

Portability of digital content: Council agreement on main principles

The Council agreed on a general approach on a draft regulation aimed at ensuring the cross-border portability of online content services in the internal market.

The agreement enables the Council to start negotiations with the European Parliament, once the Parliament has set its negotiating position, under the ordinary legislative procedure.

The president of the Council and minister for economic affairs of the Netherlands, Henk Kamp, made the following comments: "This initiative will make life easier for European citizens when they travel, by allowing them to keep accessing online content they have legally acquired or subscribed to in their home member state when they are temporarily in another member state. This means that citizens who are in another member state for purposes such as holidays or business trips can enjoy for example music, films, games or sporting events just like at home".

Travelling with subscriptions to online content services

The increased use of portable devices such as tablets and smartphones facilitates access to the use of online content services regardless of the consumers' location.

There is a rapidly growing demand on the part of consumers for access to content and innovative online services not only in their home country but also when they are temporarily abroad. Therefore, barriers that hamper access and use of such online content services within the single market will be eliminated.

Current obstacles to cross-border portability of online content services stem from the fact that the rights for the transmission of content protected by copyright and/or related rights such as audiovisual works as well as rights for premium sporting events are often licensed on a territorial basis.

Under the general approach, the regulation would apply to online content services which are provided against payment of money. Free to air services, such as public broadcasters, would be able to benefit from the regulation provided that they verify the country of residence of their subscribers.

The Commission presented the original proposal in December 2015. It is among the first initiatives of the digital single market strategy put forward with the objective of creating an internal market for digital content and services.

[General approach](#)

[Commission proposal](#)