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President TOMAS BOLME

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Revision of the "Television Without Frontiers" Directive

Comments related to the Public Consultation on the Modernisation of Rules of Audiovisual Services

Comments on the issue of Rules applicable to Audiovisual Content Services

FIA believes that the main issue confronting the audio-visual sector is how to ensure its competitiveness, dynamism and development, while at the same time retaining its creative values. In this respect, **EuroFIA strongly opposes any endeavour to weaken the current rules** on advertising, as in title IV of the Directive, with a special emphasis on article 11. Commercial breaks during films encroach on performers' moral rights and should be limited as far as this is possible.

We therefore recommend that:

- Current rules on commercials breaks are **strictly enforced** in all countries of the European union and that they are **tightened** with respect to **public broadcasters**, who can already count on license revenues to cover an essential part of their costs.
- Current rules on commercials breaks are **kept at their current level** with respect to free-view commercial broadcasters, who exclusively depend on advertising income to recoup their costs. However, we believe that where commercial broadcasters offer a subscription-based service, tighter rules with regards to commercial breaks may be appropriate.
- Current rules on advertising interruptions **should equally apply to all commercial broadcasters, regardless of the technical means they employ** to broadcast their content-carrying signal.

Finally, EuroFIA is aware of countless new advertising techniques that are spreading in the industry. These techniques are still in their experimental phase and currently banned in several European states. We urge the Commission not to underestimate the detriment they cause to the moral rights of performers and the damage that they often entail to the integrity of creative content. We restate our previously expressed standpoint that they should be **expressly banned** by the new Directive.