Basic information

2003/0293(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Decision	Procedure completed
European Audiovisual Observatory: prolonging the Community participation Amending Decision 1999/784/EC 1999/0066(CNS) **Subject** 3.30.01 Audiovisual industry and services	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CULT Culture, Youth, Education, Media and Sport	SANDERS-TEN HOLTE Maria Johanna (Marieke) (ELDR)	27/01/2004

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	MULDER Jan (ELDR)	16/12/2003
ITRE Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2613	2004-10-25

European Commission

Commission DG	Commissioner
Education, Youth, Sport and Culture	

Key events

Date	Event	Reference	Summary
10/12/2003	Legislative proposal published	COM(2003)0763	Summary
15/12/2003	Committee referral announced in Parliament, 1st reading		
06/04/2004	Vote in committee, 1st reading		

06/04/2004	Committee report tabled for plenary, 1st reading	A5-0241/2004	
21/04/2004	Decision by Parliament, 1st reading	T5-0317/2004	Summary
25/10/2004	Act adopted by Council after Parliament's 1st reading		
17/11/2004	Final act signed		
17/11/2004	End of procedure in Parliament		
31/12/2004	Final act published in Official Journal		

Technical information

Procedure reference	2003/0293(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
Amendments and repeals	Amending Decision 1999/784/EC 1999/0066(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 157-p3
Stage reached in procedure	Procedure completed
Committee dossier	CULT/5/20491

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0241/2004	06/04/2004	
Text adopted by Parliament, 1st reading/single reading		T5-0317/2004 OJ C 104 30.04.2004, p. 0420-0549 E	21/04/2004	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2003)0763	10/12/2003	Summary
Document attached to the procedure	C(2005)1989	05/07/2005	Summary
Non-legislative basic document	COM(2006)0835	10/01/2007	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0843/2004 OJ C 241 28.09.2004, p. 0015-0016	02/06/2004	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2004/2239 OJ L 390 31.12.2004, p. 0001-0002	Summary

European Audiovisual Observatory: prolonging the Community participation

2003/0293(COD) - 17/11/2004 - Final act

PURPOSE : to extend Community participation in the European Audiovisual Observatory for the period 2005/2006.

LEGISLATIVE ACT : Decision 2239/2004/EC of the European Parliament and of the Council amending Council Decision 1999/784/EC concerning Community participation in the European

Audiovisual Observatory.

CONTENT : by Decision 1999/784/EC, the Community began participation in the European Audiovisual Observatory for a period ending on 31 December 2004. The Commission considers that the policy objectives of knowledge dissemination and market transparency are of the utmost importance for the development of the audio-visual sector insofar they help operators' taking business decisions and assist regulatory instances to set the best environment from an overall view point.

The Observatory's contribution to the achievement of the objectives will be improved by the implementation of a new strategy, which, at present, is undergoing a feasibility assessment. The extension of the Community participation in the Observatory for the period 2005/2006 will secure political guidance and an important financial contribution to the Observatory's ordinary activity over the period necessary to define new strategies.

European Audiovisual Observatory: prolonging the Community participation

2003/0293(COD) - 10/12/2003 - Legislative proposal

PURPOSE : to amend Council Decision 1999/84/EC prolonging Community participation in the European Audiovisual Observatory for a period of two years. PROPOSED ACT : Decision of the European Parliament and of the Council. CONTENT : By Decision 1999/784/EC, the Community began participation in the European Audiovisual Observatory for a period ending on 31 December 2004. The European Audiovisual Observatory is an Enlarged Partial Agreement of the Council of Europe. At present, 35 States, among which all the present and future Member States, participate in the Observatory. The Commission considers that the policy objectives of knowledge dissemination and market transparency are of the utmost importance for the development of the audio-visual sector insofar they help operators' taking business decisions and assist regulatory instances to set the best environment from an overall view point. The activity of the Observatory in the area of market statistics, financial and legal information can effectively contribute to the achievement of such objectives and therefore, it is in the Community interest to support and consolidate the structure of the Observatory as well as the bilateral co-operation. The Observatory's contribution to the achievement of the objectives will be improved by the implementation of a new strategy, which, at present, is undergoing a feasibility assessment. The extension of the Community participation in the Observatory for the period 2005/2006 will secure political guidance and an important financial contribution to the Observatory's ordinary activity over the period necessary to define new strategies. The Commission proposes the maintenance of the yearly budget at the level of 2004, being EUR 235 000. FINANCIAL IMPLICATIONS : - Budget line and heading - B 3 2017 - Autres actions dans le domaine audiovisuel ABB "15 05 01 03"; - Overall figures - Total allocation for action (Part B): EUR 0.470 million for commitment; - Period of application: 1/1/2005 - 31/12/2006; - Overall multiannual estimate of expenditure: commitments and payments for 2005 and 2006 respectively: EUR 235 000; - Overall financial impact of human resources and other administrative expenditure; - Commitments and payments for 2005 and 2006 respectively - EUR 46 000. Total EUR 92 000 ; - Total : 2005 - EUR 281 000; 2006: EUR 281 000 Total commitments and appropriations - EUR 562 000.

European Audiovisual Observatory: prolonging the Community participation

2003/0293(COD) - 10/01/2007

This report covers the implementation of Council Decision 1999/784/EC, as amended by Decision 2239/2004/EC of the European Parliament and the Council, concerning Community participation in the European Audiovisual Observatory. It is the final report which describes the bilateral relations between the Commission and the Observatory and illustrates the main activities carried out by the latter since end 1999 up until mid-2006.

The main elements of the report are as follows:

Community participation: the Community's decision to participate fully in the Observatory has been instrumental in providing the European audiovisual industry with much needed, detailed, information in areas such as marketing, finance, legal rules and practice. The Observatory has proved highly effective in dealing promptly with information requests and the public dissemination of such data, notably in response to small and medium sized enterprises. Moreover, the Observatory's work represents an important asset for EU industry since it covers a large number of countries, including the candidate countries, as well as EEA and most of the other European states. As of mid 2006 the Observatory had 37 members: 36 countries and the Community.

Implementation of the Council Decision: at the beginning of 2000, the Commission opened negotiations with the Council of Europe and the Observatory in order to implement the Council Decision. The main points under discussion concerned the modalities of Community participation in the Observatory. Two issues needed to be resolved. First, the Community is not a member of Audiovisual Eureka, as was the case for all other members. Second, the membership needed to accommodate certain specific financial requirements of the Commission concerning, notably, the destination of unused funds and obligations in case of withdrawal from the Observatory. In order to accommodate the Commission requirements, the Council of Europe amended the Statute and Financial Regulation of the Observatory in September 2000.

The Observatory's activity: in order to fulfil its remit, the Observatory has developed its activities along two main axes: publication of yearly statistics concerning audiovisual markets and the publication of periodical legal newsletters. Moreover, a number of ad hoc studies and publications have been released on various occasions. Publications such as the Yearbook, FOCUS and several ad hoc reports have provided a wide range of information with the view of supporting the work of many operators, professional categories and public administrations. Moreover, free on-line services have been launched, providing more detailed useful information, in particular for SMEs: the LUMIERE database on film admissions, the KORDA database on public funding, the PERSKY directory providing systematic lists of links to the websites of thousands of television channels and sources of information on the television national markets. In order to implement these tasks, the Observatory has worked with various specialised networks of “data providers” including national film agencies, professional organisations, national statistics institutes, trade magazine and market research companies. The topics addressed by the Observatory include the digitisation of the media and electronic communications, convergence and globalisation and how these will affect areas such as human rights and economic freedoms, cultural goals and heritage, copyright law, criminal law, commercial law, advertising, consumer protection, free access to information, state support and EU aid programmes, tax schemes, transparency, education, etc. Since 1999, the Observatory steadily increased the legal information collected, processed and disseminated through different publications branded under the "Iris" name.

In conclusion, the positive assessment of the Community/Observatory relations expressed in the Commission 2002 Interim Report on the Community participation in the Observatory can be surely re-affirmed. The success of publications and databases such as the Yearbook, Iris and Lumière have elevated the Observatory to a position where it is seen as a key source for economic and legal information among market actors in the various segments of the audiovisual industry as well as by public authorities, both at national and Community levels. In addition to the publications released on a regular basis and the on-line databases, the Observatory has been able to release accurate analyses that it would be difficult to procure at such reasonable prices, either for industry or, given the amount of the membership fee, for the participating public bodies. The capacity of the Observatory to establish and maintain effective networks of scientific partners is among the most valuable assets of this institution and has proved essential for continuing provision of the highly diversified inputs for the Observatory's economic and legal analysis over the years. The Observatory, in turn, has provided the audiovisual sector and, in particular, the small and medium operators with comprehensive instruments that provide a clearer view of the markets and of the legal/regulatory framework. In order to continue to support the Observatory's activities, the Commission has proposed that the Community participation in the Observatory will continue up to 2013 within the framework of the new Media 2007 programme.

European Audiovisual Observatory: prolonging the Community participation

2003/0293(COD) - 21/04/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Marieke SANDERS-TEN HOLTE (ELDR, NL) adding three new recitals to the proposal: - multimedia and the new technologies will play a greater role in the audiovisual sector. The Observatory could continue to play its important role if its capacity to follow these new developments were strengthened in due course; - although free movement of persons, goods and services is enshrined in the Treaty, the lack of information on the many differences in national regulations in the fields of fiscal and labour law acts as an obstacle to the free movement of audiovisual goods and services. The Observatory could offer a positive contribution by collecting and providing expertise and systematic information in the fields of tax and labour law, copyright and consumer protection law; - the Observatory should be invited to collect data on an annual basis on the levels of television services provided in all Member States of the European Union or of the Council of Europe to assist disabled people, such as subtitling, audio description and sign language.

European Audiovisual Observatory: prolonging the Community participation

2003/0293(COD) - 05/07/2005 - Document attached to the procedure

The purpose of this Commission Decision is to adopt the instruments enabling the implementation of Council Decision 2239/2004/EC of 17 November 2004. In order to do this, the Commission concluded a ‘Memorandum of Understanding’ (MoU) whereby it formalised the involvement of the Community in the European Audiovisual Observatory.

In so doing, the Commission confirms that the payment of the Community's annual financial contribution to the Observatory will take place according to the rules laid down in the MoU attached to the Decision, with a maximum annual ceiling set at 235.000 EUR by the budgetary authority.

The MoU contains, in addition, the technical and financial details relating to the payment of the Community's contribution.