

# Verband Deutscher Drehbuchautoren e.V. / German Screenwriters' Guild

[www.drehbuchautoren.de](http://www.drehbuchautoren.de)

## Report 2014/2015

### General Information

The German Scriptwriters' Guild represents 500 professional scriptwriters who write for film and television in Germany.

The Guild's board, which is based entirely on voluntary work and is assisted by a small administrative staff, deals with a variety of issues related to the employment of scriptwriters and writers' rights in Germany.

### Guild's Activities

- lobbying concerning copyright law and film funding law
- negotiations
- service to the members (i.e. legal advice)
- improvement of the scriptwriters' visibility
- international campaigning
- Events
- Networking
- Information on prizes, grants, etc.
- VDD podcast
- facebook, twitter, etc.

See [www.drehbuchautoren.de](http://www.drehbuchautoren.de)

### Legal background

The German Creators' and Copyright law (Urheberrechtsgesetz) is a droit d'auteur-law. The last important revision passed Parliament in 2001. According to the German creators' and copyright law we have the legal possibility to negotiate and reach an agreement on screenwriters' fees with associations of rights users (like the German Film Producers' Alliance) or single users of our rights (like the broadcasters); this law complies with German and EU competition law.

## NEWS

### Organisation

#### **Board Members**

In February 2015 the VDD members have elected a new board for the next two years. Carolin Otto, Knut Boeser, Pim Richter and Jochen Greve did not stand for re-election after a long and successful time as board members.

The new VDD board is represented by Katharina Amling, Dinah Marte Golch, Susanne Schneider, Sebastian Andrae, Peter Henning, Uwe Petzold and Klaus Arriens.

#### **Administrative Staff**

Since November 2014 Jan Herchenröder is the new managing director of VDD. Jan Herchenröder has work experience as dramaturge and script consultant as well as head of marketing in a film marketing and distribution agency and as branch manager at German sales power house Telepool where he marketed the TV and radio programs of German public broadcaster MDR (Leipzig). Since Mai 2014 Katharina Uppenbrink, former managing director of VDD, is managing director of Initiative Urheberrecht (German Author's Rights Association). VDD is an active member of the Association which represents more than 140.000 creators in Germany and is therefore a powerful

lobby group for all topics concerning author's rights and contract law ([www.urheber.info](http://www.urheber.info)).

## **Campaign for more and sustainable development funding**

In 2015 VDD is rolling out a campaign which focuses on the development, the evident leak of money in this important production phase and, of course, the inequitable remuneration of authors.

The VDD is active on different levels:

### **1) German State Aid Legislation**

The revision of the German State Aid Legislation (FFG) is on its way once again. The VDD claims more funding for screenwriters and has proposed a new development funding model. This model should have two phases. First the development of first draft scripts by funding the original author of a selected project. The second phase will focus on the professional development of first draft scripts to screenplays ready for production in cooperation between the original author as well as producers or directors, professional script consultants. Aim of this model is to raise the overall quality of the funded scripts while spending the subsidies to a limited number of high quality projects.

The revision process will end in 2016. But already now our proposal is supported by influential film industries representatives and politicians so that we are optimistic that funding for development will grow.

The FFA has an annual budget of around € 76 million at its disposal. We hope that development will get 4 up to 6 percent of the budget. (more information about the FFA - also in English: [www.ffa.de](http://www.ffa.de)).

### **2) Collective agreement negotiations**

#### **ARD (Public Broadcaster)**

With end of September 2015 VDD will reboot its collective agreement negotiations with German Public Broadcaster ARD and the German Film Producers Alliance. Negotiations have been interrupted for two years.

The VDD has three aims:

- A complete revision of the cooperation between the Broadcasters - especially the editors - and the authors and an optimization of the development process concerning decision making, defining relevant themes and programmes, better contracts and payment rates etc.
- A higher and fair remuneration
- A formal collective agreement referring to the German contract law

For more then 10 years the remuneration of authors in ARD productions has not been augmented. On the contrary, compared with the growing inflation rate in this period the remuneration has evidently declined.

The VDD will accompany the negotiation by a press campaign.

#### **ZDF (Public Broadcaster)**

The members of VDD have decided to terminate the collective agreement with the German Public Broadcaster ZDF and the German Film Producers Alliance which was signed in 2012. The evaluation process has proved that instead of higher fees for scripts the agreement has lead to an evident decline of remuneration above all in the series sector. Also the agreement did not provide a regulation for equitable remuneration for nonlinear rights.

Within this autumn VDD will start preliminary talks with ZDF to explore if there is be a basis for a new negotiation.

Also ZDF will be confronted with VDD claims for a higher investment in development.

#### **ProSiebenSat.1 (Private Broadcaster)**

Since 2014 an annual call for ideas is installed by Private Broadcasters Group ProSiebenSat.1 in cooperation with VDD. The so called Fördertopf is a subsidy for professional writers only, with an annual budget of 150.000 € per year. A jury selects up to 20 ideas (1-2 pages long) for the development of a 6 to 7 pages expose. Each selected project is granted with 7.500 € in two rates. If ProSiebenSat.1 doesn't contract the project the author can offer the expose to other productions or broadcasters. The Fördertopf is part of the collective agreement with ProSiebenSat.1 and is a successful tool to rise money from a Broadcaster to finance the

development of exposes.

### Copyright law

These days, the Federal Ministry of Justice and Consumer Protection will publish the highly expected draft of a new version of the German contract law. All we know until now is that the Minister Heiko Maas obviously keeps his word and there will be a revision of the law which provides more legal power and advantages to the authors. A great chance for a big change! The rights users in Germany are already getting nervous and the authors are preparing a hot lobbying autumn. The VDD will be fighting side by side with the Initiative Urheberrecht.

### Non linear rights

German Broadcasters prolong the time fictional programs are provided in there online platforms (Mediatheken). VDD is claiming for a clear differentiation of linear and non linear rights and for a fair remuneration for all kinds of digital use. This has also been a main focus of this year's lobbying and press work with improved effects on decision makers so far.

Jan Herchenröder

Berlin, September 2015