Television without borders: implementation of Directive 89/552/EEC. 4th report

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PURPOSE : to present the fourth report on the application of Directive 89/552/EEC "Television without Frontiers". CONTENT : Article 26 of the Directive provides that, not later than 31 December 2000, and every two years thereafter, the Commission must submit to the European Parliament, the Council and the Economic and Social Committee a report on the application of the Directive as amended and, where appropriate, make further proposals to adapt it to developments in the field of television broadcasting, in particular in the light of recent technological developments. This report follows the Third Report that was published at the end of the year 2000 and deals with the application of the Directive in the years 2001 and 2002. The report describes and analyses the salient facts relating to the application of the Directive during the reference period. These cover, in particular, the application of Article 3a on events of major importance for society, the application of the rules on protection of minors and of the rules on advertising, coordination between the national authorities and the Commission and an analysis of audiovisual legislation in the applicant countries wishing to join the European Union. In an overall assessment it can be concluded that the Directive continues to function successfully as a means of ensuring the freedom to provide television services in the Community. The overriding objectives of public interest that the Directive aims to safeguard are still valid and more than ever before Member States have given themselves the means to achieve these objectives. Independent national regulatory authorities have been set up and most Member States have allocated additional staff and resources to effectively implement the Directive. The "Television without Frontiers" Directive provides effective regulation for the European audiovisual sector and the report confirms the validity of the common European approach to audiovisual matters. The separate report on the application of Articles 4 and 5 of the Directive indicates generally satisfactory results in terms of channels meeting the requirements concerning European works and independent production. Article 26 of the Directive provides that the Commission shall submit not only the report on the application of the Directive, but also make further proposals to adapt the Directive, if necessary, to developments in the field of broadcasting. In an annex to the report the Commission proposes a work programme to open a debate on the possible need to adjust the regulatory framework because of the developments in markets and technologies. This debate will be forum-driven and concentrate on a number of horizontal and specific questions. The purpose of this exercise is to provide the Commission with the necessary input to evaluate the need to update or adapt the present regulations. Depending on the results of this consultative process, the Commission will assess the need to propose more coherent measures to reinforce European audiovisual policy to the Community legislator, taking also full account of the objective of creating a pro-competitive and growth oriented environment for the development of the audiovisual sector.