


Procedure file

Basic information		
NLE - Non-legislative enactments Decision	2007/0171(NLE)	Procedure completed
EC/Switzerland agreement: audiovisual field, participation in the programme MEDIA 2007		
Subject 3.30.01.02 Programmes and actions in audiovisual sector 6.40.01 Relations with EEA/EFTA countries		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CULT Culture and Education		
	Former committee responsible		
	CULT Culture and Education		27/08/2007
	Committee for opinion	PPE-DE HIERONYMI Ruth	Appointed
	AFET Foreign Affairs	Rapporteur for opinion	The committee decided not to give an opinion.
Council of the European Union	Former committee for opinion		
	AFET Foreign Affairs		The committee decided not to give an opinion.
	Council configuration	Meeting	Date
	General Affairs	3032	13/09/2010
	General Affairs	3028	26/07/2010
	General Affairs	2996	22/02/2010
European Commission	Competitiveness (Internal Market, Industry, Research and Space)	2820	28/09/2007
	Commission DG	Commissioner	
	Communications Networks, Content and Technology	KROES Neelie	

Key events			
21/08/2007	Legislative proposal published	COM(2007)0477	Summary
11/10/2007	Committee referral announced in Parliament		
18/12/2007	Vote in committee		Summary
20/12/2007	Committee report tabled for plenary, 1st reading/single reading	A6-0512/2007	
19/02/2008	Results of vote in Parliament		
19/02/2008	Decision by Parliament	T6-0046/2008	Summary
02/12/2009	Additional information		Summary

16/02/2010	Amended legislative proposal for reconsultation published	05133/2010	Summary
04/03/2010	Formal reconsultation of Parliament		
26/07/2010	Act adopted by Council after consultation of Parliament		
26/07/2010	End of procedure in Parliament		
04/09/2010	Final act published in Official Journal		

Technical information

Procedure reference	2007/0171(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the EU TFEU 166-p4; Treaty on the Functioning of the EU TFEU 218-p6a
Stage reached in procedure	Procedure completed
Committee dossier	CULT/7/02437; CULT/6/52500

Documentation gateway

Legislative proposal	COM(2007)0477	21/08/2007	EC	Summary
Document attached to the procedure	12419/2007	18/09/2007	CSL	
Committee draft report	PE398.418	27/11/2007	EP	
Committee report tabled for plenary, 1st reading/single reading	A6-0512/2007	20/12/2007	EP	
Text adopted by Parliament, 1st reading/single reading	T6-0046/2008	19/02/2008	EP	Summary
Amended legislative proposal for reconsultation	05133/2010	16/02/2010	CSL	Summary

Additional information

National parliaments	IPEX
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Final act

Decision 2010/478 OJ L 234 04.09.2010, p. 0001 Summary

EC/Switzerland agreement: audiovisual field, participation in the programme MEDIA 2007

PURPOSE: to sign, and provisionally apply, an Agreement with the Swiss Community on the terms and conditions for their participation on the MEDIA 2007 programme.

PROPOSED ACT: Council Decision.

BACKGROUND: the Swiss-Community Agreement on Swiss participation on the MEDIA Plus and MEDIA training programmes came to an end on 31 December 2006. The Community's new programme MEDIA II, allows for EFTA countries, which are members of the EEA, to participate on the new programme. Negotiations with the Swiss authorities regarding the terms and conditions on the new MEDIA 2007 programme have now been concluded.

CONTENT: the purpose of this proposal, therefore, is the signature of an Agreement between the Swiss Confederation and the Community

establishing the terms and conditions for Swiss participation on MEDIA 2007.

The main elements of the proposed Agreement, in summary, are as follows:

- in Annex I the Agreement defines the conditions of the Swiss broadcasting regulatory framework. Certain provisions set out in the previous Agreement have been revised and completed in order to make Swiss legislation more compatible with the EU's body of law. For example, Articles 1 and 4 in Annex I permit a closer match on provisions regarding the freedom of reception and retransmission. Article 2 in the same Annex guarantees Swiss compliance with Community provisions regarding measures taken to safeguard the broadcasting of events of major importance to society;
- Swiss projects must meet the same conditions, rules and procedures as those applied to Member State projects. This refers, in particular, to the submission, assessment and selection of applications and projects, the various responsibilities of the national structures in the implementation of the programme and the activities related to the monitoring of the participation in the programme;
- Switzerland will pay an annual contribution to the programme;
- on matters relating to financial control and auditing Switzerland agrees to conform to Community provisions, including controls by Community bodies;
- the Agreement will apply provisionally as from the date of its signature and will continue to apply until the programme comes to an end, or until one of the sides notifies the other side of its wish to terminate the Agreement;
- the Agreement will be managed by a joint committee, composed of representatives from both sides.

Other elements of the proposal include: a Joint Declaration on reinforcing co-operation in matters of audiovisual policy; a Joint Declaration to adapt the Agreement once the revisions of the current "Television without Frontiers" Directive comes into force; and a Joint Declaration granting Switzerland symmetrical treatment in correspondence with the commitments undertaken by Switzerland with regard to events of major societal importance.

EC/Switzerland agreement: audiovisual field, participation in the programme MEDIA 2007

The Committee on Culture and Education adopted the report by Ms Ruth HIERONYMI (EPP-ED, DE), approving unamended the proposal for a Council Decision aimed at concluding an Agreement between the European Community and Switzerland on the participation of the latter in the Community programme MEDIA 2007.

It should be noted that Switzerland's contribution to the EU Budget for participating in the MEDIA 2007 is EUR 40 million for the period 2007-2013.

EC/Switzerland agreement: audiovisual field, participation in the programme MEDIA 2007

The European Parliament adopted a legislative resolution based on the report drafted by Ruth HIERONYMI (EPP-ED, DE), approving the proposal for a Council Decision aimed at concluding an Agreement between the European Community and Switzerland on the participation of the latter in the Community programme MEDIA 2007. The resolution was adopted by 648 votes for, 2 against, and 16 abstentions.

EC/Switzerland agreement: audiovisual field, participation in the programme MEDIA 2007

The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Council Decision concerning the conclusion of an Agreement between the Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007, and a Final Act, the entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis "Treaty/EC/Art.150(4), Art. 157(3), Art.300 (2) and (3) first para." became Art 166(4), Art. 173(3), Art 218 (6)(a) of the TFEU. Please note that the numbering of the old legal basis corresponds to the consolidated version of the Treaty that was applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old consultation procedure (CNS), was classified as an interinstitutional non-legislative procedure (NLE).

EC/Switzerland agreement: audiovisual field, participation in the programme MEDIA 2007

PURPOSE: to conclude an Agreement between the European Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007.

PROPOSED ACT: Council Decision.

CONTENT: the aim of this proposal is to conclude, on behalf of the Union, the Agreement between the European Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007.

The Agreement and the Final Act were signed on behalf of the Community on 11 October 2007, subject to their conclusion at a later date, and have been applied provisionally as from 1 September 2007, in accordance with [Council Decision 2007/745/EC](#).

For details of the content of the Agreement, please refer to the initial document of 21/08/2007 as well as Council document [12419/2007](#).

As consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to "the European Community" in the text of the Agreement are, where appropriate, to be read as "the European Union".

EC/Switzerland agreement: audiovisual field, participation in the programme MEDIA 2007

PURPOSE: to conclude an Agreement with the Swiss Community on the terms and conditions for the participation of the latter in the MEDIA 2007 programme.

NON-LEGISLATIVE ACT: Council Decision 2010/478/EU concerning the conclusion of an Agreement between the European Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007, and a Final Act.

CONTENT: on behalf of the European Community the Commission negotiated an agreement with the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007 and a Final Act. The latter were both signed on behalf of the Community on 11 October 2007, subject to their conclusion at a later date, and have been applied provisionally as from 1 September 2007, in accordance with Council Decision 2007/745/EC. This Decision concludes the Agreement. It further states that as a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the EU has replaced and succeeded the European Community.

The main elements of the Agreement, in summary, are as follows:

- in Annex I the Agreement defines the conditions of the Swiss broadcasting regulatory framework. Certain provisions set out in the previous Agreement have been revised and completed in order to make Swiss legislation more compatible with the EU's body of law. For example, Articles 1 and 4 in Annex I permit a closer match on provisions regarding the freedom of reception and retransmission. Article 2 in the same Annex guarantees Swiss compliance with Community provisions regarding measures taken to safeguard the broadcasting of events of major importance to society;
- Swiss projects must meet the same conditions, rules and procedures as those applied to Member State projects. This refers, in particular, to the submission, assessment and selection of applications and projects, the various responsibilities of the national structures in the implementation of the programme and the activities related to the monitoring of the participation in the programme;
- Switzerland will pay an annual contribution to the programme;
- on matters relating to financial control and auditing Switzerland agrees to conform to Community provisions, including controls by Community bodies;
- the Agreement will apply provisionally as from the date of its signature and will continue to apply until the programme comes to an end, or until one of the sides notifies the other side of its wish to terminate the Agreement;
- the Agreement will be managed by a joint committee, composed of representatives from both sides.

Other elements of the proposal include: a Joint Declaration on reinforcing co-operation in matters of audiovisual policy; a Joint Declaration to adapt the Agreement once the revisions of the current 'Television without Frontiers' Directive comes into force; and a Joint Declaration granting Switzerland symmetrical treatment in correspondence with the commitments undertaken by Switzerland with regard to events of major societal importance.

ENTRY INTO FORCE : 26/07/2010.