Film Distributors' Association Response to:

DCMS Consultation on Exemptions to the Video Recordings Act and on Advertising in Cinemas

DRAFT

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Film Distributors' Association response

1. Film Distributors' Association Ltd. (FDA) welcomes the opportunity to respond to this Consultation.

2. FDA is the trade body for UK theatrical film distributors, the companies that release films for cinema audiences. The feature films brought to market by FDA member companies – ranging widely from international blockbusters to classic revivals; and from British films to productions of 42 other countries in 2011 – account for 97% of UK cinema admissions. Lord Puttnam of Queensgate CBE is FDA's President.

3. Theatrical film distribution is a sophisticated, competitive and dynamic business that depends on product and the extent to which it connects with audiences. With 1% of the global population, the UK generates 7% of global cinema box-office receipts (£1.12 billion from 171.5 million admissions in 2011). Overall, the sector operates successfully and delivers a significant contribution to the economy in terms of revenue and jobs, as well as the consequent cultural and creative impacts. An economic multiplier effect applies: for every £1 spent on cinema tickets, at least a further £2 is pumped into the economy on directly related expenditure.

4. The FDA is pleased to respond to Consultation on Exemptions to the Video Recordings Act and on Advertising in Cinemas.

5. The FDA has confined itself to responding to the General Questions in Part A of the consultation. We have not responded to the detailed questions on Options in Part A as our views are set out in our response to the General Questions. We have not responded to Part B of the consultation as it does not relate to issues with which the Association concerns itself.

CONSULTATION QUESTIONS FOR PART A

When answering any questions please provide your reasons and any relevant evidence to substantiate your views, wherever possible.

General Questions

Q A.1 What is your view on the current system of regulating cinema advertising?

Answer: *While we broadly think the system works well, we agree that there is an issue around a "dual system of clearance" which results in additional costs for the industry.*

Q A.2 Do you consider that the current system which involves both the BBFC and CAA is placing an unnecessary dual burden on industry?

Answer *Yes.*

Q A.3 What is your assessment of any extra costs involved from this dual system?

Answer *The FDA is not in a position to assess such extra costs.*

Q A.4 Do you consider that the current system which involves both the BBFC and CAA is beneficial? Please provide your reasons?

Answer *We do not think it is optimal. We think it involves additional costs and unnecessary bureaucracy because of the involvement of two bodies. We therefore support the removal of the requirement for the BBFC to have a role in age rating cinema advertisements. This would provide a more effective and efficient way of regulating such advertisements.*

However, we would want there to be some safeguards – a clearly defined distinction between third-party commercial advertising in cinemas and the placement of film campaign materials (posters, displays, trailers and so on). Distributors have already paid to motivate and deliver the audience to the door; diversity and choice would suffer were 'media rates' to be levied on distributors seeking to build audiences for future cinema visits.

Q A.5 Is there any evidence to suggest that removing the BBFC requirement to age rate adverts shown in cinemas will result in a reduction in consumer and child protection? Please provide details.

Answer *The FDA is not aware of any such evidence.*

Ends.