

Research, analysis and opinion on international media law

Belgian government approves new federal bill on media law



Belgium approves preliminary draft decree that transposes the AVMS Directive, with German-speaking community adopting decree in March

Belgium's parliament has approved a preliminary draft decree transposing the Audiovisual Media Services (AVMS) Directive.

On 01 March, the parliament of the German-speaking community adopted a decree on media services and film screenings (Dekret über die mediendienste und die kinovorstellungen) as part of transposition of the Directive.

The bill introduces new provisions that are applicable to linear and on-demand AVMS providers. These provisions include political independence of AVMS providers whose services are distributed via a closed

distribution platform. Updated rules include the consolidation of content obligations, such as the obligation to make services accessible for persons with a visual or hearing disability and the expansion of rules on product placement.

Thierry Breton, European Commissioner for the Internal Market, said: "With the audiovisual services directive, we are taking a new step to creating a 21st century European media framework to allow for new innovative services, to promote European culture in on-demand catalogues and to protect our children from illicit and harmful content →

Indian M&E sector to reach USD30bn

The Indian media and entertainment sector is expected to grow by 25 per cent in 2021, and reach USD30 billion by 2023, according to an Ernest & Young report titled 'Playing by new rules'.

The report was published on 26 March and outlines continued growth in the television market. Findings show that digital media has overtaken print while online gaming has overtaken a disrupted entertainment sector.

Ashish Pherwani, E&Y Indian Media and Entertainment Leader, commented: "Media and Entertainment industry in India in 2020 witnessed a shift in demand patterns as consumers actively sought alternatives and had the time to try new things."

He added: "However, the compelling content created around news and escapism, and the passion to build some of India's most powerful brands remained resolute."

The year 2020 saw changes to demand as consumers sought alternatives and had time to try new things amid lockdown measures.

The report outlines positive growth trends across a number of media and entertainment subsectors that are seeing strong interest from global organisations.

According to the report, 'India's M&E market is strategically interesting to global players seeking to monetize content and capture growth, either as a participant via licensing or other commercial arrangements, or as an outright owner through an in-bound acquisition or organic investment approach.'

Growth was aided by improved digital infrastructure and the acceleration of digital media adoption in one of the most diverse and vibrant media markets in the world. ■

What's inside

- 1-2 MEDIA MARKET NEWS COVERAGE
- 3 MLI'S ANNUAL GLOBAL CONFERENCE
- 4 FEATURED FIRM: AL TAMIMI

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Ringier AG acquires share in Bulgarian Sportal Media Group and in Digital Ventures OOD

Swiss-based Ringier AG has agreed to the acquisition of a majority share in Sportal Media Group and Digital Ventures OOD.

The deal was announced on 17 March and accelerates Ringier's sports media strategy.

Sportal Media is Bulgaria's leading digital media company and has a successful footprint in sports. Digital Ventures OOD is Sportal Media's IT development company behind Sportal365, a content management system for global sports stakeholders.

The deal accelerates Ringier's sports media strategy, and follows a successful two-and-a-half-year collaboration in the joint venture Ringier Sportal S.R.L. in Romania.

Ladina Heimgartner, Head Global Media of Ringier AG, explained: 'The investment in Sportal Media Group is a further milestone for Ringier as a digital media company with a strong journalistic DNA as well as an important sign for the future of our Global Media Division.'

Stilian Shishkov, CEO of the Sportal Media Group and Digital Ventures, added: 'The step we take today is a major one, and it is the beginning of a great venture in the highly competitive sports media industry.'

Both parties have agreed to keep the purchase price and valuation undisclosed. The deal is expected to close in 2Q of 2021. ■

Belgian government approves new federal bill continued from page 1

← online. We are working closely with EU member states to ensure that the directive is transposed completely and efficiently."

Under Belgian law, audiovisual media qualifies as a cultural matter with political power divided between the federal level, language-based communities and territory-based regions.

In a diverse country with French-, Flemish- and German-speaking communities,

cultural matters are handled within Belgian communities. According to the European Commission, the directive 'provides rules to protect vulnerable viewers and children sharing videos online, combat racial and religious hatred as well as create a level playing field for audiovisual media services, preserve cultural diversity including European works, and guarantee the independence of national media regulators.'

Telenet expands with 49 per cent acquisition of Caviar

Flemish cable operator Telenet has agreed to acquire a 49 per cent share in production company Caviar Group as part of its international expansion in the television production market.

The deal was announced on 30 March and is expected to complete on 01 May. Given Telenet's minority participation, Caviar Group will continue to function as an independent content studio.

Telenet and Caviar Group aim to build on the creativity and quality of the Flemish media sector, as well as make local content and talent more profitable worldwide.

Telenet has invested in the Flemish media market for years via De Vijver Media with its full subsidiaries Woestijnvis and SBS. Telenet is backed by Liberty Global, which indirectly owns 57 per cent of Telenet.

John Porter, Telenet CEO, commented: 'At Telenet, we were already looking at ways of making local content more profitable beyond the Flemish living rooms via The Park. Woestijnvis is already targeting the Dutch and German markets through joint venture Fabiola. I am convinced that the local top content produced here will be appreciated internationally as well.'

He added: 'Caviar's vision to start from its own strengths and to deploy these locally and internationally instead of copying formats from abroad is something I fully support. This mentality will lead to more local top content for our viewers, more growth for our outstanding local talent.' ■

The AVMS Directive coordinates EU-wide legislation on all audiovisual media, bringing significant changes. The Directive coordinates traditional TV broadcasters and on-demand video services, and outlines essential protection measures relating to content shared on video-sharing platforms.

The Directive has been implemented into local law by Member States in the lead up to the 2020 deadline. ■

Annual Global Conference to present high-profile speakers

Zineb Serroukh-Ouarda



Managing Editor, Zineb Serroukh-Ouarda, on upcoming business and legal event

"The Annual Global Conference has long been in planning. We have had market demand for an event like this for a number years so this culmination of research and planning represents a significant milestone for MLI.

The conference, as its title indicates, will be organised as an annual event which we expect to build into an eminent global event for legal and business markets.

We have dedicated our focus to one industry, recognising its capacity to develop magnificently as it has done over the past nine years we have been operational.

The media industry has collaborated, converged and consolidated over the past decade and, in the process, has transformed into an all-encompassing sphere of brilliant wonder.

We've seen legislators around the world grapple with technological advance, and lawyers

redefine legal norms with landmark cases, from Rebel Wilson's record defamation damages, subsequently reduced, to privacy cases. In this process of change, we have highlighted world-leading lawyers and their expertise as well as presented content on market challenges in multiple jurisdictions.

On this journey, we move to mark an important year in MLI's progress with the introduction of the Annual Global Conference, our inaugural event to take pace, virtually of course, on 22 June 2021 after much planning.

The conference is sponsored by US firm Norris McLaughlin, McCann FitzGerald in Ireland, Polish firm WKB Wiercinski, Kwiecinski, Baehr, Charles Russell Speechlys in the UAE as well as Punuka Attorneys in Africa.

Our law-firm speakers include Jeanne Hamburg, Robert Lands, Karyn Harty, Lesley

Caplin, Agnieszka Wiercińska-Krużewska, Mark Hill and Isioma Idigbe.

Participating organisations include The Sun, The Guardian, the BBC, Channel 4, ViacomCBS, Kantar, Wellspring Studios and Hanway Films.

Participants include in-house counsel, directors and producers. Our line-up of speakers and includes Christophe Dickès, Gillian Phillips, David Atfield, Adam Cannon, Dominic Harrison, Danny de Warren, Julia Sycheva and Ivan Kelava.

The conference will be available on-demand to all delegates and speakers to access after the event date. This feature maximises the validity of speaker sessions, making them available to audiences across times zones who may not be available for on-the-day viewing.

The Annual Global Conference was created in collaboration with an Advisory Board that comprises in-house counsel from around the world, including Bulgaria, France, Italy, Portugal, Russia, Turkey, the UK and the US.

We have partnered with renowned media organisations to produce a high-profile event that addresses topics of global importance, legal challenges and industry standards.

We look forward to hearing from our speakers on 22 June and learning from their experience and expertise, as well as to welcoming delegates from around the world."

* For more information about the conference, and for delegate registration, please visit www.medialawinternationalagc.com.

* For more information about speaker and sponsorship opportunities, please contact Mina Kouchih, mkouchih@medialawinternational.com

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