

### **AVMS Directive**

On May 25<sup>th</sup>, the European Commission published its proposal for a revision of the Audiovisual Media Services Directive (AVMS Directive). This proposal suggests a liberalisation of the very strict rules for TVs on advertising, quotas, etc. contained in the current AVMS Directive. Radio is still out of the scope of this text. Intense discussions already started at the European Parliament and in Council. AER took part in a mini-hearing organised by the MEPs Rapporteurs on this text on June 29<sup>th</sup> and in meetings with the European Commission in July. The EU institutions want to adopt this revision by the end of this year.

### **Copyright: Upcoming New Texts**

On September 21<sup>st</sup>, the European Commission should publish three texts with new copyright rules most likely addressing<sup>1</sup>: amongst other points, extension of certain rules applying to TV and radio on cable and satellite to the internet, facilitation of audiovisual licensing online, and new related right for publishers. In order to highlight commercial radio's specific needs, AER has taken part in consultation in the past years on these issues<sup>2</sup> and met with the European Commission in the past months – more exchange with the European Commission will take place.

### **Copyright: Portability Draft Regulation**

On December 9<sup>th</sup>, 2015, the European Commission published<sup>3</sup> 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 listeners / viewers is possible and assurance that he / she is a resident of the “original” Member State. AER is monitoring developments on this file in European Parliament and Council<sup>4</sup>. Currently, they seem to favour the possibility for “free-to-air” services to choose if they want or not to enter the portability legal fiction. This is important as the conditions set for this legal fiction may force radios to hire extra-staff to check where the listener resides.

### **Telecom Package Workshop and Upcoming Revision**

On September 14<sup>th</sup>, the European Commission should publish a revised regulatory framework for electronic communications networks and services (Telecom Package)<sup>5</sup>.

On May 2<sup>nd</sup>, AER took part in a hearing presenting a study on the evaluation of the Telecom Package. This hearing looked at key aspects for radio's access to infrastructures: spectrum assignment, must carry radio rules and findability of radio online mainly. Before the summer break, AER sent comments to the study team, and had meetings and email exchanges with the European Commission based on its position paper on the Future of Radio.

### **Spectrum: UHF Draft Decision and Wider Spectrum Group Events**

On February 2<sup>nd</sup>, the European Commission published a proposal for an EU Decision on the UHF band (470-790MHz)<sup>6</sup>, to ease the use of these frequencies for mobile broadband. AER is working on this Decision as it might have implications on the use of spectrum by radios.

This is done via the participation of AER in the “Wider Spectrum Group”, together with

representatives of public radio and TV, network operators, journalists and PMSEs (microphones)<sup>7</sup>. 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 AER at a meeting with European Commission Vice-President Ansip on February 29<sup>th</sup> and at a breakfast meeting at the European Parliament on June 21<sup>st</sup>. Speakers included MEP Toia, Rapporteur in the leading European Parliament Committee, and MEP Maullu, Rapporteur in the Culture and Education Committee. The Council already adopted a general approach on this issue on May 13<sup>th</sup>, which is rather positive for AER<sup>8</sup>.

### **Advertising: Energy Labelling Regulation**

On July 15<sup>th</sup>, 2015, the European Commission published a review of the Energy Labelling Directive, a text containing compulsory information in advertising for white goods (fridges, ovens, etc.). The Council published a positive general approach<sup>9</sup> on this text (now set to be a Regulation) of November 27<sup>th</sup>.

On July 6<sup>th</sup>, after meeting with AER and other media representatives, the European Parliament Plenary adopted a version of this text<sup>10</sup> whereby the compulsory information it foresees in advertising is limited to “visual advertisement”.

This text will now be negotiated by the European Parliament with the European Commission and the Council of the EU.

### **Advertising: Car Labelling Consultation**

In January, AER took part in a consultation launched by the European Commission on the Car Labelling Directive<sup>11</sup>. This Directive imposes mandatory information on car advertising in print and outdoor advertising. AER replied to this public consultation, calling for relaxation of the rules, based on its position paper on advertising regulations<sup>12</sup>. On March

17<sup>th</sup>, AER also took part in a workshop presenting the results of a study on a review of this text. No further short-term steps seem to be planned on this file.

### **Advertising: Consumer Credit Directive**

AER and the Radiocentre are meeting with EU Officials and REFIT stakeholders 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 Directive<sup>13</sup> could be relaxed. A good body of research<sup>14</sup> 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.

With the aim of obtaining this revision, AER (and Radiocentre) has sent a submission<sup>15</sup> to the REFIT platform in May, a platform set up by the European Commission where industry can indicate any EU text constituting an unsustainable burden for European businesses. It is hoped that this platform will acknowledge the difficulties posed by the Consumer Credit Directive to the radio sector and suggest amending this text. The next REFIT platform meetings are on September 20<sup>th</sup>. It is understood that the REFIT platform will evaluate AER's request soon.

### **Radio Still Most Trusted Medium In EU**

Published in Spring, the European Commission's Standard Eurobarometer 84<sup>16</sup> on “Media Use in the European Union”, with data from November 2015, states that radio is yet again the most trusted medium in the EU.

### **Media Pluralism**

On July 20<sup>th</sup>, AER sent a position paper answering a consultation<sup>17</sup> on media pluralism and democracy, preparing a colloquium organised by the European Commission on this issue taking place on November 17<sup>th</sup> and 18<sup>th</sup>, in Brussels<sup>18</sup>.

## **.radio: EBU and AER won ICANN bid**

Towards the end of July, and following months of procedural delays, the “.radio” Community Top Level Domain (TLD) name has been formally delegated to the European Broadcasting Union by the Internet Corporation for Assigned Names & Numbers (ICANN). AER and other entities representing radio across the world supported the EBU. This means that a body set up by EBU, AER and other entities representing radio will be in charge of authorising the use of “.radio” by websites. The next step, where AER will be involved, is the drafting of the rules of procedure for the attribution of the “.radio” TLD. Hopefully, the first “.radio” TLD will be attributed in 2017.

## **Net Neutrality: BEREC Guidelines**

On August 30<sup>th</sup>, the Body of European Regulators in Electronic Communications, gathering regulators in telecommunications from the entire EU, published important guidelines<sup>19</sup> on net neutrality, providing guidance for regulators to take into account when implementing the rules and assessing specific cases.

## **EU Funding Music Sector Roundtable**

On March 1<sup>st</sup> and April 21<sup>st</sup>, the European Commission organised a meeting of the music industry to discuss funding opportunities for this sector as from 2021. AER took part in these meetings to recall the specificities of the radio sector.

## **EU Funding Research & Development**

On March 16<sup>th</sup>, AER took part in an event presenting the launch of a call for funding on media convergence<sup>20</sup>, opened until November 8<sup>th</sup>. AER is currently working with other media representatives on a couple of project proposals to be submitted to this call.

## **EU Funding Euranetplus**

In March, AER took part in the evaluation of the Euranetplus<sup>21</sup> funding programme, the

only one supporting only radio through the possibility to produce and share EU-related radio programmes. AER took advantage of this and subsequent events, to recall the importance of this funding for the EU and radio.

## **Past Events**

On **March 13<sup>th</sup>-15<sup>th</sup>**, AER took part in **Radio-days Europe** in **Paris**, together with 1500+ radio leaders from 62 countries. AER was well represented, in the Opening Session, the Radio Summit and many other sessions – and with a booth.

In **May**, AER moved to great **new premises**, located rue des deux églises 26, 1000 Brussels, together with ACT and VPRT!

On **June 6<sup>th</sup> and 7<sup>th</sup>**, AER took part in the SIRTI General Assembly in Paris.

On **June 21<sup>st</sup>**, AER held its **annual Conference** at the **European Parliament**, thanks to the European Parliament Audiovisual Unit (DG Communication). The conference focused this year on **Radio and the Digital Single Market**, with Michael Hill explaining findability of radio followed by a keynote speech by Anna Herold, Member of Commissioner Oettinger Cabinet and a debate addressing radio in the Digital Single Market with MEPs Kammerevert and Verheyen<sup>22</sup>. In this context, IBI Member Newstalk broadcast a great programme live from the European Parliament.

## **Future Events**

On **September 8<sup>th</sup>**, AER will take part in the next **Radiodays Europe Conference Assembly**, to brainstorm on the programme of the next Radiodays Europe Conference taking place on March 19<sup>th</sup>-21<sup>st</sup> in Amsterdam<sup>23</sup>.

On **September 22<sup>nd</sup> and 23<sup>rd</sup>**, AER will hold expert meetings on copyrights + sales / revenues and its third **Executive Committee meeting** of the year at the Goldbach Media Group offices in Zürich. Thank you Goldbach Media!

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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:

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- <sup>1</sup>[http://www.euractiv.com/wp-content/uploads/sites/2/2016/08/3583\\_001.pdf](http://www.euractiv.com/wp-content/uploads/sites/2/2016/08/3583_001.pdf)
- <sup>2</sup>[http://ec.europa.eu/information\\_society/newsroom/image/document/2015-51/satcabreview\\_aerposition\\_16112015\\_12689.pdf](http://ec.europa.eu/information_society/newsroom/image/document/2015-51/satcabreview_aerposition_16112015_12689.pdf) and here for all contributions: <https://ec.europa.eu/digital-agenda/en/newsroom/consultation-results>
- <sup>3</sup>[http://europa.eu/rapid/press-release\\_IP-15-6261\\_en.htm](http://europa.eu/rapid/press-release_IP-15-6261_en.htm)
- <sup>4</sup><http://data.consilium.europa.eu/doc/document/ST-8939-2016-INIT/en/pdf>
- <sup>5</sup><https://ec.europa.eu/digital-single-market/en/telecoms-rules>
- <sup>6</sup><http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1454410061980&uri=COM%3A2016%3A43%3AFIN>
- <sup>7</sup><http://www.widerspectrum.org/>
- <sup>8</sup><http://data.consilium.europa.eu/doc/document/ST-8793-2016-INIT/en/pdf>
- <sup>9</sup><http://data.consilium.europa.eu/doc/document/ST-14699-2015-INIT/en/pdf>
- <sup>10</sup><http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2016-0304+0+DOC+PDF+V0//EN>
- <sup>11</sup>[http://ec.europa.eu/clima/consultations/articles/0027\\_en.htm](http://ec.europa.eu/clima/consultations/articles/0027_en.htm)
- <sup>12</sup><http://www.aereurope.org/digital-single-market-radio-advertising-2015/>
- <sup>13</sup><http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:133:0066:0092:EN:PDF>
- <sup>14</sup><http://www.radiocentre.org/advertising/research/resources/>
- <sup>15</sup>[http://ec.europa.eu/smart-regulation/refit/simplification/consultation/docs/refitplatform\\_aer\\_submission\\_04052016.pdf](http://ec.europa.eu/smart-regulation/refit/simplification/consultation/docs/refitplatform_aer_submission_04052016.pdf)
- <sup>16</sup>Under “Reports”:  
<http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2098>
- <sup>17</sup>[http://ec.europa.eu/justice/newsroom/fundamental-rights/opinion/160519\\_en.htm](http://ec.europa.eu/justice/newsroom/fundamental-rights/opinion/160519_en.htm)
- <sup>18</sup>[http://ec.europa.eu/justice/newsroom/fundamental-rights/events/161117\\_en.htm](http://ec.europa.eu/justice/newsroom/fundamental-rights/events/161117_en.htm)
- <sup>19</sup>[http://berrec.europa.eu/eng/news\\_and\\_publications/whats\\_new/3958-launch-of-the-berrec-net-neutrality-guidelines](http://berrec.europa.eu/eng/news_and_publications/whats_new/3958-launch-of-the-berrec-net-neutrality-guidelines)
- <sup>20</sup><http://ec.europa.eu/research/participants/portal/desktop/en/opportunities/h2020/topics/ict-19-2017.html>
- <sup>21</sup><http://euranetplus-inside.eu/>
- <sup>22</sup><http://www.aereurope.org/aer-annual-conference-brussels-21062016/>
- <sup>23</sup><http://www.radiodayseurope.com/>