EPRA ANNUAL WORK PROGRAMME FOR 2011

February 2011

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A. Introduction

At the last EPRA meeting in Belgrade the Board presented proposals to adopt an Annual Work Programme with five goals in mind:

- Facilitate and enhance the contribution of EPRA <u>members</u> allowing them to anticipate and prepare the timing and modalities of their involvement in meetings and work throughout the year.
- Improve the value of the <u>network</u> by ensuring the continuity of the work between meetings and the preparation of in-depth reports and meetings.
- Lighten the administrative tasks of the <u>Secretariat</u> allowing it to devote greater time to substantial work.
- Facilitate the work of the <u>Board and the Secretariat</u> in the organisation of the two annual meetings (e.g., preparation of sessions, approaching speakers).
- Increase EPRA's visibility for both members and the outside world.

This proposal was supported by members, who agreed to develop a work programme for 2011.
The Board also presented proposals on specific themes based on experience from the last calls for topics and on suggestions received to date. A re-drafted work programme was circulated to members for consultation from November 2010 until 31 January 2011. The feedback was very good with 31 EPRA members providing their comments. The EPRA Board integrated most of the suggestions and comments from members and adopted the work programme on the occasion of its Board meeting on 1 February 2011.

B. Process

All members agreed with the proposed process. It was remarked that:

- the adoption process should be as transparent as possible
- the overall contribution of the work plan to the quality of EPRA meetings/work and contentment of EPRA members will require an assessment after a couple of years
- the process should not set a too rigid structure
- delegates should be given the possibility to suggest topics during the last session of the October meeting thus reaping the benefits from the focused atmosphere during the formal and informal part of meetings.

On the basis of the EPRA members' responses to the consultation, the following process has been adopted:

WHEN	WHAT	WHO
October meeting (day 2)	Exchange on relevant topics	All
After October meeting	Formal call for relevant topics	All
End October	Draft work programme	Board
1st November/31st December	Consultation	All
January	Approval	Board

In approving the final programme, the Board will continue to use the current criteria: number of votes and potential for contributions from members as presenters and/or content producers.

The annual work programme will be published on the EPRA website at the end of January.

C. Structure

The respondents were happy to maintain the current structure for EPRA meetings.

A few practical suggestions were made:
- Carry on with the practice of inviting industry representatives at meetings
- Allow ample time for discussion and questions after each keynote speech
- Where feasible for the hosts, arrange two default dates per year when EPRA meetings are held (e.g. 2nd week May/ 3rd week October).

The adopted work programme is built around the current EPRA meetings structure, maintaining a format that has been functioning well in the last years:

- Two plenary themes. These should cover topics of relevance to all members, for discussion in both the May and October meetings. The specific topics will be decided ahead of each meeting and the format would normally be that of a panel of regulators.
- Three working groups. The format may vary from a roundtable discussion, a presentation by an external speaker (e.g. industry) or individual presentations by members.

D. Plenary Themes for 2011

The two themes which were proposed by the Board based on experience from the last calls for topics, suggestions received to date and the discussion in Belgrade gained broad acceptance from EPRA members.

1. **Content regulation and new media**: Content regulators currently face significant challenges as a result of technological development. First, on-demand services are now within the remit of most regulatory authorities, although the market is at different stages of development in different countries. These services, by their nature, give the viewer a higher degree of control over what content they want to consume and when, fundamentally changing the relationship between them and the service provider. In addition, IP based transmission allows greater sophistication in the design and delivery of audiovisual content services (e.g. IPTV, webcasting, connected TV and hybrid TV) and associated navigation tools such as EPGs or search engines. Regulators will need to operate in a complex media environment where there is an increasing integration of editorial, advertising, commercial and non-television content, including user generated content.

   Selected sub-topics: Further to the consultation, the most popular sub-topics among members were:
   - regulatory boundaries between "traditional" and "new media",
   - identification of the media service provider,
   - connected TV/HbbTV,
   - jurisdiction issues,
   - how to ensure an effective application of rules around protection of minors.

   The first three sub-topics will be dealt at the spring meeting and the two latter during the autumn meeting.

2. **Efficient functioning of regulators**: How regulators are structured, governed and funded and how they operate in practice is critical to the effective and successful performance of their regulatory functions and duties. EPRA has considered in several occasions issues relating to the effective functioning of regulators, for example comparing and contrasting approaches to complaints and sanctions processes, analysing the implementation of self- and co-regulatory regimes, discussing technical and practical

aspects of monitoring or looking at the issues of regulatory independence, transparency and accountability. In addition, EPRA members routinely interact with one another and have established mechanisms for discussion and cooperation, primarily around jurisdiction and licensing issues. Such cooperation within and amongst regulators is also of the utmost importance, particularly as many television content services are offered cross-border and many may increasingly move online.

Selected sub-topics: Further to the consultation, the most popular sub-topics among members were:
- Issues relating to the independence and governance of RAs
- Day-to-day operational processes (e.g. licensing, monitoring)
- Transparency and communication to and with viewers
- Cooperation and jurisdiction issues in a cross border context.

The first topic will be dealt at the spring meeting in the wake of the INDIREG study, while specific items picked from the other suggestions will be on the agenda of the autumn meeting.

E. Working Groups for 2011

Topics have been proposed for two of the three working groups. The work will be led by a voluntary NRA, who will coordinate the work during the year (primarily via email) and chair the relevant session during EPRA meetings. The scope, timeline and outputs or deliverables will vary depending on the issue and on the interests and input from the working group members.

The scope and approach suggested by the Board with regard to WGs met with widespread acceptance from EPRA members. The importance of inviting industry representatives and keeping one of the groups open to allow for flexibility as new issues emerge was highlighted.

Working group 1 (WG1): Product Placement

- Purpose: to exchange updates on the state of transposition of the product placement provisions, share views on the possible treatment of specific cases and identify challenges for regulators. A dedicated working group in 2011 provides an opportunity for face to face discussions and for the presentation of the outcome of the work to a larger number of members.
- NRA lead: BLM, Germany: *Johanna Fell*, group coordinator

Envisaged output: systematic analysis of product placement regulatory provisions and their application in practice, including a collection of relevant cases; the group may also consider the drafting of a report identifying common issues.

Working group 2 (WG2)
It has been suggested to have the 2nd working group deal either with issues related to Digital Radio (option 1) or Digital TV (option 2). The outcome of the consultation however was rather contrasted. On the one hand, option 1 was less widely popular than option 2 but several proponents in favour of digital radio indicated a strong commitment and made valuable offers of contribution. On the other hand, option 2 had clearly more appeal but did not trigger as much commitment nor offers to contribute.

As a consequence, the Board decided in favour of the launch of two distinct online groups whose outcome will be presented at one EPRA meeting. The Board suggested extending the scope of digital radio to radio in the digital environment to widen its appeal and selecting it for the May 2011 meeting. The Digital TV group will meet at the October meeting; it will give the group time to look for additional commitment and contributors.

WG2a: Radio in the digital environment

- Purpose: to exchange updates and experiences on radio in the digital environment and the development of Digital Radio: licensing and economic models, safeguard of pluralism, lessons learned, international cooperation and common technical standards.
- Suggested NRA lead: CSA, Belgium: *Nele Smets,* group coordinator

> Envisaged output: status report on issues pertaining to radio in the digital environment, the development of Digital Radio, and a selection of best regulatory practices

WG2b: Regulatory and Licensing issues raised by Digital TV

- Purpose: to exchange updates and experiences on the regulatory and licensing issues raised by Digital TV: variety of licensing regimes, competition between digital platforms, spectrum and switchover issues, digital dividend, lessons learned and international cooperation.
- Suggested NRA lead: APEK, Slovenia: *Miha Kriselj*, group coordinator

> Envisaged output: status report on digital switchover and digital dividend, and a selection of best regulatory and licensing practices

Working group 3 (WG3): Ad-hoc theme: this working group will be left open to allow for discussion of new issues as they arise. Some possible topics include media literacy, accessibility, promotion of European works, community media, issues related to public service broadcasting, must carry, media pluralism.

From the answers to the members' consultation, there is no clear consensus on the topic for third group. It was emphasised that it should be topical and that speakers from the industry should be encouraged to participate. For these reasons the Board decided to deal with the issue of the EU radio spectrum and the recent Commission proposal establishing the first Radio Spectrum Policy Proposal (RSPP) at the EPRA meeting in May 2011.

The topic of WG 3 for the EPRA meeting in October 2011 can be discussed during the EPRA meeting in May.

AT A GLANCE: EPRA ANNUAL WORK PROGRAMME FOR 2011

On the basis of the 31 answers received from EPRA members during the consultation which took place from November 2010 until 31 January 2011, the EPRA Board has adopted the following work programme for 2011.

SPRING MEETING 2011:

Ohrid, 25-27 May
At the Invitation of the Broadcasting Council of the Republic of Macedonia

PLENARY SESSION I: **Content Regulation and new Media**
Exploring Regulatory Boundaries between Traditional and New Media

PLENARY SESSION II: **Effective functioning of Regulatory Authorities**
Focus on issues of Independence and Governance of Regulatory Authorities as a follow-up to the INDIREG study

WORKING GROUP 1:   **Product Placement**
                                        Focus to be defined by group coordinator

WORKING GROUP 2:   **Radio in the Digital Environment**
                                        Focus to be defined by group coordinator

WORKING GROUP 3:   **EU spectrum policy/Digital Dividend:**
                                        Update from the EU Commission & views from industry

AUTUMN MEETING 2011:

Brussels, 5-7 October 2011
At the invitation of the CSA of the French Speaking Community of Belgium

PLENARY SESSION I: **Content regulation and new media**
Focus on Protection of Minors and Jurisdiction Issues

PLENARY SESSION II: **Effective functioning of Regulatory Authorities**
Focus to be defined by Content Producer

WORKING GROUP 1:   **Product Placement**
                                        Focus to be defined by group coordinator

WORKING GROUP 2:   **Digital TV**
                                        Focus to be defined by group coordinator

WORKING GROUP 3:   **Ad-hoc theme**
                                        Left open to allow for discussion of new issues as they arise

For comments and offers of contribution as a speaker, panellist, content producer, etc., please contact: machet@epra.org