

**MINUTES OF THE 25th MEETING OF THE CONTACT COMMITTEE
ESTABLISHED BY THE TELEVISION WITHOUT FRONTIERS DIRECTIVE
on 20 November 2007**

1. Agenda

The Chairman welcomed the members of the Contact Committee (CC). The agenda was adopted.

2. Cooperation between regulatory authorities

Presentation of the memorandum of understanding between SBC and OFCOM

The Swedish delegation presented the background, purpose and mechanism of the Memorandum of Understanding between SBC and OFCOM (MoU) which allows Swedish complaints to be forwarded directly and without translation to OFCOM. Other delegations showed interest in a similar form of cooperation. Other cooperation agreements, e.g. between Estonia/Latvia/Lithuania and Hungary/Poland, were presented. The Commission services consider such cooperation between Member States' regulatory authorities also interesting with regard to the new procedures established by the Audiovisual Media Services Directive.

3. Review of the “Television without frontiers Directive”

The Commission services recalled the time schedule regarding the adoption of Audiovisual Media Services Directive: (i) on 15/10/2007: formal adoption of the Common Position in Council and (ii) on 28-29/11/2007 2nd reading and adoption in Parliament.

The Directive will enter into force after publication in the Official Journal.

The Commission services proposed to have next year 3 meetings of the CC to discuss the implementation of the new Directive. These meetings could be grouped around the subjects of Jurisdiction, Commercial communication, and Basic tier and new provisions. Delegations suggested having two-day meetings and discussing the issues rather early in the year.

Member States were invited to flag issues that need to be discussed and invited to introduce one of the subjects at the forthcoming meetings.

The majority of the CC supported the idea to invite stakeholders for specific questions if appropriate.

The reversal of subsidiary jurisdiction criteria in Art 2 (4) AVMS was given as one example where a coordinated transition from TVwF to AVMSD is necessary to avoid

disruptions. The Commission services suggested that the provisions transposing Art. 2 (4) AVMSD should enter into force at the end of the 2 years' transposition period, in all Member States, without prejudice to the transposition of the other provisions of AVMS.

4. Art 3a Television without frontiers Directive – Events of major importance to society

The Court of First Instance decided in 2005 in the Infront case that the Commission's *approval* of the UK list had to be a decision taken by the College itself and could be contested by Infront because Infront was individually and directly concerned.

The Commission appealed against the CFI's decision, disputing that Infront was directly and individually concerned. The Advocate General in his opinion confirms the CFI's ruling. The ECJ's judgement is expected in the next weeks.

In another pending case before the Court of First Instance, FIFA contests the Belgian national measures according to Art 3a TVwF because they list all matches of the FIFA World Cup Final tournament.

5. Representation in the newsroom and on-screen of ethnic, racial and national minorities -Actions against Racism and Xenophobia.

On the basis of replies submitted to the Commission a draft report was distributed. Contact Committees members are invited to comment on the report by the end of the year.

6. Content Online

The Commission services presented activities regarding content online as part of the Commissions' i2010 strategy. A Commission Communication will be adopted before the end of the year that shall describe major horizontal challenges. The communication is likely to contain a questionnaire and prepare a proposal for a recommendation.

7. Any other business

The Commission provided additional information on ongoing projects:

- Notification of implementation measures
- Art 4&5 Report
- Violent Videogames