



**German film and television sector warn of
devastating impact on creation, financing and
distribution of film and audiovisual productions**

5 February 2019

The signing associations and institutions in the cultural and media industry warn European legislators strongly against the effects of the currently discussed provisions of the **Directive on Copyright in the Digital Single Market**.

The last discussed provisions in no way reflect the original objective of the Commission, namely, at least, to create incentives for innovation, creativity, investment and the production of new content, including in the digital environment.

Compromises leading to the adoption of the Directive shall not lead at any price to a lasting damage of the audiovisual sector. What is currently being discussed in terms of copyright contract law (Article -14 et seq.) creates an extremely unreasonable bureaucratic burden, which imposes inefficient obligations for those investing on a daily basis in creative content, without the authors and performers benefiting from it in any way.

The German legislative debate has highlighted the complexity of the issue and the large number of issues to be taken into account, including constitutional and antitrust issues, as well as economic implications. The currently discussed provisions take these complex issues unfortunately not into account. Instead, the excessive right of information claim, additional (cost) efforts and a formalism far from reality are created that will help neither the creatives nor the producers and publishers. This will tie up financial resources that will no longer be available for investment in European content.



That is why we demand: The German Copyright Contract Law for author's remuneration should be the red line

- Clarification of the right to claim an appropriate remuneration according to § 32 German Copyright Act (deletion of the word "proportionate" in Article -14)
- Maintaining contractual freedom that - subject to exceptional success - will allow for reasonable flat-rate payments
- Meaningful delimitation of the request for information (Art 14 (1), information only upon request according to § 32 d and e German Copyright Act)
- Limitation of the revocation right (Art 16a) with a clear exception of the audiovisual sector.

We stand for an appropriate remuneration for authors and performers. However, the currently planned provisions in their present form would entail considerable disadvantages for the cultural sector and creative work. That cannot be wanted. The regulations require a clear consideration of industry-specific particularities. The financial burdens resulting from the current draft will weaken the European audiovisual sector and prevent investment in European creativity.