



Smith, Rebecca
Motion Picture Association EMEA
Rebecca_Smith@motionpictures.org

Yours: 06.06.2024

Ours: 10.06.2024

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Notification letter

Dear Rebecca Smith,

The government of the Republic of Estonia which took office in 2023 set exploring ways of providing more support to the local audiovisual industry and collecting fees from media service providers as one of the objectives of its government programme. In September, the Ministry of Culture submitted a memo to the government outlining the possibilities for regulating on-demand audiovisual media services arising from the EU Audiovisual Media Directive which have not yet been used in Estonian legislation, as well as corresponding practices in various European countries.

Estonia has transposed the European Union's Audiovisual Media Services Directive, but has not yet implemented the provisions pertaining to on-demand media services. Estonia's cultural strategy aims to enhance the international visibility of Estonian culture, in this case film and television series, and the availability of local audiovisual productions on digital platforms. The share of streaming services in media consumption has been steadily increasing, but at the same time they are not subject to a number of obligations which apply to other media services. Films and series produced by small countries or countries with small number of speakers of the native language are not reaching streaming platforms and opportunities for their audiovisual industries to reach international markets are diminishing.

On-demand audiovisual services compete with traditional audiovisual media channels, which are regulated by European Union law and obliged to broadcast both local and European content. Similar obligations partially apply to the local streaming providers registered in Estonia. Article 13(2) of the Audiovisual Media Services Directive also entitles Member States to impose proportionate and non-discriminatory obligations on media service providers established in other Member States.

Given your position on the international streaming market, we hereby notify you of our intention to apply Article 13(2) of the Audiovisual Media Services Directive in the updated Estonian Media Services Act. The amendment will apply to service providers registered in Estonia as well as to companies registered in third countries, but will not extend to media service providers with a small turnover or limited audience.