

## Country report – Norway, AGM 2023

Writer's guild of Norway is currently working on several large projects to strengthen our guild in the future; a new strategy, upgrading our digital platform and implementation of the CRM directive. We also expect a hearing on the implementation of the DSM directive very soon, and this will naturally be a focus point for 2024.

The production level in 2022 was very high but has increased significantly in 2023 as we know is also the case in many countries. Our public broadcasters, NRK and TV2, have reduced their budgets, and the fact that Viaplay has nearly dropped all tv drama projects has had significant effect on our members.

### Collective bargaining

- In June we finally agreed on a framework agreement for TV drama with the independent producers' association. Some high lights from the agreement:
  - It clearly separates payment for work (script fee/wage) and payment for rights (this is a very important principle for us, and we are so glad that this is now finally collectively agreed upon!)
  - The producer shall pay the writers a minimum of 1 % of the total budget cost for a pre-agreed package of rights including a license of 10 years for the commissioner.
  - Royalty on remake/format-sale is minimum 25 %
  - Royalty on merchandise is minimum 10 %
  - Royalty on sales is minimum 10 % (not royalty on pre-sales)
  - Writer retains all other rights not specifically transferred to producer, including re-transmission rights, literary rights etc
  - All rights not included in the pre-defined "package" has to be individually must be negotiated individually, and shall be compensated with fair remuneration
- The framework agreement with the independent producers does not include minimum script fees (payment for work), and we are currently in negotiations with the Producers' association for a collective agreement on wages
- We finally signed a new framework agreement with the state-funded theatres in 2022. The agreement includes an initial fee of 421 000 NOK (2023) for a new dramatic work (70 minutes or longer) and 13 % royalty (when the initial fee is earned). The agreement also covers live streaming and TVOD (with 16 % royalty from gross income), and specified fees if two or more theatres collaborate. 8 of 19 state financed theatres have committed to the agreement. However, the financial situation for the state-financed theatres is very bad right now, and there are few agreements on original plays.



### **Implementation process, the Copyright Directive**

Norway is – as usual – late to the party, as we are not bound by the same deadline as the rest of you. The Department of Culture has promised that there will be a hearing in 2023/2024, so we expect something to happen very soon. Recently, we met with them to discuss AI and the problematic articles 3 and 4. We expect this to be a big topic going forward, along with chapter 3.

### **Implementation of the AVMSD – an investment obligation**

In 2022 the Norwegian Government proposed an obligation for on-demand audiovisual streaming services to invest in Norwegian content based on the Audiovisual Media Services Directive. The proposal suggested some alternatives:

- A combination of direct investment and/or investment in the Film Fund: That streaming services shall be required to either invest directly in Norwegian films and series, or that if the streaming service did not invest sufficiently, the service should contribute to the financing of Norwegian films and series through financial contribution to the Norwegian Film Fund. The investment in the Fund shall in total consist of up to 5 % of the services' Norwegian revenue. The obligation is reduced correspondingly with the level of direct investments and will lapse completely if the service invests more than NOK 100 million.
- A direct investment: A direct investment in the production of Norwegian film and series equal to 5 % of the services' Norwegian revenues.

We have argued for the first alternative, together with the other organizations including the producers. An important thing for us is also that the investment obligation cannot be considered fulfilled if the service has acquired all rights to the production, and we seem to have support from the politicians to that demand. However, we are currently still waiting, and know that the streaming services are working actively against all these demands.

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