Basic information

1993/0476(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC) **Subject** 3.30.02 Television, cable, digital, mobile	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	CAUDRON Gérard (PSE)	27/07/1994

Council of the European Union

Council configuration	Meetings	Date
Budget	1866	1995-07-24
Health	1823	1994-12-22
Telecommunications	1854	1995-06-13

Key events

Date	Event	Reference	Summary
15/11/1993	Legislative proposal published	COM(1993)0556	Summary
01/12/1993	Committee referral announced in Parliament, 1st reading		
17/02/1994	Vote in committee, 1st reading		Summary
18/04/1994	Debate in Parliament		Summary
25/10/1994	Modified legislative proposal published	COM(1994)0455	Summary
22/12/1994	Council position published	11536/1/1994	Summary
15/03/1995	Committee referral announced in Parliament, 2nd reading		
31/05/1995	Vote in committee, 2nd reading		Summary
31/05/1995	Committee recommendation tabled for plenary, 2nd reading	A4-0130/1995	
12/06/1995	Debate in Parliament		Summary
13/06/1995	Debate in Council		Summary
24/07/1995	Act approved by Council, 2nd reading		Summary

24/10/1995	Final act signed		
24/10/1995	End of procedure in Parliament		
23/11/1995	Final act published in Official Journal		

Technical information

Procedure reference	1993/0476(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (before Amsterdam) E 066 EC Treaty (before Amsterdam) E 057-p2 EC Treaty (before Amsterdam) E 100
Stage reached in procedure	Procedure completed
Committee dossier	ECON/4/06357

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A3-0086/1994 OJ C 077 14.03.1994, p. 0002	17/02/1994	
Text adopted by Parliament, 1st reading/single reading		T3-0213/1994 OJ C 128 09.05.1994, p. 0035-0054	19/04/1994	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0130/1995 OJ C 166 03.07.1995, p. 0004	31/05/1995	
Text adopted by Parliament, 2nd reading		T4-0281/1995 OJ C 166 03.07.1995, p. 0019-0030	13/06/1995	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	11536/1/1994 OJ C 384 31.12.1994, p. 0036	22/12/1994	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1993)0556  OJ C 341 18.12.1993, p. 0018	15/11/1993	Summary
Modified legislative proposal	COM(1994)0455 	25/10/1994	Summary

	OJ C 321 18.11.1994, p. 0004		
Commission communication on Council's position	SEC(1994)2063	13/02/1995	
Commission opinion on Parliament's position at 2nd reading	COM(1995)0319	06/07/1995	
Non-legislative basic document	COM(1999)0540	10/11/1999	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0378/1994 OJ C 148 30.05.1994, p. 0001	23/03/1994	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 1995/0047
OJ L 281 23.11.1995, p. 0051 Summary

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 15/11/1993 - Legislative proposal

Council Directive 92/38/EEC aimed to facilitate Europe's transition from normal definition television (provided by the current PAL and SECAM systems) to high definition television (HDTV). The approach was based on compatibility developed for satellite and cable distribution, relying on the D2-MAC and HD-MAC transmission systems. In view of the development of the market and the current state of technological progress, it was appropriate to repeal Council Directive 92/38/EEC and to adopt a new directive to guarantee the establishment of a single market covering the production and transmission of and receiver equipment and transmission services for wide-screen 16:9 format television programmes throughout the Community by harmonising the transmission format. The new directive provided for all wide-screen television services to be in the 16:9 format irrespective of the transmission method used (cable, satellite or terrestrial network). Service providers would be able to choose the European standard for the television system which suited them best. For services in normal definition (625 lines), they would be able to choose between the current D2-MAC, any new analogue system that was fully compatible with PAL or SECAM, or any new fully digital system. High definition services offered the choice between HD-MAC and a fully digital system which had been standardised by a recognised European standardisation body. Producers of products intended for the general public had to meet a minimum requirement guaranteeing that the whole range of decoders likely to be marketed could be connected to the television receiver. The incorporation of a standard open interface socket in television receivers with screens beyond a certain size should provide this guarantee. Finally, the proposal required all cable network operators who decided to redistribute television services to retransmit in the wide-screen 16:9 format television services which they received in wide-screen format. The directive would be evaluated every two years.

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 10/11/1999

PURPOSE : To present a report on the implementation of Directive 95/47/EC on market and technical developments in digital television. CONTENTS : Article 6 of the Directive requires the Commission to present a report every two years. This report analyses Member States transpositions and takes a boad view of the requirement to report on market and technical developments. Accordingly, market developments and recommendations for change are looked at more fully in document COS002074. -This report concludes that the Directive's regulatory framework has had important benefits. It has contributed to the global success of the Digital Video Broadcasting Group's transmission systems, thanks to their highly developed user requirements. These draw on Europe's own diversity for their range. This is a contrast with the earlier European model, driven by technology and extensive regulation. - The Directive has provided some certainty for the first phase of the digital TV market, which was dominated by pay-TV. In those Member States where digital television is now well-established, development of the range of digital television services has depended on a strong pay television market. The range of services has developed rapidly towards transactional services and new services, including internet and home banking, where there are competing pay television platforms. New business models have also emerged. - The report examines the role of competition law and its interrelationship with regulations. It looks at decoder functions and access to cable television, which lie outside the scope of the Directive. It coniders consumer interests and the future structure of broadcasting and concludes that digital teelvision markets and technology have evolved beyond the scope of the Directive.

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 13/06/1995

The Council took note of the amendments to its common position adopted by the European Parliament at its plenary sitting on the same day, and of the favourable opinion on those amendments as expressed by Mr BANGEMANN. It called upon the Permanent Representatives Committee to prepare a Decision as soon as possible in order to obviate the formal conciliation procedure, which would hold up adoption of the Directive for several months.

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 24/10/1995 - Final act

OBJECTIVE: - to create a regulatory environment of standards for the transmission of advanced television signals; - to facilitate the harmonisation throughout the Union of the connection of peripherals to television sets; - to create in the Union a common framework for conditional access to digital pay-television services; - to promote the transmission of television services in wide-screen format via broadcasting networks. COMMUNITY MEASURE: European Parliament and Council Directive 95/47/EC on the use of standards for the transmission of television signals. SUBSTANCE: * Member States shall promote the accelerated development of advanced television services, including wide-screen television services, high-definition television services and television services using fully digital transmission systems. * Member States shall see to it that the transfer of wide-screen television services already in operation to digital transmission networks open to the public is made easier. * All transmission services, regardless of the means of transmission used (cable, satellite or terrestrial), shall: - if they are in wide-screen format and 625 lines, and are not fully digital, use the 16:9 D2-MAC transmission system, or a 16:9 transmission system which is fully compatible with PAL or SECAM; - if they are in high definition, and are not fully digital, use the HD-MAC transmission system; - if they are fully digital, use a transmission system that has been standardised by a recognised European standardisation body. * Manufacturers of products intended for the general public shall meet a minimum requirement guaranteeing that the entire range of decoders to be marketed may be linked to television sets. The fitting of a standardised open interface socket to television sets with screens over a certain size (integral viewing screen of visible diagonal greater than 42 cm) will guarantee this. * The conditions applying to conditional access for viewers to digital television are as follows: - all equipment must be able to descramble digital signals and display signals that have been transmitted in clear; - the operators of conditional access services shall offer services to all broadcasters on a fair, reasonable and non-discriminatory basis; - separate accounts shall be kept for conditional access providers; - suppliers of digital television services shall publish a list of tariffs; - licences to manufacturers of consumer equipment shall be granted on fair, reasonable and non-discriminatory terms; - Member States shall ensure access to appropriate dispute resolution procedures. * The directive stipulates that when operators of cable networks decide to redistribute television services, they shall redistribute wide-screen television services in the wide-screen 16:9 format. * Before 1 July 1997, and every two years thereafter, the Commission shall examine the implementation of the directive. - Date of entry into force: 23 November 1995. - Deadline for transposal into national legislation: 23 August 1996.

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 13/06/1995 - Text adopted by Parliament, 2nd reading

In adopting the Caudron report, the European Parliament amended the Council's common position. It stressed that operators of conditional access services should be entitled to earn a return on their investments and for the provision of services to broadcasters. It also provided for the possibility of appeal to an arbitration body or the national regulatory authority in the case of a dispute and highlighted the need for efficient anti-piracy legislation. It stressed that the 16:9 format should be the reference format for wide-format television services. Parliament also called for the following measures: - conditional access should not be limited to Pay-TV services; - Member States should take all the necessary measures to ensure that the operators of conditional access services and cable TV providers, who produced and marketed access services to digital television services, offered access to all broadcasters, on a fair, reasonable and non-discriminatory basis, and keep separate financial accounts regarding their activity as conditional access providers; - all consumer equipment, for sale or rent or otherwise made available in the Community, should possess the capability to display signals

that had been transmitted in clear; - the Commission should examine the implementation of this directive and the development of the market for digital television services throughout the European Union and submit a report to the European Parliament and to the Council.

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 25/10/1994 - Modified legislative proposal

The Commission's amended proposal incorporated two amendments proposed by the European Parliament underlining the relevance of a reference to the "Television without Frontiers" directive and that it was up to the Union to prevent a detrimental dispersion of efforts in the field concerned. Moreover, the Commission accepted the content of the other four amendments through changes to Parliament's text. Thus, the Commission agreed that it was essential to establish common standards for the digital transmission of television signals whether by cable, by satellite or by terrestrial means and that this was best achieved by mandating a recognised European standardisation body, taking account of the outcome of the consensus processes under way among market parties. With regard to the problem of conditional access, the Commission considered that this issue was an important matter for the consumers and providers of pay television services and for the rights holders of programmes. As a result, it proposed that the directive should stipulate, on the basis of agreements concluded between the relevant actors, that all consumer equipment used to descramble digital television services should include the common scrambling algorithm in order to ensure that all providers of conditional access television services provided all consumers of these services in the European Union with their programmes. It also proposed that the directive should make provision for transcontrol of conditional access at cable television network head-ends and the granting of licences for techniques exclusive to conditional access. Finally, it was proposed that the development of the market for conditional access to digital television services be reviewed periodically. It was also important to note that the Commission rejected Parliament's amendments concerning the removal of the reference to the development of technology and the market as justification for the directive and the development of a system of wide-format analogical transmission services that was compatible with both PAL and SECAM.

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 23/03/1994 - Economic and Social Committee: opinion, report

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 24/07/1995

The Council unanimously adopted the Directive after accepting all the amendments made by the European Parliament to its common position of 22 December 1994. The purpose of the Directive is to repeal Directive 92/38/EEC in the light of market developments and recent technical advances: Directive 92/38/EEC provided for the switch from the current PAL and SECAM television systems to High-Definition Television using the D2-MAC and HD-MAC transmission systems applicable to satellite and cable broadcasting. The new Directive provides for Member States to take measures to promote the accelerated development of advanced television services including widescreen (16:9) television services, high-definition television services and television services using fully digital transmission systems. To that end the Directive lays down certain technical requirements that all television services transmitted to viewers, whether by cable, satellite or terrestrial means, will have to meet. The Directive also defines a series of rules for ‘conditional access’ to digital Pay-TV, i.e. the procedure whereby authorised subscribers have access to coded TV signals. Member States will have nine months to transpose the Directive. The repeal of Directive 92/38/EEC will also take effect in nine months time. When it adopted its common position, the Council decided to disclose the following statements: i) Statement on the recital introduced by Parliament referring to the general principle of open access to networks: ‘The Council and the Commission note that, according to the conclusions of the G7 Ministerial Conference on the Information Society, open access should be regulated by a framework preventing the abuse of dominant positions and constituting part of a future comprehensive regulatory framework for information services in a liberalised market structure, comprising competition in the field of services and infrastructures, the supply of universal services, the interconnectability of networks and a fair and effective system for issuing licences’. ii) Statement on the introduction by Parliament of a provision whereby Member States shall facilitate the transfer of widescreen television services already in operation to digital transmission networks open to the public: ‘The Council takes note of the statement made by the Commission during the debate on the adoption of this amendment in the European Parliament, to the effect that it interprets this text as not imposing binding obligations on Member States regarding the transfer of widescreen television services already in operation to digital transmission networks open to the public and it endorses that interpretation. The Council takes note that during the same debate the European Parliament signified its agreement to the Commission’s interpretation of this text’. iii) Statement regarding the first indent of Article 4, point (c) of the Directive dealing with conditional access to digital television and reading as follows: Member States shall take all the necessary measures to ensure that the operators of conditional access services, irrespective of the means of transmission, who produce and market access services to digital television services: - offer to all broadcasters, on a fair, reasonable and non-discriminatory basis, technical services enabling the broadcasters’ digitally-transmitted services to be received by viewers authorised by means of decoders administered by the service operators, and comply with Community competition law, in particular if a dominant position appears’. The Council and the Commission state that the first indent of Article 4, point (c): - applies to any provider of conditional access services operating on a cable, terrestrial or satellite broadcasting network in relation to broadcasters who have access to that network under the national procedures in force and wish to benefit from that conditional access service; - does not seek to impose an obligation to offer to any broadcaster access for television services to packages or tiers of television services configured and/or administered by the provider, or services involving transparent distribution to subscribers; -

only requires Member States to ensure that broadcasters may have access to conditional access services and that the obligation in Article 4, point (c) does not extend to the underlying network. The Council and the Commission note with satisfaction that this interpretation is confirmed by the debates in the European Parliament. Accordingly, the Commission confirms that the Member States are not obliged, when transposing this Directive, to take measures that go beyond the limited and proportionate objectives referred to in Article 4, point (c) as stated above'.

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 19/04/1994 - Text adopted by Parliament, 1st reading/single reading

The report by Mr CAUDRON on the use of standards for the transmission of television signals was adopted by the European Parliament. The main objective of this new text was to repeal the 1992 directive aimed at standardising the move to HDTV through the D2-MAC and HD-MAC transmission systems. This new directive marked a change in course for the audiovisual policy, since the requirement to use the abandoned D2-MAC standard to the benefit of a more flexible system no longer required compatibility with PAL or SECAM and, for HD that was not fully digital, the requirement to use the HD-MAC system. The European Parliament adopted all the amendments tabled by the Committee on Economic and Monetary Affairs. They aimed to introduce a little more "regulation" to the text.

Use of standards for the transmission of television signals (repeal. Directive 92/38/EEC)

1993/0476(COD) - 22/12/1994 - Council position

The common position incorporated four amendments which had been accepted by the Commission in its amended proposal. These primarily related to the following measures: - the introduction of a reference to the Directive on "television without frontiers"; - the inclusion of the term "advanced" to qualify the "television services"; - the need to adopt common standards for the digital transmission of TV signals and to mandate a recognized European standardization body to carry this out; - conditional access. In addition the Council introduced amendments which sought: - to clarify the minimum requirements in respect of wide-screen services; - to underline the importance of broadcasting networks for advanced television services; - to specify that cable TV systems do not come under the scope of the Directive; - to stress that standards would be required in good time before the introduction to the market of digital television services; - to specify that advanced television services also included those using digital transmission systems; - to specify the scope of the standardization requirement by indicating the elements which comprise a transmission system; - to make reference to the "administered" rather than the "standardized" scrambling algorithm and to withdraw the reference to "inclusion in the television receivers" as far as conditional access was concerned; - to require that broadcasting systems should at least use the 16:9 aspect ratio for those services which were picked up in this format, without necessarily excluding their re-transmission in other formats; - to set a time limit of 9 months for the implementation of the provisions contained in the Directive.