

## **PRESS RELEASE**

### **The new media landscape: Audiovisual media services without frontiers**

The first conference in Malta addressing the new Audiovisual Media Services Directive was held yesterday. It was organised by *Forum Malta fl-Ewropa*, in collaboration with TAIEX and the Ministry for Tourism and Culture. The very well attended full-day conference entitled *The New Media Landscape: Audiovisual Media Services Without Frontiers* was organised in a bid to promote an exchange of views with stakeholders on the revised Television Without Frontiers Directive, now commonly referred to as the Audiovisual Media Services Directive (AVMS).

Participants were addressed by a line-up of speakers, both local and foreign, all of whom are experts in the field. These included Fr Joe Borg (Audiovisual Policy Adviser to the Minister for Culture), Nico van Eijk (Professor of Media and Telecommunications Law, University of Amsterdam), Jean-François Furnemont (Director - Conseil Supérieur de l'Audiovisuel, Belgium), Thomas Roukens (Regulatory Affairs Manager – Telenet, Belgium), Roberto Mastroianni (Professor of European Union Law, University of Naples Federico II); Emmanuel Joly (Head of Sector for Implementation of Regulatory Policy, Audiovisual and Media Policies - DG Information Society and Media, European Commission) and Dr Kevin Aquilina (Chief Executive - Malta Broadcasting Authority). An opening message pre-recorded by Commissioner Vivianne Reding, specifically for the occasion, was also shown to participants.

In her opening remarks, Dr Gabriella Pace, Forum Chief Executive, explained that a modernisation of the Audiovisual Media Services without Frontiers Directive was needed following the many developments in the sector witnessed during the last fifteen years.

These include the convergence of technologies and services, the expansion of fixed broadband, digital TV and 3G networks, the increase in pay-per-view TV, the arrival of new delivery services such as video on demand (VOD), changing viewer habits and new advertising methods, to mention but a few. These all pointed to a clear need for regulation, that steadily keeps pace with rapid technological and market developments.

Speakers highlighted the new rules being proposed by the Commission Directive in response to technological developments in the audiovisual media sector. In a nutshell, the AVMS Directive seeks to create a level playing field for emerging audiovisual media services such as mobile TV and audiovisual services on digital TV. Prof. Mastroianni said that the new Directive gives operators unlimited freedom in the scheduling of transmissions. He further stated that all points put forth by the Commission may be implemented by mobile providers in their on-demand services if this does not impinge on the quality of the services being offered.

Even though still marked by a number of grey areas, particularly in so far as product placement and internet governance are concerned, the Directive seeks to strike a fair balance between limiting the amount of advertising, on the one hand, and the nature and timing of adverts, on the other. In fact, advertising will remain restricted to 12 minutes in any given hour.

The Directive also includes a Community mechanism allowing a "destination" Member State, in limited circumstances, to take measures against a provider established in another Member State. Co-operation between Member States in their handling of services provided across frontiers is also mandatory, as was outlined by Emanuel Joly in his presentation.

Emmanuel Joly said that besides applying common rules aimed at television advertising, this Directive also sets out to regulate the production of audiovisual programmes while protecting minors and human dignity. For instance, minors are to be protected from advertising of unhealthy food products, which further enhances the Commission's efforts to the promotion of a healthier lifestyle with the intent of campaigning against the alarming growth of obesity among Europeans. Therefore, consumers are being put at the forefront by being granted new rights by the modernised Directive, which also include the right to know what kind of content they are watching, as well as a clear identification of the media service provider and improved access for people with visual or hearing impairment to audiovisual media services.

Fr Joe Borg commented on the mistrust of the Maltese population in the broadcasting sector, particularly with regard to the politicisation of the media, while commending the importance which media literacy has been given. Media literacy has in fact been included into the National Minimum Curriculum, with students being taught the subject even at primary level.

In his closing address, Minister Zammit Dimech stated that the Ministry for Tourism and Culture has already started planning and executing the work needed to transpose the Directive. He said that in the coming weeks consultations with stakeholders, as well as

with the general public, will be held so as to discuss issues which arise from the new AVMS Directive, such as how media education should be structured to reflect the changes brought about by the Directive, the protection of minors and better accessibility for persons with a disability, as well as which entity will monitor the non linear media and whether this entity should be an institution that is already established

In fact, in his presentation, Dr Kevin Aquilina mentioned the need for Government to clearly establish which entity will be responsible for the monitoring of the provisions of the revised Directive, in so far as non-linear services are concerned, given that linear services (television broadcasting services) are currently regulated by the Broadcasting Authority.

This Conference has shown how in an ever-changing technological world, Europe faces an urgent need to reshape its economy and society to reflect the realities and challenges of the communications revolution. Adjusting to the changing economic realities brought about by globalisation of markets and the fast pace of technological change is indeed a must.

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