

**Proposal for a Decision of the European Parliament and of the Council on the implementation of a training programme for professionals in the European audiovisual programme industry**

**(MEDIA — Training) (2001-2005)**

(2000/C 150 E/06)

**(Text with EEA relevance)**

COM(1999) 658 final — 1999/0275(COD)

*(Submitted by the Commission on 28 January 2000)*

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 150(4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

(1) From 6 to 8 April 1998, the Commission, in collaboration with the United Kingdom presidency, held a European audiovisual conference on 'Challenges and opportunities of the digital age', in Birmingham. This consultation process highlighted the need for an improved programme of training in the audiovisual sector which concentrated on all the new aspects of the digital age.

(2) The Culture/Audiovisual Council of 28 May 1998 took note of the final conclusions of the European audiovisual conference on 'Challenges and opportunities of the digital age' and called for new schemes to be developed to encourage a strong and competitive programme industry.

(3) The Report of the High-Level Group on Audiovisual Policy of 26 October 1998, entitled 'The Digital Age: European Audiovisual Policy', concluded that, in this environment, both initial and continuous training in the audiovisual sector should be strengthened.

(4) In the Communication from the Commission to the European Parliament and the Council of Ministers entitled 'Audiovisual policy: next steps', the Commission recognises the considerable impact on employment which the digital age will have in the audiovisual industry <sup>(1)</sup>.

(5) The Green Paper on 'The Convergence of the Telecommunications, Media and Information Technology Sectors, and the Implications for Regulation' recognises that the emergence of new services will lead to the creation of new jobs. Adapting to the new markets requires staff trained in the use of the new technologies <sup>(2)</sup>.

(6) The Commission's public consultation on the Green Paper confirmed the demand for specialised vocational training adapted to the needs of the market <sup>(3)</sup>.

(7) In its Conclusions of 27 September 1999 on the results of the public consultation on the Green Paper <sup>(4)</sup>, the Council called upon the Commission to take account of those results when drawing up proposals for measures to strengthen the European audiovisual sector, including the multimedia sector.

(8) The extraordinary European Council on Employment held in Luxembourg on 20 and 21 November 1997 recognised that continuous education and vocational training can make a major contribution to the employment policies of the Member States with a view to improving suitability for employment, adaptability and the spirit of enterprise, and promoting equality of opportunities.

(9) In its report to the European Council on job opportunities in the information society <sup>(5)</sup>, the Commission noted that the new audiovisual services offered a strong potential for job creation.

(10) The Commission implemented an 'Action programme to promote the development of the European audiovisual industry (MEDIA) (1991-1995)', adopted by Council Decision 90/685/EEC <sup>(6)</sup> and comprising, in particular, support for training activities to improve the professional skills of persons working in the audiovisual programme industry.

<sup>(1)</sup> COM(1998) 446 final, 14.7.1998.

<sup>(2)</sup> COM(1997) 623 final, 3.12.1997.

<sup>(3)</sup> SEC(1998) 1284 final, 29.7.1998.

<sup>(4)</sup> OJ C 283, 6.10.1999, p. 1.

<sup>(5)</sup> COM(1998) 590 final.

<sup>(6)</sup> OJ L 380, 31.12.1990, p. 37.

- (11) The Community strategy for developing and strengthening the European audiovisual industry was confirmed under the MEDIA II programme adopted by Council Decision 95/563/EC <sup>(1)</sup>, and by Council Decision 95/564/EC <sup>(2)</sup>. On the basis of the achievements of that programme, its continuation should be ensured in the light of the results obtained.
- (12) The Commission's report on the results obtained under the MEDIA II (1996-2000) programme, from 1 January 1996 to 30 June 1998, considers that the programme meets the principle of the subsidiarity of Community funds to national funds, since the field of intervention of MEDIA II supplements the traditionally predominant role of the national schemes <sup>(3)</sup>.
- (13) The Commission recognised the positive impact of the MEDIA II programme on employment in the audiovisual industry in its Communication on Community Policies in Support of Employment <sup>(4)</sup>.
- (14) The emergence of a European audiovisual market calls for professional skills adjusted to the new dimension of the market, particularly in the field of the economic, financial and commercial management of audiovisual projects and in the use of the new technologies in the design, development, production, distribution, marketing and broadcasting of programmes.
- (15) Professionals should be given the professional skills to allow them to benefit fully from the European and international dimension of the market for audiovisual programmes, and they must be encouraged to develop projects which meet the needs of that market.
- (16) Equal opportunities are a basic principle in Community policies which must be taken into account in the implementation of the present programme.
- (17) The initial training for professionals should comprise the essential economic, legal and technological content. The rapid changes in these subjects makes continuous training necessary.
- (18) The networking of vocational training centres should be encouraged in order to facilitate the exchange of know-how.
- (19) Support for vocational training should take account of the structural objectives, such as developing the potential for creation, production, marketing and distribution in countries or regions where the capacity for audiovisual production is low or the linguistic area is limited.
- (20) In accordance with the principles of subsidiarity and proportionality set out in Article 5 of the Treaty, and in view of the fact that the objectives of the proposed measures concerning the implementation of vocational training policy cannot be achieved by the Member States, in particular in view of the transnational partnerships to be established between the training centres, the measures necessary to achieve them must be implemented by the Community because of the transnational dimension of the Community measures. This Decision is confined to the minimum required to achieve these objectives and does not go beyond what is needed to achieve these objectives.
- (21) The measures proposed under this programme are all aimed at achieving transnational cooperation which brings an added value to the measures being undertaken in the Member States, in accordance with the aforementioned principle of subsidiarity.
- (22) The associated countries of Central and Eastern Europe, those EFTA countries which are members of the EEA, Cyprus, Malta and Turkey are recognised as potential participants in Community programmes on the basis of supplementary appropriations and in accordance with the procedures to be agreed with those countries. Those countries of Europe which have signed the transfrontier television Convention of the Council of Europe belong to the European audiovisual area and may therefore, if they wish, and taking into account budgetary considerations or other priorities of their audiovisual industries, participate in the programme or benefit under a limited cooperation scheme, on the basis of the supplementary appropriations, in accordance with the procedures to be established in the agreements between the interested parties.
- (23) The opening-up of the programme to European third countries may be submitted to an examination of the compatibility of their national legislation with the Community *acquis*, and, in particular, the second subparagraph of Article 6(1) of Council Directive 89/552/EEC <sup>(5)</sup> of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, as amended by European Parliament and Council Directive 97/36/EC <sup>(6)</sup>.
- (24) Cooperation in the field of vocational training on the part of the European bodies and those in the third countries, on the basis of common interests, is likely to create an added value for the European audiovisual industry. Such cooperation will be developed on the basis of supplementary appropriations and in accordance with the procedures to be established in the agreements between the interested parties.
- (25) In order to enhance the added value of the Community action, it is necessary to ensure, at all levels, that the measures undertaken under this Decision are consistent with and complementary to other Community interventions. It is desirable to coordinate the activities laid down by the programme with those undertaken by international organisations such as the Council of Europe.

<sup>(1)</sup> OJ L 321, 30.12.1995, p. 25.

<sup>(2)</sup> OJ L 321, 30.12.1995, p. 33.

<sup>(3)</sup> COM(1999) 91 final, 16.3.1999.

<sup>(4)</sup> COM(1999) 167 final.

<sup>(5)</sup> OJ L 298, 17.10.1989, p. 23.

<sup>(6)</sup> OJ L 202, 30.7.1997, p. 60.

(26) This Decision lays down, for the entire duration of the programme, a financial framework constituting the principal point of reference within the meaning of point 1 of the Declaration of the European Parliament, the Council and Commission of 6 March 1995 <sup>(1)</sup>, for the budgetary authority during the annual budgetary procedure.

(27) In accordance with Article 2 of Council Decision 1999/468/EC of 28 June 1999, laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(2)</sup>, measures for the implementation of this Decision should be adopted by use of the advisory procedure provided for in Article 3 of that Decision,

HAVE DECIDED AS FOLLOWS:

#### *Article 1*

A vocational training programme, hereinafter referred to as 'the programme', is hereby established for the period from 1 January 2001 to 31 December 2005.

The programme is intended to give professionals in the audio-visual industry the necessary skills to allow them to take full advantage of the European and international dimension of the market and of the use of new technologies.

#### *Article 2*

1. The objectives of the programme are as follows:

(a) To meet the industry's needs and promote competitiveness by improving the continuous vocational training of professionals in the audiovisual industry, with a view to giving them the know-how and skills needed to take account of the European and other markets, in particular in the field of:

- application of the new technologies, and in particular digital technologies, for the production of audiovisual programmes with a high commercial and artistic added value;
- economic, financial and commercial management, including the legal framework and the techniques for the financing, production and distribution of audiovisual programmes;
- script-writing techniques.

Particular attention will be paid to the opportunities for distance learning and pedagogic innovation offered by the development of on-line technologies.

Certain initial training measures in which the industrial sector is directly involved, such as masters' degrees, may also be supported if no other Community support is

available and in fields for which there are no support measures at national level.

(b) To encourage cooperation and the exchange of know-how through networking between the partners involved in the training, such as training establishments, the professional sector and undertakings, as well as through developing training for the trainers.

Particular importance will be attached to encouraging the gradual establishment of networks between the activities and the existing training establishments.

2. To achieve the objectives set out in the first paragraph of point (a) and in point (b) of paragraph 1, particular attention shall be devoted to the specific needs of countries or regions with a low production capacity and/or a restricted geographical and linguistic area, as well as to the development of an independent European production and distribution sector, and in particular small and medium-sized enterprises.

3. The objectives set out in paragraph 1 shall be realised in accordance with the arrangements contained in the Annex.

#### *Article 3*

In order to achieve maximum coordination, the Commission will ensure that there is collaboration between the training activities and the development projects supported under the MEDIA Plus programme. In this context, information about the support mechanisms provided by the programme shall be given to the professionals taking part in the continuous training activities.

#### *Article 4*

1. The beneficiaries of Community support taking part in implementing the actions set out in the Annex shall provide a substantial proportion of the funding, equivalent to at least 50 %, subject to the specific provisions set out in the Annex.

2. The beneficiaries of Community support shall ensure that a majority of the participants in a training measure are of a nationality other than that of the country in which the training takes place.

3. The Commission shall ensure that, as far as possible, at least 10 % of the funding available each year is reserved for new activities.

4. Community funding shall be determined according to the costs and nature of each project planned.

5. The financial framework for implementing this programme for the period set out in Article 1 shall be EUR 50 million.

6. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspectives.

<sup>(1)</sup> OJ C 102, 4.4.1996, p. 4.

<sup>(2)</sup> OJ L 184, 17.7.1999, p. 23.

#### Article 5

The Commission shall be responsible for implementing the programme, in accordance with the procedures referred to in Article 6(2) and with the rules contained in the Annex.

#### Article 6

1. The Commission shall be assisted by an advisory committee ('the MEDIA Committee') composed of representatives of the Member States and chaired by the representative of the Commission.

2. Where reference is made to this paragraph, the advisory procedure laid down in Article 3 of Decision 1999/468/EC shall apply, in compliance with Article 7(3) and Article 8 thereof.

#### Article 7

1. The programme shall be open to the participation of the associated countries of Central and Eastern Europe, in accordance with the conditions laid down in the association agreements or their additional protocols relating to participation in Community programmes concluded or to be concluded with those countries.

2. The programme shall be open to the participation of Cyprus, Malta, Turkey and those EFTA countries which are members of the EEA Agreement, on the basis of supplementary appropriations, in accordance with the procedures to be agreed with those countries.

3. The programme shall be open to the participation of the countries which are Parties to the Council of Europe Convention on Transfrontier Television, other than those referred to in paragraphs 1 and 2, on the basis of supplementary appropriations, in accordance with the conditions to be established in the agreements between the interested parties.

4. The opening-up of the programme to the European third countries referred to in paragraphs 1, 2 and 3 may be subject to a prior examination as to the compatibility of their national

legislation with the Community *acquis*, including the second subparagraph of Article 6(1), of Directive 89/552/EEC.

5. The programme shall also be open to the participation of other third countries on the basis of supplementary appropriations and the specific arrangement to be established in the agreement between the interested parties. The European third countries referred to in paragraph 3 which do not wish to participate fully in the programme may be eligible for cooperation under the conditions set out in this paragraph.

#### Article 8

1. The Commission shall ensure that measures taken under this Decision are subject to prior appraisal, and to subsequent monitoring and evaluation.

2. The beneficiaries selected shall submit an annual report to the Commission.

3. After completion of the projects, the Commission shall evaluate the manner in which they have been carried out and the impact of their implementation, in order to assess whether the original objectives have been achieved.

4. The Commission shall present to the European Parliament, the Council, the Economic and Social Committee, and the Committee of the Regions an evaluation report on the impact and effectiveness of the programme, on the basis of the results after two years of implementation.

This report shall be accompanied, if need be, by any proposal regarding adjustment, including budgetary adjustments.

5. On completion of the programme, the Commission shall present to the European Parliament, the Council, the Economic and Social Committee, and the Committee of the Regions a report on the implementation and results of the programme.

#### Article 9

This Decision shall enter into force on 1 January 2001.

## ANNEX

## 1. MEASURES TO BE IMPLEMENTED

In support of and in addition to the measures being undertaken by the Member States, the programme aims to permit professionals to adapt to the dimension of the market, and in particular the European market, for audiovisual works, by promoting vocational training in economic, financial and commercial management, including the legal framework, distribution and marketing, as well as in the new technologies (including the conservation and exploitation of the European film and audiovisual heritage) and script-writing techniques.

1.1. **Training in the new technologies**

This training aims to develop the ability of professionals to use advanced creation techniques, in particular in the fields of animation, computer graphics, multimedia and interactive applications.

The measures proposed are as follows:

- promoting the development and updating of the modules for training in the new audiovisual technologies, in parallel to the measures being taken by the Member States;
- networking the training courses, promoting exchanges of instructors and professionals by awarding grants, organising work experience in undertakings in other Member States and contributing to the training of trainers, particularly through distance learning, by promoting exchanges and partnerships involving the regions with a low production capacity and/or a limited geographical and linguistic area.

1.2. **Training in economic, financial and commercial management**

This training aims to develop the ability of professionals to appreciate and use the European dimension in the development, production, marketing and distribution/dissemination of audiovisual programmes.

The measures proposed are as follows:

- promoting the development and updating of the modules for training in management, in parallel to the measures being taken by the Member States and emphasising the European dimension;
- networking the training courses, promoting exchanges of instructors and professionals by awarding grants, organising work experience in undertakings in other Member States and contributing to the training of trainers, particularly through distance learning, by promoting exchanges and partnerships involving the regions with a low production capacity and/or a limited geographical and linguistic area.

1.3. **Script-writing techniques**

This training is intended for experienced script-writers with a view to improving their ability to develop techniques based on both conventional and interactive script-writing methods.

The measures will be as follows:

- promoting the development and updating of the training modules for identifying target audiences; publication and development of scripts for an international audience; relations between the script-writer, the script editor, the producer and the distributor;
- encouraging exchanges and partnerships between countries and regions with a low production capacity and/or a limited linguistic and/or geographical area.

1.4. **Networks of training courses**

The objective is to encourage existing institutions and/or measures to step up coordination of their activities in order to establish European networks.

1.5. **Initial training activities**

Support may be provided for activities in some fields of initial training where no Community or national funding is on offer. Such activities may include masters' degrees in which there is a link with industry in the form of a partnership and/or work experience.

## 2. IMPLEMENTATION PROCEDURE

### 2.1. Approach

In implementing the programme, the Commission will work closely with the Member States. It will also consult the partners concerned. It will ensure that the participation of professionals reflects adequately Europe's cultural diversity.

It will encourage designers of training modules to cooperate with institutions, the professional sector and undertakings in their work.

It will facilitate the presence of trainees, particularly from countries and regions with a low production capacity and/or a restricted linguistic and geographical area.

### 2.2. Community contribution

Community cofinancing of the total training costs will be provided within a framework of joint funding with public and/or private partners, generally up to a limit of 50 %. This share may be raised to 60 % for training activities in countries or regions with a low production capacity and/or a restricted linguistic and geographical area.

The procedure set out in Article 6(2) will be applied to determine the allocation of funding for each type of measure eligible under point 1.

In accordance with the rules for Community funding, and in application of the procedure set out in Article 6(2), the Commission will lay down a set of rules for funding in order to determine the ceiling for each continuous training activity and professional trained.

Designers of modules and training centres using them will be selected by calls for proposals.

As far as possible, the Commission will ensure that at least 10 % of the funds available each year are allocated to new activities.

### 2.3. Implementation

- 2.3.1. The Commission shall implement the programme. To this end, it may call upon consultants and technical assistance offices to be selected, after a call for proposals, on the basis of their expertise in the sector. The technical assistance will be financed by the programme's budget. In accordance with the procedure referred to in Article 6(2), the Commission may also conclude partnerships for *ad hoc* operations with specialised bodies such as Audiovisual Eureka, in order to implement joint measures which meet the objectives of the programme in the field of training.

The Commission shall make the final selection of the beneficiaries of the programme and shall decide on the financial support to be granted, in accordance with Article 5.

For the implementation of the programme, and in particular the assessment of the projects receiving funding under the programme, and for the networking measures, the Commission shall ensure that it makes use of the skills of recognised experts in the audiovisual sector in the fields of training, development, production, distribution and promotion.

- 2.3.2. Through appropriate measures, the Commission shall make known the opportunities offered by the programme and ensure its promotion.

In particular, the Commission and the Member States shall take the necessary measures, by continuing the activities of the network of MEDIA Desks and Antennae, and by ensuring that the skills of the latter are strengthened, in order to:

- ensure that the programme is publicised and promoted;
  - encourage the greatest possible participation of professionals in the measures under the programme;
  - assist professionals in presenting their projects in response to calls for proposals;
  - foster transfrontier cooperation between professionals;
  - act as a relay between the various support bodies in the Member States with a view to ensuring that the measures under this programme are complementary to the national support measures.
-