

The Writers' Guild of Norway

WORKING WITH PUBLIC BROADCASTERS

A: NRK – Norwegian Broadcasting Corporation

The Writers' Guild of Norway has had a framework agreement with NRK for decades.

The former framework agreement stipulated the total remuneration for all the screenwriters to approx. NOK 2.800 per minute. This agreement secured NRK the right to show the production for 4 weeks. In addition, a rerun fee of approx. 25 % was agreed upon for each new four-week rerun period. By 2000 NRK hardly offered any reruns and in 2015 NRK terminated the agreement.

We now have a temporary framework agreement with NRK that runs until March 2020. This agreement stipulates that the screenwriter will be paid 1) for the work while the script is created, 2) for the display rights and 3) by royalties.

Writing remuneration

Writing remuneration is paid in monthly rates varying from NOK 50.000 to 80.000.

The screenwriters are engaged as self-employed. Both the time the screenwriters are to be engaged and the amount of remuneration are subject to negotiations.

Most often, the NRK's proposal is accepted regarding the length of the assignment.

Should the assignment last longer than expected, the agreement may be extended.

We have not yet experienced this to be necessary. A head writer receives an average of approximately NOK 73.000 monthly, an episode writer somewhat less. If the head writer is the creator of the series/drama, he or she will receive a creator's fee of additionally approximately 20 %.

The framework agreement is to be renegotiated in 2019. Then the temporary employment vs. the scheme of self-employment is to be considered. This because the practice of engaging self-employers may in certain cases be in violation of the Norwegian Working Environment Act.

Copyright remuneration

NRK pays NOK 1.844 per minute as remuneration for copyrights. By this NRK has the right to broadcast unlimited reruns and have also the streaming rights on NRK platforms which will be on www.nrk.no. These rights are buyouts.

Royalty

For any other use of the manuscript the screenwriter's royalty will be from 10 to 15 % of NRKs income, minus 30 % administration costs.

For a remake the screenwriter is paid between 35 and 50 %. The screenwriter retains most further exploitation rights of the manuscript, such as writing a book or a play, or making new

versions, for instance movies or games.

The framework agreement also stipulates that the right to third party exploitation (Norwaco rights) is retained.

The copyright compensation of NOK 1.844 is to be divided equally between the creator, head- and episode writers by 1/3 each.

Further negotiations

The reason why the agreement is temporarily is that we failed to agree on the sale of broadcasting rights. NRK demanded eternal rights while NDF proposed a licence period of 4 weeks to 3 years. As we failed to agree, and the old agreement was terminated, NRK negotiated individual agreements with screenwriters. By doing that, NRK managed to dictate the content of the agreement, which forced NDF to accept the temporary agreement. When starting the further negotiations in 2019 we will have to focus on licensing periods and any other potential shortcomings in the agreement.

The remuneration to the screen writers has increased by 75 – 100 % with this new agreement.

B: Commercial TV Channels

None of the commercial TV Channels like TV2, TVNorge and others, are the main producers drama series or movies, but finances and broadcasts as such. We had a framework agreement with the Norwegian Film- and TV-producers Association Virke and are now in negotiations for a new framework agreement. The Film- and TV-producers Association Virke has agreed to enter into a new agreement based on the NRK agreement, but we have stated that it will no longer be possible for us to enter into a total buyout agreement. We have offered to sell the rights for a period of 7 years but have also signaled that we can expand the period to 10 years. The Actors' Equity Association has an agreement for a period of 7 years, while the Film Makers Association and the Directors Guild have agreed on 10 years. The Film- and TV-producers Association Virke has in fact accepted both writing remuneration and copyright remuneration.

We have not yet reached agreement on the size of copyright compensation and the length of the viewing period.

Some production companies producing for TV2 and TVNorge are not members of the Film- and TV-producers Association Virke. These have refused to relate to the framework agreement which we have with the Film- and TV-producers Association and demand most of the rights transferred to them, including third party rights that have been managed through the copyright organisation Norwaco. This has led to many members selling out the rights, which means that our remuneration received through Norwaco is put under great pressure.

The Film Makers Association's agreement with the commercial channels (F © R) brings increased pressure on the screenwriters. However, no funds have been paid for that agreement, so we do not yet have the full overview of the consequences.