Audiovisual Authors’ Remuneration
Challenges for fairness in the digital era

**WHO ARE AUDIOVISUAL AUTHORS?**

SCREENWRITERS & DIRECTORS
(along possible others—not covered here)

120,000
SCREENWRITERS & DIRECTORS
REPRESENTED BY SAA MEMBERS

They are the people at the source of the creativity as well as linguistic and cultural diversity of Europe’s audiovisual industry.

Dardenne Brothers
Belgium

Amma Asante
United Kingdom

Lars Lundström
Sweden

Borja Cobeaga
Spain

Julie Bertuccelli
France

Bertrand Tavernier
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Jan Hřebejk
Czech Republic

Paolo Sorrentino
Italy

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WHAT IS THEIR PROFESSIONAL LIFE LIKE?

OVER THEIR CAREER

Film school → Creating relationships → Developing projects → Alternative work for basic income: adverts → Writing → Training → TV Series → FILM 1 → Developing new projects

Many of which never make it to screen

ON A PROJECT

OVER 2-10 YEARS

Idea → Drafting, treatment → Rewrites → Development & financing → Filming → Post-production → Pre-production → Signature of production contract → Looking for potential producers → Developing projects

HOW ARE AUTHORS PAID?

IN THEORY

€ INCOME FOR WORKING TIME
E.g. writing, filming

© Ongoing, proportionate remuneration based on exploitation of work

IN REALITY

Lump sum for working time & ©

< 3% of authors Receive anything beyond their minimum guarantee

Source: OPCA Cinema 2015, SACD France
WHAT IS THEIR FINANCIAL INVESTMENT IN THEIR WORKS?

INVESTMENT
(Risk) = +

TV directors spend 1/2 year developing projects without paid employment

70% of film directors are required to defer a proportion of their fee

78% of film directors are required to defer a proportion of their fee

Source: Directors UK

70% of film directors are required to defer a proportion of their fee

Source: Directors UK

Source: WGGB (2015)

85% median net yearly income of a screenwriter in the EU

Source: FSE (2013)

Median net monthly pay of screenwriters & directors in Austria in 2014

Source: VDFS (2015)

Median net yearly income of a screenwriter in the EU

Source: FSE (2013)

22,000€

1,132€

Source: VDFS (2015)

Source: FSE (2013)

What are words worth now?


33%

11,5%

of UK authors earning solely from writing

decay in Spanish writers able to make a living from their work since 2004

Source: DAMA (2015)

of UK TV & film writers have experienced a significant increase in work they are asked to do for free

Source: WGGB (2015)

33%
WHILE BUSINESS IS GOOD:

- European audiovisual sector revenues in 2013: €122 bn
- Box office receipts in 2014: €6.32 bn

Western Europe online TV & video revenues 2010-2021 (bn$)

- 2010: 0
- 2015: 5
- 2016: 10
- 2021: 15

- Advertising
- Retail
- Rental
- Subscription

Source: Digital TV Research, informitv

- TV channels (2013): 8,828
- On demand platforms (2013): 3,000+

- Films produced in Europe in 2014: 1,593
- VOD Compound Annual Growth Rate 2014/2010: 28.4%

Source: European Audiovisual Observatory
WHAT ROLE DOES THE CONTRACT NEGOTIATION PLAY?

IT DETERMINES 2 THINGS:

- TERMS & CONDITIONS OF EMPLOYMENT
- TRANSFER OF RIGHTS TO THE PRODUCER & ASSOCIATED REMUNERATION

BUT IT TAKES PLACE BEFORE:

- the audiovisual work exists
- its value is known

1-3 years between contract signature & film release (for 70% of films)

You cannot know in advance if your film is worth €0 or €millions

Source: OPCA Cinema 2015, SACD France
AND THE NEGOTIATING RELATIONSHIP ISN’T BALANCED.

IN EUROPE:

BROADCASTERS
- ARD - 6.4bn€ turnover (2014)
- BBC - 6bn€ turnover (2014)
- RTL Group - 5.8bn€ turnover (2014)

PRODUCERS
- Endemol Shine - 1.6bn€ turnover (2015)
- Freeman Media (part of RTL group) - 1.5bn€ turnover (2014)

CABLE & PAY TV OPERATORS
- Liberty Global - 4.3 bn€ turnover (2014)
- Sky - 9.1bn€ turnover (2014)

VOD PLATFORMS
- iTunes - 12bn€ turnover (2014)
- Netflix - 3.3bn€ turnover (2014)

CINEMA CHAINS
- Odeon & UCI group - 900m€ revenues (2015)
- Cineworld - 850m€ revenues (2015)

70% of Dutch screenwriters report their individual negotiating position as weak or very weak.

2/3 of Dutch screenwriters & directors have assigned more rights than they intended in individual negotiations.

Source: SEO—Wat Er Speelt
Most authors do not receive proportionate, exploitation-based remuneration for their intellectual property rights except when it is collectively managed.
NO

Their careers are too unstable to challenge their unfair contracts in court as they risk being black-listed.

THEY NEED COLLECTIVE REPRESENTATION OF THEIR INTERESTS.

AND A RIGHT TO FAIR REMUNERATION THAT IS PROPORTIONATE AND BASED ON ACTUAL EXPLOITATION WITHIN THE MARKET
This unwaivable remuneration right needs to be subject to collective management:

This will respect the licensing chain:

While being effective in really improving the financial situation of audiovisual authors:
Collective management organisations (CMOs) are regulated by a dedicated European Directive. They are transparent as well as governed by, and accountable to, the authors they represent.

Of Dutch screenwriters & directors indicate that CMOs arrange what they could not. 95%

Of Dutch directors are positive on their CMOs negotiating digital reuse of their works. 84%

Source: SEO—Wat Er Speelt

Of SACD members are satisfied with their society. 85%

Source: SACD (French CMO) membership survey

Of ZAPA members are satisfied with their services. 84%

Source: ZAPA (Polish CMO) membership survey

www.saa-authors.eu
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#AVauthorsRemuneration
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