Ltd	N/A	N/d	N/A	100%
Playboy TV	Playboy TV/Benelux Ltd	N/A	36%	N/A	20%
Premier.tv	Premier Christian Media Trust	N/A	87%	N/A	100%

Service	Provider	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
Rangers TV	Rangers Football Club Ltd	N/A	N/d	N/A	100%
RHF Productions	RHF Productions Limited	N/A	99%	N/A	100%
Sainsbury's Entertainment	Sainsbury's Supermarkets Ltd	N/A	N/d	N/A	7%
SBTV Global Ltd	SBTV Global Ltd	N/A		N/A	95%
SBS Discovery Play	SBS Broadcasting Networks Ltd	N/A	96%	N/A	N/d
sexyukpornstars.com	WMIT Ltd	N/A	100%	N/A	N/d
Sky On-Demand	British Sky Broadcasting Ltd	N/A	31%	N/A	44%
Sony Pictures Television	Columbia Pictures Corporation Ltd	N/A	25%	N/A	13%
Splatbukkake.com	WMIT Ltd	N/A	100%	N/A	N/d
Studio 66TV	965 TV Ltd	N/A	100%	N/A	100%
studiotalk	Markettiers4dc Limited	N/A	N/d	N/A	100%
STV Player	STV Central Limited	N/A	99%	N/A	93%
Sundance Channel	Sundance Channel (UK) Limited	N/A	N/d	N/A	17%
Sunday Sport XXXTRA	George Richardson	N/A	N/d	N/A	100%
Syfy	SCI Fi Channel Europe LLC	N/A	12%	N/A	8%
TalkTalk TV	TalkTalk Telecom Limited	N/A	100%	N/A	N/d
Television X	Portland Broadcasting Limited	N/A	100%	N/A	100%
The Active Channel	The Active Channel	N/A	20%	N/A	24%

Service	Provider	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
	Broadcasting Limited				
The Business Channel	Greystone Media Limited	N/A	100%	N/A	100%
The Lovers' Guide	Lifetime Vision Ltd	N/A	100%	N/A	100%
The Space	Arts Council England	N/A	99%	N/A	N/d
Travel Channel	Scripps Networks International (UK) Limited	N/A	58%	N/A	23%
Turner Broadcasting System Europe Limited	Turner Broadcasting System Europe Limited	N/A	23%	N/A	13%
TV On Demand	Vubiquity Management Limited	N/A	20%	N/A	66%
TV3 Play (Norway)	Modern Times Group MTG Limited	N/A	85%	N/A	2%
TV3 Play (Sweden)	Modern Times Group MTG Limited	N/A	80%	N/A	16%
TV6 Play	Modern Times Group MTG Limited	N/A	70%	N/A	N/d
TV8 Play	Modern Times Group MTG Limited	N/A	40%	N/A	64%
U.TV/UTVPlayer	UTV Television	N/A	100%	N/A	95%
UCBTV	United Christian Broadcasters Limited	N/A	N/d	N/A	22%
ukpornparty.com	WMIT Ltd	N/A	100%	N/A	N/d
UKTV Network	UKTV Media Ltd	N/A	59%	N/A	56%
Ukxxxxpass	WMIT Ltd	N/A	N/d	N/A	100%

Service	Provider	Percentage share of European production 2011	Percentage share of European production 2012	Percentage share of European production 2013	Percentage share of European production 2014
VEVO	VEVO (UK) Ltd	N/A	50%	N/A	N/d
Viaplay	Modern Times Group MTG Limited	N/A	47%	N/A	46%
Viasat Play (Hungary)	Modern Times Group MTG Limited	N/A	N/d	N/A	77%
Viasat 4 Play	Modern Times Group MTG Limited	N/A	40%	N/A	23%
ViasatSport.se	Modern Times Group MTG Limited	N/A	90%	N/A	8%
Virgin Media On Demand	Modern Times Group MTG Limited	N/A	34%	N/A	58%
Vodeon	Kotai Entertainment Ltd	N/A	17%	N/A	N/d
Wankitnow.com	2WEBMEDIA LIMITED	N/A	N/d	N/A	100%
We Are Colony	We Are Colony Limited	N/A	N/d	N/A	100%
www.digitaltheatre.com	Digitaltheatre.com Limited	N/A	100%	N/A	77%
www.liverpoolfc.tv	Liverpool Football Club & Athletic Grounds Ltd	N/A	100%	N/A	N/d
www.loveukglamourgirls.com	Saintly Glamour Ltd	N/A	100%	N/A	N/d
www.stmackenzies.com	Saint Mackenzies's Ltd	N/A	100%	N/A	N/d
Yesterday	UKTV New Ventures Ltd	N/A	90%	N/A	N/d

Source: OFCOM, data reporting under Art 13

2.32.2. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 13

Article 13 states that:

"Member States shall ensure that on-demand audiovisual media services provided by media service providers under their jurisdiction promote, where practicable and by appropriate means, the production of and access to European works."

The United Kingdom considered to have met this requirement by:

- Publishing guidance for non-linear service providers on the definition of European works on Ofcom's website;³¹
- Encouraging non-linear service providers to read and take note of the guidance;
- Collecting data from non-linear service providers every two years relating to the extent to which they promote production of, and access to, European works.

Given the requirement is for European works to be promoted "where practicable", and that no proportions are set out in this Article, it is considered that the services under the UK jurisdiction are compliant with the requirements the UK has put into place to implement Article 13 of the Directive, and therefore with the requirements set out in Article 13.

2.32.3. Data reporting under Art. 16 & 17

Table 81 : Detailed data for linear services in UK

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (% TQT)	IP (% TQT)	RW (%I P)	EW (% TQT)	IP (% TQT)	RW (%I P)
13th Street Universal (Poland) [renamed: 13 Ulica]	Sparrowhawk International Channels Limited	generalist	1.65 %	0.00 %	0.00 %	3.23 %	0.95 %	40.0 %
3+ (Estonia)	MODERN TIMES GROUP MTG LIMITED	generalist	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %
3+ (Latvia)	MODERN TIMES GROUP MTG LIMITED	generalist	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %
4seven	Channel 4 Television	generalist	98.6 %	74.1 %	99.7 %	97.7 %	66.3 %	99.3 %
6'eren	SBS Discovery Media (UK) Limited	generalist	8.17 %	7.98 %	100.00 %	12.8 %	7.87 %	100.00 %
Alibi	UKTV	generalist	43.7 %	16.9 %	68.7 %	51.1 %	18.4 %	82.1 %
Animal Planet (Europe)	Discovery Communications Europe Limited	generalist	48.1 %	22.9 %	84.7 %	46.1 %	12.2 %	71.4 %
Animal Planet (Romania)	Discovery Communications Europe Limited	generalist	47.5 %	18.5 %	73.0 %	41.7 %	9.97 %	61.7 %
Animal Planet HD (Poland)	Discovery Corporate Services Limited	generalist	48.1 %	22.9 %	84.7 %	46.1 %	12.2 %	71.4 %
AXN	Axn Europe Limited	generalist	14.9 %	13.1 %	100.00 %	11.4 %	9.53 %	88.0 %

³¹ https://www.ofcom.org.uk/data/assets/pdf_file/0032/58487/european_works_guidance.pdf

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (% TQT)	IP (% TQT)	RW (%I P)	EW (% TQT)	IP (% TQT)	RW (%I P)
AXN (Bulgaria)	Axn Europe Limited	generalist	14.9 6%	15.9 8%	100. 00%	19.1 1%	17.1 8%	66.0 3%
AXN (Central Europe)	Axn Europe Limited	generalist	14.9 6%	13.1 7%	100. 00%	11.4 4%	9.53 %	88.0 6%
AXN (HD) (Romania)	Axn Europe Limited	generalist	14.9 6%	17.7 4%	100. 00%	14.7 6%	12.8 5%	54.7 2%
AXN (Spain)	Axn Europe Limited	generalist	14.9 6%	13.1 7%	100. 00%	11.4 4%	9.53 %	88.0 6%
AXN/AXN HD (Poland)	Axn Europe Limited	generalist	14.9 6%	11.0 4%	100. 00%	13.1 4%	10.9 4%	74.6 6%
BBC Knowledge	BBC Worldwide Limite	generalist	100. 00%	36.0 0%	68.9 9%	96.9 2%	27.5 1%	94.1 9%
BBC1	BBC	generalist	90.1 2%	38.9 1%	99.4 5%	92.6 6%	37.5 7%	99.5 7%
BBC2	BBC	generalist	90.1 8%	38.0 2%	94.3 8%	88.7 9%	35.8 9%	92.6 2%
BBC3	BBC	generalist	75.7 8%	40.4 7%	98.5 7%	73.6 3%	37.3 7%	96.2 9%
BBC4	BBC	generalist	94.6 3%	26.4 4%	86.9 0%	93.3 9%	23.9 6%	88.5 2%
Boomerang (Central Eastern Europe)	Turner Broadcasting System Europe Limited	children	22.9 7%	10.4 2%	89.1 6%	26.3 0%	11.1 7%	0.00 %
Boomerang (Central Eastern Europe)	Turner Broadcasting System Europe Limited	generalist	22.9 7%	10.4 2%	89.1 6%	26.3 0%	11.1 7%	0.00 %
Boomerang (French)	Turner Broadcasting System Europe Limited	children	43.6 9%	35.6 8%	49.2 7%	43.3 6%	35.4 7%	47.8 4%
Boomerang UK	Turner Broadcasting	generalist	51.5 8%	51.5 8%	63.4 3%	57.4 5%	57.4 5%	63.2 8%
Cartoon Network (Central Eastern Europe)	Turner Broadcasting System Europe Limited	children	49.9 7%	39.8 7%	38.0 6%	39.3 9%	20.2 9%	8.16 %
Cartoon Network (Central Eastern Europe)	Turner Broadcasting System Europe Limited	children	49.9 7%	39.8 7%	38.0 6%	39.3 9%	20.2 9%	8.16 %
Cartoon Network (Poland)	Turner Broadcasting System Europe Limited	children	48.8 0%	37.7 8%	35.4 9%	41.6 9%	19.2 2%	9.51 %
Cartoon Network (Russia & Southern Eastern Europe)	Turner Broadcasting System Europe Limited	children	24.1 6%	11.1 9%	31.9 4%	35.0 6%	12.9 6%	11.9 8%
CBBC	BBC	children	82.3 9%	29.1 1%	90.5 3%	81.3 6%	28.4 5%	86.2 3%
CBeebies	BBC Worldwide Limite	children	99.0 0%	64.0 0%	54.0 0%	96.4 2%	64.9 0%	51.2 6%
CBeebies	BBC	children	96.8 5%	39.0 7%	73.1 3%	95.6 3%	34.9 6%	63.7 3%
CBS Reality	CBS AMC NETWORKS UK	generalist	3.23 %	3.23 %	0.00 %	3.20 %	3.20 %	0.00 %
Challenge	Sky plc	generalist	87.2 0%	44.6 2%	29.5 5%	86.8 8%	39.0 2%	15.6 2%
Channel 4	Channel 4 Television	generalist	66.4 9%	45.4 9%	90.3 2%	66.4 1%	40.0 7%	97.5 6%
Channel 4 (ROI)	Channel Four Television Corporation	generalist	66.4 9%	45.4 9%	90.3 2%	66.4 1%	40.0 7%	97.5 6%
Channel 5	Channel 5 Broadcasting Ltd	generalist	51.3 0%	34.9 0%	60.1 0%	63.6 5%	71.2 9%	65.3 0%
CITV	ITV plc	children	56.5 8%	41.2 5%	84.7 1%	54.9 1%	34.5 0%	88.2 9%
Comedy Central (Ireland)	Paramount UK Partnership	generalist	18.5 0%	7.56 %	46.9 7%	18.1 4%	4.76 %	49.1 7%
Dave	UKTV	generalist	84.7 8%	46.8 9%	88.1 0%	83.5 0%	52.8 6%	86.7 1%
Discovery Channel (Benelux) (HD)	Discovery Communications Europe Limited	generalist	31.1 5%	4.08 %	67.6 8%	34.5 6%	2.42 %	65.9 8%
Discovery Channel (Bulgaria)	Discovery Communications Europe Limited	generalist	45.3 7%	4.96 %	62.5 6%	33.3 1%	2.24 %	59.8 9%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (% TQT)	IP (% TQT)	RW (%I P)	EW (% TQT)	IP (% TQT)	RW (%I P)
Discovery Channel (Denmark) (HD)	Discovery Communications Europe Limited	generalist	27.2 6%	3.47 %	78.5 4%	36.3 2%	1.65 %	92.6 8%
Discovery Channel (Flanders) (HD)	Discovery Communications Europe Limited	generalist	32.6 6%	3.87 %	64.6 5%	34.7 1%	2.09 %	67.9 8%
Discovery Channel (France)(HD)	Discovery Communications Europe Limited	generalist	25.2 2%	2.45 %	77.9 9%	29.3 9%	0.50 %	73.8 1%
Discovery Channel (Hungary)	Discovery Communications Europe Limited	generalist	37.4 2%	15.2 5%	94.4 1%	32.3 4%	12.1 7%	99.4 7%
Discovery Channel (Italy) (HD)	Discovery Communications Europe Limited	generalist	41.8 4%	4.67 %	100. 00%	42.9 3%	0.41 %	100. 00%
Discovery Channel (Polish) HD	Discovery Communications Europe Limited	generalist	38.7 7%	13.2 8%	92.3 3%	31.2 7%	11.0 3%	98.3 0%
Discovery Channel (Portugal)	Discovery Communications Europe Limited	generalist	35.3 6%	2.54 %	60.7 1%	36.0 0%	0.97 %	95.2 9%
Discovery Channel (Romania)	Discovery Communications Europe Limited	generalist	43.9 9%	5.16 %	67.0 1%	32.9 4%	2.17 %	56.8 9%
Discovery Channel (Sweden)	Discovery Communications Europe Limited	generalist	28.7 6%	2.59 %	82.9 0%	28.8 1%	3.21 %	88.2 8%
Discovery Science (France) (HD)	Discovery Communications Europe Limited	generalist	31.0 9%	8.69 %	59.2 3%	35.4 2%	6.85 %	37.9 2%
Discovery Science (Poland)	Discovery Communications Europe Limited	generalist	39.1 1%	16.7 2%	92.5 5%	36.4 6%	11.0 3%	83.6 4%
Disney Channel	The Walt Disney Comp	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Belgium)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Bulgaria)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Czech Republic)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Denmark)	Walt Disney Company Ltd(The)	children	8.74 %	0.21 %	100. 00%	16.4 8%	0.87 %	100. 00%
Disney Channel (France)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Hungary)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Italy)	Walt Disney Company Ltd(The)	generalist	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Netherlands)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Poland)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Portugal)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Romania)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Spain)	Walt Disney Company Ltd(The)	children	38.1 9%	0.82 %	17.3 9%	37.8 7%	0.04 %	100. 00%
Disney Channel (Sweden)	Walt Disney Company Ltd(The)	children	8.74 %	0.21 %	100. 00%	16.4 8%	0.87 %	100. 00%
Disney Junior	The Walt Disney Comp	children	52.1 9%	4.29 %	100. 00%	52.1 9%	4.29 %	100. 00%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (% TQT)	IP (% TQT)	RW (%I P)	EW (% TQT)	IP (% TQT)	RW (%I P)
Disney Junior	Walt Disney Company Ltd(The)	child ren	52.1 9%	4.29 %	100. 00%	52.1 9%	4.29 %	100. 00%
Disney Junior (Scandinavia)	Walt Disney Company Ltd(The)	child ren	37.2 0%	7.76 %	100. 00%	55.8 7%	8.41 %	100. 00%
Disney Junior (Scandinavia)	Walt Disney Company Ltd(The)	child ren	37.2 0%	7.76 %	100. 00%	55.8 7%	8.41 %	100. 00%
Disney Junior (Scandinavia)	Walt Disney Company Ltd(The)	child ren	37.2 0%	7.76 %	100. 00%	55.8 7%	8.41 %	100. 00%
Disney Junior (Scandinavia)	Walt Disney Company Ltd(The)	child ren	37.2 0%	7.76 %	100. 00%	55.8 7%	8.41 %	100. 00%
Disney XD	Walt Disney Company Ltd(The)	child ren	20.1 9%	3.44 %	100. 00%	22.5 5%	2.43 %	85.0 8%
Disney XD	Walt Disney Company Ltd(The)	child ren	20.1 9%	3.44 %	100. 00%	22.5 5%	2.43 %	85.0 8%
Disney XD (Sweden)	Walt Disney Company Ltd(The)	child ren	43.6 6%	0.12 %	100. 00%	13.7 7%	0.12 %	100. 00%
DIVA Universal (Romania & Bulgaria)	Sparrowhawk International Channels Limited	gene ralist	14.9 9%	0.00 %	0.00 %	4.71 %	0.00 %	0.00 %
DMAX	Discovery Communications Europe Limited	gene ralist	42.6 1%	12.7 4%	16.7 9%	42.4 5%	9.62 %	10.7 2%
Drama	UK Gold Services Lim	gene ralist	96.5 2%	59.4 2%	18.1 9%	96.7 3%	50.0 8%	22.0 9%
E4	Channel 4 Television	gene ralist	22.1 3%	17.7 5%	95.5 1%	24.0 4%	17.4 8%	92.7 3%
E4 (ROI feed)	Channel Four Television Corporation	gene ralist	22.1 3%	17.7 5%	95.5 1%	24.0 4%	17.4 8%	92.7 3%
FEM3	CEE Broadcasting Limited	gene ralist	52.4 5%	22.6 4%	56.7 8%	51.9 3%	41.4 5%	50.2 7%
Film 4	Channel 4 Television	cine ma	27.2 9%	4.20 %	20.8 7%	26.0 1%	3.20 %	31.4 1%
Food Network	Scripps Networks Int	gene ralist	15.9 0%	1.23 %	0.00 %	19.8 4%	0.91 %	0.00 %
Fox	Fox Networks Group L	gene ralist	0.58 %	0.58 %	100. 00%	1.20 %	0.31 %	100. 00%
Gold	UKTV	gene ralist	96.3 6%	35.2 9%	31.7 3%	88.8 6%	32.9 2%	29.7 6%
History (Polish feed) (HD)	AETN UK	gene ralist	0.00 %	1.74 %	20.0 0%	3.35 %	3.35 %	100. 00%
History (Romanian)	AETN UK	gene ralist	0.00 %	34.1 1%	93.5 6%	2.81 %	2.81 %	92.7 1%
History Channel Europe HD (The)	AETN UK	gene ralist	0.00 %	7.09 %	81.8 5%	2.81 %	2.81 %	100. 00%
Investigation Discovery (Netherlands feed)	Discovery Communications Europe Limited	gene ralist	15.8 3%	9.74 %	90.5 0%	8.60 %	7.50 %	100. 00%
Investigation Discovery (Polish) (HD)	Discovery Communications Europe Limited	gene ralist	17.2 7%	9.82 %	89.5 0%	12.1 7%	7.52 %	98.2 2%
ITV	ITV plc	gene ralist	82.2 7%	26.8 3%	95.6 6%	85.5 2%	23.9 3%	97.5 2%
ITV2	ITV plc	gene ralist	56.8 1%	14.0 3%	96.1 2%	60.1 2%	16.4 2%	99.6 7%
Kanal 11	SBS Discovery Media (UK) Limited	gene ralist	7.57 %	7.57 %	76.2 6%	9.41 %	9.41 %	87.8 8%
Kanal 4	SBS Discovery Media (UK) Limited	gene ralist	37.6 2%	34.8 1%	100. 00%	45.2 6%	43.9 7%	100. 00%
Kanal 5	SBS Discovery Media (UK) Limited	gene ralist	15.5 9%	15.5 9%	94.0 9%	14.7 0%	14.7 0%	78.0 9%
Kanal 5 Denmark	SBS Discovery Media (UK) Limited	gene ralist	35.5 9%	35.0 3%	100. 00%	32.2 3%	29.9 1%	100. 00%
Kanal 9	SBS Discovery Media (UK) Limited	gene ralist	24.0 5%	24.0 5%	59.0 3%	36.7 3%	36.7 3%	63.7 9%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (% TQT)	IP (% TQT)	RW (%I P)	EW (% TQT)	IP (% TQT)	RW (%I P)
More 4 (DTPS)	Channel 4 Television	generalist	84.4 8%	66.5 5%	70.7 9%	81.8 3%	63.4 8%	67.0 1%
Movies4Men	Entertainment Networ	cinema	38.5 3%	0.00 %	0.00 %	27.8 9%	0.00 %	0.00 %
National Geographic Channel (Belgium)	NGC Europe Limited	generalist	38.7 0%	34.5 3%	96.8 6%	41.3 7%	36.5 4%	95.8 6%
National Geographic Channel (Hungary)	NGC Europe Limited	generalist	38.7 0%	34.5 3%	96.8 6%	41.3 7%	36.5 4%	95.8 6%
National Geographic Channel (Poland)	NGC Europe Limited	generalist	38.7 0%	34.5 3%	96.8 6%	41.3 7%	36.5 4%	95.8 6%
National Geographic Channel (Portugal)	NGC Europe Limited	generalist	38.7 0%	34.5 3%	96.8 6%	41.3 7%	36.5 4%	95.8 6%
National Geographic Channel (Romania)	NGC Europe Limited	generalist	38.7 0%	34.5 3%	96.8 6%	41.3 7%	36.5 4%	95.8 6%
National Geographic Channel (Romania)	NGC Europe Limited	generalist	38.7 0%	34.5 3%	96.8 6%	41.3 7%	36.5 4%	95.8 6%
National Geographic Channel HD	NGC Europe Limited	generalist	38.7 0%	34.5 3%	96.8 6%	41.3 7%	36.5 4%	95.8 6%
Nick Jr.	Nickelodeon UK Limit	children	56.3 7%	41.5 1%	50.1 0%	55.8 7%	42.5 0%	53.2 0%
Nickelodeon (France)	Nickelodeon International Limited	children	21.7 4%	10.6 1%	53.2 0%	0.00 %	0.00 %	0.00 %
Nickelodeon Junior (France)	Nickelodeon International Limited	children	56.3 7%	41.5 1%	50.1 0%	55.8 7%	42.5 0%	53.2 0%
NTV Mir Lithuania	Baltic Media Alliance Ltd	generalist	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %
Polsat JimJam	Polsat JimJam Limited	generalist	65.2 6%	57.0 3%	20.9 8%	65.2 6%	57.0 3%	20.9 8%
PRO4	CEE Broadcasting Limited	generalist	51.4 5%	50.7 7%	82.0 8%	53.2 5%	32.3 0%	55.8 3%
Really	UKTV	generalist	49.2 3%	21.0 7%	70.4 8%	60.8 8%	30.4 6%	54.8 9%
REN TV Estonia	Baltic Media Alliance Ltd	generalist	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %
REN TV Lietuva	Baltic Media Alliance Ltd	generalist	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %
Sky 1	Sky plc	generalist	41.3 0%	39.3 5%	52.3 7%	33.2 7%	30.8 2%	62.1 2%
Sky 1 (Republic of Ireland feed)	Sky UK Limited	generalist	41.3 0%	39.3 5%	52.3 7%	33.2 8%	30.8 3%	62.1 3%
Sky Arts	Sky plc	generalist	79.3 7%	70.1 3%	48.7 8%	78.3 4%	68.6 9%	44.0 0%
Sky Living (HD/+1)	Sky plc	generalist	28.4 9%	28.2 8%	61.0 1%	29.3 0%	29.2 8%	35.1 5%
SuperTV2	CEE Broadcasting Limited	generalist	51.4 1%	27.2 3%	89.4 1%	59.2 2%	17.6 8%	80.7 6%
SYFY Universal	Sci-Fi Channel Europe LLC	generalist	18.2 7%	5.30 %	32.2 3%	22.9 4%	4.16 %	50.4 8%
TCM (Pan European)	Turner Broadcasting System Europe Limited	generalist	23.7 6%	18.7 5%	0.00 %	21.7 5%	20.9 3%	0.00 %
TCM (Pan European)	Turner Broadcasting System Europe Limited	generalist	23.7 6%	18.7 5%	0.00 %	21.7 5%	20.9 3%	0.00 %
TLC (Denmark)	Discovery Communications Europe Limited	generalist	32.2 3%	6.59 %	91.3 1%	31.4 0%	2.38 %	93.0 6%
TLC (Netherlands Feed) (HD)	Discovery Communications Europe Limited	generalist	34.8 8%	5.25 %	59.6 9%	27.7 4%	1.09 %	77.5 3%
TLC (Polish) HD	Discovery Communications Europe Limited	generalist	45.0 0%	20.7 7%	92.9 7%	41.1 7%	12.0 6%	97.0 0%
TLC (Sverige)	Discovery Communications Europe Limited	generalist	28.5 2%	5.97 %	97.1 0%	21.8 1%	1.73 %	94.4 4%

Channel Identification			Statistical data					
			2013			2014		
Channel (A-Z)	Broadcaster	Type	EW (% TQT)	IP (% TQT)	RW (%I P)	EW (% TQT)	IP (% TQT)	RW (%I P)
TNT (Spain)	Turner Broadcasting System Europe Limited	generalist	0.08 %	0.08 %	100.00%	16.0 0%	0.00 %	0.00 %
TV10	MODERN TIMES GROUP MTG LIMITED	generalist	67.3 7%	67.3 7%	100.00%	69.7 0%	69.7 0%	100.00%
TV3 Denmark	MODERN TIMES GROUP MTG LIMITED	generalist	31.1 9%	31.1 9%	100.00%	40.9 4%	40.9 4%	100.00%
TV3 PULS	MODERN TIMES GROUP MTG LIMITED	generalist	17.4 0%	17.4 0%	100.00%	33.4 6%	33.4 6%	100.00%
TV3 Sweden	MODERN TIMES GROUP MTG LIMITED	generalist	18.6 9%	18.6 9%	100.00%	21.0 4%	21.0 4%	100.00%
TV6 (Sweden)	MODERN TIMES GROUP MTG LIMITED	generalist	2.36 %	2.36 %	100.00%	3.79 %	3.79 %	100.00%
TV8 (Sweden)	MODERN TIMES GROUP MTG LIMITED	generalist	59.8 2%	59.8 2%	100.00%	78.1 3%	78.1 3%	100.00%
Universal Ch (UK)	NBC Universal Global	generalist	14.4 7%	0.00 %	0.00 %	14.4 1%	0.00 %	0.00 %
Universal Channel (Hungary Balkans)	Sparrowhawk International Channels Limited	generalist	14.4 7%	0.00 %	0.00 %	14.4 1%	0.00 %	0.00 %
Universal Channel (Poland)	Sci-Fi Channel Europe LLC	generalist	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %
Universal Channel (Romania)	Sci-Fi Channel Europe LLC	generalist	0.18 %	0.00 %	0.00 %	0.22 %	0.00 %	0.00 %
Viasat 3 (Hungary)	MODERN TIMES GROUP MTG LIMITED	generalist	8.62 %	4.55 %	100.00%	9.82 %	1.64 %	100.00%
Viasat 6	MODERN TIMES GROUP MTG LIMITED	generalist	6.49 %	3.46 %	100.00%	4.85 %	0.19 %	100.00%
VIVA	MTV Networks Europe	generalist	35.6 8%	24.3 2%	89.8 1%	38.1 8%	22.6 7%	81.0 2%
Wild HD	NGC Europe Limited	generalist	14.8 5%	11.6 0%	95.5 0%	38.8 3%	29.5 5%	87.9 0%
Yesterday	UKTV	generalist	88.6 1%	47.5 0%	61.7 9%	91.6 0%	44.9 2%	75.4 7%

Source: OFCOM, data reporting under Art 16 & 17

2.32.4. Reasons for non-compliances, measures adopted or planned remedy cases of non-compliance Art. 16 & 17

The Directive requires that the European works and independent productions quotas be achieved “*where practicable and by appropriate means*”.

The United Kingdom meets this requirement by:

- Annually collecting from non-exempt service providers:
 - Channel details ;
 - Total programme hours (after excluded programmes);
 - European programming hours ;
 - Independent European programming hours ;
 - Recent independent European programming hours;
 - Comments if the channel did not meet one or more of the AVMS proportion requirements – including reason for shortfall, plans for reaching target, prospects for change and other comments;
- Reporting to the European Commission on the achievement of the proportion requirements;

- Providing guidance on compliance with Articles 16 and 17;³²

Given the requirement is for European works to be promoted “where practicable”, it is considered that the services under the UK jurisdiction are compliant with the requirements that the UK has put in place to implement Articles 16 and 17 of the Directive, and therefore with the requirements set out in Articles 16 and 17.

Ofcom TV broadcast licence holders are required to report annually to Ofcom on the proportion of their content that constitutes European works. These contain a summary of explanations given by broadcasters who did not meet the European works or independent production quotas:

2013

In 2013, 143 channels met the audience threshold for the requirements to apply.

33 channels met or exceeded the requirement for European works. These tended to be the channels with higher audience share. These channels broadcast an average of 74% European works.

The majority (79) of channels reporting met or exceeded the target for European independent production. The average proportion of European independent production was 31.8%.

A) Reasons given for not reaching targets for:

1. Majority proportion of European works (Article 16):

For the broadcasters that did not meet the target for European works the explanations can be divided into three main categories, which are set out below.

Reason for shortfall		# of citations³³
Difficulty sourcing appropriate content	Broadcasters explained that as their channels often have specific themes, they can find it difficult to source sufficient EU content that is appropriate.	32
Production acquisitions prohibitive and costs	Broadcasters reported that non-EU acquisitions are often cheaper than either commissioning or purchasing European content and that for budgetary reasons they had to use more non-EU content. Some broadcasters explained that although they were interested in EU content, they could not afford to match the prices that larger networks or free to air broadcasters were able to pay.	15
Appeal of non-EU content	Some broadcasters said that audiences for their channels found non-EU content more appealing than EU content.	3

³² https://www.ofcom.org.uk/data/assets/pdf_file/0018/12942/av-media-services.pdf

³³ Number of times a broadcaster referenced this explanation as a reason for a channels failure to meet the EW proportion

2. A minimum proportion of European works by independent producers (Article 17)

The broadcasters that did not meet the target for European independent production cited similar reasons, as set out below:

Reason for short fall		# of citations ³⁴
Commissioning prohibitive costs	Some broadcasters said that they could not afford to commission independent productions, particularly in the case of channels focused on content with high production costs such as scripted drama.	22
Difficulty sourcing appropriate content	Broadcasters explained that as their channels often have specific themes, they can find it difficult to source independently produce EU content that is appropriate.	16

B) Measures taken by or envisaged

Ofcom asked those broadcasters that had not found it practicable to meet the targets for European works and European independent productions what action they were planning to try to meet the targets in future. The following reasons were provided:

Action planned		# of citations ³⁵
Increase investment	A number of broadcasters planned to increase their investment in European Works and Independent Productions.	13
Explore new opportunities	A number of broadcasters reported that they planned to explore new opportunities to source content that meets the AVMS criteria.	13
Planned to commission or acquire content that meets AVMS criteria	Some broadcasters reported that they had commissioned content that meets the AVMS criteria.	4

2014

In 2014, 143 channels met the audience threshold for the requirements to apply.

39 channels met or exceeded the requirement for European works. These tended to be the channels with higher audience share. These channels broadcast an average of 72% European works.

The majority (73) of channels reporting met or exceeded the target for European independent production. The average proportion of European independent production was 32.5%.

A) Reasons given for not reaching targets for:

³⁴ Number of times a broadcaster referenced this explanation as a reason for a channels failure to meet the IP proportion

³⁵ Number of times a broadcaster referenced this plan to meet the targets in future.

1. Majority proportion of European works (Article 16):

For the broadcasters that did not meet the target for European works, the explanations can be divided into three main categories, which are set out below.

Reason for shortfall			# of citations ³⁶
Difficulty sourcing appropriate content		Broadcasters explained that as their channels often have specific themes, they can find it difficult to source sufficient EU content that is appropriate.	27
Production acquisitions and costs prohibitive		Broadcasters reported that non-EU acquisitions are often cheaper than either commissioning or purchasing European content and that for budgetary reasons they had to use more non-EU content. Some broadcasters explained that although they were interested in EU content, they could not afford to match the prices that larger networks or free to air broadcasters were able to pay.	18
Appeal of non-EU content		Some broadcasters said that audiences for their channels found non-EU content more appealing than EU content.	5

2. A minimum proportion of European works by independent producers (Article 17)

The broadcasters that did not meet the target for European independent production cited similar reasons, as set out below:

Reason for short fall			# of citations ³⁷
Commissioning prohibitive costs		Some broadcasters said that they could not afford to commission independent productions, particularly in the case of channels focused on content with high production costs such as scripted drama.	14
Difficulty sourcing appropriate content		Broadcasters explained that as their channels often have specific themes, they can find it difficult to source independently produce EU content that is appropriate.	10

B) Measures taken by or envisaged

Ofcom asked those broadcasters that had not found it practicable to meet the targets for European works and European independent productions what action they were planning to try to meet the targets in future. The following reasons were provided:

³⁶ Number of times a broadcaster referenced this explanation as a reason for a channels failure to meet the EW proportion

³⁷ Number of times a broadcaster referenced this explanation as a reason for a channels failure to meet the IP proportion

Action planned		# of citations ³⁸
Explore new opportunities	A number of broadcasters reported that they planned to explore new opportunities to source content that meets the AVMS criteria.	9
Planned to commission or acquire content that meets AVMS criteria	Some broadcasters reported that they had commissioned content that meets the AVMS criteria.	8
Increase investment	A number of broadcasters planned to increase their investment in European works and independent productions.	4

3. Financial obligations for non-linear service providers to the production and rights acquisition of EU works

19 NRAs informed about the financial contributions made by non-linear service providers to the production and rights acquisition of EU works in the period 2011-2014.

8 Member States (Croatia, Estonia, Germany, Latvia, Malta, Poland, Romania, UK) declared that this obligation did not exist in their national legislation.

10 Member States provided information about the financial contributions made by non-linear service providers to the production of European works:

In **Belgium-French Community**, the amount of the contribution based on the percentage of the revenues is calculated by the *Centre du cinema et de l'audiovisuel* and the CSA, after the CSA has determined the eligible revenues. Financial contribution amounted in the 2011-2014 period:

- Universciné was exempt of contribution for the years 2011 2012 2013 2014 based on revenues.
- VOO & Proximus/SIA are editors for linear and non-linear services. The contributions as editors of non-linear services have been included in the global contribution of VOO & Proximus as editors of audiovisual services for the years 2011-2014. The contributions were calculated based on the total revenues of the editor without distinction of linear and non-linear services.

In **France**, as part of their annual declaration on compliance with the requirements of the AVMS Decree, non-linear providers whose turnover exceeds EUR 10 million are invited to:

- indicate the net annual turnover achieved by their service (s) concerned for the year preceding the year audited;
- declare their investments in European audiovisual works and cinematographic films (with a special focus on their expenditure in *expression originale française*), during the year under review.

For the period 2011-2014, the global contribution made by non-linear service providers to the production and acquisition of rights of European works was:

Number	of	Audiovisual works	Cinematographic films

³⁸ Number of times a broadcaster referenced this plan to meet the targets in future.

	non-linear service providers	European works	Of which: in expression originale française	European works	Of which: in expression originale française
2011	3	Total investments in European audiovisual works and films: 16.1M€ <i>Of which, in expression originale française: 10.9M€</i>			
2012	3	1.8M€	1.3M€	16M€	12.6M€
2013	4	1.7M€	1.2M€	19.1M€	14.7M€
2014	4	4.3M€	3M€	17.7M€	14.5M€

Likewise, in **Spain**, the global contribution made by non-linear service providers to the production and acquisition of rights of European works during the years 2011-2014 was:

- 2011: 11,560,103.11 €;
- 2012: 10,129,540.75 €;
- 2013: 8,415,573.00 €;
- 2014: 8,648,537.00 €.

In **Greece**, over the examined period (2011-2014), three on-demand media services providers existed in Greece: OTE S.A., Forthnet Media S.A. and Vodafone Hellas. Pay-Tv and VoD services are required to contribute to film production by 1,5% of their annual turnover.³⁹

- OTE fully complied with the obligation for the investment in Greek cinematographic production, during period 2011-2014, participated as a co-producer in the production of 19 Greek films, which have received a certificate of Greek citizenship. Given that Article 2(1)(n)(i) of Presidential Decree 109/2010 states that European works are works originating in Member States of the European Union, the aforementioned 19 Greek films are European works. Additionally, OTE has extensively advertised and promoted these films to the Greek public, for example by organizing competitions with free admissions to the cinematic screening of these films.
- FORTHNET MEDIA S.A. is highly involved in local movies co-production. Every year the company co-finances at least 8-10 Greek co-productions of Greek movies that are released in the local theaters and travel the globe Movie Festivals. Nova has co-produced more than 135 Greek movies since 2000. During the period, a special section with Greek movies had been available for the subscribers, under the name FINOS FILMS - a category that hosts all 150 Finos Greek classic movies of the era. Also randomly during the year special tributes related to European Films (Cannes Film Awarded moves, Greek movies tributes) were being packaged and hosted in the service.
- Vodafone-Panafon was not involved in the production of audiovisual works.

In **Portugal**, the participation of on-demand audio-visual services in the cinematographic and audio-visual production is ensured through annual investment in national cinematographic works, in an amount to be determined annually, and a percentage not less than the equivalent of 1% of revenues activities of on-demand audio-visual services and allocate to the national film fund.⁴⁰

The planned investment may take the following forms:

³⁹ Set out in article 8 par. 4 of Law 3905/2010, as currently in force, and in Articles 2 and 4 of implementing Ministerial Decision 82204/3885/54/20-8-2012

⁴⁰ Law n.º 55/2012- Art.16. The amounts provided by each operator in each calendar year is delivered to ICA - Instituto do Cinema e do Audiovisual in January of the following year, being revenue of ICA. In 2017, ERC (national regulator) made an institutional protocol with ICA in order to exchange this information so by the end of 2018. The ERC will then have more concrete information about these investments.

1. Participation in the financing of the film, as co-financier, with no involvement in the production;
2. Participation in the film production as co-producer;
3. Advances to production, in the form of minimum guarantee;
4. Acquisition of distribution rights of national cinematographic works.

The participation of on-demand audio-visual services is further ensured through the creation, in their respective technology platforms, of an area devoted to national works, which are available all supported works, as well as other works of national production, upon request of the respective distributors and rights holders, for the purpose of sale or rental of works in conditions that confer rights holders on them, a percentage not less than 50% of revenues.

In **Czech Republic** and in **Italy**, non-linear providers were required to either reserve a quota of their catalogue to EU audio-visual works, or to devote a percentage of their net annual revenues to the production or acquisition of EU audio-visual works, leaving them the possibility to choose how to comply with their obligations under Art. 13. In the period 2011-2014, all VOD players in **Czech Republic complied by reserving a quota** of European works, whereas **in Italy VOD players contributed by devoting 5% of their net annual revenues to the production or acquisition of EU audio-visual works**.⁴¹ In the period 2011-2014, non-linear service providers in Italy contributed with:

- 2011: €1.760.987 spent in financing EU works;
- 2012: €2.142.539 spent in financing EU works;
- 2013: €4.942.447 spent in financing EU works;
- 2014: €5.507.818,18 spent in financing EU works.

In **Slovenia**, the Slovenian Act on Audiovisual Media Services states that a provider of on-demand service that fails to attain the proportion of EU works, must contribute at least one per cent of yearly AVMS revenues for the production of or acquisition of the rights to EU works that are provided via its on-demand services. The NRA has explained that until now on-demand service providers have fulfilled prescribed share of EU works, so they were not obliged to make any financial contribution to the production and rights acquisition of EU works.

In **Luxembourg**, one VOD player contributed financially to the production of movies in 2014 (for example, to the movies "Boule et Bill" and the TV drama "La méthode Claire").

Two national regulator authorities (**BE-NL, FI**) stated that in the period 2011-2014, the non-linear service providers falling under their legislation were connected to TV broadcasters (i.e. catch-up service). Therefore, their investments in European works reflect the investment made by linear broadcasters (i.e. mother company).

4. Summary of outputs by Member States

This section presents the outputs by Member States according to the data provided by Eurodata TV (for linear service providers - please refer to Chapter 12 of the main

⁴¹ According to AGCOM's decision n.66/09/CONS, non-linear providers are required to either reserve 20% of their catalogue to EU audio-visual works, or to devote 5% of their net annual revenues to the production or acquisition of EU audio-visual works.

report), Justwatch and EAO (for non-linear service providers - please refer to Chapter 13 of the main report).

4.1. Linear service providers

4.1.1. Finland

Our sample consists of 5 channels two public (YLE 1 and YLE 3) and three private channels (MTV3, NELONEN and SUBTV). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 82 : Ratio of qualifying to total transmission hours and viewer hours in Finland, 2016

Finland	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
MTV3	75.53%	63.18%	70.50%
NELONEN	79.95%	80.61%	80.88%
SUBTV	67.29%	94.57%	97.27%
YLE1	62.87%	39.22%	42.36%
YLE2	57.16%	77.61%	89.23%
Finland Total	68.50%	54.18%	73.48%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is aligned with our sample, around 68.5% (total sample average: 66.02%⁴²). Qualifying works are relatively more successful with Young Adult audiences.

Table 83 : Ratio of European qualifying to total qualifying hours and viewer hours in Finland, 2016

Finland	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
MTV3	66.29%	74.66%	76.17%
NELONEN	51.71%	60.72%	52.61%
SUBTV	24.48%	23.15%	15.69%
YLE1	87.90%	88.39%	85.62%
YLE2	82.98%	83.28%	81.60%
Finland Total	62.24%	78.04%	69.62%

Source: VVA/ Eurodata TV

4 out of 5 Finnish channels are largely meeting the requirement for 50% European works especially public channels. In Finland, European works are on average more successful with audiences.

Table 84 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in France, 2015

Finland	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
MTV3	26.65%	27.84%	26.50%

⁴² Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

Finland	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
NELONEN	13.78%	9.24%	16.25%
SUBTV	56.39%	58.56%	41.16%
YLE1	34.48%	33.90%	32.89%
YLE2	39.51%	30.36%	25.66%
Finland Total	31.25%	29.81%	26.12%

Source: VVA/ Eurodata TV

Non-domestic European works on Finnish channels are the second highest level in our sample.⁴³

Table 85 : Ratio of independent European qualifying to total qualifying hours and viewer hours in Finland, 2016

Finland	Independent Hours(%)	Independent Viewer Hours(%) All Individual	Independent Viewer Hours(%) Young Adults
MTV3	16.37%	9.83%	12.41%
NELONEN	52.90%	64.14%	53.20%
SUBTV	26.77%	24.83%	29.35%
YLE1	22.16%	19.29%	15.16%
YLE2	14.88%	14.58%	14.28%
Finland Total	25.62%	20.50%	19.39%

Source: VVA/ Eurodata TV

Finnish channels are largely above the requirement for 10% Independent works, reaching among the highest levels in our sample.

Table 86 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in Finland, 2016

Finland	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individual	Recent Independent Viewer Hours(%) Young Adults
MTV3	83.80%	82.59%	77.95%
NELONEN	93.79%	91.23%	92.48%
SUBTV	100.00%	100.00%	100.00%
YLE1	47.40%	49.28%	48.13%
YLE2	83.29%	81.57%	77.51%
Finland Total	80.61%	70.98%	80.04%

Source: VVA/ Eurodata TV

Recent Independent works on Finnish channels reach among the highest levels in our sample. Recent Independent works are more prominent on private channels (MTV3, NELONEN, SUBTV) than in public channels (YLE 1 and YLE 2).

Table 87 : Ratio of qualifying European stock to total qualifying European hours and viewer hours in Finland, 2016

⁴³ Total sample average: 16.88%.

Finland	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
MTV3	76.09%	68.65%	74.86%
NELONEN	76.57%	81.82%	78.19%
SUBTV	70.02%	71.67%	72.24%
YLE1	65.53%	75.63%	71.88%
YLE2	84.94%	88.99%	91.62%
Finland Total	74.96%	77.64%	82.11%

Source: VVA/ Eurodata TV

Table 88 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in Finland, 2016

Finland	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
MTV3	23.91%	31.35%	25.14%
NELONEN	23.43%	18.18%	21.81%
SUBTV	29.98%	28.33%	27.76%
YLE1	34.47%	24.37%	28.12%
YLE2	15.06%	11.01%	8.38%
Finland Total	25.04%	22.36%	17.89%

Source: VVA/ Eurodata TV

Table 89 : Genre proportion of total European qualifying hours and viewer hours in Finland, 2016

Finland	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
MTV3	Cinema Film	7.25%	4.79%	4.51%
	Documentary	19.85%	16.76%	19.06%
	Entertainment	18.53%	9.53%	10.87%
	Factual magazine	12.64%	21.45%	17.08%
	Fiction	41.72%	47.48%	48.47%
NELONEN	Cinema Film	16.58%	10.55%	10.27%
	Documentary	2.09%	0.71%	1.06%
	Entertainment	64.22%	63.61%	58.90%
	Fiction	17.11%	25.13%	29.77%
SUBTV	Cinema Film	9.99%	4.57%	2.47%
	Documentary	8.60%	6.31%	5.44%
	Entertainment	37.67%	31.95%	28.94%
	Fiction	43.74%	57.17%	63.14%
YLE1	Cinema Film	10.13%	7.68%	5.10%
	Documentary	28.42%	43.72%	42.88%
	Entertainment	3.91%	5.31%	5.61%
	Factual magazine	30.59%	19.15%	22.58%
	Fiction	26.95%	24.15%	23.83%

Finland	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
YLE 2	Cinema Film	2.92%	0.28%	0.15%
	Documentary	31.88%	18.38%	10.74%
	Entertainment	21.69%	33.26%	39.06%
	Factual magazine	5.12%	1.92%	0.76%
	Fiction	38.39%	46.17%	49.29%

Source: VVA/ Eurodata TV

TV fiction is dominant genre in three channels. Factual magazines and Documentary are the dominant genres for the public channel YLE2, while Entertainment is the dominant genre for the private channel NELONEN.

4.1.2. France

Our sample consists of 5 channels two public (France 2 and France 3) and three private channels (C8, M6 and TF1). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 90 : Ratio of qualifying to total transmission hours and viewer hours in France, 2016

France	Qualifying Transmission Hours (%)	Qualifying Viewer Hours (%) All Individuals	Qualifying Viewer Hours (%) Young Adults
C8	88.79%	90.61%	90.44%
France 2	50.69%	26.38%	25.36%
France 3	65.57%	49.92%	70.93%
M6	75.36%	69.14%	69.63%
TF1	70.95%	64.82%	69.03%
France Total	71.36%	52.25%	65.66%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is above our sample average (71.36% > total sample 66.02%⁴⁴). Qualifying works are relatively less successful with audiences.

Table 91 : Ratio of European qualifying to total qualifying hours and viewer hours in France, 2016

France	European Hours (%)	European Viewer Hours (%) All Individuals	European Viewer Hours (%) Young Adults
C8	84.35%	93.48%	95.30%
France 2	94.46%	95.13%	95.28%
France 3	90.96%	92.85%	89.10%
M6	56.43%	58.57%	61.95%
TF1	54.15%	62.96%	64.32%
France Total	74.09%	75.82%	74.43%

Source: VVA/ Eurodata TV

All French channels are largely meeting the requirement for 50% European works especially public channels (France 2 and France 3) and the private channel C8.

⁴⁴ Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

Table 92 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in France, 2016

France	Non-Domestic European Hours (%)	Non-Domestic European Viewer Hours (%) All Individuals	Non-Domestic European Viewer Hours (%) Young Adults
C8	20.44%	8.85%	2.81%
France 2	8.00%	5.35%	6.43%
France 3	17.77%	12.40%	10.91%
M6	12.27%	9.45%	9.19%
TF1	8.58%	5.20%	4.50%
France Total	14.75%	7.42%	5.60%

Source: VVA/ Eurodata TV

Non-domestic European works on French channels are aligned with the average level in our sample.⁴⁵ In terms of audience hours, they, however, appear to be less successful.

Table 93 : Ratio of independent European qualifying to total qualifying hours and viewer hours in France, 2016

France	Independent Hours (%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
C8	34.20%	26.18%	21.21%
France 2	42.72%	22.17%	25.42%
France 3	38.82%	39.73%	30.51%
M6	25.37%	23.10%	22.59%
TF1	50.73%	52.12%	49.90%
France Total	37.60%	35.18%	32.43%

Source: VVA/ Eurodata TV

French channels are largely above the requirement for 10% Independent works, reaching among the highest levels in our sample.

Table 94 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in France, 2016

France	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
C8	39.91%	25.38%	36.46%
France 2	63.50%	73.51%	72.91%
France 3	59.88%	59.12%	58.22%
M6	42.74%	46.40%	52.94%
TF1	52.89%	43.01%	37.23%
France Total	51.43%	47.63%	43.08%

Source: VVA/ Eurodata TV

Recent Independent works on French channels reach among the lowest levels in our sample. Recent Independent works are more prominent on public channels (France2, France3) than in private channels (C8, M6 and TF1).

⁴⁵ total sample average: 16.88%.

Table 95 : Ratio of qualifying European stock to total qualifying European hours and viewer hours in France, 2016

France	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
C8	31.70%	12.43%	4.24%
France 2	26.73%	11.85%	13.67%
France 3	46.34%	34.05%	43.26%
M6	74.52%	51.85%	51.17%
TF1	55.77%	36.76%	32.00%
France Total	44.96%	28.26%	27.05%

Source: VVA/ Eurodata TV

Table 96 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in France, 2016

France	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
C8	68.30%	87.57%	95.76%
France 2	73.27%	88.15%	86.33%
France 3	53.66%	65.95%	56.74%
M6	25.48%	48.15%	48.83%
TF1	43.92%	62.25%	67.41%
France Total	54.99%	71.41%	72.75%

Source: VVA/ Eurodata TV

Table 97 : Genre proportion of total European qualifying hours and viewer hours in France, 2016

France	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
C8	Cinema Film	13.34%	4.56%	2.68%
	Documentary	9.23%	4.69%	2.96%
	Entertainment	12.42%	9.81%	12.34%
	Factual magazine	51.36%	74.17%	80.57%
	Fiction	13.65%	6.77%	1.45%
France 2	Cinema Film	1.81%	0.37%	0.52%
	Documentary	15.40%	4.44%	4.32%
	Entertainment	5.63%	0.98%	1.62%
	Factual magazine	67.77%	86.37%	83.80%
	Fiction	9.39%	7.85%	9.74%
France 3	Cinema Film	20.40%	19.58%	31.99%
	Documentary	8.55%	1.75%	1.20%
	Entertainment	22.66%	18.26%	32.77%
	Factual magazine	29.91%	43.89%	18.51%
	Fiction	18.49%	16.52%	15.53%
M6	Cinema Film	23.72%	21.14%	19.38%
	Documentary	24.32%	11.44%	12.01%
	Entertainment	6.83%	6.35%	9.19%

France	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
	Factual magazine	7.46%	20.33%	20.22%
	Fiction	37.68%	40.75%	39.21%
TF1	Cinema Film	22.21%	13.87%	17.00%
	Documentary	7.99%	6.14%	4.05%
	Entertainment	11.98%	10.74%	14.95%
	Factual magazine	12.50%	29.60%	29.36%
	Fiction	45.33%	39.65%	34.65%

Source: VVA/ Eurodata TV

Factual magazine is the dominant genre in the two public channels (France 2 and France 3) and in one private channel (C8). Fiction is, instead, the dominant genre in the other two private channels (M6 and TF1).

From our two-weeks sample, it results that most of the European works hours aired by French channels consists on flow rather than stock (comparison between Table 95 and Table 96).

4.1.3. Germany

Our sample consists of 5 channels two public (ARD and ZDF) and three private channels (PRO7, RTL and SAT.1). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 98 : Ratio of qualifying to total transmission hours and viewer hours in Germany, 2016

Germany	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
ARD	71.92%	46.20%	52.21%
PRO 7	96.52%	91.38%	91.47%
RTL	85.33%	69.22%	76.48%
SAT.1	85.30%	71.81%	67.53%
ZDF	67.03%	47.85%	48.27%
Germany Total	80.25%	61.47%	79.74%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is above our sample average (66.02%⁴⁶). Qualifying works are relatively less successful with All Individual audience, but the difference is not pronounced with Young Adults audience.

Table 99 : Ratio of European qualifying to total qualifying hours and viewer hours in Germany, 2016

Germany	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
ARD	91.38%	95.79%	98.02%
PRO 7	15.43%	8.91%	7.86%
RTL	89.42%	92.07%	93.84%

⁴⁶ Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

Germany	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
SAT.1	76.23%	82.04%	82.21%
ZDF	91.72%	95.29%	89.27%
Germany Total	71.44%	74.56%	42.79%

Source: VVA/ Eurodata TV

4 out of 5 German channels are largely meeting the requirement for 50% European works especially public channels (ARD and ZDF) and the private channel RTL that show percentage around 90% of hours. In Germany, European works are on average more successful with Young Adults audience.

Table 100 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in Germany, 2016

Germany	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
ARD	8.67%	4.09%	1.71%
PRO 7	18.38%	17.27%	11.98%
RTL	0.00%	0.00%	0.00%
SAT.1	5.10%	3.75%	3.49%
ZDF	7.98%	4.69%	3.01%
Germany Total	6.09%	3.37%	2.40%

Source: VVA/ Eurodata TV

Non-domestic European works on German channels are the second lowest levels in our sample.⁴⁷ In terms of audience hours, they are also less successful.

Table 101 : Ratio of independent European qualifying to total qualifying hours and viewer hours in Germany, 2010

Germany	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
ARD	16.13%	10.08%	8.49%
PRO 7	40.63%	46.68%	49.55%
RTL	26.06%	21.54%	20.04%
SAT.1	80.63%	84.08%	77.68%
ZDF	9.49%	7.63%	13.53%
Germany Total	31.55%	28.05%	34.10%

Source: VVA/ Eurodata TV

1 out of 5 German channels is not meeting the requirement for 10% Independent works. Independent works are more prominent on private channels (PRO 7, RTL, SAT.1) than private free channels (ARD, ZDF).

Table 102 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in Germany, 2016

Germany	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
ARD	70.32%	74.96%	83.13%

⁴⁷ total sample average: 16.88%.

Germany	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
PRO 7	100.00%	100.00%	100.00%
RTL	86.90%	90.84%	90.61%
SAT.1	87.27%	84.52%	88.98%
ZDF	66.68%	53.98%	62.54%
Germany Total	84.24%	83.40%	90.25%

Source: VVA/ Eurodata TV

Recent Independent works on German channels reach among the highest levels in our sample. Recent Independent works are more prominent on private channels (PRO 7, RTL and SAT.1) than in public channels (ARD and ZDF).

Table 103 : Ratio of qualifying European stock to total qualifying European hours and viewer hours in Germany, 2016

Germany	European Stock Hours(%)	European Stock Viewer Hours(%) All Individual	European Stock Viewer Hours(%) Young Adults
ARD	67.78%	33.90%	64.45%
PRO 7	16.40%	70.74%	30.22%
RTL	60.96%	28.14%	75.05%
SAT.1	86.53%	7.39%	87.71%
ZDF	58.88%	43.94%	59.85%
Germany Total	65.43%	30.86%	70.93%

Source: VVA/ Eurodata TV

Table 104 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in Germany, 2016

Germany	European Flow Hours(%)	European Flow Viewer Hours(%) All Individual	European Flow Viewer Hours(%) Young Adults
ARD	32.22%	66.10%	35.55%
PRO 7	83.60%	29.26%	69.78%
RTL	39.04%	71.86%	24.95%
SAT.1	13.47%	92.61%	12.29%
ZDF	41.12%	56.06%	40.15%
Germany Total	34.57%	69.14%	29.07%

Source: VVA/ Eurodata TV

Table 105 : Genre proportion of total Qualifying hours and viewer hours in Germany, 2016

Germ any	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
ARD	Cinema Film	29.72%	16.03%	9.62%
	Documenta ry	13.48%	15.34%	15.96%
	Entertainm ent	11.76%	9.59%	13.33%
	Factual magazine	18.41%	23.89%	23.64%
	Fiction	26.62%	35.14%	37.44%
PRO 7	Cinema Film	20.89%	7.05%	4.99%
	Documenta ry	1.11%	1.63%	1.65%

Germ any	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
	Entertainm ent	5.70%	2.00%	1.67%
	Factual magazine	8.15%	4.78%	4.29%
	Fiction	64.14%	84.55%	87.39%
RTL	Cinema Film	3.63%	1.11%	1.06%
	Documenta ry	43.24%	50.88%	50.08%
	Entertainm ent	10.53%	5.52%	5.83%
	Factual magazine	24.76%	20.60%	17.80%
	Fiction	17.84%	21.88%	25.23%
SAT.1	Cinema Film	11.70%	3.63%	5.56%
	Documenta ry	60.14%	68.88%	61.74%
	Entertainm ent	11.18%	9.13%	16.33%
	Factual magazine	1.49%	1.04%	1.62%
	Fiction	15.49%	17.31%	14.74%
ZDF	Cinema Film	14.77%	6.67%	7.43%
	Documenta ry	10.03%	10.34%	13.47%
	Entertainm ent	18.69%	16.80%	20.67%
	Factual magazine	24.47%	30.65%	22.01%
	Fiction	32.04%	35.54%	36.42%

Source: VVA/ Eurodata TV

Documentary is the dominant genre in two private channels (RTL and SAT.1). Likewise, TV fiction is dominant in ZDF and PRO.7 (in the latest one, TV fiction is strictly dominant also in terms of audience). Cinema films is the dominant genre in ARD but in terms of viewer hours TV Fiction is more successful.

4.1.4. Hungary

Our sample consists of 5 channels one public (DUNA TV) and four private channels (Cool, Film +, RTL Klub and TV2). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 106 : Ratio of qualifying to total transmission hours and viewer hours in Hungary, 2016

Hungary	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Cool	63.21%	64.39%	65.86%
DUNA TV	41.67%	22.48%	27.70%
Film +	64.65%	64.59%	63.35%
RTL KLUB	50.49%	43.14%	45.10%
TV2	45.31%	23.93%	26.22%
Hungary Total	54.19%	35.81%	44.88%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is the second lowest in our sample (sample average 66.02%⁴⁸). Qualifying works are also relatively less successful with audiences.

Table 107 : Ratio of European qualifying to total qualifying hours and viewer hours in Hungary, 2016

Hungary	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
Cool	13.77%	12.87%	20.15%
DUNA TV	69.64%	76.80%	66.90%
Film +	6.74%	6.88%	8.23%
RTL KLUB	40.53%	52.90%	53.45%
TV2	32.80%	39.10%	38.93%
Hungary Total	26.34%	37.21%	35.36%

Source: VVA/ Eurodata TV

4 out of 5 Hungarian channels do not meet the requirement for 50% European works, only the public channel DUNA TV does. In Hungary, European works are on average more successful with audiences.

Table 108 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in Hungary, 2016

Hungary	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
Cool	95.11%	92.31%	97.18%
DUNA TV	38.81%	34.47%	62.04%
Film +	100.00%	100.00%	100.00%
RTL KLUB	18.74%	16.48%	12.09%
TV2	32.10%	41.98%	31.67%
Hungary Total	43.95%	34.37%	32.99%

Source: VVA/ Eurodata TV

Non-domestic European works on Hungarian channels are highest levels in our sample.⁴⁹ This level is driven by the fact that the private channels Cool and Film+ show percentages above the 95%.

Table 109 : Ratio of independent European qualifying to total qualifying hours and viewer hours in Hungary, 2016

⁴⁸ Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

⁴⁹ total sample average: 16.88%.

Hungary	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
Cool	0.00%	0.00%	0.00%
DUNA TV	13.71%	7.35%	15.57%
Film +	56.70%	63.93%	48.42%
RTL KLUB	11.82%	11.31%	7.62%
TV2	1.71%	0.33%	0.22%
Hungary Total	11.69%	7.69%	6.91%

Source: VVA/ Eurodata TV

2 out of 5 Hungarian channels are not meeting the requirement for 10% Independent works, reaching among the lowest levels in our sample.

Table 110 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in Hungary, 2016

Hungary	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
Cool	N/A	N/A	N/A
DUNA TV	5.41%	4.73%	6.05%
Film +	37.10%	38.88%	37.09%
RTL KLUB	62.52%	71.22%	54.43%
TV2	23.21%	48.28%	0.00%
Hungary Total	32.29%	54.39%	46.19%

Source: VVA/ Eurodata TV

Recent Independent works on Hungarian channels reach among the lowest levels in our sample. Recent Independent works are not even applicable for the private channel Cool, as in our two-weeks sample no independent European works has been aired.

Table 111 : Ratio of qualifying European stock to total qualifying European hours and viewer hours in Hungary, 2016

Hungary	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
Cool	100.00%	100.00%	100.00%
DUNA TV	78.91%	82.07%	88.70%
Film +	100.00%	100.00%	100.00%
RTL KLUB	86.99%	92.95%	92.81%
TV2	69.43%	69.95%	73.29%
Hungary Total	83.45%	84.66%	90.35%

Source: VVA/ Eurodata TV

Table 112 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in Hungary, 2016

Hungary	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
Cool	0.00%	0.00%	0.00%
DUNA TV	21.09%	17.93%	11.30%
Film +	0.00%	0.00%	0.00%

Hungary	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
RTL KLUB	13.01%	7.05%	7.19%
TV2	30.57%	30.05%	26.71%
Hungary Total	16.55%	15.34%	9.65%

Source: VVA/ Eurodata TV

Table 113 : Genre proportion of total Qualifying hours and viewer hours in Hungary, 2016

Hungary	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Cool	Cinema Film	22.56%	13.20%	13.93%
	Entertainment	0.67%	0.99%	0.57%
	Fiction	76.76%	85.81%	85.50%
DUNA TV	Cinema Film	40.62%	24.03%	37.02%
	Documentary	15.60%	27.01%	13.88%
	Entertainment	4.61%	4.73%	2.45%
	Factual magazine	11.42%	10.70%	6.35%
	Fiction	27.75%	33.53%	40.30%
Film +	Cinema Film	89.96%	88.13%	90.18%
	Documentary	0.19%	0.19%	0.00%
	Fiction	9.85%	11.69%	9.82%
RTL KLUB	Cinema Film	19.59%	14.64%	15.89%
	Documentary	4.84%	5.77%	5.11%
	Entertainment	6.71%	5.53%	4.60%
	Factual magazine	1.36%	1.23%	1.03%
	Fiction	67.50%	72.84%	73.37%
TV2	Cinema Film	27.36%	14.10%	26.93%
	Documentary	4.59%	1.43%	0.90%
	Entertainment	11.64%	10.01%	13.01%
	Factual magazine	2.00%	7.86%	6.37%
	Fiction	54.42%	66.59%	52.80%

Source: VVA/ Eurodata TV

TV Fiction is dominant genre in three private channels, while Cinema films is the dominant genre in remaining two channels (Duna TV and Film+).

4.1.5. Italy

Our sample consists of 5 channels three public (Rai 1, Rai 2 and Rai 3) and two private channels (Canale 5 and Italia 1). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 114 : Ratio of qualifying to total transmission hours and viewer hours in Italy, 2016

Italy	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Canale 5	45.30%	20.22%	23.31%
Italia 1	71.64%	52.20%	61.70%
Rai 1	64.18%	37.48%	33.90%
Rai 2	78.11%	52.22%	54.14%
Rai 3	53.50%	31.09%	29.53%
Italy Total	62.27%	31.99%	36.79%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is aligned with our sample average (66.02%⁵⁰). Qualifying works are relatively less successful with audience.

Table 115 : Ratio of European qualifying to total qualifying hours and viewer hours in Italy, 2016

Italy	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
Canale 5	78.40%	85.97%	87.89%
Italia 1	12.15%	10.13%	8.87%
Rai 1	98.11%	99.30%	99.33%
Rai 2	63.76%	58.10%	51.43%
Rai 3	94.22%	96.51%	97.02%
Italy Total	64.26%	77.34%	54.04%

Source: VVA/ Eurodata TV

4 out of 5 Italian channels are largely meeting the requirement for 50% European works especially public channels (Rai 1 and Rai 2) and the private channel Canale 5⁵¹. In Italy, European works are on average more successful with All Individuals audience but less with Young Adults audience.

Table 116 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in Italy, 2016

Italy	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
Canale 5	19.65%	18.65%	16.03%
Italia 1	24.22%	24.48%	25.88%
Rai 1	3.85%	1.57%	3.73%
Rai 2	21.60%	25.26%	21.32%
Rai 3	6.70%	2.07%	1.99%
Italy Total	11.99%	9.02%	12.17%

Source: VVA/ Eurodata TV

Non-domestic European works on Italian channels are below the average level in our sample.⁵² Non-domestic works appear to be relatively more successful among Young Adults audience.

⁵⁰ Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

⁵¹ Please refer to annex 3.1 about the specific intra-group requirements foreseen by the Italian legislation.

⁵² total sample average: 16.88%.

Table 117 : Ratio of independent European qualifying to total qualifying hours and viewer hours in Italy, 2016

Italy	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
Canale 5	6.13%	7.05%	6.13%
Italia 1	37.44%	31.02%	28.92%
Rai 1	5.50%	3.65%	3.81%
Rai 2	8.47%	9.73%	9.35%
Rai 3	25.41%	22.90%	17.17%
Italy Total	13.11%	8.38%	8.39%

Source: VVA/ Eurodata TV

3 out of 5 channels are meeting the requirement for 10% Independent works, reaching among the lowest levels in our sample.

Table 118 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in Italy, 2016

Italy	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
Canale 5	22.49%	22.99%	31.06%
Italia 1	10.45%	9.78%	8.85%
Rai 1	50.05%	67.51%	83.48%
Rai 2	53.48%	72.57%	73.91%
Rai 3	76.68%	88.01%	86.47%
Italy Total	56.10%	60.68%	47.43%

Source: VVA/ Eurodata TV

Recent Independent works on Italian channels are below our sample average.⁵³ Recent Independent works are more prominent on public channels (Rai 1, Rai 2 and Rai 3) than in private channels (Canale 5 and Italia 1).

Table 119 : Ratio of qualifying European stock to total qualifying European hours and viewer hours in Italy, 2016

Italy	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
Canale 5	28.98%	23.72%	21.28%
Italia 1	70.97%	66.03%	68.87%
Rai 1	18.92%	14.98%	21.12%
Rai 2	44.88%	46.44%	42.04%
Rai 3	56.52%	57.56%	56.94%
Italy Total	38.54%	27.10%	29.63%

Source: VVA/ Eurodata TV

Table 120 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in Italy, 2016

⁵³ 72.44% of independent European works.

Italy	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
Canale 5	71.02%	76.28%	78.72%
Italia 1	29.03%	33.97%	31.13%
Rai 1	81.08%	85.02%	78.88%
Rai 2	55.12%	53.56%	57.96%
Rai 3	43.48%	42.44%	43.06%
Italy Total	61.46%	72.90%	70.37%

Source: VVA/ Eurodata TV

Table 121 : Genre proportion of total Qualifying hours and viewer hours in Italy, 2016

Italy	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Canale 5	Cinema Film	22.12%	9.70%	9.37%
	Documentary	2.02%	1.27%	1.13%
	Entertainment	27.51%	38.58%	41.98%
	Factual magazine	28.52%	27.10%	27.24%
	Fiction	19.83%	23.35%	20.28%
Italia 1	Cinema Film	29.22%	19.37%	13.13%
	Entertainment	4.93%	4.53%	3.75%
	Factual magazine	0.48%	1.01%	0.93%
	Fiction	65.37%	75.09%	82.19%
Rai 1	Cinema Film	5.12%	1.42%	2.14%
	Documentary	6.05%	5.16%	5.59%
	Entertainment	18.41%	13.88%	13.28%
	Factual magazine	63.15%	73.20%	67.55%
	Fiction	7.27%	6.34%	11.45%
Rai 2	Cinema Film	10.23%	5.28%	5.59%
	Documentary	3.94%	3.49%	2.65%
	Entertainment	11.48%	14.15%	18.50%
	Factual magazine	26.79%	21.32%	17.10%
	Fiction	47.55%	55.76%	56.17%
Rai 3	Cinema Film	12.51%	4.00%	4.48%
	Documentary	40.54%	44.19%	36.73%
	Entertainment	16.69%	8.91%	11.35%
	Factual magazine	24.93%	32.96%	31.80%
	Fiction	5.32%	9.94%	15.64%

Source: VVA/ Eurodata TV

Factual magazine is dominant in two channels (Rai 1 and Canale 5), likewise TV Fiction is dominant in two channels (Rai 2 and Italia 1). Documentary is most prominent genre in Rai 3.

From our two-weeks sample, it results that most of the European works hours aired by Italian channels consists on flow rather than stock (comparison between Table 119 and Table 120).

4.1.6. The Netherlands

Our sample consists of 5 channels three public (NPO 1, NPO 2 and NPO 3) and two private channels (RTL4 and SBS6). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 122 : Ratio of qualifying to total transmission hours and viewer hours in the Netherlands, 2016

Netherlands	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
NPO1	39.87%	20.40%	16.93%
NPO2	82.82%	72.50%	68.24%
NPO3	87.46%	90.42%	92.74%
RTL4	57.74%	37.83%	36.99%
SBS6	48.51%	62.35%	63.42%
Netherlands Total	63.70%	42.41%	46.10%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is aligned with our sample average (66.02%⁵⁴). Qualifying works are relatively less successful with audience.

Table 123 : Ratio of European qualifying to total qualifying hours and viewer hours in the Netherlands, 2016

Netherlands	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
NPO1	100.00%	100.00%	100.00%
NPO2	96.57%	97.49%	97.81%
NPO3	88.78%	89.28%	85.81%
RTL4	89.67%	93.10%	95.04%
SBS6	86.07%	92.57%	91.58%
Netherlands Total	91.98%	93.97%	91.90%

Source: VVA/ Eurodata TV

All Dutch channels are largely meeting the requirement for 50% European works.

Table 124 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in the Netherlands, 2016

Netherlands	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
NPO1	4.89%	3.78%	3.86%
NPO2	7.44%	3.59%	2.89%

⁵⁴ Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

Netherlands	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
NPO3	21.70%	22.03%	27.96%
RTL4	2.69%	2.19%	1.83%
SBS6	20.28%	8.70%	10.56%
Netherlands Total	12.12%	8.07%	12.05%

Source: VVA/ Eurodata TV

Non-domestic European works on Dutch channels are below the average level in our sample.⁵⁵

Table 125 : Ratio of independent European qualifying to total qualifying hours and viewer hours in the Netherlands, 2016

Netherlands	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
NPO1	10.43%	10.42%	11.29%
NPO2	6.14%	7.92%	11.60%
NPO3	28.08%	25.93%	29.37%
RTL4	20.31%	11.77%	12.46%
SBS6	41.81%	29.65%	36.57%
Netherlands Total	20.26%	16.62%	20.88%

Source: VVA/ Eurodata TV

Only 4 out of 5 Dutch channels are meeting the requirement for 10% Independent works. Independent works are more prominent on private channels (RTL4 and SBS6).

Table 126 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in the Netherlands, 2016

Netherlands	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
NPO1	100.00%	100.00%	100.00%
NPO2	94.26%	96.87%	100.00%
NPO3	72.99%	70.91%	74.99%
RTL4	71.90%	73.78%	100.00%
SBS6	88.29%	90.44%	95.32%
Netherlands Total	80.97%	81.61%	87.03%

Source: VVA/ Eurodata TV

Recent Independent works on Dutch channels reach among the highest levels in our sample.

Table 127: Ratio of qualifying European stock to total qualifying European hours and viewer hours in the Netherlands, 2016

Netherlands	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults

⁵⁵ total sample average: 16.88%.

Netherlands	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
NPO1	14.67%	11.86%	12.03%
NPO2	16.86%	11.46%	12.81%
NPO3	52.24%	51.82%	56.97%
RTL4	17.74%	20.64%	20.41%
SBS6	16.41%	12.15%	15.09%
Netherlands Total	26.53%	23.49%	30.88%

Source: VVA/ Eurodata TV

Table 128 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in the Netherlands, 2016

Netherlands	European flow Hours(%)	European flow Viewer Hours(%) All Individuals	European flow Viewer Hours(%) Young Adults
NPO1	85.33%	88.14%	87.97%
NPO2	83.14%	88.54%	87.19%
NPO3	47.76%	48.18%	43.03%
RTL4	82.26%	79.36%	79.59%
SBS6	83.59%	87.85%	84.91%
Netherlands Total	73.47%	76.51%	69.12%

Source: VVA/ Eurodata TV

Table 129: Genre proportion of total Qualifying hours and viewer hours in the Netherlands, 2016

Netherlands	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
NPO1	Documentary	4.10%	2.87%	1.73%
	Entertainment	27.69%	30.77%	33.95%
	Factual magazine	58.75%	58.70%	55.77%
	Fiction	9.46%	7.66%	8.55%
NPO2	Documentary	13.93%	9.31%	12.21%
	Entertainment	40.95%	50.30%	45.36%
	Factual magazine	40.62%	37.34%	40.57%
	Fiction	4.50%	3.04%	1.86%
NPO3	Documentary	3.75%	2.28%	1.93%
	Entertainment	32.71%	41.22%	38.33%
	Factual magazine	16.05%	8.35%	4.26%
	Fiction	47.49%	48.15%	55.48%
RTL4	Documentary	2.43%	1.72%	1.70%
	Entertainment	53.77%	36.23%	32.88%
	Factual magazine	30.78%	45.70%	49.75%
	Fiction	13.02%	16.34%	15.67%
SBS6	Documentary	1.56%	1.79%	1.22%
	Entertainment	62.95%	46.18%	58.24%

Netherlands	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
	Factual magazine	23.41%	45.14%	33.61%
	Fiction	12.09%	6.89%	6.93%

Source: VVA/ Eurodata TV

Entertainment is the dominant genre in the two Dutch private channels (RTL4 and SBS6) and NPO2 (public channel). According to the categorization used in the main report, Entertainment can be either stock or flow according to its repeating value. Considering that European flow hours represent the 73.47% of total European hours in our two-weeks sample and it is the dominant category in 4 out of 5 channels, it is possible to convey that the majority of the TV programs belonging to the genre Entertainment consists of flow.

4.1.7. Poland

Our sample consists of 5 channels two public (TVP1 and TVP2) and three private channels (Polsat, TV4 and TVN). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 130 : Ratio of qualifying to total transmission hours and viewer hours in Poland, 2016

Poland	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Polsat	83.87%	51.78%	57.55%
TV4	77.01%	59.99%	58.58%
TVN	70.31%	52.51%	52.35%
TVP1	62.25%	26.13%	27.52%
TVP2	82.63%	34.29%	36.28%
Poland Total	76.13%	46.99%	51.43%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is above our sample average (66.02%⁵⁶). Qualifying works are relatively less successful with audience.

Table 131 : Ratio of European qualifying to total qualifying hours and viewer hours in Poland, 2016

Poland	European Hours (%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
Polsat	58.48%	80.42%	77.81%
TV4	47.22%	63.18%	66.01%
TVN	78.32%	87.72%	87.33%
TVP1	73.68%	83.82%	83.84%
TVP2	83.69%	91.78%	93.15%
Poland Total	64.75%	81.99%	81.00%

Source: VVA/ Eurodata TV

4 out of 5 Polish channels are largely meeting the requirement for 50% European works especially public channels (TVP1 and TVP2) and the private channel TVN. In Poland, European works are on average more successful with audiences.

⁵⁶ Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

Table 132 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in Poland, 2016

Poland	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
Polsat	0.00%	0.00%	0.00%
TV4	12.18%	5.80%	8.30%
TVN	0.00%	0.00%	0.00%
TVP1	44.14%	37.25%	27.16%
TVP2	10.72%	6.55%	4.99%
Poland Total	8.52%	4.15%	2.41%

Source: VVA/ Eurodata TV

Non-domestic European works on Polish channels are third lowest level in our sample.⁵⁷ This level is driven by the fact that the private channels Polsat and TVN broadcasted only domestic productions.

Table 133 : Ratio of independent European qualifying to total qualifying hours and viewer hours in Poland, 2016

Poland	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
Polsat	50.11%	46.95%	43.40%
TV4	45.03%	34.86%	34.20%
TVN	16.60%	16.52%	18.26%
TVP1	49.43%	42.15%	40.76%
TVP2	14.78%	11.55%	10.36%
Poland Total	33.51%	31.08%	30.18%

Source: VVA/ Eurodata TV

Polish channels are largely above the requirement for 10% Independent works, reaching among the highest levels in our sample.

Table 134 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in Poland, 2016

Poland	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
Polsat	96.70%	99.11%	98.72%
TV4	94.93%	97.94%	97.69%
TVN	12.79%	8.77%	7.71%
TVP1	72.95%	67.15%	67.82%
TVP2	68.35%	80.96%	83.72%
Poland Total	78.74%	78.21%	75.63%

Source: VVA/ Eurodata TV

Recent Independent works on Polish channels are aligned with our sample average.⁵⁸ Recent Independent works are more prominent on private channels (Polsat and TV4) than public channels (TVP1 and TVP2), even though TVN (private channel) displays a very low percentage.

⁵⁷ total sample average: 16.88%.

⁵⁸ Sample average: 72.44% of European independent hours across the 10 Member States under analysis

Table 135 : Ratio of qualifying European stock to total qualifying European hours and viewer hours in Poland, 2016

Poland	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
Polsat	98.31%	96.85%	97.40%
TV4	98.82%	98.18%	98.53%
TVN	62.83%	64.08%	71.15%
TVP1	82.90%	73.20%	76.42%
TVP2	58.23%	57.71%	66.57%
Poland Total	79.99%	79.58%	84.21%

Source: VVA/ Eurodata TV

Table 136 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in Poland, 2016

Poland	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
Polsat	1.69%	3.15%	2.60%
TV4	1.18%	1.82%	1.47%
TVN	37.17%	35.92%	28.85%
TVP1	17.10%	26.80%	23.58%
TVP2	41.77%	42.29%	33.43%
Poland Total	20.01%	20.42%	15.79%

Source: VVA/ Eurodata TV

Table 137 : Genre proportion of total Qualifying hours and viewer hours in Poland, 2016

Poland	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Polsat	Cinema Film	37.29%	17.10%	18.31%
	Entertainment	12.42%	5.13%	4.80%
	Factual magazine	0.99%	2.53%	2.02%
	Fiction	49.30%	75.23%	74.87%
TV4	Cinema Film	31.39%	16.19%	15.60%
	Documentary	6.45%	7.01%	9.52%
	Entertainment	3.64%	3.52%	2.95%
	Factual magazine	0.56%	1.15%	0.97%
	Fiction	57.97%	72.14%	70.96%
TVN	Cinema Film	21.56%	11.71%	12.60%
	Documentary	0.33%	0.40%	0.28%
	Entertainment	10.49%	8.05%	6.85%
	Factual magazine	21.96%	26.55%	21.52%
	Fiction	44.68%	52.89%	58.64%
TVP1	Cinema Film	24.51%	11.27%	11.48%
	Entertainment	10.10%	9.58%	8.73%
	Factual magazine	5.42%	15.34%	13.42%

Poland	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
	Fiction	59.97%	63.81%	66.37%
TVP2	Cinema Film	15.69%	6.96%	5.04%
	Documentary	0.35%	0.70%	0.23%
	Entertainment	7.53%	6.49%	5.41%
	Factual magazine	33.71%	37.35%	30.51%
	Fiction	42.71%	48.50%	58.80%

Source: VVA/ Eurodata TV

TV fiction is the dominant genre in all TV channels.

4.1.8. Romania

Our sample consists of 5 private channels. The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 138 : Ratio of qualifying to total transmission hours and viewer hours in Romania, 2016

Romania	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Antena 1	49.62%	8.80%	9.31%
Kanal D	56.51%	10.54%	9.99%
National TV	59.78%	19.19%	19.93%
Pro TV	46.35%	8.44%	8.55%
TVR1	41.63%	15.79%	17.29%
Romania Total	51.10%	9.80%	9.68%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is the lowest in our sample (sample average 66.02%⁵⁹). Qualifying works are also less successful with audiences.

Table 139 : Ratio of European qualifying to total qualifying hours and viewer hours in Romania, 2016

Romania	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
Antena 1	78.04%	81.93%	80.65%
Kanal D	97.39%	98.56%	98.85%
National TV	43.79%	51.36%	46.98%
Pro TV	67.53%	80.42%	78.30%
TVR1	93.20%	93.20%	94.18%
Romania Total	74.20%	83.01%	81.03%

Source: VVA/ Eurodata TV

4 out of 5 Romanian channels are largely meeting the requirement for 50% European works. In Romania, European works are on average more successful with audiences.

Table 140 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in Romania, 2016

⁵⁹ Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

Romania	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
Antena 1	0.96%	0.61%	0.39%
Kanal D	42.54%	28.84%	25.95%
National TV	20.94%	10.86%	9.86%
Pro TV	1.62%	0.31%	0.29%
TVR1	7.71%	3.68%	2.21%
Romania Total	17.50%	8.09%	7.39%

Source: VVA/ Eurodata TV

Non-domestic European works on Romanian channels are, on average, above the average level in our sample⁶⁰, however it differs a lot: with Kanal D and National TV above the 20% and Antena 1 with less than 1%. In terms of audience hours, they are also less successful.

Table 141 : Ratio of independent European qualifying to total qualifying hours and viewer hours in Romania, 2016

Romania	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
Antena 1	7.91%	3.97%	3.61%
Kanal D	20.62%	12.12%	11.86%
National TV	4.94%	2.25%	3.60%
Pro TV	1.23%	2.18%	1.23%
TVR1	6.88%	2.52%	2.50%
Romania Total	8.26%	3.97%	3.68%

Source: VVA/ Eurodata TV

In Romania, only Kanal D is meeting the requirement for 10% Independent works, reaching among the lowest average levels in our sample. Independent works are less prominent in terms of audience hours.

Table 142 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in Romania, 2016

Romania	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
Antena 1	53.26%	60.42%	46.51%
Kanal D	47.25%	47.47%	37.03%

⁶⁰ total sample average: 16.88%.

Romania	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
National TV	37.99%	33.33%	21.00%
Pro TV	100.00%	100.00%	100.00%
TVR1	69.56%	59.85%	73.53%
Romania Total	51.05%	57.38%	43.95%

Source: VVA/ Eurodata TV

Recent Independent works on Romanian channels are below our sample average⁶¹, exception made for Pro TV which aired 100% of recent independent works in our two-weeks sample.

Table 143 : Ratio of qualifying European stock to total qualifying European hours and viewer hours

Romania	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
Antena 1	100.00%	100.00%	100.00%
Kanal D	97.41%	92.87%	90.34%
National TV	92.64%	98.60%	99.57%
Pro TV	86.79%	70.43%	72.14%
TVR1	46.43%	50.19%	49.12%
Romania Total	86.56%	83.79%	86.91%

Source: VVA/ Eurodata TV

Table 144 : Ratio of qualifying European flow to total qualifying European hours and viewer hours

Romania	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
Antena 1	0.00%	0.00%	0.00%
Kanal D	2.59%	7.13%	9.66%
National TV	7.36%	1.40%	0.43%
Pro TV	13.21%	29.57%	27.86%
TVR1	53.57%	49.81%	50.88%
Romania Total	13.44%	16.21%	13.09%

Source: VVA/ Eurodata TV

Table 145: Genre proportion of total Qualifying hours and viewer hours in Romania, 2016

Romania	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Antena 1	Entertainment	79.30%	82.28%	80.54%
	Fiction	20.70%	17.72%	19.46%
Kanal D	Entertainment	51.84%	61.67%	61.85%
	Factual magazine	2.52%	7.03%	9.55%
	Fiction	45.64%	31.31%	28.60%
National TV	Entertainment	22.25%	35.30%	35.23%
	Factual magazine	3.22%	0.72%	0.20%
	Fiction	74.53%	63.98%	64.57%

⁶¹ 72.44% of independent European works.

Romania	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Pro TV	Entertainment	46.90%	48.38%	47.11%
	Factual magazine	8.92%	23.78%	21.81%
	Fiction	44.18%	27.84%	31.07%
TVR1	Documentary	21.62%	21.04%	21.05%
	Entertainment	24.45%	30.07%	31.16%
	Factual magazine	46.54%	43.47%	44.04%
	Fiction	7.39%	5.42%	3.74%

Source: VVA/ Eurodata TV

In 3 out of 5 channels, Entertainment is the dominant genre. According to the categorization used in the main report, Entertainment can be either stock or flow according to its repeating value. Considering that European stock hours represent the 86.57% of total European hours in our two-weeks sample, it is possible to convey that the majority of the TV programs belonging to the genre Entertainment consists of stock. Factual magazine is the most relevant genre in TVR, whereas Fiction is the most represented for Kanal D.

4.1.9. Slovenia

Our sample consists of 5 channels two public (Slovenija 1 and Slovenija 2) and three private channels (Kanal A, Planet TV and POP TV). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 146 : Ratio of qualifying to total transmission hours and viewer hours in Slovenia, 2016

Slovenia	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Kanal A	79.34%	66.61%	70.52%
Planet TV	76.32%	63.95%	71.23%
POP TV	80.10%	59.97%	66.74%
Slovenija 1	53.69%	42.41%	39.41%
Slovenija 2	67.04%	29.54%	27.09%
Slovenia Total	73.40%	53.52%	62.40%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is above with our sample average (66.02%⁶²). However, qualifying works are relatively less successful with audiences.

Table 147 : Ratio of European qualifying to total qualifying hours and viewer hours in Slovenia, 2016

Slovenia	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
Kanal A	43.79%	35.63%	35.44%
Planet TV	46.07%	50.78%	49.46%
POP TV	46.08%	51.18%	45.76%
Slovenija 1	93.47%	97.79%	97.09%

⁶² Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

Slovenia	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
Slovenija 2	90.87%	93.90%	96.31%
Slovenia Total	56.39%	61.17%	50.20%

Source: VVA/ Eurodata TV

3 out of 5 Slovenian channels do not meet the requirement of 50% of European works, which is met only by the public channels (Slovenija 1 and Slovenija 2). In Slovenia, European works are on average less successful with Young Adult audience.

Table 148 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in Slovenia, 2016

Slovenia	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
Kanal A	41.34%	69.92%	65.53%
Planet TV	38.12%	33.74%	41.46%
POP TV	18.21%	21.83%	17.60%
Slovenija 1	17.39%	12.04%	18.67%
Slovenija 2	21.87%	28.49%	50.81%
Slovenia Total	27.68%	25.71%	33.85%

Source: VVA/ Eurodata TV

Non-domestic European works on all Slovenian channels are above the average level in our sample⁶³. In terms of audience hours, they are also more successful among Young Adults.

Table 149 : Ratio of independent European qualifying to total qualifying hours and viewer hours in Slovenia, 2016

Slovenia	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
Kanal A	37.37%	33.65%	34.10%
Planet TV	33.18%	40.36%	30.55%
POP TV	28.11%	17.09%	17.29%
Slovenija 1	11.74%	7.74%	17.36%
Slovenija 2	14.29%	17.17%	26.08%
Slovenia Total	25.25%	19.54%	24.27%

Source: VVA/ Eurodata TV

All Slovenian channels are largely above the requirement for 10% Independent works, and are aligned with the average value in our sample (25.62%).

Table 150 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in Slovenia, 2016

Slovenia	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
Kanal A	83.21%	80.31%	62.29%
Planet TV	100.00%	100.00%	100.00%

⁶³ total sample average: 16.88%.

Slovenia	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
POP TV	94.00%	94.18%	98.32%
Slovenija 1	90.85%	86.26%	77.82%
Slovenija 2	80.27%	73.00%	63.70%
Slovenia Total	90.33%	91.27%	87.89%

Source: VVA/ Eurodata TV

Recent Independent works on Slovenian channels are above our sample average.⁶⁴ Recent Independent works are more prominent on private channels (Kanal A, POP TV and Planet TV) than public channels (Slovenija 1 and Slovenija 2).

Table 151 : Ratio of qualifying European stock to total qualifying European hours and viewer hours in Slovenia, 2016

Slovenia	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
Kanal A	100.00%	100.00%	100.00%
Planet TV	95.09%	99.24%	99.43%
POP TV	98.54%	97.07%	98.44%
Slovenija 1	56.99%	37.90%	72.15%
Slovenija 2	78.08%	82.00%	93.27%
Slovenia Total	86.67%	75.82%	95.36%

Source: VVA/ Eurodata TV

Table 152 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in Slovenia, 2016

Slovenia	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
Kanal A	0.00%	0.00%	0.00%
Planet TV	4.91%	0.76%	0.57%
POP TV	1.46%	2.93%	1.56%
Slovenija 1	43.01%	62.10%	27.85%
Slovenija 2	21.92%	18.00%	6.73%
Slovenia Total	13.33%	24.18%	4.64%

Source: VVA/ Eurodata TV

Table 153 : Genre proportion of total Qualifying hours and viewer hours in Slovenia, 2016

Slovenia	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Kanal A	Cinema Film	40.16%	29.93%	33.24%
	Entertainment	14.86%	5.45%	7.01%
	Fiction	44.98%	64.63%	59.75%
Planet TV	Cinema Film	30.21%	14.59%	13.45%
	Documentary	1.69%	1.20%	3.57%
	Entertainment	21.21%	20.62%	24.70%
	Factual magazine	2.15%	0.28%	0.23%

⁶⁴ Sample average: 72.44% of European independent hours across the 10 Member States under analysis

Slovenia	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
	Fiction	44.75%	63.31%	58.06%
POP TV	Cinema Film	29.50%	15.86%	22.26%
	Documentary	6.31%	6.38%	7.24%
	Entertainment	21.42%	16.30%	12.76%
	Fiction	42.77%	61.46%	57.74%
Slovenija 1	Cinema Film	6.99%	1.04%	1.96%
	Documentary	5.87%	5.65%	8.75%
	Entertainment	41.50%	27.25%	58.51%
	Factual magazine	33.16%	57.33%	18.30%
	Fiction	12.49%	8.73%	12.48%
Slovenija 2	Cinema Film	6.57%	3.73%	2.89%
	Documentary	3.82%	5.19%	3.05%
	Entertainment	49.53%	41.81%	25.34%
	Factual magazine	18.95%	16.18%	6.46%
	Fiction	21.13%	33.09%	62.26%

Source: VVA/ Eurodata TV

TV Fiction represents the dominant genre in the three private channels under analysis (POP TV, Kanal A and Planet TV), whereas the genre Entertainment is the most represented in the two public channels (Slovenija 1 and Slovenija 2). According to the categorization used in the main report, Entertainment can be either stock or flow according to its repeating value. Considering that European stock hours represent the 86.67% of total European hours in our two-weeks sample, it is possible to convey that the majority of the TV programs belonging to the genre Entertainment consists of stock.

4.1.10. Spain

Our sample consists of 5 channels one public (LA1) and four private channels (Antena 3, Cuatro, La Sexta, Telecinco). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 154 : Ratio of qualifying to total transmission hours and viewer hours in Spain, 2016

Spain	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Antena 3	55.97%	68.97%	67.94%
CUATRO	76.08%	60.48%	58.80%
La 1	61.44%	56.26%	56.50%
LA SEXTA	57.15%	41.24%	42.21%
Tele 5	55.91%	45.84%	46.23%
Spain Total	61.12%	56.44%	56.61%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is aligned with our sample average (66.02%⁶⁵). Qualifying works are relatively less successful with audiences.

Table 155 : Ratio of European qualifying to total qualifying hours and viewer hours in Spain, 2016

Spain	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
Antena 3	67.65%	89.82%	87.55%
CUATRO	59.79%	59.88%	57.89%
La 1	93.88%	97.82%	95.81%
LA SEXTA	79.67%	82.69%	79.55%
Tele 5	93.10%	98.14%	98.17%
Spain Total	78.23%	90.52%	88.05%

Source: VVA/ Eurodata TV

All Spanish channels are largely meeting the requirement of 50% of European works. In Spain, European works are on average more successful with audiences.

Table 156 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in Spain, 2016

Spain	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
Antena 3	12.60%	3.30%	2.46%
CUATRO	26.27%	29.55%	33.49%
La 1	25.61%	13.89%	14.39%
LA SEXTA	14.56%	13.04%	15.98%
Tele 5	17.02%	5.00%	3.90%
Spain Total	19.71%	8.37%	7.28%

Source: VVA/ Eurodata TV

Non-domestic European works on Spanish channels are, on average, above the average level in our sample⁶⁶. In terms of audience hours, they are, however, less successful.

Table 157 : Ratio of independent European qualifying to total qualifying hours and viewer hours in Spain, 2016

Spain	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
Antena 3	23.36%	9.54%	7.84%
CUATRO	16.35%	14.51%	15.06%
La 1	27.30%	14.64%	16.14%
LA SEXTA	3.15%	3.15%	1.96%
Tele 5	43.47%	14.34%	11.79%

⁶⁵ Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

⁶⁶ total sample average: 16.88%.

Spain	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
Spain Total	23.80%	11.99%	10.50%

Source: VVA/ Eurodata TV

4 out of 5 Spanish channels are largely above the requirement for 10% Independent works.

Table 158 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in Spain, 2016

Spain	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
Antena 3	74.02%	84.58%	86.39%
CUATRO	91.57%	91.65%	93.19%
La 1	63.59%	59.83%	60.13%
LA SEXTA	100.00%	100.00%	100.00%
Tele 5	68.41%	71.08%	76.89%
Spain Total	71.48%	73.77%	78.27%

Source: VVA/ Eurodata TV

Recent Independent works on Spanish channels are aligned with our sample average⁶⁷, exception made for La Sexta which aired 100% of recent independent works in our two-weeks sample (this result is, however, driven by the fact that the channel La Sexta displays very low percentage of independent hours).

Table 159 : Ratio of qualifying European stock to total qualifying European hours and viewer hours in Spain, 2016

Spain	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
Antena 3	87.17%	29.69%	24.78%
CUATRO	57.47%	65.66%	76.76%
La 1	60.56%	40.78%	44.10%
LA SEXTA	46.09%	31.90%	38.70%
Tele 5	30.23%	19.02%	20.07%
Spain Total	55.27%	31.87%	30.19%

Source: VVA/ Eurodata TV

Table 160 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in Spain, 2016

Spain	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
Antena 3	12.83%	70.31%	75.22%
CUATRO	42.53%	34.34%	23.24%
La 1	39.44%	59.22%	55.90%

⁶⁷ Sample average: 72.44% of European independent hours across the 10 Member States under analysis

Spain	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
LA SEXTA	53.91%	68.10%	61.30%
Tele 5	69.77%	80.98%	79.93%
Spain Total	44.73%	68.13%	69.81%

Source: VVA/ Eurodata TV

Table 161 : Genre proportion of total Qualifying hours and viewer hours in Spain, 2016

Spain	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
Antena 3	Cinema Film	20.77%	4.99%	3.80%
	Documentary	27.35%	14.07%	11.08%
	Entertainment	16.37%	4.41%	4.72%
	Factual magazine	4.01%	61.10%	63.82%
	Fiction	31.49%	15.43%	16.58%
CUATRO	Cinema Film	15.00%	7.85%	8.39%
	Documentary	19.71%	25.43%	24.04%
	Entertainment	8.63%	5.37%	7.59%
	Factual magazine	22.40%	19.34%	10.90%
	Fiction	34.25%	42.02%	49.07%
La 1	Cinema Film	17.00%	6.39%	7.84%
	Documentary	24.19%	16.57%	17.69%
	Entertainment	6.26%	7.11%	7.55%
	Factual magazine	35.03%	55.98%	51.19%
	Fiction	17.53%	13.94%	15.73%
LA SEXTA	Cinema Film	16.23%	12.39%	16.12%
	Documentary	25.37%	14.12%	20.14%
	Entertainment	28.31%	37.52%	22.74%
	Factual magazine	27.49%	33.04%	37.89%
	Fiction	2.60%	2.93%	3.11%
Tele 5	Cinema Film	9.23%	2.72%	2.82%
	Documentary	18.95%	14.41%	14.17%
	Entertainment	11.36%	6.53%	5.45%
	Factual magazine	55.16%	73.23%	73.16%
	Fiction	5.30%	3.11%	4.40%

Source: VVA/ Eurodata TV

Factual magazine is the dominant genre in two channels in Spain (Tele 5 and La1), likewise TV fiction is the most represented for Cuatro and Antena 3. Entertainment is, instead, the dominant for la Sexta.

4.1.11. UK

Our sample consists of 5 channels three public (BBC 1, BBC 2 and Channel 4) and two private channels (Channel 5 and ITV). The sample weeks consists of Week 8 in February 2016 and Week 49 in November 2016.

Table 162 : Ratio of qualifying to total transmission hours and viewer hours in UK, 2016

UK	Qualifying Transmission Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
BBC1	52.55%	60.18%	60.53%
BBC2	85.93%	79.51%	80.36%
Channel 4	77.94%	79.88%	86.76%
Channel 5	93.29%	91.51%	93.85%
ITV (SD+HD)	74.60%	65.02%	71.60%
UK Total	76.87%	68.94%	76.11%

Source: VVA/ Eurodata TV

The average proportion of qualifying works is above our sample average (66.02%⁶⁸). Qualifying works are also relatively less successful with audiences, but the differences are not pronounced.

Table 163 : Ratio of European qualifying to total qualifying hours and viewer hours in UK, 2016

UK	European Hours(%)	European Viewer Hours(%) All Individuals	European Viewer Hours(%) Young Adults
BBC1	92.66%	97.53%	96.40%
BBC2	86.75%	88.39%	88.87%
Channel 4	63.75%	66.60%	60.24%
Channel 5	60.62%	53.36%	55.05%
ITV (SD+HD)	90.48%	96.89%	96.20%
UK Total	77.04%	85.97%	78.98%

Source: VVA/ Eurodata TV

All UK channels are largely meeting the requirement of 50% of European works. In UK, European works are on average more successful with audiences.

Table 164 : Ratio of non-domestic qualifying European to total qualifying hours and viewer hours in UK, 2016

UK	Non-Domestic European Hours(%)	Non-Domestic European Viewer Hours(%) All Individuals	Non-Domestic European Viewer Hours(%) Young Adults
BBC1	3.74%	2.04%	2.85%

⁶⁸ Including the sample of all 10 Member States and TV channels used in Content Analysis. Please refer to the main report for more information.

BBC2	2.04%	1.60%	1.62%
Channel 4	1.70%	1.21%	1.25%
Channel 5	2.47%	1.85%	1.40%
ITV (SD+HD)	0.34%	0.19%	0.38%
UK Total	2.03%	1.35%	1.40%

Source: VVA/ Eurodata TV

Non-domestic European works on UK channels are well below the average level in our sample⁶⁹. This result is also confirmed by a 2015 EAO study⁷⁰ where it was found that European programming is extremely low and more inclined to be based on mixed co-productions (which essentially could also include British/ non-European co-productions). The study concludes that “if it’s European, then it must be British” (EAO, 2015c).

Table 165 : Ratio of independent European qualifying to total qualifying hours and viewer hours in UK, 2016

UK	Independent Hours(%)	Independent Viewer Hours(%) All Individuals	Independent Viewer Hours(%) Young Adults
BBC1	29.92%	27.58%	26.25%
BBC2	23.94%	23.14%	29.73%
Channel 4	65.94%	65.28%	68.81%
Channel 5	43.35%	40.53%	42.54%
ITV (SD+HD)	19.95%	15.09%	15.92%
UK Total	35.11%	27.91%	31.11%

Source: VVA/ Eurodata TV

UK channels are largely above the requirement for 10% Independent works, reaching among the highest levels in our sample. Independent works are more prominent on public channel Channel 4 and on the private channel Channel 5.

Table 166 : Ratio of recent independent European qualifying to total independent European qualifying hours and viewer hours in UK, 2016

UK	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults

⁶⁹Total sample average: 16.88%.

⁷⁰EAO (2015c) “European fiction works on TV channels”. Available at: <http://www.obs.coe.int/documents/205595/264625/OBS+-+REFIT+-+Note+A.3+Origin+of+programming.pdf/70d5ac88-4a59-460f-a7ab-157f50594e7c>

UK	Recent Independent Hours(%)	Recent Independent Viewer Hours(%) All Individuals	Recent Independent Viewer Hours(%) Young Adults
BBC1	87.47%	86.73%	88.02%
BBC2	66.08%	77.97%	84.82%
Channel 4	93.03%	91.65%	90.26%
Channel 5	63.61%	77.37%	85.34%
ITV (SD+HD)	79.03%	84.91%	91.88%
UK Total	78.69%	85.31%	88.50%

Source: VVA/ Eurodata TV

Recent Independent works on UK channels are aligned with our sample average.⁷¹ Recent Independent works are more prominent in terms of audience hours for every channel.

Table 167 : Ratio of qualifying European stock to total qualifying European hours and viewer hours in UK, 2016

UK	European Stock Hours(%)	European Stock Viewer Hours(%) All Individuals	European Stock Viewer Hours(%) Young Adults
BBC1	70.52%	69.30%	72.09%
BBC2	60.23%	75.40%	76.76%
Channel 4	93.09%	90.54%	88.54%
Channel 5	68.70%	92.88%	95.15%
ITV (SD+HD)	39.51%	45.79%	40.85%
UK Total	65.17%	67.12%	67.29%

Source: VVA/ Eurodata TV

Table 168 : Ratio of qualifying European flow to total qualifying European hours and viewer hours in UK, 2016

UK	European Flow Hours(%)	European Flow Viewer Hours(%) All Individuals	European Flow Viewer Hours(%) Young Adults
BBC1	29.48%	30.70%	27.91%
BBC2	39.77%	24.60%	23.24%
Channel 4	6.91%	9.46%	11.46%
Channel 5	31.30%	7.12%	4.85%
ITV (SD+HD)	60.49%	54.21%	59.15%
UK Total	34.83%	32.88%	32.71%

Source: VVA/ Eurodata TV

Table 169 : Genre proportion of total Qualifying hours and viewer hours in UK, 2016

UK	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
BBC1	Cinema Films	8.74%	1.90%	2.96%
	Documentary	37.68%	35.22%	30.94%
	Entertainment	17.40%	20.91%	25.93%
	Factual magazine	20.15%	22.91%	19.20%

⁷¹ Sample average: 72.44% of European independent hours across the 10 Member States under analysis

UK	Genre	Qualifying Hours(%)	Qualifying Viewer Hours(%) All Individuals	Qualifying Viewer Hours(%) Young Adults
	Fiction	16.03%	19.06%	20.96%
BBC2	Cinema Films	9.93%	5.15%	3.87%
	Documentary	56.60%	59.17%	65.97%
	Entertainment	5.44%	9.08%	7.93%
	Factual magazine	18.87%	13.82%	13.38%
	Fiction	9.16%	12.78%	8.86%
Channel 4	Cinema Films	11.37%	5.01%	4.90%
	Documentary	57.78%	54.37%	42.99%
	Entertainment	5.73%	6.78%	9.06%
	Factual magazine	1.65%	2.84%	2.55%
	Fiction	23.47%	31.01%	40.50%
Channel 5	Cinema Films	12.18%	6.27%	3.98%
	Documentary	28.80%	16.08%	9.68%
	Entertainment	25.68%	14.90%	12.12%
	Factual magazine	0.75%	0.44%	0.80%
	Fiction	32.59%	62.31%	73.43%
ITV (SD+HD)	Cinema Films	6.15%	1.63%	1.44%
	Documentary	6.98%	4.63%	2.90%
	Entertainment	46.84%	54.68%	57.24%
	Factual magazine	26.16%	20.74%	21.60%
	Fiction	13.87%	18.31%	16.81%

Source: VVA/ Eurodata TV

Documentary is the dominant genre among public channels in the UK, whereas TV fiction is the most represented in Channel 5 and Entertainment is the most represented in ITV.

4.2. Non-linear service providers

4.2.1. France

Our non-linear sample consists of 9 services:

- PLUZZ and TF1 Video Replay, two catch-up services operated by public and private broadcasters France Télévisions and TF1 (data sampled in April 2017);
- CANAL PLAY (data sampled in October 2016), MyTF1video (data sampled in May 2017), two video-on-demand services operated by private broadcasters;
- Orange VOD (data sampled in May 2017) operated by a Telco company;
- Netflix, Wuaki and i-TUNES (data sampled in October 2016), three independent non-linear service providers.

Table 170 : Ratio of European to total catalogue hours and titles and European qualifying to total qualifying hours and titles in France, 2016 - 2017

France	European Hours (%) to total catalogue	European Titles (%) to total catalogue	European Hours (%) to qualifying catalogue	European Titles (%) to qualifying catalogue
Canalplay	48.91%	48.86%	48.91%	48.86%

France	European Hours (%) to total catalogue	European Titles (%) to total catalogue	European Hours (%) to qualifying catalogue	European Titles (%) to qualifying catalogue
iTunes	42.34%	42.57%	42.34%	42.57%
MyTF1VOD	40.63%	42.00%	40.63%	42.00%
Netflix	23.59%	25.71%	23.64%	25.79%
Orange VOD	62.75%	64.57%	62.75%	64.57%
Pluzz	76.86%	75.00%	88.08%	89.08%
TF1 Video Replay	59.87%	67.82%	73.32%	74.84%
Univercine	72.15%	73.14%	72.15%	73.14%
Wuaki	32.39%	32.86%	32.39%	32.86%

Source: VVA/JustWatch/EAO

All the non-linear service providers are largely meeting the requirement for 20% European works in the catalogue both in terms of titles and in terms of hours.

Table 171 : Genre proportion of total European qualifying hours and titles in France, 2016 - 2017

France	Genre	European Hours (%) to qualifying catalogue	European Titles (%) to qualifying catalogue
Canalplay	Cinema film	43.65%	43.17%
	Documentary	85.45%	81.82%
	Entertainment	67.77%	74.19%
	Fiction	70.13%	63.33%
iTunes	Cinema film	41.72%	42.19%
	Documentary	63.25%	56.00%
	Fiction	0.00%	0.00%
MyTF1VOD	Cinema film	39.76%	41.06%
	Documentary	84.79%	83.33%
	Entertainment	100.00%	100.00%
	Fiction	48.78%	50.00%
Netflix	Cinema film	30.26%	33.33%
	Documentary	28.64%	32.39%
	Entertainment	38.39%	37.50%
	Factual magazine	100.00%	100.00%
	Fiction	36.38%	35.29%
Orange VOD	Cinema film	60.79%	61.95%
	Documentary	93.43%	93.33%
	Entertainment	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	70.67%	60.00%
Pluzz	Documentary	96.96%	100.00%
	Entertainment	100.00%	97.30%
	Factual magazine	100.00%	100.00%
	Fiction	63.48%	74.14%
TF1 Video Replay	Documentary	100.00%	100.00%

France	Genre	European Hours (%) to qualifying catalogue	European Titles (%) to qualifying catalogue
	Entertainment	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	54.56%	61.44%
Univercine	Cinema Film	71.01%	71.84%
	Documentary	84.48%	84.85%
	Fiction	100.00%	100.00%
Wuaki	Cinema Film	33.09%	33.84%
	Documentary	21.14%	23.08%
	Entertainment	97.01%	50.00%
	Fiction	0.00%	0.00%

Source: VVA/JustWatch/EAO

4.2.2. Germany

Our non-linear sample consists of 9 services:

- ARD, ZDF and TV Now, three catch-up services operated by public and private broadcasters ARD, ZDF and RTL (data sampled in April 2017);
- Maxdome, a video-on-demand service operated by private broadcaster (data sampled in May 2017);
- Amazon Prime (data sampled in May 2017), Netflix, Wuaki, Chili and i-TUNES (data sampled in October 2016), five independent non-linear service providers.

Table 172 : Ratio of European to total catalogue hours and titles and European qualifying to total qualifying hours and titles in Germany, 2016 - 2017

Germany	European Hours(%) to total catalogue	European Titles(%) to total catalogue	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
Amazon Prime	15.62%	13.43%	17.40%	14.07%
ARD	91.59%	92.86%	100.00%	100.00%
Chili	15.23%	15.67%	15.23%	15.67%
iTunes	39.67%	41.03%	39.67%	41.03%
Maxdome	43.97%	46.29%	43.97%	46.29%
Netflix	17.61%	17.95%	17.61%	17.95%
TV Now	97.04%	97.14%	98.47%	98.49%
Wuaki	30.18%	31.14%	30.18%	31.14%
ZDF	93.37%	91.71%	99.53%	98.47%

Source: VVA/JustWatch/EAO

3 out of 9 non-linear service providers are not meeting the requirement for 20% European works in the catalogue neither in terms of titles nor in terms of hours.

Table 173 : Genre proportion of total European qualifying hours and titles in Germany, 2016 - 2017

Germany	Genre	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue

Germany	Genre	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
Amazon Prime	Cinema film	17.92%	18.25%
	Documentary	14.00%	10.49%
	Entertainment	39.61%	22.73%
	Fiction	0.00%	0.00%
ARD	Documentary	100.00%	100.00%
	Entertainment	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	100.00%	100.00%
Chili	Cinema film	14.17%	14.37%
	Documentary	39.56%	44.44%
	Fiction	41.83%	37.50%
iTunes	Cinema film	40.27%	41.64%
	Documentary	35.28%	38.10%
	Fiction	27.03%	30.77%
Maxdome	Cinema film	35.00%	37.77%
	Documentary	80.41%	80.00%
	Entertainment	51.39%	50.00%
	Fiction	81.28%	80.95%
Netflix	Cinema film	17.81%	17.41%
	Documentary	11.02%	10.20%
	Entertainment	35.71%	25.00%
	Factual magazine	100.00%	100.00%
	Fiction	29.53%	33.33%
TV Now	Documentary	100.00%	100.00%
	Entertainment	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	95.80%	96.18%
Wuaki	Cinema film	29.09%	29.48%
	Documentary	71.03%	66.67%
	Fiction	34.33%	44.44%
ZDF	Cinema film	0.00%	0.00%
	Documentary	100.00%	100.00%
	Entertainment	98.61%	99.05%
	Factual magazine	100.00%	100.00%
	Fiction	100.00%	100.00%

Source: VVA/JustWatch/EAO

4.2.3. Italy

Our non-linear sample consists of 9 services:

- Rai Replay and Video Mediaset, two catch-up services operated by public and private broadcasters Rai and Mediaset(data sampled in April 2017);
- Mediaset Premium and NowTV, a video-on-demand service operated by private broadcaster (data sampled in May 2017);

- Timvision (data sampled in May 2017) operated by a Telco company;
- Netflix, Wuaki, Chili and i-TUNES (data sampled in October 2016), five independent non-linear service providers.

Table 174 : Ratio of European to total catalogue hours and titles and European qualifying to total qualifying hours and titles in Italy, 2016 - 2017

Italy	European Hours(%) to total catalogue	European Titles(%) to total catalogue	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
Chili	36.74%	38.29%	36.74%	38.29%
iTunes	32.28%	34.00%	32.28%	34.00%
Mediaset Premium	47.05%	51.14%	47.05%	51.14%
Netflix	19.20%	19.20%	19.20%	19.20%
NowTV	33.97%	38.46%	33.97%	38.46%
Rai Replay	63.74%	68.60%	64.95%	70.03%
Timvision	25.39%	25.43%	25.39%	25.43%
Video Mediaset	94.82%	93.68%	99.26%	98.79%
Wuaki	24.91%	25.43%	24.91%	25.43%

Source: VVA/JustWatch/EAO

1 out of 9 non-linear service providers are not meeting the requirement for 20% European works in the catalogue neither in terms of titles nor in terms of hours.

Table 175 : Genre proportion of total European qualifying hours and titles in Italy, 2016 - 2017

Italy	Genre	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
Chili	Cinema film	37.04%	38.42%
	Documentary	22.69%	25.00%
	Fiction	100.00%	100.00%
iTunes	Cinema film	31.58%	32.86%
	Documentary	36.04%	35.00%
	Entertainment	0.00%	0.00%
	Factual magazine	42.55%	50.00%
	Fiction	38.76%	45.45%
Mediaset Premium	Cinema film	46.36%	48.13%
	Documentary	50.58%	60.00%
	Entertainment	100.00%	100.00%
	Fiction	89.13%	87.50%
Netflix	Cinema film	19.23%	19.53%
	Documentary	26.45%	26.98%
	Fiction	0.00%	0.00%
NowTV	Cinema film	28.17%	32.47%
	Documentary	59.72%	56.14%
	Entertainment	69.94%	72.22%
	Fiction	44.68%	40.00%
Rai Replay	Cinema film	53.88%	53.98%

Italy	Genre	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
	Documentary	90.13%	92.59%
	Entertainment	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	78.83%	78.67%
Timvision	Cinema film	24.89%	24.85%
	Documentary	62.01%	66.67%
	Entertainment	100.00%	100.00%
	Fiction	22.07%	25.00%
Video Mediaset	Documentary	100.00%	100.00%
	Entertainment	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	98.12%	95.91%

Source: VVA/JustWatch/EAO

4.2.4. Poland

Our non-linear sample consists of 6 services:

- TVNPL and Playpuls, two catch-up services operated by public and private broadcasters TVNPL and Telewizja Puls (data sampled in April 2017);
- Ipla, a video-on-demand service operated by private broadcaster, Telewizja Puls (data sampled in October 2016);
- Netflix, Chili and i-TUNES (data sampled in October 2016), four independent non-linear service providers.

Table 176 : Ratio of European to total catalogue hours and titles and European qualifying to total qualifying hours and titles in Poland, 2016 - 2017

Poland	European Hours(%) to total catalogue	European Titles(%) to total catalogue	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
Chili	17.12%	18.00%	17.12%	18.00%
Ipla	49.65%	48.29%	49.65%	48.29%
iTunes	13.87%	14.86%	13.87%	14.86%
Netflix	15.62%	15.71%	15.62%	15.71%
Playpuls	85.92%	91.76%	96.40%	97.66%
TVNPL	97.60%	98.30%	98.81%	99.14%

Source: VVA/JustWatch/EAO

3 out of 6 non-linear service providers are not meeting the requirement for 20% European works in the catalogue neither in terms of titles nor in terms of hours.

Table 177 : Genre proportion of total European qualifying hours and titles in Poland, 2016 - 2017

Poland	Genre	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
Chili	Cinema film	16.31%	17.42%

Poland	Genre	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
	Documentary	64.48%	62.50%
	Fiction	0.00%	0.00%
Ipla	Cinema film	51.27%	50.00%
	Documentary	0.00%	0.00%
	Entertainment	100.00%	100.00%
	Fiction	25.26%	30.77%
iTunes	Entertainment	100.00%	100.00%
	Cinema Film	13.45%	13.71%
	Documentary	18.10%	22.50%
	Fiction	1.95%	11.11%
Netflix	Cinema film	15.82%	16.19%
	Documentary	15.61%	13.16%
	Entertainment	8.29%	12.50%
	Fiction	31.11%	20.00%
Playpuls	Documentary	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	68.79%	77.78%
TVNPL	Documentary	100.00%	100.00%
	Entertainment	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	97.36%	97.60%

Source: VVA/JustWatch/EAO

4.2.5. Spain

Our non-linear sample consists of 7 services:

- Atresmedia and Canal Sur, two catch-up services operated by a private and a public broadcaster, Antena 3 and Canal Sur (data sampled in April 2017);
- Atresplayer (data sampled in May 2017), a video-on-demand service operated by private broadcasters, Antena 3;
- Movistar+ (data sampled in May 2017) operated by a Telco company, Telefónica;
- Netflix, Wuaki and i-TUNES (data sampled in October 2016), three independent non-linear service providers.

Table 178 : Ratio of European to total catalogue hours and titles and European qualifying to total qualifying hours and titles in Spain, 2016 - 2017

Spain	European Hours(%) to total catalogue	European Titles(%) to total catalogue	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
Atresmedia	85.70%	83.14%	89.34%	88.34%
Atresplayer	34.49%	36.14%	34.49%	36.14%
Canal Sur	96.72%	96.53%	96.60%	96.43%
iTunes	22.05%	23.14%	22.05%	23.14%

Spain	European Hours(%) to total catalogue	European Titles(%) to total catalogue	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
Movistar+	39.52%	41.71%	39.52%	41.71%
Netflix	20.45%	20.57%	20.45%	20.57%
Wuaki	27.31%	28.00%	27.31%	28.00%

Source: VVA/JustWatch/EAO

All the non-linear service providers are meeting the requirement for 20% European works in the catalogue both in terms of titles and in terms of hours.

Table 179 : Genre proportion of total European qualifying hours and titles in Germany, 2016 - 2017

Spain	Genre	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
Atresmedia	Documentary	77.89%	81.42%
	Entertainment	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	90.02%	88.00%
Atresplayer	Cinema film	34.11%	35.65%
	Documentary	32.39%	40.00%
	Fiction	56.11%	50.00%
Canal Sur	Documentary	100.00%	100.00%
	Entertainment	100.00%	100.00%
	Factual magazine	100.00%	100.00%
	Fiction	15.74%	14.29%
iTunes	Cinema film	21.31%	22.22%
	Documentary	44.20%	38.89%
	Entertainment	25.51%	50.00%
	Fiction	0.26%	16.67%
Movistar+	Cinema film	39.67%	41.74%
	Documentary	0.00%	0.00%
	Fiction	49.32%	50.00%
Netflix	Cinema film	20.29%	20.58%
	Documentary	23.05%	22.64%
	Fiction	14.46%	15.00%
Wuaki	Cinema film	26.84%	27.60%
	Documentary	56.62%	60.00%
	Fiction	34.54%	25.00%

Source: VVA/JustWatch/EAO

4.2.6. UK

Our non-linear sample consists of 10 services:

- BBCiplayer and ITVHub, two catch-up services operated by public and private broadcasters, BBC and ITV (data sampled in April 2017);

- NowTV and SkyGo (data sampled in May 2017), video-on-demand services operated by private broadcasters, Sky;
- Chili, Shudder (data sampled in May 2017), Microsoft, Netflix, Wuaki and iTunes (data sampled in October 2016), six independent non-linear service providers.

Table 180 : Ratio of European to total catalogue hours and titles and European qualifying to total qualifying hours and titles in UK, 2016 - 2017

UK	European Hours(%) to total catalogue	European Titles(%) to total catalogue	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
BBC iPlayer	73.96%	80.63%	98.07%	98.95%
Chili	7.00%	7.14%	7.00%	7.14%
iTunes	22.29%	23.14%	22.29%	23.14%
ITV Hub	77.38%	70.94%	78.27%	70.53%
Microsoft	15.51%	15.43%	15.56%	15.52%
Netflix	13.96%	14.29%	13.96%	14.29%
NowTV	10.00%	10.29%	10.00%	10.29%
Shudder	26.28%	25.08%	26.28%	25.08%
SkyGo	8.19%	8.57%	8.19%	8.57%
Wuaki	22.28%	22.86%	22.28%	22.86%

Source: VVA/JustWatch/EAO

5 out of 10 non-linear service providers are not meeting the requirement for 20% European works in the catalogue neither in terms of titles nor in terms of hours.

Table 181 : Genre proportion of total European qualifying hours and titles in UK, 2016 - 2017

UK	Genre	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
BBC iPlayer	Cinema film	67.22%	66.67%
	Documentary	100.00%	100.00%
	Entertainment	86.32%	94.12%
	Factual magazine	100.00%	100.00%
	Fiction	100.00%	100.00%
Chili	Cinema film	6.72%	6.81%
	Documentary	15.05%	11.11%
	Fiction	8.49%	11.11%
iTunes	Cinema film	22.01%	23.38%
	Documentary	20.15%	19.61%
	Entertainment	15.77%	14.29%
	Fiction	40.79%	35.71%
ITV Hub	Cinema film	100.00%	100.00%
	Documentary	94.52%	94.74%
	Entertainment	75.65%	73.58%
	Factual magazine	100.00%	100.00%
	Fiction	71.34%	60.99%
Microsoft	Cinema film	13.05%	12.65%
	Documentary	49.78%	52.94%

UK	Genre	European Hours(%) to qualifying catalogue	European Titles(%) to qualifying catalogue
	Entertainment	98.00%	66.67%
	Fiction	75.07%	50.00%
Netflix	Cinema film	13.41%	13.01%
	Documentary	20.00%	20.51%
	Entertainment	0.00%	0.00%
	Fiction	3.13%	9.52%
NowTV	Cinema film	10.66%	11.04%
	Documentary	0.00%	0.00%
	Fiction	0.00%	0.00%
Shudder	Cinema film	26.28%	25.08%
SkyGo	Cinema film	8.47%	8.90%
	Documentary	0.00%	0.00%
	Fiction	0.00%	0.00%
Wuaki	Cinema film	20.74%	21.07%
	Documentary	48.15%	50.00%
	Entertainment	0.00%	0.00%
	Factual magazine	0.00%	0.00%
	Fiction	20.83%	25.00%

Source: VVA/JustWatch/EAO

5. Economic contribution of the Audio-visual sector in the EU - other market considerations

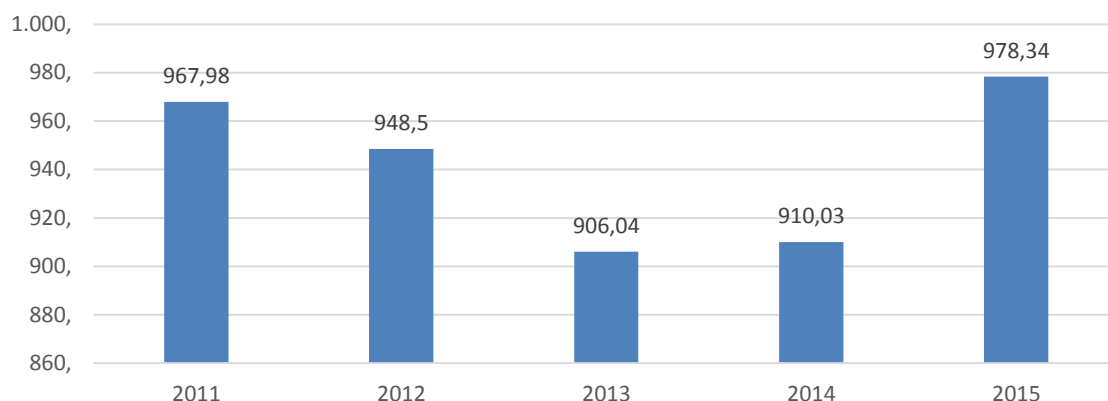
In this section of the study, we present other relevant aspects of audio-visual industry that have not been touched upon in the main report but are deemed to be relevant in order to provide a complete overview of the latest market developments. The chapter divided in additional 3 subsections, each of which present a different topic, namely:

1. Cinema;
2. Rental physical videos;
3. Radio;⁷²

5.1. Cinema

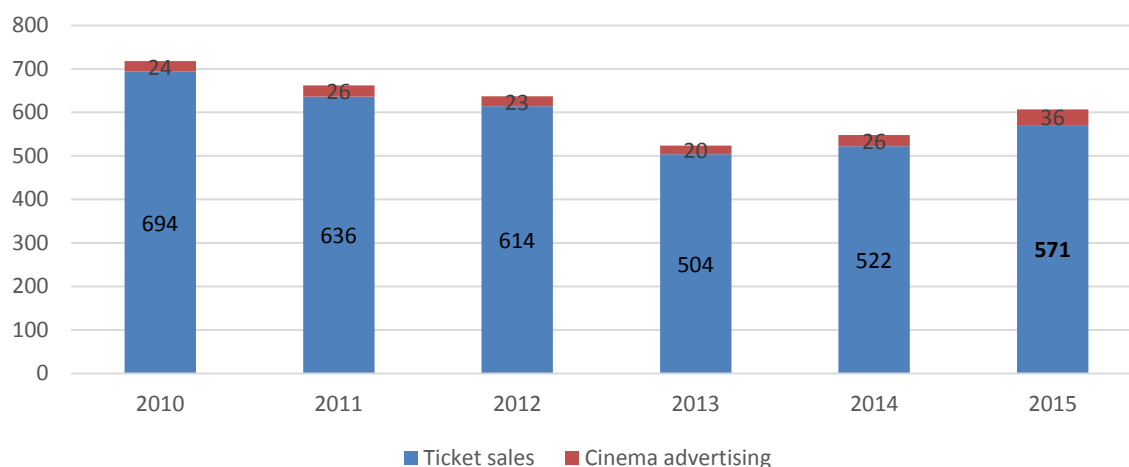
In 2015, 976 million tickets were sold in cinemas across the EU, representing the second highest level registered in the past ten years (European Parliament, 2017), only in 2009, the cinemas in the EU sell marginally more tickets, boosted by Avatar and the novelty factor of 3D (European Parliament, 2017).

⁷² the AVMS Directive doesn't cover activities developed by radio, since radio is sound-only

Figure 5: Number of cinema admissions in EU28 from 2010 to 2015 (in million admissions)

Source: EAO, 2015a

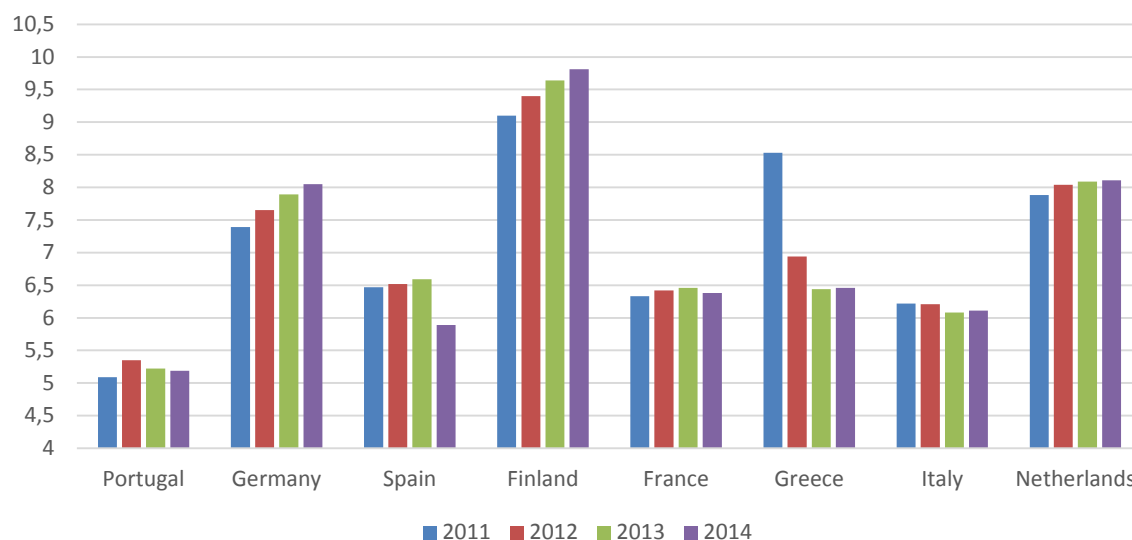
According to data from the EAO, geographically speaking the growth in EU cinema attendance was primarily driven by the strong year-on-year performance of Germany (+17.5 million, +14.4%) and the UK (+14.4 million, +9.2%) followed by Italy (+8.7 million, +8.9%), Spain (+7.1 million, +8.2%) and Poland (+4.2 million, +10.5%).

Figure 6: Revenue of the cinema industry in Spain between 2010 and 2015 (in million euros)

Source: Comisión Nacional de los Mercados y la Competencia, 2016

As presented in Table 15 of the main report, the Cinema gross box-office grew by 0.8% from 2013 and 2014 but experienced a negative CAGR of -0.2% in the period 2010-2014.

According to EAO, it seems likely that the 2015 strong increase in admissions will drive cumulative gross box office takings in the 28 EU member states to a new record level (EAO, 2015a). This would make 2015 the first year since 2009 where gross box-office grows due to a strong increase in admissions, since the growth rates registered between 2009 and 2012 were primarily fuelled by increasing ticket prices which kept box office growing despite falling admissions (EAO, 2015a).

Figure 7: Average cinema ticket price (Euro)

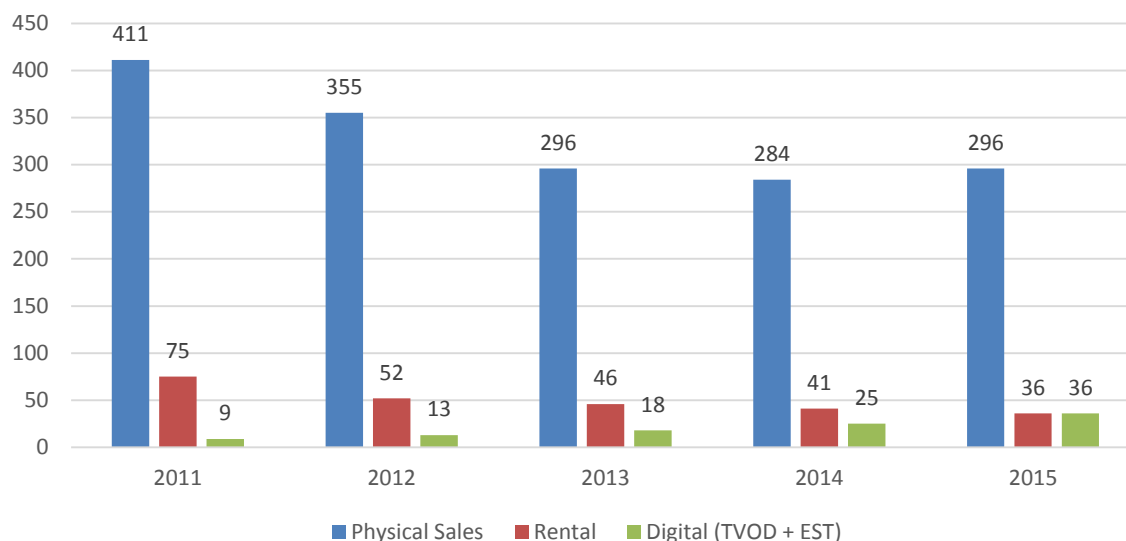
Source: EAO, 2015a

5.2. Rental physical video

As it is possible to notice from “the size of the European AV sector” section in the main report, in 2014 revenues from physical video dropped by -11.7% compared to 2013. The decline is even more evident considering the period 2010-2014 as the revenues experienced a negative CAGR of -9.7%.

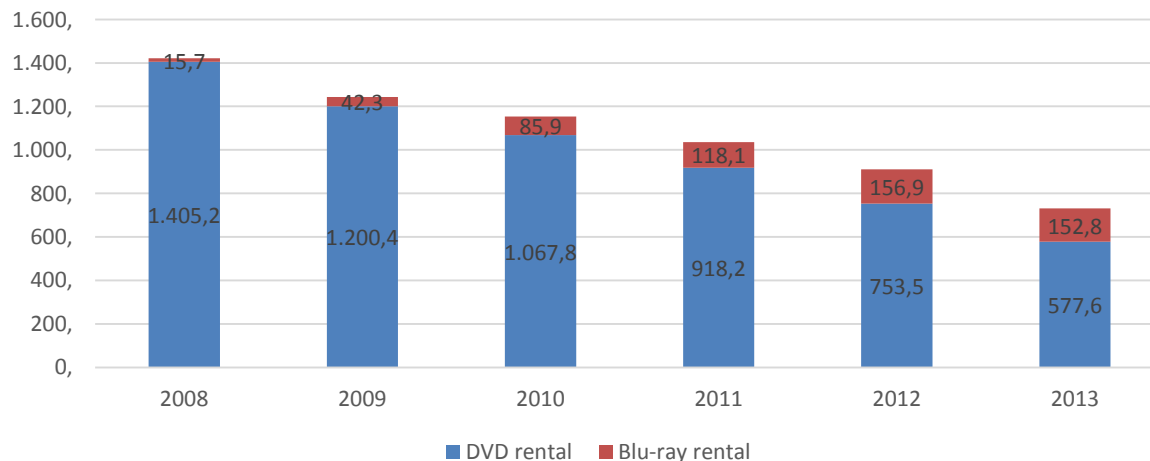
According to data from the EAO, the rental sector shrank by more than half over the last 5 years, down to EUR 547 million in 2014. During the same 5-year period, on-demand film revenues have multiplied almost five-fold, from EUR 110.8 million in 2010 to EUR 524 million in 2014. For instance, Figure 8 shows the consumer spending on AV products in Italy for the period 2011-2015 in million Euro as presented in the *Univideo* report⁷³. As it is possible to notice, the revenues from AV rental shrunk by half in five years and they have been estimated to have reached the same level as revenues from digital sales (i.e. the sum of transaction VOD + EST sales), which in turn increased by four times in the same period.

⁷³ <http://www.univideo.org/download/RapportoUnivideo2016.pdf>

Figure 8: Consumers spending on AV products in Italy, period 2011-2015 (Million Euro)

Source: Univideo, 2016

According to EAO, video on demand services marked the beginning of the end of the DVD and Blue-ray era, the same way DVD had previously sentenced VHS to extinction (EAO, 2015a).

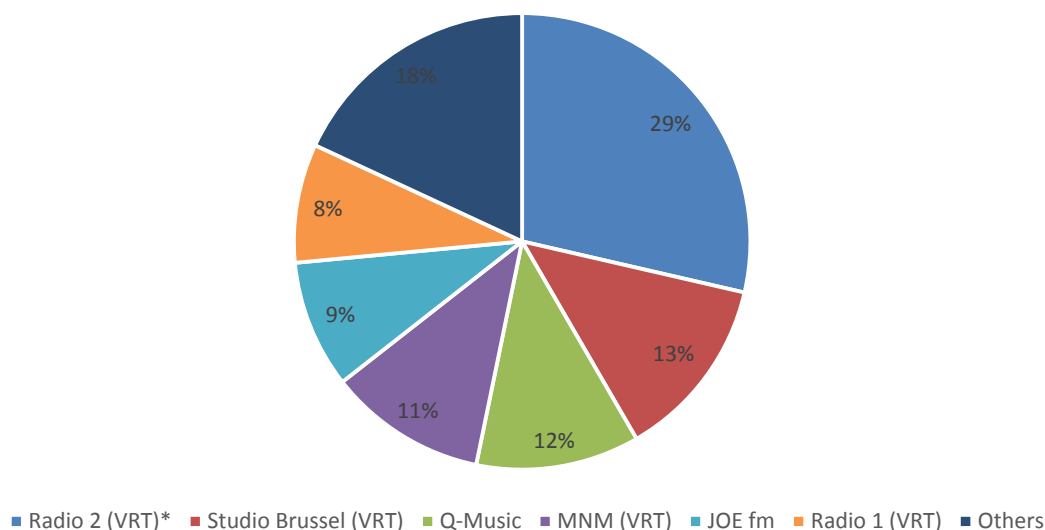
Figure 9: Consumer spending on video rental in Europe from 2008 to 2013, by format (in million euro)

Source: EAO, 2015a

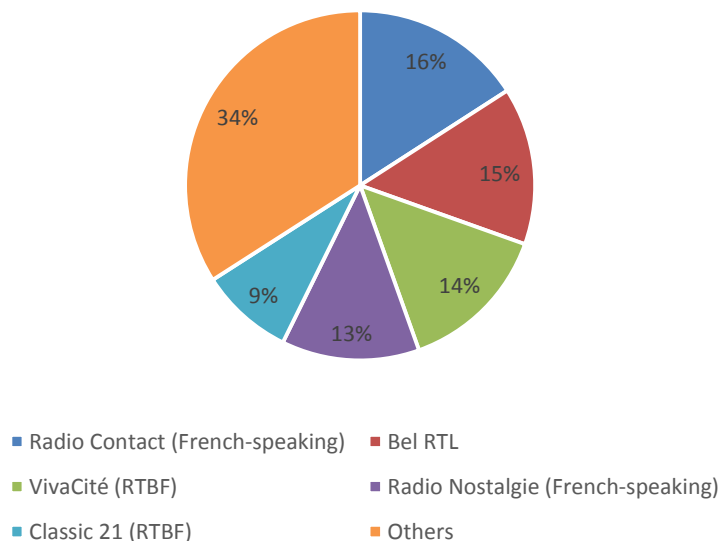
5.3. Radio

The radio industry very different depending on the country one observes. Most countries have both commercial and public service broadcasters, but the size of each varies significantly. For example, in some Member States, commercial radio channels operate without much competition from the country's publicly funded radio (Figure 11, Radio Contact and Bel RTL belong to the RTL Group).

Whereas in others, the publicly funded radio dominates the radio industry. For instance, VRT's (Vlaamse Radio-en Televisieomroep) channels account for the majority of radio listening among the Dutch-speaking Belgian population.

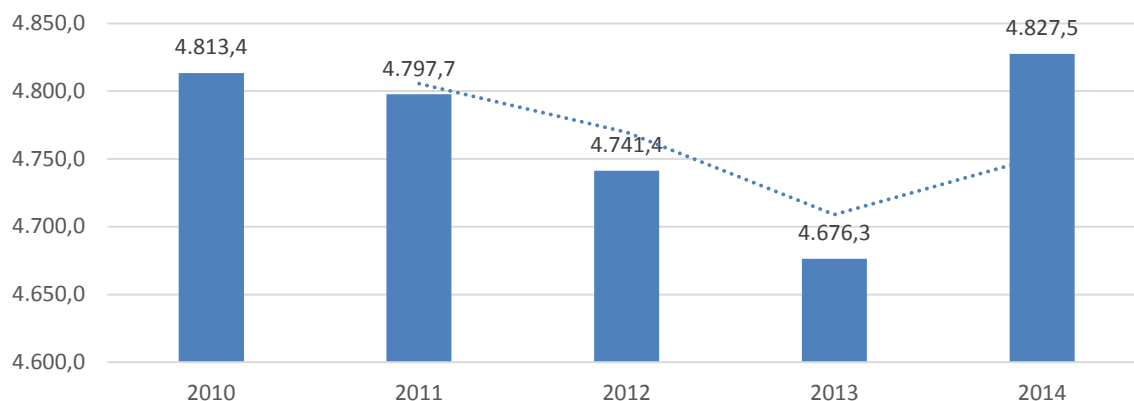
Figure 10: Audience market share Dutch-speaking radio stations in Belgium from September 2016 to December 2016

Source: CIM, 2017

Figure 11: Audience market share French-speaking radio stations in Belgium from April 2016 to June 2016

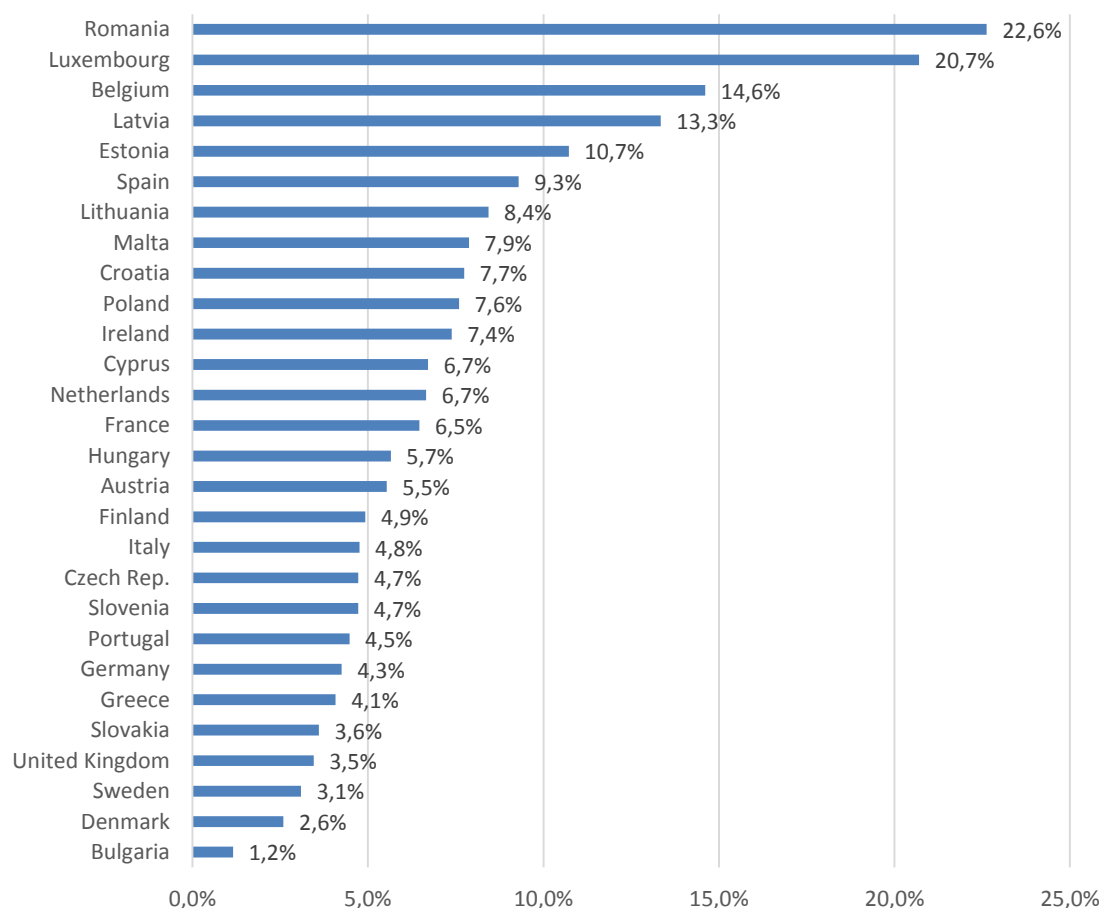
Source: CIM, 2017

Unlike in the USA, pay radio did not develop in Europe. Public radios are usually operated within the same group as television services, but, in more limited cases, by a stand-alone public company (e.g. BNR in Bulgaria, Český rozhlas in the Czech Republic, Deutschlandradio in Germany, Radio France in France, Latvijas Radio in Latvia). Radio therefore derives its revenues from public funding of the radio activities of the public service broadcasters on the one side, and from advertising on the other (EAO, 2015a). After several years of decrease, radio advertising recovered in 2014 (+3.2%) at EUR 4,827 million for the European Union (EAO, 2015a). However, the average annual growth between 2010 and 2014 was only 0.1%.

Figure 12: Radio advertising in EUR million the European Union (2010-2014)

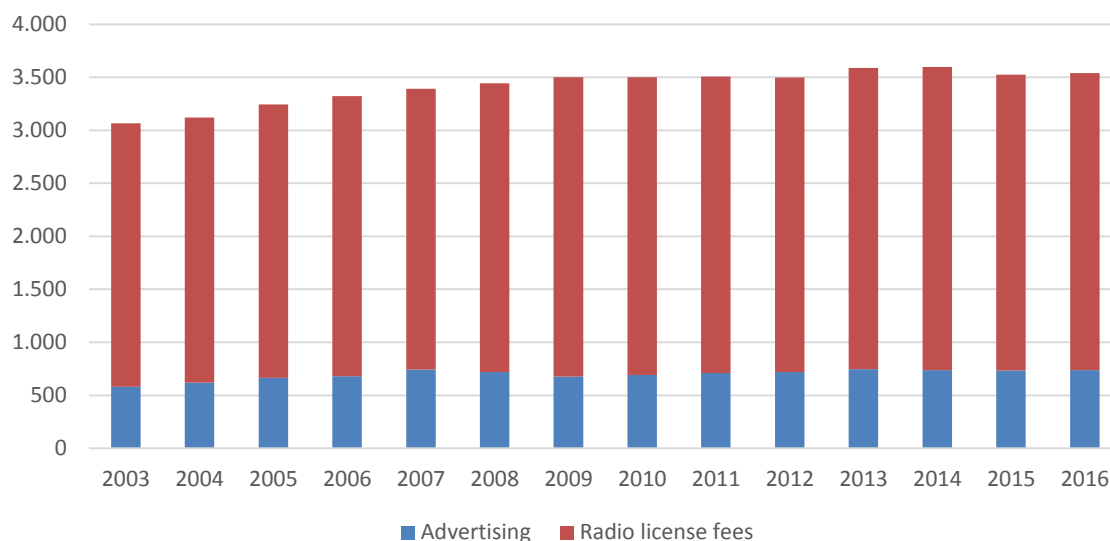
Source: EAO, 2015a

In 2014, the weight of radio as an advertising platform varies widely throughout Europe, from 1.2% in Bulgaria to 22.6% in Romania.

Figure 13: Share of radio in advertising expenses in the European Union (2014) – In %

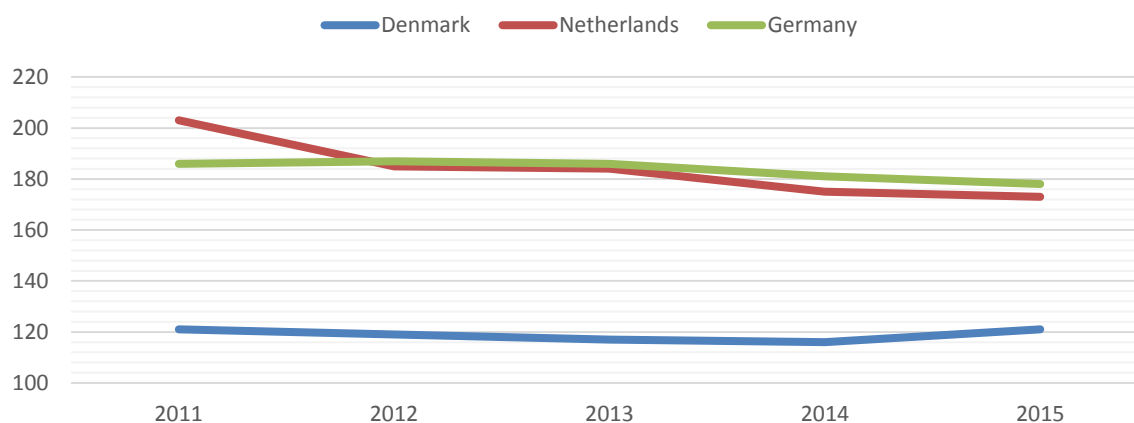
Source: EAO, 2015a

In addition, in most European countries the radio license fees prevail as source of funding on advertisement revenues (Figure 12– Germany example).

Figure 14: Radio market revenue from advertising and license fees in Germany 2003-2015 (in million Euro)

Source: PWC, 2016

According to industry experts, the industry has undergone dramatic change over the last decades because of new technology and at the same time, the radio industry has faced a considerable challenge in keeping up with the changing listening habits of recent years.

Figure 15: Average daily time spent listening to radio in Denmark, the Netherlands and Germany from 2011 to 2015 (in minutes)

Source: Kantar TNS, Mediamonitor NL, Statista

As for other segments of the audio-visual sector, the digital world represents both opportunities and challenges for the radio sector (EAO, 2015). Launching new radio services on the web may complement the offer at a relatively low cost and the podcasts of radio programmes can bring an additional audience (EAO, 2015).

However, the internet also brings new competition for the radio. Streaming music services (e.g. Spotify, Deezer, YouTube, Apple Music) may offer to an extent a similar experience to music radio stations (EAO, 2015).

As stated by the RSPG group back in 2010 “*the future of Radio Broadcasting in Europe is probably digital*”⁷⁴. As content providers can provide more services or a higher-quality signal. Digital links, thanks to the use of data compression, generally have greater spectral efficiency than analogue links.

However, in Europe only Norway has a plan to switch over the analogue system (FM bands) – foreseen for the end of 2017.

EBU has categorized its members according to their implementation of digital radio (DAB+) in their territories as:

- **Digital leaders** are those countries that are at the forefront of the implementation of digital radio according to most of the indicators, including extensive coverage, expanded offer of new services and advanced legislation and regulation including criteria and sometimes dates for the switchover;
- **Digital newbies** are those countries that have recently launched DAB+ services, with exclusive stations but limited coverage (to specific cities or regions) and limited or no commitment from some stakeholders;
- **Digital embracers** include those countries where DAB+ has been launched nationally, with exclusive services (different from analogue broadcasting). Receivers are available in the market, promotion campaigns are run and the penetration is growing (at different paces);
- **Wait-and-see** describes the situation of those countries where regular digital radio services or trials are available but there is nearly no market because of lack of receivers and, generally speaking, lack of commitment from the different stakeholders (this can be seen, for example, in the lack of exclusive services).

Figure 16 provides an overview about the status of their implementation of digital radio among the Member States (where data is available).

Figure 16: Digital Roll Out



Source: EBU, Media Intelligence Service – Digital Radio 2017

According to EBU’s Media Intelligence Service, Denmark is leader in the digital radio implementation accounting for 36% of the total time spent listening to radio in 2017, which was 5% points higher than in the previous year. The Danish Ministry of Culture stated that a possible date for switching off the FM band will only be discussed once

⁷⁴ http://rspg-spectrum.eu/consultations/consultation_futradio/rspg10_349_report_future_radio_broadcasting.pdf

50% of radio listening comes from digital platforms and would take at least two years once that figure has been achieved (EBU, 2017c).

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<http://variety.com/2016/tv/global/u-s-u-k-tv-exporters-australia-1201713741/>

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7. List of interviewees

Name	Organisation
Masa Lampert, Grégoire Polad	ACT Europe
Helen Keefe	BBC player
Olivier Maeterlinck	BEA- Association belge des distributeurs de film
Elena Lai	CEPI TV
Philip Mordecai	Curzon Home Cinema
Jane Miller, Ross Bigam	Discovery Channel
Gekiere Wouter	EBU
Samuel Young	EFADS
Carlos Anton	EGEDA
Yvon Thiec	EUROCINEMA
Christine Eloy	Europa Distribution
Martin Schweighofer	European Film Promotion e.V.
Alexandra Lebrecht	European Producers Club
Jaap Bruijnen	Film Distributor NL
William Page	FilmDoo
Marjan Van Der Harr	Filmproducenten Nederland
Jennifer Bernal	Google
Bertrand Moullier	Independent Film and Television Alliance
Annick Moons	Lumiere
Nikki Vertruyen	Mediaaan
Giovanna Lazzari, Carolina Lorenzon	Mediaset
Gunnar Halley	Microsoft
Petri Kempinnen	Nordisk Film and TV Fond
John McVay	PACT
Alicja Grawon-Jaksik	Polish Audiovisual Producers Chamber of Commerce
Alexandre Pletser	RTBF
Irena Battelino	Telekom Slovenije
Biscardini Daniela	Timvision
Jan Runge	UNIC
Ben Corrale	Viewster

8. Questionnaire for regulatory authorities

Survey to national audiovisual regulators on the implementation of articles 13, 16, 17 of the AVMS Directive

Introduction

Contact Information

1) Name and surname:*

2) Organisation:*

3) Job:*

4) Email address:*

5) Phone number:*

1. Provisions applicable to non-linear (on-demand) services

6) Please indicate the current national legislation implementing Article 13 of the Audiovisual Media Services Directive (2010/13/EU of 10 March 2010).

Relevant legislation (legal reference):*

7) Does the national legislation define what is meant by "on-demand audiovisual media services"?

() Yes

() No

8) If yes, please give a translation of this definition:

Article 13 reporting

9) Article 13 allows the Member States to choose whether the promotion of the production of and access to European works shall be related to the **financial contribution** made by such services to the production and rights acquisition of European works or to the **share** and/or **prominence** of European works in the catalogue of programmes offered by the on-demand audiovisual media service. How is this addressed in the national legislation?

You can tick as many boxes as you need

- ☐ Financial contribution to production (e.g. funding of film)
- ☐ Financial resources used for acquisition of rights
- ☐ Taxes and levies
- ☐ Share in catalogue of the service
- ☐ Culture and/or national identity; distinction between national / non-national European Works
- ☐ Culture and identity of minorities
- ☐ Language requirements
- ☐ Specific provisions for independent productions
- ☐ Regional provisions
- ☐ Prominence of European works on services
- ☐ Other requirements: _____

10) *Have you elaborated any specific prominence tools in your system?*

- ☐ indication of the country of origin in the description of the works in the VoD catalogue
- ☐ Titles searchable on the basis of the origin of works in the catalogue
- ☐ Displaying European works on the front page of the catalogue / in the start-up menu
- ☐ Creation of specific sections dedicated to European works in the catalogue
- ☐ Specific marketing features / recommendation tools related to European works
- ☐ Use of trailers to promote European works / giving special prominence to trailers of European works
- ☐ Other means of giving special prominence to European works in catalogues
- ☐ Promotion of European works in all media (not just in the VoD catalogue itself)
- ☐ Other - please specify: _____

11) *Could you provide data regarding the effect of such prominence tools in terms of their influence on consumption? Give examples regarding the particular ways to measure efficiency: increase of number of views after the use of a particular measure/prominence tool (e.g. the effect of appearance of the work / the trailer on the front page in terms of increased viewing figures). Please provide data in general regarding the consumption of European works in the*

catalogues in relation to the prominence tools applied.

12) Please describe how the imposed financial contribution is re-attributed if the system includes such reattribution (by which organism etc.) or how the financial contribution otherwise reaches the sector. In particular please describe who can benefit from this financial contribution, on which basis and how is it (re)attributed to them.

13) Could you provide data regarding the overall effect of the financial contribution (how much was collected / invested by such players in production overall per year)? If you did not do so already above, if possible, please provide data regarding the consumption of European works in the catalogues.

14) Please provide data regarding the real presence of European works in the catalogues (e.g. in percentages, but if you have such data also regarding the time that the works remain in the catalogues, please share also that data), and if available, data regarding consumption of European works.

15) Please describe any detailed rules in your national system regarding the obligations mentioned in the previous question (including any type of rules (legislative or non-legislative) but also recommendations, guidance, self-regulative measures etc.)

16) "Where practicable"

The Directive states that the Member States shall ensure "where practicable" that media service providers promote the production of and access to European works set by Article 13. How is this reflected in the national legislation?

1.2. Monitoring of on-demand services

17) Is there any process or system foreseen to monitor whether on-demand services fulfil the obligations provided by article 13 of the AVMS Directive?

*

☐ Yes

☐ No

18) If yes, please specify:

frequency of monitoring: _____

responsible body (in-house, independent):

staff and/or budget required: _____

19) Do you foresee any verification mechanism of statistical reports submitted by on-demand service providers*

☐ Yes

☐ No

20) Please specify the resources allocated to the verification of these statistics:*

frequency of monitoring: _____

responsible body (in-house, independent):

staff and/or budget required: _____

21) Is any other type of monitoring system used?*

☐ Yes

☐ No

22) If yes, please specify:*

23) Available sanctions

Are there any sanctions foreseen for not complying with the requirements of the above-mentioned provisions of the AVMS Directive?*

☐ Yes

☐ No

24) Please indicate which sanctions are available:*

☐ Warning

☐ Fines

☐ Restrictions on license

☐ Other (please specify): _____

☐ Relevant legislation (if different from answer to question 2 on implementing measure for article 13 of AVMSD): _____

25) Which of the above-mentioned sanctions for on-demand services have been most effective and why?*

26) Overall, how efficient do you think the three categories of measures are (to promote European Works)? *

Share of European Works in catalogues	0 _____ [] _____ 100 [] No opinion
Obligations related to the use of prominence tools	0 _____ [] _____ 100 [] No opinion
Obligations related to a financial contribution	0 _____ [] _____ 100 [] No opinion

27) How burdensome do you think the three categories of measures are (for VOD operators)? *

Share of European Works in catalogues	0 _____ [] _____ 100 [] No opinion
Obligations related to the use of prominence tools	0 _____ [] _____ 100 [] No opinion
Obligations related to a financial contribution	0 _____ [] _____ 100 [] No opinion

28) Please provide additional details to substantiate your views on the two questions above (optional).

29) On the basis of your experience, do you have any other advice or recommendations you would like to share in relation to efficiently promoting European Works on non-linear services (optional).

2. Provisions applicable to TV Broadcasting (linear services)

30) Please indicate the current national legislation implementing Articles 16 and 17 of the Audiovisual Media Services Directive (2010/13/EU of 10 March 2010).
Relevant legislation (legal reference):*

31) *Has the national legislation implementing Articles 16 and 17 been amended since January 2010?**

☐ Yes

☐ No

Changes in national legislation since 2010

32) *Please describe the main changes introduced:*

33) *Have the requirements of national legislation regarding smaller channels evolved since January 2010?*

☐ Yes

☐ No

34) *Please tell us the relevant legislation and main changes introduced:*

35) *Does the current national legislation define what is meant by an independent producer?*

☐ Yes

☐ No

36) *please identify the elements used in the national definition:*

☐ Limit on ownership by a broadcaster

☐ Limit on supply of programmes to a single broadcaster

☐ Controls of the influence of a broadcaster in the production process

☐ Limit on the period for which programme rights can be assigned

☐ Ownership of secondary rights

☐ Other (please describe): _____

☐ Relevant legislation: : _____

37) *Article 17 allows the Member States to choose if the 10 % requirement for independent works should apply to transmission time or programming budget. How is this addressed in the current national legislation?**

☐ Broadcasters must reserve at least 10% of transmission time

☐ Broadcasters must reserve at least 10% of programming budget

☐ Broadcasters may choose between reserving at least 10% of transmission time or at least 10% of programming budget

☐ Other (please describe): _____

38) "Where practicable"

*The Directive states that the Member States shall ensure "where practicable" that broadcasters reserve the proportions set by Articles 16 and 17. How is this reflected in the current national legislation?**

39) "Total qualifying hours" (relevant transmission time)

Is the definition of "total qualifying hours" in the current national legislation different from the definition in the Directive?

*

☐ Yes

☐ No

40) Please describe the differences:

41) Additional or more detailed requirements

Please identify the areas (if any) in which the current national legislation places additional or more detailed requirements on the amount of European works and works produced by independent producers of European origin than those laid down in Articles 16 and 17 of the Directive:

42) Are there other requirements in addition to those in the Directive, with regard to the promotion of the European works and independent productions on linear services?

*This could include additional provisions on: promotion of language(s); promotion of non-national European works; specific measures of type of content; original production; regional provisions etc.**

☐ Yes

☐ No

43) Please specify:

44) Are the requirements the same for public and private broadcasters? Please provide additional details on any differences.

2.2. Monitoring the application of Articles 16 and 17

45) *Is the monitoring system you use the same for private and public broadcasters? **

☐ Yes

☐ No

46) *Is there any process or system foreseen to monitor how channel broadcast schedules comply with the obligations provided by articles 16 and 17 of the AVMS Directive?*

If you have different rules for public and private broadcasters, please answer in relation to public broadcasters here.

☐ Yes

☐ No

47) *If yes, please specify:*

frequency of monitoring: _____

responsible body (in-house, independent): _____

staff and/or budget required: _____

48) *Do you have any verification mechanism of statistical reports submitted by broadcasters?*

If you have different rules for public and private broadcasters, please answer in relation to public broadcasters here.

☐ Yes

☐ No

49) *Please specify the resources allocated to the verification of these statistics:*

frequency of monitoring: _____

responsible body (in-house, independent): _____

staff and/or budget required: _____

50) *Is any other type of monitoring system used?*

If you have different rules for public and private broadcasters, please answer in relation to public broadcasters here.

☐ Yes

() No

51) If yes, please specify:

52) Available sanctions

*Are there any sanctions foreseen for not complying with the requirements of the above-mentioned provisions of the AVMS Directive?**

If you have different rules for public and private broadcasters, please answer in relation to public broadcasters here.

() Yes

() No

53) Please indicate which sanctions are available:

[] Warning

[] Fines

[] Restrictions on license

[] Other (please specify): _____

[] Relevant legislation (if different from implementing measure for article 16 & 17 of AVMSD):

54) Which of the above-mentioned sanctions for broadcasters have been most effective and why?

Any additional information on the application of sanctions would be much appreciated, e.g. statistics or case studies.

If needed, please liaise via email with us:

Comments:

2.2. Monitoring the application of Articles 16 and 17 (private broadcasters)

55) Is there any process or system foreseen **for private broadcasters** to monitor how channel broadcast schedules comply with the obligations provided by articles 16 and 17 of the AVMS Directive?

() Yes

() No

56) If yes, please specify:

frequency of monitoring: _____

responsible body (in-house, independent):

staff and/or budget required: _____

57) Do you have any verification mechanism of statistical reports submitted by **private** broadcasters?

☐ Yes

☐ No

58) Please specify the resources allocated to the verification of these statistics:

frequency of monitoring: _____

responsible body (in-house, independent): _____

staff and/or budget required: _____

59) Is any other type of monitoring system used (for **private broadcasters**)?

☐ Yes

☐ No

60) If yes, please specify:

61) Available sanctions for **private broadcasters**:

Are there any sanctions foreseen for not complying with the requirements of the above-mentioned provisions of the AVMS Directive?

☐ Yes

☐ No

62) Please indicate which sanctions are available:

☐ Warning

☐ Fines

☐ Restrictions on license

☐ Other (please specify): _____

☐ Relevant legislation (if different from answer on implementing measures for article 16 & 17 of AVMSD):: _____

63) Which of the above-mentioned sanctions for private broadcasters have been most effective and why?

Any additional information on the application of sanctions would be much appreciated, e.g. statistics or case studies.

If needed, please liaise via email with us:

Contribution to film funding

64) Are broadcasters required to finance or broadcast films produced for a theatrical release?

() Yes

() No

65) Please describe the mechanism by which broadcasters are required to make to film funding (please specify any distinction between public and private broadcasters):

66) What was the total amount of this funding (in national currency) ?

For public broadcasters (2013): _____

For public broadcasters (2014): _____

For private broadcasters (2013): _____

For private broadcasters (2014): _____

67) What are the main policy objectives underpinning the requirements to finance film production?

Recommendations and suggestions

68) Do you have any suggestion or recommendation to improve or simplify future monitoring of the requirements of articles 13, 16 and 17 of the Audiovisual Media Services Directive?
If yes, please explain

69) Do you think that sufficient resources are allocated to monitor the compliance by linear and non-linear services to the requirements of Articles 13, 16 and 17 of the Audiovisual Media Services Directive?
If not, please specify and/or make suggestions for improvement

70) Which other requirements or solutions (beyond articles 13,16 and 17 of the current AVMSD) could contribute to the promotion of European works and cultural diversity?

This is a very open question and may include various elements such as national laws, as well as self-regulation, governance and management schemes. The objective is to source new ideas

that would feed in the policy recommendations of this study.

71) Are there any other relevant mechanisms in place in your country that contribute to the objectives of AVMSD for the promotion of the European works (e.g., collective bargaining agreements; social dialogue, initiatives from trade associations)?

Market perspective (optional)

72) In your view, what have been the major trends in the AV media industry in Europe in the last 5 years? Please answer referring to

Rights holders

Production companies (independent and broadcaster linked)

Channel development (TV including free & pay TV; on demand & catch up services)

Distribution via free to air / broadband / Pay TV systems

Audience development and preferences

Please explain

*73) In your view, what are the key strengths and weaknesses of the AV media industry in your country? How does this differ from the rest of Europe?
Please explain:*

*74) In your view, how is the AV media industry likely to develop in the next 5 years in your country? How does this differ from the rest of Europe?
Please explain:*

75) To what extent, do you think the production of audiovisual content relies on the public funding system in your country? How does this differ from the rest of Europe?

Please explain:

76) Which instrument (e.g. subsidies, seed capital, tax credits for the production, tax credit for distribution expenses, exemption from Business Tax, special amortisation and depreciation regimes, special VAT rules) do you consider the most effective to stimulate the audiovisual industry in your country?

Please explain:

77) Which of the following instrument do you consider to be the most popular/effective private source of funds to finance the creation of audiovisual works in your country?

- ☐ In-house financing and production-finance-distribution deals
- ☐ Negative pick-ups
- ☐ Distribution sales or pre-sale of exhibition rights (minimum guarantees)
- ☐ TV pre-sales
- ☐ Debt financing
- ☐ End-user financing
- ☐ Other - Write In: _____

78) Please explain your previous answer:

79) How would you assess the current trends in international co-productions? Which are main co-production forces in your country / in Europe? Why?

Please explain:

80) What are the key factors influencing co-production?

- ☐ Director's background and interests
- ☐ Culture and public references
- ☐ Pooling resources (financial, human and material)
- ☐ Allocation of risks
- ☐ Market expansion (new audience)

[] Possibility to use the systems of subsidies from another country

[] Other - Write In: _____

81) Please explain your previous answer

82) To what extent does European/national support help audience development and co-production of European works?

Please explain:

9. Questionnaire for broadcasters

General questions

1) Which country are you located in?

Programme budget 2016

2) What percentage of your 2016 programme budget did you spend on:

_____ Entertainment

_____ Fiction

_____ Cinema film

_____ Documentaries

_____ Factual magazine programmes

_____ News

_____ Sport (including rights)

_____ Games

_____ Other

3) Please tell us if the percentage of the budget you spend on the programme genres have grown, shrunk or stayed the same over the last five years (2011-2016):

	Grown (+)	shrunk (-)	stayed the same (><)

Entertainment			
Fiction			
Cinema film			
Documentaries			
Factual magazine programmes			
News			
Sport (including rights)			
Games			
Other			

4) Are there any important factors influencing the choice among genres?

☐ Yes

☐ No

Please explain

Commissioned programme (excluding formats)

5) What percentage of your programme budget was spent on each of the following categories of programme in 2016? (Percentage of programme budget per production)

_____ Commissioned programmes produced In-house

_____ Commissioned programmes produced externally by broadcaster-owned or controlled producer

_____ Commissioned programmes produced externally by independent producers

_____ Acquired programmes

6) Please tell us if the percentage of the budget you spend on the following categories of programme has grown, shrunk or stayed the same over the last five years (2011-2016):

	Grown (+)	Shrunk (-)	stayed the same (><)
Commissioned programmes produced In-house			
Commissioned programmes produced externally by broadcaster-owned or controlled producer			
Commissioned programmes produced externally by independent producers			
Acquired programmes			

7) Are there any important factors influencing the balance between in-house and externally commissioned programmes and commissioned and acquired programmes?

Yes/No

☐ Yes

☐ No

Please explain

8) What percentage of your commissioning budget do you commission from the following programme originations?

_____ Other domestic broadcasters

_____ Domestic producers

_____ Broadcasters or producers in another European country

_____ US broadcasters or producers

_____ Broadcasters or producers outside Europe and the US

9) Please tell us if the percentage of the budget you spend on the following programme originations has grown, shrunk or stayed the same over the last five years (2011-2016)

	grown (+)	shrunk (-)	stayed the same (><)
Other domestic broadcasters			
Domestic producers			
Broadcasters or producers in another European country			
US broadcasters or producers			
Broadcasters or producers outside Europe and the US			
Total			

10) Is there any particular genre that you have commissioned in the last 5 years?

Genres

	List of genre
Entertainment	[]

Fiction	[]
Cinema film	[]
Documentaries	[]
Factual magazine programmes	[]
News	[]
Sport (including rights)	[]
Games	[]
Other	[]

Explain

Format

11) What percentage of your 2016 programme budget did you spend on commissioned formats relative to other types of programming?

_____ Programmes produced in-house

_____ Programmes produced externally by another broadcaster or broadcaster-owned or controlled producer

_____ Programmes produced externally by independent producers

12) Which percentage of your format based commissioning budget did you spend on each category of production in 2016

_____ Programmes produced in-house

_____ Programmes produced externally by another broadcaster or broadcaster-owned or controlled producer

_____ Programmes produced externally by independent producers

13) Please tell us if the percentage of the budget of production category has grown, shrunk or stayed the same over the last five years (2011-2016):

	Grown (+)	Shrunk (-)	Stayed the same (><)
Programmes produced in-house			
Programmes produced externally by another broadcaster or broadcaster-owned or controlled producer			
Programmes produced externally by independent producers			

14) Are there any important factors influencing this decision?

Yes/No

☐ Yes

☐ No

Explain

15) What percentage of your commissioning budget for formats do you commission from the format originations?

_____ Other domestic broadcasters

_____ Domestic producers

_____ Broadcasters or producers in another European country

_____ US broadcasters or producers

_____ Broadcasters or producers outside Europe and the US

16) Please tell us if the percentage of the budget you spend on formats on the following format originations has grown, shrunk or stayed the same over the last five years (2011-2016):

	Column 1
Other domestic broadcasters	_____
Domestic producers	_____
Broadcasters or producers in another European country	_____
US broadcasters or producers	_____
Broadcasters or producers outside Europe and the US	_____
Total	_____

Programme acquisitions

17) What percentage of your spending on programme acquisitions was spent on each genre (Percentage of total acquisitions):

_____ Entertainment

_____ Fiction

_____ Cinema film

_____ Documentaries

_____ Factual magazine Programmes

_____ News

_____ Sport (including rights)

_____ Games

_____ Other

18) What percentage of your 2016 budget spent on programme acquisitions was spent on programmes that are less than 5 years old?

	Spend on acquisitions less than 5 years old (%)	Spend on acquisitions more than 5 years old (%)
Total acquired programmes		

19) Is there any particular genre for which recency was an important factor in your acquisition decision?

Genre

☐ Entertainment

☐ Fiction

☐ Cinema film

☐ Documentaries

☐ Factual magazine Programmes

☐ News

☐ Sport (including rights)

☐ Games

Explain

20) What percentage of the ready-made programmes you acquired did you purchase from the following sources?

_____ Other domestic broadcasters

-
- _____ Domestic producers
- _____ Broadcasters or producers in another European country
- _____ US broadcasters or producers
- _____ Broadcasters or producers outside Europe and the US
-

Financing of new programmes

21) In your experience, which are the most important source of financing of new programmes? Rank maximum of three in order of importance. (1 = most important, 2 = second most important, and 3 = third most important).

	Source of funding
Primary broadcaster (that is, your contribution to production)	
Co-production	
Secondary broadcaster (e.g. for pay TV rights)	
Distributor for non-domestic rights	
Advances against merchandising	
Public funding body	
Private funding linked to tax breaks	

New media rights and advances on revenues (other than on-demand)	
On-demand rights and advances on revenues	
Other	

22) In your experience, do the sources of funding change by programme genre?

☐ Yes

☐ No

23) How do the sources of funding change by genre? Rank maximum of three in order of importance (1=most important, 2=second most important, 3= third most important)

	entertainment	fiction	factual magazine	documentary	games	news	sport	films for theatrical release
Primary broadcaster (that is, your contribution to production)								
Co-production								
Secondary broadcaster (e.g. for pay TV)								

rights)								
Distribut or for non- domestic rights								
Advance s against merchan dising								
Public funding body								
Private funding linked to tax breaks								
New media rights and advance s on revenue s (other than on- demand)								
On- demand rights and advance s on revenue s								
Other								

24) Do you want to add any comments or explanation to the answers given above? Are there any important factors influencing the financing of new programmes?

Co-productions

25) Have you "co-produced" programmes (that is, make joint commissioning decisions and fund the production of a new programme) with another party in the last five years (2011-2016)?

☐ yes

☐ no

26) Please tell us the regions where the broadcasters with whom you co-produce are located. Rank the regions according to the highest number of co-productions (1=most important, 2=second most important, 3=third most important)

	Column 1
Domestic	_____
Other European (EU, EEA and other European countries)	_____
Multi-country European co-productions e.g. through EBU	_____
US	_____
Canada	_____
Latin America	_____
Others	_____

27) Please indicate which genres you mainly co-produce:

	genre
Entertainment	[]
Fiction	[]
Cinema film	[]
Documentaries	[]
Factual magazine programmes	[]
News	[]
Sport (including rights)	[]
Games	[]
Other	[]

28) *Are there any important factors influencing co-production?(multiple choice)*

Factors

- [] Director's background and interests
- [] Culture and public references
- [] Pooling resources (financial, human and material)
- [] Allocation of risks
- [] Market expansion
- [] Possibility to use the systems of subsidies from another country
- [] Other

Explain

Rights ownership

29) What exclusive rights do you seek to obtain when you commission programmes from external producers (please tick)?

- ☐ First showing on terrestrial TV in domestic market
- ☐ Repeat showing(s) on terrestrial TV in domestic market
- ☐ Repeat showings on secondary channels in domestic market
- ☐ Internet and/or other new media rights
- ☐ First showing on terrestrial TV in overseas markets
- ☐ Repeat showing(s) on terrestrial TV in overseas markets
- ☐ Repeat showings on secondary channels in overseas markets
- ☐ Ancillary rights in domestic market (licensing, merchandising etc)
- ☐ Ancillary rights in overseas markets
- ☐ Others

30) Does your answer change if you negotiate with independent producers? How do the agreement terms change for other programmes commissioned externally from non-independent producers, for example in terms of the length of agreement of the share of revenue?

Provision of on-demand services

31) Do you have an own on-demand service?

- ☐ Yes
- ☐ No

32) Do you contribute towards a 3rd party on-demand service?

- ☐ Yes
- ☐ No

33) Do you have any user-generated content on your on-demand service?

☐ Yes

☐ No

34) If you own or contribute towards a 3rd party on-demand service, what type of access does it use?

☐ Open access

☐ Closed access

35) What type of programming is offered on the on-demand service?

☐ Catch-up

☐ On-demand TV archive

☐ On-demand specifically produced programmes

☐ Other

36) How is the on-demand service distributed?

☐ Internet

☐ Cable

☐ Satellite

☐ DTT

☐ Mobile

☐ Other

Spend and sourcing of on-demand services

37) How is the on-demand service funded?

	catch-up	on-demand
Advertisement	☐	☐
Electronic Sell Through	☐	☐
Pay per view	☐	☐

Subscription fee	[]	[]
Public subsidy	[]	[]
Other	[]	[]

38) Do you purchase additional rights to programmes to be able to show them on-demand?

	Catch-up	On-demand
Yes, as a stand-alone rights fee	[]	[]
Yes, as an add-on to TV rights fee	[]	[]
No, included in TV rights	[]	[]
Other	[]	[]

39) Are rights fees predominantly fixed or per views/download?if per view, does the supplier ask for a minimum of views guarantee?

	Catch-up	On-demand
Fixed rights fee	[]	[]

Per view/download fee	☐	☐
Minimum view guarantee fee required by supplier	☐	☐
Other	☐	☐

Catch-up services

40) *What is available on your catch-up service?*

- ☐ All of the schedule
- ☐ Domestic programmes and some international programmes
- ☐ Domestic/own productions only
- ☐ Other

41) *What period does your catch-up service window cover?*

- ☐ 7 days
- ☐ 14 days
- ☐ 30 days
- ☐ Other - Write In: _____

42) *What types of programmes are available on your catch-up service?*

- ☐ Own productions
- ☐ National commissions
- ☐ Other commissions
- ☐ Original broadcast acquisitions
- ☐ Archive/library acquisitions
- ☐ Other - Write In: _____

43) *Do you offer any specific genre in your catch-up service?*

- ☐ Entertainment
- ☐ Fiction

- ☐ Cinema film
 - ☐ Documentaries
 - ☐ Factual magazine Programmes
 - ☐ News
 - ☐ Sport
 - ☐ Games
 - ☐ No specific genre offered
 - ☐ Other - Write In: _____
-

On-demand archive services

44) Which of the following genres are offered on the on-demand service?

- ☐ Entertainment
- ☐ Fiction
- ☐ Cinema film
- ☐ Documentaries
- ☐ Factual magazine programmes
- ☐ News
- ☐ Sport
- ☐ Games
- ☐ Other - Write In: _____

45) What types of programmes are available on your on-demand service?

- ☐ Own productions
- ☐ National commissions
- ☐ Other commissions
- ☐ Original broadcast acquisitions
- ☐ Archive/library acquisitions
- ☐ Other - Write In: _____

46) Where do your on-demand programmes originate from? (percentage of the catalogue)

_____ National commissions

_____ European, non-national commissions

- _____ Non-European commissions
 - _____ National acquisitions
 - _____ European, non-national acquisitions
 - _____ Non-European acquisitions
-

Promotion of European works on on-demand services

47) Are you aware that Article 13 of the Audiovisual Media Services Directive requires that "Member States shall ensure that on-demand audiovisual media services provided by media service providers under their jurisdiction promote, where practicable and by appropriate means, the production of and access to European works. Such promotion could relate, inter alia, to the financial contribution made by such services to the production and rights acquisition of European works or to the share and/or prominence of European works in the catalogue of programmes offered by the on-demand audiovisual media service"?

☐ Yes

☐ No

48) Which method do you use to monitor compliance with Art. 13?

Method of monitoring Article 13

☐ Using title-level data (e.g. title name by country of origin) to monitor the proportion of an on-demand catalogue that is European.

☐ Using data on total hours of available content (e.g. total hours of on-demand content, by country of origin) to monitor the proportion of an on-demand catalogue that is European

☐ Using consumption data for number of titles viewed (e.g. how many titles actually viewed, split by country of origin) to monitor the proportion of on-demand catalogue consumption that is European.

☐ Using consumption data for number of hours viewed (e.g. how many hours of on-demand content is actually viewed, split by country of origin) to monitor the proportion of on-demand catalogue consumption that is European.

☐ Monitoring prominence of European titles in the on-demand service (e.g. checking a service to see how clear the nationality of a piece of content is to a user, or how easy it is to search for content by country of origin).

☐ Providing evidence of to the financial contribution to the production and/or rights acquisition of European works.

☐ Other

Explain

49) Do any factors influence decisions to give certain programming prominence about the titles in your catalogue (for example rights cost/minimum view guarantee, consumer taste, legislation etc)?

☐ Yes

☐ No

50) Do you publicise European works on your on-demand service?(For example, do you enable users to search by country of origin or is European content particularly prominent on your on-demand service in any way?)

Yes/No

☐ Yes

☐ No

Explain

51) Do you publicise European works on your catch-up service? (For example, do you enable users to search by country of origin or is European content particularly prominent on your on-demand service in any way?) (if applicable)

☐ Yes

☐ No

Explain

52) Can you estimate the % of European works in your catalogues

On-demand catalogue: _____

catch-up catalogue: _____

Conclusive remarks

53) Would you be willing to participate in a qualitative interview based on the survey?

☐ Yes

☐ No

If yes, please indicate your name, email adress and phone number

54) Do you have any other comments or suggestions for this study?

10. Questionnaire for on-demand service providers

General questions

1) Which country are you located in?

2) Which is your geographic availability?

☐ National

☐ Pan-European

☐ Global

☐ Other

3) Why do you cover specifically these countries/this(these) region(s)?

4) How does the given (national/EU) legislation influence the choice to set up this service in a given territory?

Text

☐ Yes

☐ No

Explain

On-demand services

5) What type of programming is offered on the on-demand service?

	Type
catch-up	[]
On-demand TV archive	[]
On-demand specifically produced programmes	[]
Other	[]

6) What type(s) of on-demand video service(s) do you own?

[] Open access

[] Closed access

7) How is the on-demand service distributed?

	Type
Internet	[]
Cable	[]
Satellite	[]
DTT	[]
Mobile	[]
Other	[]

8) How is the on-demand service funded?

	Funding
Advertisement	[]
Subscription fee	[]
Electronic Sell Through	[]
Pay per view	[]
Public subsidy	[]
Other	[]

9) Why did you decide to choose this model?

10) Are rights fees predominantly fixed or per view/download? If per view, does the supplier ask for a minimum number of views guarantee?

Rights fee structure

	Rights fee structure
Fixed rights fee	[]
Per view/download fee	[]
Minimum view guarantee fee required by supplier	[]

Other	[]

Why did you choose this model?

11) Do you have any user-generated content on your on-demand service?

() Yes

() No

Catch-up service

12) Please estimate the size of the on-demand programmes in your catalogue. (If possible, please indicate both the number of titles and the total hours):

Total number of available titles

Total amount of available hours

13) What period does your catch-up service window cover?

() 7 days

() 14 days

() 30 days

() Other - Write In: _____

14) Please estimate, by genre, the composition of the on-demand programmes in your catalogue:

_____ Entertainment

_____ Fiction

_____ Cinema film

_____ Documentaries

_____ Factual magazine Programmes

_____ News

_____ Sport

_____ Games

_____ Others

15) Please tell us if the percentage on genre has grown, shrunk or stayed the same over the last five years:

	Genre
Entertainment	_____
Fiction	_____
Cinema film	_____
Documentaries	_____
Factual magazine Programmes	_____
News	_____
Sport	_____
Games	_____
Others	_____

16) What types of programmes are available on your catch-up service?

☐ Own productions

☐ National commissions

☐ Other commissions

☐ Original broadcast acquisitions

☐ Archive/library acquisitions

[] Other

17) Where do your programmes originate from?

_____ National commissions

_____ European, non-national commissions

_____ Non-European commissions

_____ National acquisitions

_____ European, non-national acquisitions

_____ Non-European acquisitions

18) Please tell us if these percentages have grown, shrunk or stayed the same over the last five years

	Grown (+)	shrunk (-)	stayed the same (><)
National commissions			
European, non-national commissions			
Non-European commissions			
National acquisitions			
European, non-national acquisitions			
Non-European acquisitions			

VoD

19) Please estimate the size of the on-demand programmes in your catalogue (if possible, please indicate both the number of titles and the total hours)

Total number of available titles:

Total amount of available hours

20) Please estimate, by genre, the composition of the on-demand programmes in your catalogue:

- _____ Entertainment
- _____ Fiction
- _____ Cinema film
- _____ Documentaries
- _____ Factual magazine Programmes
- _____ News
- _____ Sport
- _____ Games
- _____ Others

21) Please tell us if the percentage on genre has grown, shrunk or stayed the same over the last five years:

	Genre
Entertainment	_____

Fiction	_____
Cinema film	_____
Documentaries	_____
Factual magazine Programmes	_____
News	_____
Sport	_____
Games	_____
Others	_____

22) *What types of programmes are available on your service as percentage of your total catalogue? (in percentage)*

_____ Own productions
 _____ National commissions
 _____ Other commissions
 _____ Original broadcast acquisitions
 _____ Archive/library acquisitions
 _____ Other (please specify)

23) *Where do your on-demand programmes originate from? (Percentage of catalogues per programme origination)*

_____ National commissions
 _____ European, non-national commissions
 _____ Non-European commissions
 _____ National acquisitions
 _____ European, non-national acquisitions
 _____ Non-European acquisitions

24) *Please tell us if these percentages have grown, shrunk or stayed the same over the last five*

years

	Grown (+)	shrunk (-)	stayed the same (><)
National commissions			
European, non-national commissions			
Non-European commissions			
National acquisitions			
European, non-national acquisitions			
Non-European acquisitions			

Promotion of European works on on-demand services

25) Are you aware that Article 13 of the Audiovisual Media Services Directive requires that "Member States shall ensure that on-demand audiovisual media services provided by media service providers under their jurisdiction promote, where practicable and by appropriate means, the production of and access to European works. Such promotion could relate, inter alia, to the financial contribution made by such services to the production and rights acquisition of European works or to the share and/or prominence of European works in the catalogue of programmes offered by the on-demand audiovisual media service"?

() Yes

() No

26) Which method do you use to monitor compliance with Art. 13?

Method for monitoring Article 13

	Methods
Using title-level data (e.g. title name by country of origin) to monitor the proportion of an on-demand catalogue that is European.	[]
Using data on total hours of available content (e.g. total hours of on-demand content, by country of origin) to monitor the proportion of an on-demand catalogue that is European	[]
Using consumption data for number of titles viewed (e.g. how many titles actually viewed, split by country of origin) to monitor the proportion of on-demand catalogue consumption that is European.	[]
Using consumption data for number of hours viewed (e.g. how many hours of on-demand content is actually viewed, split by country of origin) to monitor the proportion of on-demand catalogue consumption that is European.	[]
Monitoring prominence of European titles in the on-demand service (e.g. checking a service to see how clear the nationality of a piece of content is to a user, or how easy it is to search for content by country of origin).	[]
Providing evidence of to the financial contribution to the production and/or rights acquisition of European works.	[]
Other	[]
None	[]

Please explain:

27) Do any factors influence decisions to give certain programming prominence about the titles in your catalogue (for example rights cost/ minimum view guarantee, consumer taste, legislation etc)?

☐ Yes

☐ No

Explain

28) Do you publicise European works on your on-demand service? (For example, do you enable users to search by country of origin or is European content particularly prominent on your on-demand service in any way?) (if applicable)

Yes/No

☐ Yes

☐ No

Explain

29) Do you publicise European works on your catch-up service? (For example, do you enable users to search by country of origin or is European content particularly prominent on your on-demand service in any way?) (if applicable)

☐ Yes

☐ No

Explain

30) Can you estimate the % of European works in your catalogues:

% of European works in your on-demand catalogue: (if "on-demand" in 5):

% of European works in your catch-up catalogue:

% of European works in your on-demand catalogue:

31) Would you be willing to participate in a qualitative interview based on the survey? If so, please indicate your name, email address and phone number below.

32) Do you have any other comments or suggestions for this study?

11. Questionnaire for producers

General questions

1) Which country are you located in?

2) What percentage of your 2016 turnover is from:

_____ Option 1

_____ Sales in home market

_____ Sales to other European markets

_____ Sales outside Europe

3) How many people did you employ in 2012, 2014 and 2016?

	2012	2014	2016
employees			

4) In your estimation, has the number of independent production companies in your market grown, shrunk or stayed the same between 2011 and 2016?

Evolution

() Grown

() Shrunk

() Stayed the same

Explain

Making programme

5) What percentage of your 2016 revenue from programme making came from the following genres:

_____ Percentage of total revenue from programme making per programme genre

- _____ Entertainment
- _____ Fiction
- _____ Cinema film
- _____ Documentaries
- _____ Factual magazine programmes
- _____ News
- _____ Sport (including rights)
- _____ Games
- _____ Others

6) Which are the most important source of financing of new programmes? Rank maximum of three in order of importance. (1 = most important, 2 = second most important, and 3 = third most important).

	Source of funding
Primary broadcaster (that is, your contribution to production)	_____
Co-production	_____
Secondary broadcaster (e.g. for pay TV rights)	_____
Distributor for non-domestic rights	_____
Advances against merchandising	_____
Public funding body	_____
Private funding linked	_____

to tax breaks	
New media rights and advances on revenues (other than on-demand)	
On-demand rights and advances on revenues	
Other	

7) In your experience, do the sources of funding change by programme genre?

() Yes

() No

8) How do the sources of funding change by genre? Rank maximum of three in order of importance. (1 = most important, 2 = second most important, and 3 = third most important).

	entertainment	fiction	factual magazine	documentary	games	news	sport	Cinema film	Other
Primary broadcaster (that is, your contribution to production)									
Co-production									
Secondary broadcaster (e.g. for pay TV rights)									

Distribut or for non- domesti c rights									
Advance s against merchan dising									
Public funding body									
Private funding linked to tax breaks									
New media rights and advance s on revenue s (other than on- demand)									
On- demand rights and advance s on revenue s									
Other									

9) Do you want to add any comments or explanation to the answers given above? Are there any important factors influencing the financing of new programmes that we have omitted?

Rights ownership

10) For what period do you assign to a broadcaster the rights to a cinema film it has funded?

	Period (specify years or number of showings)
Primary rights	_____
Secondary rights in the domestic market	_____
Secondary rights in overseas markets	_____
Ancillary rights (licensing, merchandising etc)	_____
On-demand rights	_____
Other new media rights (internet, computer, games, etc...)	_____

11) Does the payment you receive for the rights exceed the value that you could create from them yourself over the same period?

Yes/no

() Yes

() No

Explain

12) Has the price you obtain in exchange for programme rights (i.e. the margin you earn on the rights) grown, shrunk, or stayed about the same over the last five years?

Evolution

☐ Grown

☐ No change

☐ Shrunk

Explain

13) Do you retain more rights to programmes you have produced than you did five years ago?

Programmes rights

☐ Yes, we retain more rights than five years ago

☐ About the same

☐ No, we retain fewer rights than five years ago

Explain

14) Would you like to see a statutory limit on the period that a broadcaster can have exclusive use of primary rights to a cinema film it has funded?

Yes/no

☐ Yes

☐ No

Explain

Trade in programmes

15) Please rank the countries in Europe to which you export (1 = most important, 2 = second most important, and 3 = third most important).

	Countries of exports	1 most important	2 second most important	3 third most important
Austria	[]	[]	[]	[]

Belgium	[]	[]	[]	[]
Bulgaria	[]	[]	[]	[]
Croatia	[]	[]	[]	[]
Cyprus	[]	[]	[]	[]
Czech Republic	[]	[]	[]	[]
Denmark	[]	[]	[]	[]
Estonia	[]	[]	[]	[]
Finland	[]	[]	[]	[]
France	[]	[]	[]	[]
Germany	[]	[]	[]	[]
Greece	[]	[]	[]	[]
Hungary	[]	[]	[]	[]
Ireland	[]	[]	[]	[]
Italy	[]	[]	[]	[]
Latvia	[]	[]	[]	[]
Lithuania	[]	[]	[]	[]
Luxembourg	[]	[]	[]	[]
Malta	[]	[]	[]	[]

Netherlands	[]	[]	[]	[]
Poland	[]	[]	[]	[]
Portugal	[]	[]	[]	[]
Romania	[]	[]	[]	[]
Slovakia	[]	[]	[]	[]
Slovenia	[]	[]	[]	[]
Spain	[]	[]	[]	[]
Sweden	[]	[]	[]	[]
UK	[]	[]	[]	[]
Liechtenstein	[]	[]	[]	[]
Switzerland	[]	[]	[]	[]
Norway	[]	[]	[]	[]
Iceland	[]	[]	[]	[]

16) Please tell us whether the trade in programmes within each genre has grown, shrunk or stayed the same over the last five years:

	Evolution
Entertainment	_____
Fiction	_____

Cinema film	_____
Documentaries	_____
Factual magazine programmes	_____
News	_____
Sport (including rights)	_____
Games	_____
Other	_____

17) *Formats that make successful exports in Europe. Please tell us whether the trade in programmes within each genre has grown, shrunk or stayed the same over the last five years:*

	Evolution
Entertainment	_____
Fiction	_____
Factual magazine programmes (e.g. DIY/makeover)	_____
Factual entertainment/reality	_____
Games	_____
Other	_____

18) Please rank the countries outside Europe to which you export (1 = most important, 2 = second most important, and 3 = third most important).

Countries outside Europe to which you export

	Countries
Country 1	_____
Country 2	_____
Country 3	_____

Ranking

	1 most important	2 second most important	3 third most important
Country 1	()	()	()
Country 2	()	()	()
Country 3	()	()	()

19) Genres that make successful exports outside Europe; Please tell us whether the trade in programmes within each genre has grown, shrunk or stayed the same over the last five years:

	Evolution
Entertainment	_____
Fiction	_____
Cinema film	_____

Documentaries	_____
Factual magazine programmes	_____
News	_____
Sport (including rights)	_____
Games	_____
Other	_____

20) *Formats that make successful exports outside Europe. Please tell us whether the trade in programmes within each genre has grown, shrunk or stayed the same over the last five years.*

	Evolution
Entertainment	_____
Fiction	_____
Factual magazine programmes (e.g. DIY/makeover)	_____
Factual entertainment/reality	_____
Games	_____
Other	_____

21) Do you supply content for on-demand services?

☐ Yes

☐ No

22) Is the content you supply specifically produced for on-demand?

☐ Yes

☐ No

23) How has the on-demand services market evolved for your business in the last 5 years?

☐ Grown

☐ Stayed the same

☐ Shrunk

24) Which of the following genres do you supply to the on-demand service?

	Programme genre
Entertainment	☐
Fiction	☐
Cinema film	☐
Documentaries	☐
Factual magazine programmes	☐
News	☐
Sport (including rights)	☐
Games	☐

Others	[]

25) What proportion of total revenue was generated from on-demand programmes?

_____ Programmes for traditional linear TV

_____ Programmes for catch-up window

_____ Programmes for on-demand services

_____ Other

26) Do you obtain additional rights fees for programmes supplied for on-demand? (checkboxes)

	catch-up	on-demand
Yes, as a stand-alone rights fee		
Yes, as an add-on to TV rights fee		
No, included in TV rights		
Other		

27) Are rights fees predominantly fixed or per view/download? If per view, do you obtain a minimum number of views guarantee? (checkboxes)

	catch-up	on-demand
Fixed rights		

fee		
Per view/download fee		
Minimum view guarantee fee		
Other		

Promotion of European works on on-demand services

28) Are you aware that Article 13 of the Audiovisual Media Services Directive requires that "Member States shall ensure that on-demand audiovisual media services provided by media service providers under their jurisdiction promote, where practicable and by appropriate means, the production of and access to European works. Such promotion could relate, inter alia, to the financial contribution made by such services to the production and rights acquisition of European works or to the share and/or prominence of European works in the catalogue of programmes offered by the on-demand audiovisual media service"?

☐ Yes

☐ No

29) which method do you think is the most suitable to monitor compliance with Art.13?

☐ Using title-level data (e.g. title name by country of origin) to monitor the proportion of an on-demand catalogue that is European

☐ Using data on total hours of available content (e.g. total hours of on-demand content, by country of origin) to monitor the proportion of an on-demand catalogue that is European

☐ Using consumption data for number of titles viewed (e.g. how many titles actually viewed, split by country of origin) to monitor the proportion of on-demand catalogue consumption that is European.

☐ Using consumption data for number of hours viewed (e.g. how many hours of on-demand content is actually viewed, split by country of origin) to monitor the proportion of on-demand catalogue consumption that is European.

☐ Monitoring prominence of European titles in the on-demand service (e.g. checking a service to see how clear the nationality of a piece of content is to a user, or how easy it is to search for content by country of origin).

☐ Providing evidence of the financial contribution to the production and/or rights acquisition of European works

☐ None

☐ Other - Write In: _____

30) In your opinion, do any factors influence decisions to give certain programming prominence

about the titles in catalogue (for example rights cost/minimum view guarantee, consumer taste, legislation etc)?

Yes/no

☐ Yes

☐ No

Explain

31) In your opinion, do non-linear providers publicise European works? (for example, enabling users to search by country of origin or is European content particularly prominent in any way?)

Yes/no

☐ Yes

☐ No

Explain

Conclusive remarks

32) Would you be willing to participate in a qualitative interview based on the survey? If so, please indicate your name, email address and phone number below

33) Do you have any other comments or suggestions for this study?

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