

Copyright: Satellite and Cable Consultation

On August 24th, the European Commission launched a public consultation to assess the existing rules in Directive 93/83/EEC¹ and see if these could be extended to the internet. This Directive sets the rules for part of the licensing of TV and radio programmes on cable and satellite. AER took part in the consultation².

Copyright: Portability draft Regulation

On December 9th, the European Commission published³ a proposal for a Regulation aiming at ensuring that paid-for services should be made “portable” when travelling in Europe for a limited period of time via a legal fiction that the subscriber is still in his / her Member States. In other words, a service that is legally acquired in one Member State should be usable in other EU Member States when travelling. This should also apply to “free-to-air” services, provided identification of the users is possible and assurance that he / she is a resident of the “original” Member State.

Copyright: Roadmap Communication

On December 9th, the European Commission published⁴ a Communication to present its roadmap in this field. The main upcoming initiatives mentioned are the review of the 2001/29/EC Directive (to deal with exceptions and limitations to copyright) and enforcement rules / follow-the-money approach.

Spectrum: World Radio Conference and Wider Spectrum Group event

All through November, the International Telecommunications Union (ITU) held its World Radio Conference. This ended with the great result that the UHF Band would still be pri-

marily assigned to broadcast television at least until 2023⁵.

As a reminder, AER has entered a platform, called the “Wider Spectrum Group”, to defend the exceptions in the Telecom Package (see below) and TV’s access to the UHF band, together with representatives of public radio and TV, network operators, journalists and PMSEs – microphones). Indeed, if TV broadcasting has to move from the UHF band, it might have to use the spectrum dedicated to digital broadcast radio (Band III: 174-230MHz). Besides, TV and radios often share infrastructure. So, if TV cannot use spectrum anymore, radios will have to support alone the costs linked to these infrastructures.

These points were presented by the AER President on October 22nd, at an event⁶ discussing the future of the UHF band and how spectrum is essential for the cultural and creative sector. Other speakers included Pascal Lamy, former EU Commissioner and WTO Director General, and Commissioner for Digital Economy and Society Günther Oettinger.

Telecom Package Consultation

On September 11th, the European Commission launched a public consultation on the evaluation and the review of the regulatory framework for electronic communications networks and services (Telecom Package)⁷. This consultation looked at key aspects for radio’s access to infrastructures: spectrum assignment, must carry radio rules and findability of radio online mainly. Questions touched upon all angles of the EU’s involvement in these issues: need for EU coordination, spectrum management techniques (beauty contests / auctions, spectrum trading, etc.) and possibility to set priority services on minimum internet connections. AER took part in it⁸ and based its reply on the position paper on the Future of Radio as revised in June.

Platforms Consultation

On September 25th, the European Commission launched a public consultation on the Regulatory environment for platforms, online intermediaries, data and cloud computing and the collaborative economy (Platforms). This consultation aimed at evaluating what an online platform (from Google Maps to Deezer) is and if specific rules should be adopted / revised to ensure respect of essential principles, the most important ones for radio being copyright and fair competition. AER took part in it⁹ and based its reply on the position papers on the Future of Radio and Copyright in the Digital Single Market.

Advertising: Energy Labelling Regulation

The European Commission published on July 15th a review of the Energy Labelling Directive. This text is set to become a Regulation and contains rules at article 3 paragraph 3 point a, forcing all ads for white goods (fridges, dishwashers, etc.) to bear the energy label (A+, A, etc.). The Council of the EU adopted its general approach¹⁰ on this text on November 27th. The draft Regulation now contains more required information in advertising (request for the range of energy labels and the actual energy consumption of the goods advertising), but, following exchanges of information between AER, its Members and Member States representatives, states at Recital 10a that “In the case of radio advertising it would be appropriate for implementing acts to provide for less comprehensive details to be included”. AER will go on recalling to MEPs that advertising is not the appropriate tool to convey detailed information, and that mandatory information in advertising, whilst not helping consumers, hinders media’s revenues, threatening its existence.

Advertising: Car Labelling Consultation

On October 19th, the European Commission opened a public consultation on the Car Labelling Directive – until January 15th, 2016. This Directive imposes mandatory information on car advertising. AER will reply to this public consultation, calling for relaxation of the rules, based on its position paper on advertising regulations¹¹.

Advertising: Consumer Credit Directive

AER and the Radiocentre are meeting with EU Officials to see if the current rules imposing warning messages at the end of radio advertising for products or services based on credits as stated in the Consumer Credit Directive¹² could be relaxed. A good body of research¹³ indeed shows that these warning messages are not listened to or not retained by listeners. Relaxation of these rules is key as many different advertising sectors are affected by these rules. This has led some markets to lose advertisers on the radio.

EU Funding Music Sector Roundtable

On December 10th and 11th, the European Commission organised a meeting of the music industry to discuss funding opportunities for this sector. AER took part in this meeting to recall the specificities of the radio sector.

Past Events

On **November 3rd and 4th**, AER took part in the **WorldDMB General Assembly¹⁴** in **London**, and presented its position on the Future of Radio / Access to Infrastructures¹⁵.

Future Events

On **January 26th**, the next **Future Media Lab¹⁶** will take place in **Brussels**. It will focus on how technology enhances audience engagement. AER Members get a 150 euros + VAT discount¹⁷.

The next Atelier RAdiophonique ROmand (**ARARO**) will take place on **February 5th**, in **Neûchatel**, focusing on music in radio. Registration and more information at <http://araro.ch/>.

On **February 25th**, AER will hold its first **Executive Committee meeting** and its **General Assembly** of the year at the AER office in Brussels.

The next **Radiodays Europe¹⁸** conference will take place in **Paris** from **March 13th to 15th**. AER discount tickets are only available until February 10th¹⁹

While main references are given below, more information is available upon request – if the links below do not work, please copy and paste them into your browser:

¹<https://ec.europa.eu/digital-agenda/en/news/consultation-review-eu-satellite-and-cable-directive#English>

²[http://ec.europa.eu/information_society/newsroom/image/document/2015-](http://ec.europa.eu/information_society/newsroom/image/document/2015-51/satcabreview_aerposition_16112015_12689.pdf)

51/satcabreview_aerposition_16112015_12689.pdf and here for all contributions: <https://ec.europa.eu/digital-agenda/en/newsroom/consultation-results>

³http://europa.eu/rapid/press-release_IP-15-6261_en.htm

⁴http://europa.eu/rapid/press-release_IP-15-6261_en.htm

⁵<http://www.itu.int/pub/R-ACT-WRC.11-2015/en>

⁶<http://www.widerspectrum.org/voicesacrossthespectrum/>

⁷<http://ec.europa.eu/digital-agenda/en/news/public-consultation-evaluation-and-review-regulatory-framework-electronic-communications> and <https://ec.europa.eu/eusurvey/runner/TelecomFrameworkReview2015>

⁸Available upon request

⁹Available upon request

¹⁰<http://data.consilium.europa.eu/doc/document/ST-14699-2015-INIT/en/pdf>

¹¹<http://www.aereurope.org/digital-single-market-radio-advertising-2015/>

¹²<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:133:0066:0092:EN:PDF>

¹³www.radiocentre.org/advertising/research/whitepapers/

¹⁴<https://www.worlddab.org/events/detail/386>

¹⁵<http://www.aereurope.org/digital-single-market-radios-access-to-infrastructure-the-future-of-radio-is-multi-platform-2015/>

¹⁶<https://www.eventbrite.co.uk/e/future-media-lab-annual-conference-2016-tickets-19149462558>

¹⁷For more information, please consult the AER Office

¹⁸<http://www.radiodayseurope.com/>

¹⁹AER Members should consult the email sent by the AER Office on November 12th. For more information, please contact the AER Office