



# **CONTRIBUTION AND DISCOVERABILITY OBLIGATIONS IN VARIOUS COUNTRIES AROUND THE WORLD**

May 2, 2023

ISBN: BC92-126/2023E-PDF

Cat. No.: 978-0-660-48588-1

Unless otherwise specified, you may not reproduce materials in this publication, in whole or in part, for the purposes of commercial redistribution without prior written permission from the Canadian Radio-television and Telecommunications Commission's (CRTC) copyright administrator. To obtain permission to reproduce Government of Canada materials for commercial purposes, apply for Crown Copyright Clearance by contacting:

The Canadian Radio-television and Telecommunications Commission (CRTC)

Ottawa, Ontario

Canada

K1A 0N2

Tel: 819-997-0313

Toll-free: 1-877-249-2782 (in Canada only)

<https://applications.crtc.gc.ca/contact/eng/library>

© His Majesty the King in Right of Canada, as represented by the Canadian Radio-television and Telecommunications Commission, 2023

Aussi disponible en français

# CONTRIBUTION AND DISCOVERABILITY OBLIGATIONS IN VARIOUS COUNTRIES AROUND THE WORLD

This page provides a summary of contribution and discoverability obligations for online video services, including video-on-demand (VOD) services, across different countries. The following also includes information on which services the obligations apply to.

The majority of obligations listed are currently in force. Where an obligation is not yet in force, or has only been proposed, it is indicated below.

The largest group of nations represented below are European Union (EU) countries. This is due to the implementation of the EU's Audiovisual Media Services Directive (AVMSD), which sets out basic rules for all EU states regarding contribution and discoverability obligations for online video services. As of March 2023, all EU states have implemented the AVMSD.

The information contained in this document is sourced from [Cullen International](#) and supplemented by CRTC research.

# GLOSSARY

## AVMSD

Short for “Audiovisual Media Services Directive”. This is a regulation that allows EU countries to establish basic contribution and prominence requirements for online video services and traditional broadcasting services.

## Contribution

Financial obligations that governments place on traditional broadcasters and/or online video services. This could involve requiring these services to pay into the country’s audiovisual fund or to invest in the country’s domestic industry (for example, by creating or promoting a domestic film or TV show).

## Discoverability

This describes how visible a specific film or TV show is in a catalogue. The more discoverable a title is, the easier it can be seen or accessed by a viewer.

## Online video services

Websites or apps which transmit professionally produced films or TV show (e.g., Crave, Disney+, Netflix). This does not include video-sharing services (e.g., YouTube, Vimeo) or social media. In various countries around the world, video-sharing services and social media are often subject to other rules concerning online harms, such as disinformation and hate speech.

## Prominence

Another word for “discoverability”. This term is mainly used in EU countries.

## Traditional broadcasting services

Non-Internet based TV channels and radio.

# EUROPEAN UNION COUNTRIES

## EUROPEAN UNION (AUDIOVISUAL MEDIA SERVICES DIRECTIVE (AVMSD))

### Who it applies to

The AVMSD allows EU states to set contribution and discoverability rules for online video services to align with obligations for traditional broadcasting services (e.g., television stations). There are exemptions for services with low revenue and audience, generally defined as less than €2M annual revenues and/or less than 1% market share (though lower thresholds can be established by EU states in smaller markets).

### Contribution

Contributions can be imposed on international online video services which target the domestic audience, as long as these obligations are:

- proportional and non-discriminatory;
- based on the revenues earned in the targeted member states.

### Discoverability

At least 30% of each service's catalogue must be EU titles, which must be made prominent. The EU also published [guidelines](#) on how to calculate discoverability, suggesting that the EU quota be counted by title (i.e., one film or one season of a series would count as one title). The guidelines also allow regulators to give a higher weight to titles with high production costs.

# BELGIUM (FLANDERS REGION)

## Who it applies to

### For contribution:

Private online video services established in another EU state but targeting viewers in Flanders.

### Exemptions for services:

- with an annual revenue below €500,000 earned from their online streaming activities in Flanders; or
- which have already contributed to Flanders audiovisual productions through their traditional TV or distribution activities.

### For discoverability:

Online video services (including the public broadcaster), with exemptions for:

- services with a small audience (undefined);
- services with annual revenue in Flanders below €500,000; or
- small and micro-undertakings (as defined by EU guidelines).

## Contribution

Yes. Consult the Decree on radio broadcasting and television (available in Dutch only).

Either a contribution to the production or co-production of a Flemish audiovisual work or a direct contribution to the Flanders Audiovisual Fund.

The contribution amounts to 2% of a service's annual revenue.

If services do not tell authorities of their choice (i.e., to invest in production or to make a contribution), or if they do not prove that they are out of scope of regulation, they are deemed to have opted for a contribution of €3M per year.

In 2022, the Flemish government was planning to propose (available in Dutch only) increasing the investment obligation and including more services (e.g., Internet service providers).

## Discoverability

Yes. Consult the [Decree on radio broadcasting and television](#) (available in Dutch only).

At least 30% EU titles, which must be made prominent (in line with the AVMSD).

Examples of prominence measures include making EU titles available on the service's homepage, in the search function, and promotion through trailers or banners.

## **BELGIUM (WALLONIA-BRUSSELS FEDERATION (WBF) REGION)**

### Who it applies to

#### **For contribution:**

Traditional broadcasting services and online video services established in the WBF region or targeting its viewers, with exemptions for those with less than €300,000 in annual revenue.

#### **For discoverability:**

Online video services, with exemptions for those with less than €300,000 in annual revenues or offering at least 80% non-EU titles.

## Contribution

Yes. Consult the [Decree on audiovisual media and video-sharing services](#) (in French only).

Can either take the form of co-production or pre-purchase of titles, or of a direct contribution to the Film and Audiovisual Centre, at the following rates:

- 1.4% if annual revenue between €300,000 and €5M
- 1.6% if annual revenue between €5M and €10M
- 1.8% if annual revenue between €10M and €15M
- 2.0% if annual revenue between €15M and €20M
- 2.2% if annual revenue higher than €20M

The contribution is set at €3M per year for services who do not declare their annual revenue or do not provide sufficient information.

Services can make agreements (with the government, independent producers, and audiovisual creators and performers) to focus their contribution on a specific type of audiovisual work, to set a higher contribution rate, or to define any other additional commitment.

In 2022, the regulator recommended increasing the contribution and extending it to other services (e.g., mobile Internet providers) (link available in French only).

## Discoverability

Yes. Consult the Decree on audiovisual media and video-sharing services (in French only).

At least 30% EU titles, of which 10% must be titles from the WBF. This must gradually increase each year to reach 40% of the 30% EU quota after five years.

EU titles (including original titles by creators from the WBF) must be given special prominence in catalogues.

## CROATIA

### Who it applies to

#### For contribution:

Online video services established in another EU state and targeting viewers in Croatia.

Exemptions for services with an annual gross revenue below HRK7.5M (€994,811), or with less than 5,000 active monthly users in a year, on average.

Exemptions apply only for the investment obligation and not for the contribution to the National Program for Promoting Audiovisual Creativity Titles.



### **For discoverability:**

Online video services, with exemptions for those with low revenue (i.e., an annual gross revenue below HRK3M (€397,924)), or small audience (i.e., on average below 3,000 active monthly users in a year).

## **Contribution**

Yes. Consult the Law on Electronic Media (in Croatian only).

### **Investment obligation:**

2% of annual gross revenue earned in Croatia must be given to:

- the production of Croatian audiovisual content by independent producers; or
- the acquisition of Croatian audiovisual content by independent producers.

### **Contribution obligation:**

Services must also contribute 2% of their annual revenue earned in Croatia to the National Program for Promoting Audiovisual Creativity Titles.

## **Discoverability**

Yes. Consult the Council for Electronic Media's rules (in Croatian only) on the criteria and method of increasing the scope of the share of European titles.

At least 30% EU titles (in line with the AVMSD). Services must ensure that EU titles are displayed on the home page of their catalogue.

If the catalogue contains between 20% and 30% EU titles, the share can be increased to 30% over a period of two years (first year 25%, second year 30%).

## DENMARK

### Who it applies to

#### For contribution:

International online video services.

#### For discoverability:

Online video services, with exemptions for those with low revenue or small target audience (not yet defined).

### Contribution

Yes. Consult the Danish government's media agreement (in Danish only).

Contribution of at least 6% of a service's annual revenue earned in Denmark.

Funds go to a public service pool (50%) and to the Danish Film Fund (50%).

### Discoverability

Yes. Consult the Order on program activities based on registration (in Danish only).

At least 30% EU titles, which must be made prominent (in line with the AVMSD).

## FINLAND

### Who it applies to

Online video services, with exemptions for those with low revenue or small target audience (no further details).

### Contribution

No obligation in place.

## Discoverability

Yes. Consult the [Act on Electronic Communication Services](#) (in Finnish only).

At least 30% EU titles, which must be made prominent (in line with the AVMSD).

## FRANCE

### Who it applies to

#### For investment:

- Online video services, VOD services and TV channels targeting viewers in France.
- Subscription online video services with an annual revenue of more than €5M and with an audience greater than 0.5% of the total audience in France.

Services (including VOD) offering less than 10 long-form films per year do not have to contribute to the production of films.

Online video services proposing fewer than 10 audiovisual titles per year (other than adult content or content inciting violence) do not have to contribute to the production of audiovisual titles.

#### For contribution (tax on video services):

Free and pay online video services established outside France but targeting French viewers.

#### For discoverability:

- VOD services of TV channels with at least 10 feature-length films or TV series.
- Online video services with an annual revenue of more than €1M and with an audience share greater than 0.1% of the total audience in France and offering at least 10 long films or TV series (other than adult content or content inciting violence).

## Contribution

Yes. For investment, consult the [Decree on on-demand audiovisual media services](#) (in French only). For contribution, consult [Article 1609 of the General Tax Code](#) (in French only).

### **For investment:**

Foreign services can (but are not obliged to) make an agreement with the regulator to set investment or contribution obligations. Without an agreement, the regulator will decide on the obligations.

Services must invest a share of their revenue into EU film and audiovisual production at these rates:

- 25% when they offer annually at least one feature film within less than 12 months after its release in theatres in France; or
- 20% in other cases.

At least 85% of the investment must be for original French-language content.

For services with an annual revenue below €10M, the above rates are reduced by 25%.

For recent services (i.e., offered within less than three years from the entry into force of the decree, regardless of revenue), rates are reduced by 50% in the first year, and by 25% in the second year.

Other services (such as transactional or free VOD) must invest 15% of their annual revenue into productions (of which at least 12% must be original audiovisual productions in French).

### **For contribution (tax on video services):**

The amount of the tax is set at 5.15% of:

- the revenue generated by the sale and renting of videos and access to audiovisual content; and
- the advertising revenue of services making content available (whether paid or free of charge).

The amount of the tax is set at 15% if the services include adult content or content inciting violence.

Funds go to the National Centre for Cinema and the Moving Image.

## Discoverability

Yes. Consult the [Decree on on-demand audiovisual media services](#) (in French only).

At least 60% EU titles and 40% titles in French.

Agreements with the regulator can set lower percentages (no less than 50%) of EU titles in exchange for a commitment to invest in the production of unpublished original audiovisual content in French, independently produced.

These EU and French titles must be made prominent (by means other than the mere mention of the title), for example:

- by displaying visuals, making trailers available and adding specific sections on the home page;
- in recommendations to users;
- in searches initiated by users; and
- in campaigns to promote services.

## GERMANY

### Who it applies to

#### For contribution:

Online video services, including those established in other EU states, targeting viewers in Germany.

#### For discoverability:

Online video services, with exemptions for those with low revenue or small audience figures, or if a quota is impractical or unjustified due to the nature of the service (in line with the AVMSD).

## Contribution

Yes. Consult the German Film Law.

1.8%, if annual net revenue is below €20M.

2.5%, if annual net revenue is above €20M.

Funds go to the German Federal Film Board.

## Discoverability

Yes. Consult the Interstate Media Treaty (in German only).

At least 30% EU titles (in line with the AVMSD).

The 30% share is calculated based on the number of titles available in the catalogue in a given half-year.

## GREECE

### Who it applies to

Online video services targeting viewers in Greece.

Exemptions for services with low revenue and small audience (in line with the AVMSD).

### Contribution

Yes. Consult Law 4779/2021 (in Greek only).

1.5% of revenue must be allocated to:

- direct investment into Greek content;
- acquiring rights to new productions; or
- contributions to a special fund of the National Centre of Audiovisual Media and Communication (EKOME).

## Discoverability

Yes. Consult [Law 4779/2021](#) (in Greek only).

At least 30% EU titles, which must be made prominent (in line with the AVMSD).

## IRELAND

### Who it applies to

Online video services under Irish jurisdiction or under the jurisdiction of another EU state and targeting viewers in Ireland.

Exemptions for services with low annual revenue or small audience, and for whom these obligations would be impractical or unjustified due of the nature of the service (in line with the AVMSD).

### Contribution

Proposed in the [Online Safety and Media Regulation Act 2022](#).

The law gives the regulator power to impose a levy; the regulator is currently studying the options.

### Discoverability

Yes. Consult the [Online Safety and Media Regulation Act 2022](#).

At least 30% EU titles, which must be made prominent (in line with the AVMSD). No details on specific obligations yet.

# ITALY

## Who it applies to

### For contribution:

Online video services that are under the jurisdiction of another EU state and have editorial responsibility over an on-demand catalogue targeting viewers in Italy.

### For discoverability:

Online video services under Italian jurisdiction and subject to the authorization regime (i.e., excluding the VOD services of TV channels).

### Exemptions from contributions and discoverability:

Exemptions for services with annual revenue below €5M (upon request) and for new services in their first year of activity.

Services can also request exemptions if:

- no profit was made in each of the last two years;
- annual revenues are below €10M;
- obligations are impracticable or unjustified; or
- the thematic nature of the offer does not allow the service to commission content from independent producers or to invest in EU titles, including Italian titles.

### Exemptions from discoverability of recent titles:

This obligation does not apply to transactional VOD.

## Contribution

Yes. Consult the [Legislative Decree 208 of 8 November 2021](#) (in Italian only).

A percentage of annual revenue earned in Italy must be invested into production, co-production, acquisition or pre-acquisition of EU titles of independent producers, at the following rates:



- 17% in 2022;
- 18% in 2023; and
- 20% from 2024.

Half of these investments must go into content of “original Italian expression wherever produced” in the last five years, of which one fifth (2% of annual revenues from 2024) must be for independent film titles produced in the last five years.

## Discoverability

Yes. Consult the Legislative Decree 208 of 8 November 2021 (in Italian only).

At least 30% EU titles produced in the last five years. Within this quota, at least 50% must be Italian content independently produced in the last five years.

Services must also make these titles prominent in their catalogues, according to a scoring system (in Italian only). Services can choose from a set of actions to reach the necessary score in two categories:

1. A section of the home page or a category of the search engine dedicated to EU titles (minimum of 10 points required):
  - a. At least 30% of content made prominent are EU titles (e.g., trailers, titles) (7 points)
  - b. At least 20% of content made prominent in each main section are EU titles (7 points)
  - c. Permanent section or banner just for EU titles (4 points)
  - d. EU titles remain in catalogue for at least seven days (3 points)
  - e. Search tools per nationality (3 points)
  - f. Synopsis underlines that the work is EU (3 points)
2. A quota of EU titles in advertising or promotional campaigns (minimum of 15 points required):
  - a. One month thematic initiative on social media at least once a year (6 points)
  - b. At least 20% of content featured in cross-platform promotion (e.g., TV, radio, magazines) are EU titles (5 points)
  - c. Pre-rolls of short promo/trailers (one a month on average) (5 points)
  - d. Using social media to promote EU titles (5 points)

- e. At least 20% EU titles in recommendations made to users (5 points)
- f. At least 30% EU titles in promotional communications to users (4 points)
- g. Reviews and information provided for EU titles (3 points)

## NETHERLANDS

### Who it applies to

#### For contribution:

Proposed: Commercial online video services, including those established in other EU states, and targeting viewers in the Netherlands.

Exemptions for public broadcasters and services with:

- annual revenue below €30M earned in the Netherlands; or
- audience share of less than 1% in the Netherlands.

The regulator can also grant exemptions if the obligations are impractical or unjustified due to the nature of the service.

#### For discoverability:

Public and commercial online video services, with exemptions for services with:

- annual revenue of €2M or less, (including the annual revenue of partner/affiliated companies); or
- audience share of less than 1% in the Netherlands.

The regulator can also grant an exemption if the obligations are impractical or unjustified due to the nature of the service.

### Contribution

Proposed in a draft law (in Dutch only) introduced by the Secretary of State (Culture and Media).

According to the draft law, services will need to invest 4.5% of their annual revenue earned in the Netherlands into a “Dutch cultural audiovisual product.” Investment can be made via (co)productions, or by obtaining operating licences for unfinished or recently completed productions.

The service would have two years to comply with the obligation. If a service invests more than 4.5% of its annual revenue within a year, the remaining amount would carry over to the following year.

## Discoverability

Yes. Consult the [Media Law 2008](#) (in Dutch only).

At least 30% EU titles, which must be made prominent (in line with the AVMSD). Examples of how services can make EU titles prominent include:

- providing a section for EU titles accessible from the home page of the service;
- providing a search function for EU titles;
- using EU titles in promotional campaigns; or
- providing a minimum percentage of EU titles in the catalogue, recommended using banners or similar tools.

## NORWAY

### Who it applies to

#### For contribution:

Proposed: Online video services, with exemptions for those:

- with low revenue and small audience;
- who do not offer feature films, documentaries, drama series and documentary series; or
- for whom the obligation would be impractical or unreasonable due to the nature of the service.

The VOD services of NRK (public broadcaster) are also exempt from contribution (though discoverability obligations still apply).

#### For discoverability:

Online video services with exemptions for those with low revenue or small audience figures. Services where the nature or content of their service make a quota impractical or unreasonable could also be exempted.

## Contribution

Proposed in a draft law (in Norwegian only) introduced by the Ministry of Culture.

The government is proposing two models (in line with the AVMSD):

### Option 1 (Contribution):

Sliding scale of investment and contribution. As services increase their direct investment, their contribution (% of annual revenue) would decrease at the following rates:

- 5% contribution when annual direct investment is below NOK25M (€2.41M)
- 4% contribution when annual direct investment is between NOK25M (€2.41M) and NOK40M (€3.85M)
- 3% contribution when annual direct investment is between NOK40M (€3.85M) and NOK55M (€5.29M)
- 2% contribution when annual direct investment is between NOK55M (€5.29M) and NOK70M (€6.74M)
- 1% contribution when annual direct investment is between NOK70M (€6.74M) and NOK85M (€8.18M)
- 0% contribution when annual direct investment exceeds NOK100M (€9.62M)

Funds would go to the Norwegian Film Institute.

### Option 2 (Investment):

Direct investment of 5% gross annual revenue into Norwegian audiovisual productions.

## Discoverability

Yes. Consult the Broadcasting Regulations (in Norwegian only).

General obligation to promote the production and access to EU titles, and to report to the regulator.

Proposed amendment to the Broadcasting Regulations (in Norwegian only) to include obligation for at least 30% EU titles (in line with the AVMSD).

The regulator could use co-regulation to create guidelines on how to promote EU titles and criteria for fulfilling this prominence obligation.

## **POLAND**

### Who it applies to

#### **For contribution:**

Online video services, including those established in other EU states, targeting viewers in Poland.

Exemptions for micro-enterprises and services with a number of users less than 1% of national broadband subscribers.

#### **For discoverability:**

Online video services, with exemptions for micro-enterprises and services with a number of users less than 1% of national broadband subscribers.

Additional exemption for catalogues containing only non-EU titles.

### Contribution

Yes. Consult the Act of 14 May 2020 (in Polish only).

1.5% of subscription or advertising fees, whichever is higher, based on annual revenue earned in Poland.

Funds go to the Polish Film Institute.

### Discoverability

Yes. Consult the Broadcasting Act (in Polish only).

At least 30% EU titles (in line with the AVMSD), including Polish titles. These must be promoted through:

- proper identification of the program’s origin and the option to search for EU titles and titles originally produced in Polish; and
- information and material that promote EU titles.

## PORTUGAL

### Who it applies to

#### For contribution:

Online video services, including those established in other EU states, which target viewers in Portugal.

#### Exemptions for services:

- with revenue below €200,000;
- market share of less than 1%; or
- whose catalogues include only content of a pornographic nature.

#### For discoverability:

Online video services with low revenues and small audience are exempted (in line with EU guidelines).

### Contribution

Yes. Consult [Decree 93/XIV](#) and [Decree-Law No 74](#) (in Portuguese only).

#### Investment obligation:

Sliding scale of investment according to revenue.

- Between €200,000 and €2M: 0.5% of the relevant revenue or €0.50 per subscriber or a flat rate of €10,000
- Between €2M and €10M: 1% of the relevant revenue or €1 per subscriber or a flat rate of €100,000
- Between €10M and €25M: 2% of the relevant revenue or €2 per subscriber or a flat rate of €500,000
- Between €25M and €50M: 3% of the relevant revenue or €3 per subscriber or a flat rate of €1.5M

- €50M or more: 4% of the relevant revenue or €4 per subscriber or a flat rate of €4M

For services where the relevant content makes up less than 50% of programming, measured in number of hours, the investment obligation is reduced by 50%.

Investment can take the form of:

1. financing of writing and project development for independently produced EU titles in Portuguese;
2. productions (co-production, association without co-ownership, the acquisition of exploration rights at the design or distribution stages);
3. acquisition of distribution rights for films and EU independent titles in Portuguese;
4. the restoration and mastering of certain titles if they are delivered to a public archive;
5. promotion of EU titles;
6. in-house production or production by associated companies, the acquisition of commissioned titles or investment in other EU titles.

At least 30% of the investment must go towards the activities covered in bullets 1 and 2 above.

In the case of subscription online video services, titles must be originally in Portuguese; however, this obligation does not apply for co-productions with domestic partners under the applicable treaties.

If impossible to determine the relevant revenue, the annual investment is set at €4M.

### **Contribution obligation:**

Subscription online video services must contribute 1% of their relevant revenue earned in Portugal. If impossible to determine the relevant revenue, the service must pay a fee of €1M. Funds go to a national film fund.

### **Discoverability**

Yes. Consult [Decree 93/XIV](#) (in Portuguese only).

At least 30% of EU titles, which must be made prominent. Of this quota, at least half must be Portuguese-language titles produced independently in the EU less than five years ago.

Services can ensure prominence by creating an area in their catalogue to promote EU and Portuguese-language titles (details not yet specified).

There is no further explanation on how this applies to online video services, which suggests that services are free to decide on how to meet this obligation.

## **ROMANIA**

### **Who it applies to**

#### **For contribution:**

Online video services, with exemptions for:

- micro-enterprises (with revenue that did not exceed €65,000 in the previous fiscal year); and
- services with low audience (less than 1% of national broadband subscribers).

#### **For discoverability:**

Online video services, with exemptions for those with:

- revenues below €2M (from providing audiovisual media services); or
- an audience level below 1%.

### **Contribution**

Yes. Consult the [Law no. 190 of 28 June 2022](#) (in Romanian only).

4% of revenue from transactional or subscription online video services. Funds go to the National Center of Cinematography.

Services can opt for the direct financing of a film production, with up to 40% of the amount allocated to the Cinematographic Fund, at the request of the film producers and after notifying the National Center of Cinematography.



## Discoverability

Yes. Consult the [Law no. 190 of 28 June 2022](#) (in Romanian only).

At least 30% of EU titles, which must be made prominent through:

- a dedicated section for EU titles that is accessible from the homepage;
- the possibility to search for EU titles;
- the use of EU titles in promotional campaigns; or
- a minimum % of EU titles promoted from that service's catalogue, for example, by using banners or similar tools.

Services must also promote EU fiction titles on their homepage and classify the country of origin of each title available in the catalogue.

## SPAIN

### Who it applies to

#### For contribution:

Traditional broadcasting services and online video services established in another EU state and targeting viewers in Spain.

Exemptions for services with an annual revenue of less than €10M or with a small audience (1%).

#### For discoverability:

Online video services; however, regulations still need to be adopted to specify exemptions and flexible conditions for services:

- with a low revenue (lower than €2M) or with small audience (below 1%); or
- for which the obligation is impractical or unjustified due to the nature of the service.

### Contribution

Yes. Consult the [General Audiovisual Law 13/2022](#) (in Spanish only).

Can take the form of an investment or a contribution (see below).

## **Services with an annual revenue of €50M or more:**

Must allocate 5% of annual revenue earned in Spain to:

- the financing of EU titles;
- the purchase of exploitation rights of finished EU titles;
- the Spanish Cinematography Protection Fund; and/or
- the Cinematography and Audiovisual Promotion Fund in co-official languages other than Spanish.

This obligation must respect two conditions.

First, at least 70% must be allocated to audiovisual works produced independently in Spanish or in one of the official languages of the autonomous communities. Of this sub-quota, services must reserve:

- a minimum of 15% to titles in one of the official languages, taking into account their population weight and reserving at least 10% for each of them; and
- a minimum of 30% to titles directed or created exclusively by women.

Secondly, at least 40% must be allocated to films produced independently in Spanish or in one of the official languages of the autonomous communities.

## **Services with annual revenue of less than €50M:**

Must allocate 5% of annual revenue to:

- the direct financing of EU titles (of which at least 70% are independently produced in any of the official languages of Spain);
- to the acquisition of rights to finished EU titles; or
- to a contribution to the Film Protection Fund.

## **Discoverability**

Yes. Consult the [General Audiovisual Law 13/2022](#) (in Spanish only).

At least 30% EU titles (in line with the AVMSD), at least 50% of which must be in Castilian Spanish or in one of the regional languages (i.e., Catalan, Galician, Basque or Aranese).

From this 50% sub quota, at least 40% of titles must be in one regional language, taking into account the population of the region, and at least 10% must be reserved for each of

the remaining regional languages. Both sub quotas do not apply to services offered exclusively for reception in other EU states.

Prominence of titles must be ensured, but there are no details yet on how this would be guaranteed.

## **SWEDEN**

### Who it applies to

Online video services, with exemptions for those with low annual revenue (below SEK20M (€1.83M) or small audience (less than 1% audience share).

### Contribution

No obligation in place.

### Discoverability

Yes. Consult the Amended Act on Television and Radio Operations (in Swedish only).

At least 30% EU titles, which must be made prominent (in line with the AVMSD).

## **OTHER COUNTRIES**

### **ARGENTINA**

#### Who it applies to

Foreign online video services targeting viewers in Argentina.

## Contribution

A draft law (in Spanish only) proposes a contribution between 1% and 5% of gross revenue earned in Argentina from digital audiovisual services. The contribution would go towards the Federal Audiovisual Fund.

A proposed contribution (in Spanish only) is also being studied by the National Institute of Cinema and Audiovisual Art, a government agency responsible for promoting the film industry. The contribution would apply to online video services and be similar to the country's existing 10% tax on movie theatre tickets.

## Discoverability

No obligation in place.

# AUSTRALIA

## Who it applies to

Online video services targeting viewers in Australia.

## Contribution

No obligation in place.

## Discoverability

Proposed as part of the Australian national cultural policy.

The government will introduce obligations for Australian content on online video services by July 2024.

## COLOMBIA

### Who it applies to

Online video services targeting viewers in Colombia.

### Contribution

No obligation in place.

### Discoverability

Yes. Consult the Decree no. 681 of 21 May 2020 (in Spanish only).

Services must include an easy-to-find section in their catalogue that exclusively contains Colombian titles.

## MEXICO

### Who it applies to

Online video services, both domestic and foreign-owned, targeting viewers in Mexico.

### Contribution

No obligation in place.

### Discoverability

Proposed in a draft decree issuing the Federal Law on Cinematography and Audiovisual (in Spanish only).

The draft law proposes a domestic content quota of 15% for online streaming catalogues, along with prominence obligations.

## **PARAGUAY**

### Who it applies to

Foreign online video services targeting viewers in Paraguay.

### Contribution

Yes. Consult the Law no. 6.106 on Promoting Audiovisual.

Services must contribute to a fund administered by the National Institute of Paraguayan Audiovisual (no further details).

### Discoverability

No obligation in place.

## **SOUTH AFRICA**

### Who it applies to

Online video services targeting viewers in South Africa.

### Contribution

A government draft white paper proposes contribution obligations for services that cannot meet the proposed 30% domestic content quota.

### Discoverability

A government draft white paper proposes a 30% quota for South African content.

# SWITZERLAND

## Who it applies to

International online video services targeting viewers in Switzerland, with exemptions for those that:

- do not reach a minimum annual revenue (less than CHF2.50M (€2.54M)); or
- only propose films on an occasional basis (less than 12 per year).

## Contribution

Yes. Consult the [Amendment to the Film Act](#).

As of January 2024, online video services must invest 4% of their annual gross revenue generated by films in Switzerland, in particular: revenue derived from the use/acquisition of films, revenue from advertising and sponsorship, and revenue from use of data.

If services fail to invest in Swiss film productions during four years, they will need to pay a substitute contribution to the Federal Office of Culture.

## Discoverability

Consult the [Amendment to the Film Act](#).

At least 30% EU titles, as of January 2024 (similar to the AVMSD).

# UNITED KINGDOM

## Who it applies to

Online video services, with exemptions for those with low revenue (less than £1.7M per year) and small audience (less than 1% of audience share), in line with EU guidance.

The regulator can also exempt on a case-by-case basis where the obligations are impractical or unjustified due to the nature of the service.

## Contribution

No obligation in place.

## Discoverability

Yes. Consult the regulator's guidance for on-demand programme services on obligations relating to EU titles.

At least 30% EU titles, which must be made prominent (similar to the AVMSD), for example by:

- using apps on connected TVs;
- clicking through other websites; or
- using increasingly sophisticated search functions.