Encrypted services: legal protection of services based on or consisting of conditional access

1997/0198(COD) - 18/05/1998 - Modified legislative proposal

The Commission's amended proposal took over almost all of Parliament's amendments and in particular those stressing: - that the conditional access systems should not be used for the sole purpose of refusing access for consumers in some Member States to services which are freely available in other Member States; - that the Directive must grant protection against illicit (pirated) devices; - that the encryption of broadcasting services must not inconsiderately deprive the average viewer of these services if they were originally available without charge; - that the Directive is without prejudice of the cultural aspects of any further Community action concerning new services; - that it is necessary to ensure that Member States provide adequate legal protection against any individual or group using a device for commercial purposes; - that the Directive is without prejudice to the ability of the viewer to have access to free-to-air channels within a conditional access service platform without being required to pay an additional fee beyond the normal charge for accessing the platform; - that a balance must be secured between the interest of the service providers and copyright holders to be remunerated for their services on the one hand and the interest of the general public not to be excluded more and more from information and cultural events.