

A report for the FSE General Assembly Netwerk Scenarioschrijvers (The Netherlands) November 2013

The main issues for Netwerk Scenarioschrijvers (340 members):

1. PAM - Portal Audiovisual Makers negotiates with producers an amendment on the filmparagraph in new Copyrightlaw

In December 2009, facing the problems, or better, the challenges that we have, the guilds of screenwriters (Netwerk Scenarioschrijvers), directors and actors and their collective management organisations decided to work together on the subject of filmcopyright. We have become a discussion partner on film-copyright issues for the Ministry of Justice, Ministry of Education and Culture and for our partners in the film industry. In June 2012 a bill of the Dutch Copyrightlaw has been presented to the Parliament. The goal is to improve the legal status of authors. But, the new Filmparagraph is in theory an improvement, but not in practice. At our request the Minister of Justice has approved to hold back the answers on the questions asked in the Parliament to give us (PAM) and the producers the opportunity to bargain on a new legislative text. Besides this negotiation, we have entered a intensive lobby in the Parliament with an amendment of the Filmparagraph.

The model, that PAM aims at, is a new model for filmcopyright, that concentrates rights at the producers and also guarantees fair royalties for filmmakers. In the individual bargaining context the Dutch screenwriter doesn't succeed in getting their share in the on-line exploitation sales. Therefore we aim at a collective management solution. We presume our three audiovisual PAM-CMO's - Lira (writers), Vevam (directors) and Norma (actors) - working together in one portal (Portal Audiovisuele Makers) will have more bargaining power than a individual filmmaker. In fact, as we see know, even the CMOs have hard times getting bargaining results, but at least there is a bargaining.

In January 2013 we published a PAMflet which we presented to the Parliament. PAMflet is a brochure in which the filmmakers tell their one story: the daily experience of the individual bargaining with producers having to give away almost all their rights in buy-out contract without getting in return a reasonable remuneration. Link to PAMflet http://portal-pam.nl/sites/default/files/PAMflet.filmmakers.2013_0.pdf

2. Several legal procedures on cable

For more than two years there have been negotiations on royalties for basic media services , including cable royalties, between RoDAP (association of producers, broadcasters -public and commercial-, distributors) and the PAM-CMOs. For the filmmakers the negotiation has ended in a termination by the cable distributors of the agreement on cable royalties in October 2012. Our PAM-CMO's Lira and Vevam went to court. Vevam already lost their case.

The first legal procedure for cable (by actors) that started in 2008 has reached the Highest Court which is going to decide on this issue in December 2013.

3. serious cuts for film and tv in 2013, but also a new tax-rebate for Dutch Filmindustry

New Dutch drama is one of the 'selling points' of the Dutch Public Broadcaster. Nevertheless, starting in 2013, the public broadcaster has to economize € 200 million. The new cut back of €100 million that was announced, is, after demonstrations, brought back to € 50 miljoen.

The budget of the Dutch Filmfund for 2013-2016 has diminished with 1/3. The budget will be € 18 million each year. Less feature films will be developed. Due to our lobby, the budget for screenplay development will be intact. Also, since last week the government decided to install a tax-rebate measure of € 20 miljoen for the Dutch filmindustry. Also due to serious lobbying of the producers, directors and writers.

The Mediafund, that subsidizes new drama, documentary, and supports a successful Talent Development Program for screenwriters and directors, will be cut back entirely in 2017. The Public Broadcaster wants to adopt the Mediafundbudget and to create her own Fund. The adviser of the Ministry of Culture, the Arts Council, is asked for his opinion on this issue.

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