



The Amsterdam School of Communications Research

CONDITIONAL ACCESS FOR PSB TO NEW MEDIA PLATFORMS

EU State Aid Policy vs PSB: the Dutch Case

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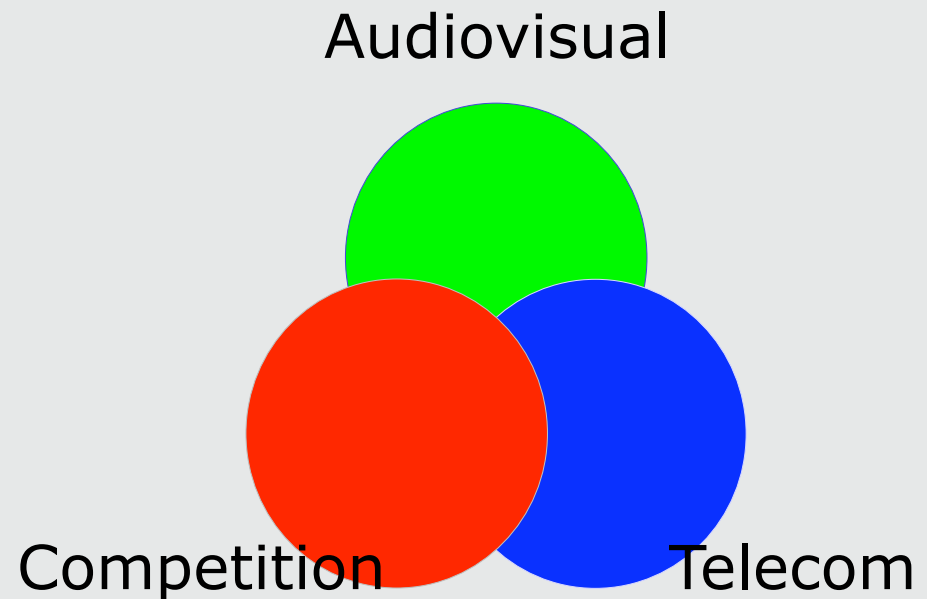
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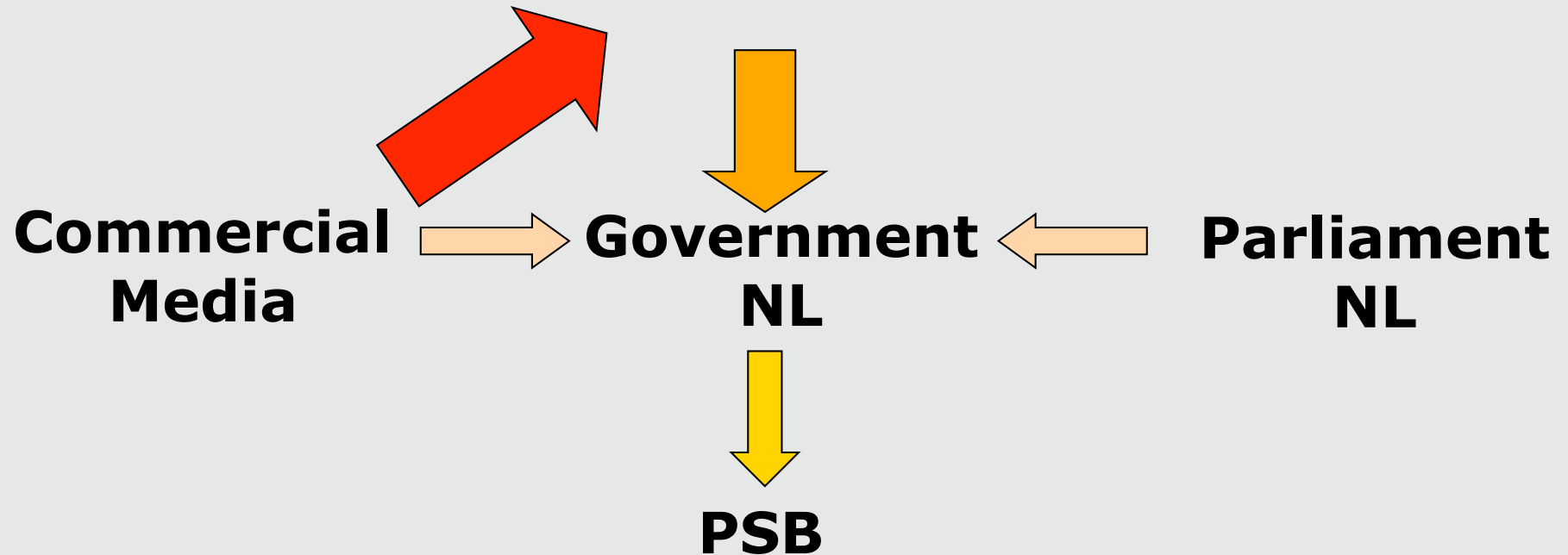
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1. Phases in EU Media Policy

- 1980s: National Public Service Media Policy
- 1980/90s: Emerging European AV Policy: defensive
- 2000 on: EU Media Competition Policy: offensive



European Commission



Market:
Competition

EU:
Liberalization

Government:
Accountability

Social and cultural trends



2. Broadcast Communication Review 2009

- *Ratio*: rethinking PSB <> state aid, consolidate case law
- March 2008: *consultation*, 17 of 27 states, Dutch paper:
 - *convergence*: no distinction old/new services, 'whole'
 - *ex ante evaluation* <> subsidiarity, member-states
 - *paid service*: part of mixed funding, not distortion

Broadcasting Communication 2009

“Member States shall consider, by means of a prior evaluation procedure based on an open public consultation, whether significant new audiovisual services envisaged by public service broadcasters meet the requirements of the Amsterdam Protocol, i.e. whether they serve the democratic, social and cultural needs of the society, while duly taking into account its potential effects on trading conditions and competition.”

3. 'Amsterdam Test' in the Netherlands

- Overview of all activities PSB in 5 year policy plan
- Prior approval of new services by Minister
- Advisors on public value
- Market parties bring forward (own) interests



Existing channel:

- Improvements:
 - Technical
 - Editorial
 - Distribution
- Overview all channels in 5 year policy plan

New channel:

- New profile
- Payment by user
- To networks with channel scarcity
- Request for new services in 5 year policy plan

Channel: "well-structured entity with identifiable brand name"

Approval procedure new services



Roles in approval procedure

- *PSB*: argumentation (public remit, objectives, supply & demand) ?
- *Media Authority & Council for Culture*: in line with public remit and valid argumentation ?
- *Third parties/commercial media*: negative (market) impact (argumentation) ?
- *Minister OCW*: balancing of interests, final decision

4. EU PSB supervision: pro's & con's

- Pro's:
 - national authority
 - better PSB legitimisation, accountability
 - on all platforms
- Con's:
 - distinction old & new services: conditional
 - ex ante evaluation
 - funding: no pay TV, PPV?
 - case law, not political decision: master plan for future media policy (public functions, PPP) ?

CONCLUSION

EU strong on competition, but

- **weak on social, cultural and democratic values**

Possible risks of BC 2009:

- **Depolitization of national media policy (remit PSB)**
- **Politization of editorial strategy of PSB**

