



Society of Audiovisual Authors  
Société des Auteurs Audiovisuels

Press Release

Brussels, Monday 20<sup>th</sup> February 2017

## Portability Regulation – Audiovisual authors regret holes in final agreement

The Portability Regulation agreement represents a mixed result for collective management organisations for screenwriters and directors: positive as it represents a bonus for consumers which will enable EU residents to travel across Europe with continued access to their subscription services, negative as the final agreement contains holes that risk opening up the Regulation to abuse and eroding the territorial licensing system that underpins the financing of the European audiovisual sector.

While SAA did not oppose the targeted objective of the Commission proposal, it regrets that the final version of the Regulation does not limit its scope to residents of one EU Member State travelling for a short time to another. Although the definitions of the Member State of residence (where a subscriber has his or her actual and stable residence) and of a temporary presence in another Member State (for a limited period of time) have been improved, SAA is concerned that two key points have been weakened. First, the list of means to verify the Member State of residence includes means that do not guarantee residency on their own (such as a credit card). Second, the possibility for rightholders to authorise the use of content without any verification of the Member State of residence. Given the market power of many services, SAA is unconvinced that many European rightholders would be in a position to refuse.

Cécile Despringre, Executive Director of the SAA said: *“This final agreement is not the safe and secure Regulation we believed the Commission, Parliament and Council were aiming to achieve in exchange for a new functionality offered to consumers with no financial benefit to the industry. It will be of utmost importance that this Regulation is carefully monitored in its implementation to identify any abuse.”*

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### About SAA

Founded in 2010, the Society of Audiovisual Authors (SAA) is the association of European collective management organisations representing audiovisual authors. Its 29 members in 22 countries manage rights for over 120,000 film, television and multimedia European screenwriters and directors.

The organisation’s objectives are:

- to defend and strengthen the economic and moral rights of audiovisual authors;
- to secure fair remuneration for audiovisual authors for every use of their works;
- to develop, promote and facilitate the management of rights by member societies.

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