

# Audiovisual commercial communications Trends & challenges

Geneviève de Bueger  
Head of new platforms unit

41st Epra meeting – 14 May 2015  
BERNE



## Monitoring on new platforms : scope

- On demand AVMS (public/private – catch up tv/new services)
- Audio services: Web radios/streaming of radios
- AVMS developed by the press

Distributed on :

- their own websites
- video sharing platforms (Youtube, Dailymotion, Viméo, Radionomy)
- apps (connected tv, tablets and smartphones)



## Monitoring on new platforms : objectives

- ✓ Identify possible infringements of existing rules
- ✓ Evaluate whether current rules are appropriate in the online environment
- ✓ Evaluate the need of guidelines (recommandation)
- ✓ Assess the need to modify some rules in our decree implementing the directive



## Topics addressed in our public consultation

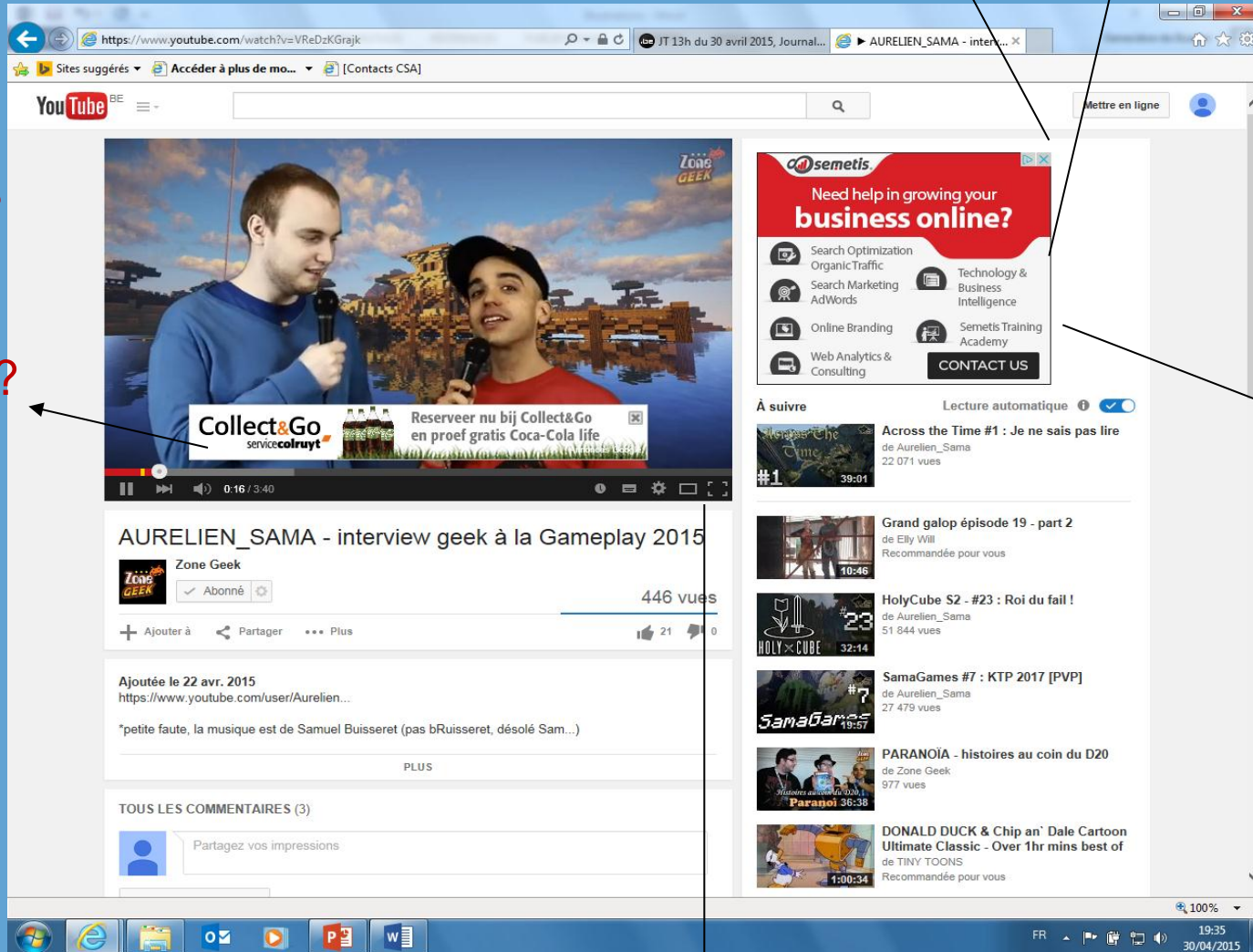
- Scope of the definition related to commercial communications
- Quantitative rule (20% rule applicable on non linear services in our decree)
- Commercial communications recognizable as such (art. 9 AVMSD) + distinguishable/distinct (our decree)
- Editorial responsibility left to the AVMS providers in a connected environment?
- Revenues of commercial communications on new platforms (basis to calculate the obligation of contribution to the audiovisual production)



# Examples

A solution?

Self identification



Editorial responsibility?

Quantification?

Quant

A solution?



# Audiovisual content or advertisement ?

RTBF .BE - INFO - SPORT - CULTURE - TENDANCE - 14-18 - OUFTI - TV - RADIO - VIDEO

rtbf.be  
vidéo

Catégories Emissions

Chercher une vidéo, une émission

**FICTIONS**

**Bêtisier 1: « Sur la piste du Marsupilami »**

Jeudi 3 avril 2014 0min 10s

rtbf.be Exporter Partager MD Qualité

Sur la piste du MARSUPIAMI™  
UNE COMÉDIE D'AVENTURE  
SIGNÉE  
ALAIN CHABAT

EN BLU-RAY, DVD, VOD ET  
EDITION JAUNE ET JOLIE

AVEC MACHO MACHO BONUS D'OR

0:00:08

0:00:07 / 0:00:10

Envoyer J'aime Partager 0 G+1 0

sur-la-piste-du-marsupilami

Catégorie: Fictions

+ de détails d'articles liés



# Initial outcome of the consultation process (in progress until 1<sup>st</sup> of June)

- Advertising agencies, media service providers using online advertising (public and private)
  - Competitive landscape
  - Is it really the area of competence of the CSA?
  - Identification/separation are enough clear
  - Self - regulation meets the expectations of the viewer
  
- Media service providers using only SVOD
  - Suggestion to limit advertisements
  - « Advertising » should be clearly mentionned



# Initial outcome of the consultation process (in progress until 1<sup>st</sup> of June)

- Video sharing platforms
  - « Native advertising » to add in the definition
  - Platforms are out of the scope (recital 21) and CC are « managed » by the platforms
  
- Connected TV manufacturers
  - Never experienced « *the possibility for a third party , based outside the EU, to surimpose advertising on a connected TV without the knowledge of a broadcaster producer nor indeed of the brand in question* » (Iris plus)





# Conclusions

- Waiting for the answer consumer representatives associations...
- Are the current techniques created by the industry sufficient to comply with commercial communications rules in the online environment?
- A need for platform neutral regulation

