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## **How is our collective memory preserved?**

[Digital legal deposit in the Nordic countries]

**In a world flooded with volatile information we may face "digital amnesia". Imminent political decisions and practical steps are needed to avoid the loss of large amounts of digital content for the future, as is pointed out in the Moscow Declaration on Digital Information Preservation, adopted in October 2011.**

Is the world going into a dark age of information? There is reason for concern for both current and future generations. The message from the UNESCO conference that adopted [the Moscow Declaration](#) is clear: The world's several thousand-year tradition of conservation of writings, from the library of Alexandria to our days of legal deposit, must be continued when the media are increasingly digitized.

For hundreds of years, publishers of printed publications in the Nordic countries have been under an obligation to deliver a certain number of copies to national libraries; this is called the legal deposit. The need for censorship, which in previous centuries was the basis for legal deposit, has long since been replaced by the need for preservation of documentation of the Nordic societies and their culture. Printed publications, radio and TV programmes, films – and increasingly – Internet-based material – provide both current users and future generations with such documentation.

This issue of Nordic Media Policy describes how the national libraries in the Nordic countries have approached some of the digital challenges. Examples of international initiatives to ensure the preservation of digital content are presented, followed by a review of practices and regulations in this field in the Nordic countries.

### **Volatile digital media**

Over the past decades, many online newspapers and online magazines have been launched – some of them have disappeared just as suddenly as they were established – perhaps without a trace. Digital distribution of content is gradually replacing the analogue media, but currently most e-books, e-newspapers and e-magazines are published in parallel with the paper-based editions. Large amounts of information that were previously printed are now Internet based. New challenges for conservation institutions and users emerge when paper media become completely digitized.

Are we facing a kind of collective amnesia – as the Moscow Declaration warns us against?

Internet-based media can be volatile, as everyone knows who has encountered "this page does not exist" when trying to find an article read on the Net some time ago. For example, Nordic Media Policy's online editions, covering a period of nearly 20 years, include countless references to URLs that no longer exist.

### **Securing digital content for the future**

Digitization creates opportunities and problems. For example, most commercial digital publications are protected by so-called Digital Rights Management, DRM. Will it be possible to secure digital publications with such protection for the future – so that they can be read in a hundred years? The U.S. Library of Congress, among others, [has stated](#) that DRM can be a serious obstacle.

Securing digitally based information for the future is obviously not just something affecting libraries: Public authorities and agencies at all levels continue to face major challenges when it comes to recording, preserving and securing relevant material. Hard disks and CDs do not have unlimited life. Photos and text stored using old technology may become unreadable when new technology takes over. In the private sphere, fewer and fewer people write paper-based letters, or use analogue photography. Important family memories – which might also be valuable outside the family circle – may be accidentally deleted forever from digital storage media.

### **The Moscow Declaration on Digital Information Preservation**

In October 2011, UNESCO held an international conference on the problems and opportunities associated with the preservation of digital content. The purpose was to raise awareness about the importance of digital preservation, both in traditional environments (libraries, archives and museums), among responsible political authorities and with the general public. It is important to achieve the most uniform strategies, rules and methods, at the global, regional and national level; this is pointed out in a message from the UNESCO conference and in the [declaration](#) that was adopted.

Almost all countries have developed policies and procedures for preservation of analogue media content – not just at a national level, but also in terms of international standardization and exchange; this was the consensus among the more than 150 conference participants from 37 countries. However, there is a great need in many countries to establish new and revised regulations for the preservation and storage of digital content.

The Moscow conference presented a series of proposed [solutions](#), aimed at many international and national organizations, as well as at responsible politicians and authorities in the countries of the world.

The participants represented national libraries, archives, museums, universities, international organizations, research institutions, media enterprises, the ICT industry and others interested in discussing solutions to the challenges and the problems created by embracing digitalization.

The UNESCO Information for All Programme, which was established in 2000, may be a [suitable forum](#) for further international cooperation on a global-oriented regulatory framework for information preservation in a digital age, the Moscow Declaration points out.

### **More digitized material must be readily accessible: European Commission**

A Recommendation [adopted](#) by the European Commission in October 2011, encourages the appropriate authorities in the European countries to establish measures to make more copyrighted material available via the Internet, adapting national legislation to secure the preservation and accessibility of digital content, and to develop strategies to ensure long-term preservation of digital material.

The Recommendation is a part of the Commission's Digital Agenda for Europe: [Digital Libraries Initiative](#).

The Commission asks the relevant authorities and bodies in the European countries to make more digital material available on the website [Europeana](#), an EU-funded website for libraries, archives and museums, and a cultural heritage portal.

The European Library is another initiative, which also has acted as midwife for Europeana. [The European Library](#), established in 2005, is the result of cooperation between 48 national libraries in Europe, and is designed to take care of (digitized) materials that have traditionally been the domain of libraries.

### **Legal deposit of digital content in the Nordic countries**

The National Library is the nation's memory and a multimedia centre for learning. This is how the Norwegian National Library presents itself – and the description could apply to any of the Nordic National Libraries.

The Danish, Finnish and Icelandic legal deposit legislations have all been revised during the past decade, with a view to meeting the challenges of technology development and preserving digital content. The Norwegian legal depot legislation was adopted in 1989, but has formulations that incorporate digital material, albeit in vague forms. A process is underway to revise the law; the current technology development requires precise legal texts. Swedish legal deposit legislation does not yet cover online content, but a bill is expected to be presented to the Parliament before the end of December 2011.

The Nordic national libraries' digitization of analogue material already on the shelves is an ongoing process. A great deal of material has been digitized, and made accessible to the public, according to regulations in copyright law and privacy law. The choice of technological solutions also regulates the extent to which the public will have access to the original analogue material. Regarding access to the digital legally deposited resources preserved by national libraries in the Nordic countries, the strategy is somewhat different, both as a result of legislation and practical possibilities.

### **Denmark**

The Royal Library's [Department of Legal Deposit](#) is responsible for maintaining both physical and online/digital material. Since 2005, the [State and University Library](#) have cooperated with the Royal Library on the collection of material from the Internet, and the two institutions have created the website [netarkivet.dk](#). The State Media Archives store [radio and TV programmes](#), while the Danish Film Institute takes care of the submitted films.

[The Act on Legal Deposit of Published Material](#), which came into force in 2005, contains provisions on procedures for legal deposit.

#### *Internet-based content*

Danish material published via the Internet is subject to legal deposit. The deposit takes place in several ways: by harvesting (with a web crawler) all Danish Internet material four times a year, by collecting material from selected sites and through collection associated with a selected number of events per year.

Publishers of online publications may also notify Dansk BiblioteksCenter (a service centre for Danish libraries), which takes care of the national bibliographic records of such publications.

The legally deposited digital material is made available to users at the Royal Library, the State and University Library and the Danish Film Institute, under the provisions of the privacy protection legislation and copyright law.

## **Finland**

The National Library [receives](#) both physical materials (books, newspapers, magazines, CDs and DVDs) and is responsible for the preservation of web-based content. Radio and television programmes and films are taken care of by the [National Audiovisual Archive](#).

[The law on collecting and preserving cultural materials](#), which came into force in 2008, contains provisions on the procedures for delivery and use of legal deposit material.

### *Internet-based content*

Finnish material available to the public via the Internet is collected and stored by the National Library. The collection is both systematic (automated search robot) and made on special occasions (topic collections).

The National Library cooperates with publishers on preserving web-based material that is not freely available to the public. The public can gain access to legal deposit digital material on computer terminals in the National Library, the Parliament Library, the National Audiovisual Archive and five other regional libraries providing access to legal deposit material in Finland.

## **Iceland**

The National and University Library of Iceland is responsible for [legal deposit](#) printed materials, audio recordings, CDs and DVDs and Internet-based material. The National Film Archive of Iceland takes care of films and radio and television programmes.

The Act on legal deposit of 2002 entered into force in 2003. It contains provisions concerning the type of material to be deposited and the procedures connected with legal deposit.

### *Internet-based content*

The collection of Internet-based content started in 2004, [in accordance](#) with the new law on legal deposit in 2003. Digital material is collected and treated as all other legal deposit material. From time to time [theme-based](#) collections, such as the general elections in 2009, are carried out. The same year, the National Library [opened](#) the Internet-based collections to the public.

## **Norway**

The National Library is [responsible](#) for legally deposited print publications, radio and television programmes, recordings, CDs and DVDs, films and Internet-based material.

[The Act relating to the legal deposit of generally available documents](#) provides for what is to be delivered and how. Special regulations relating to legal deposit provide detailed information about the procedures. The law, which dates from 1989, was one of the first of its kind to include digital documents, but it will now be revised to provide a more accurate basis for dealing with the technological development.

### *Internet-based content*

The National Library has collected Norwegian online documents since the mid-1990s. To begin with, the collection was related to selected sites, while the goal from 2002 to 2009 was to collect as much content as possible from all Norwegian sites. The requirements of the Data Inspectorate led to the termination of this procedure. Today, in anticipation of the revision and clarification of the legal deposit law, the contents of selected sites are collected, in addition to material from special events.

Online single documents (e.g., e-books) should also be delivered to the National Library. Users can access digital material, governed by special agreements, the provisions of the Copyright Act and the Personal Data Act.

## **Sweden**

The National Library and the six university libraries in Umeå, Uppsala, Stockholm, Linköping, Gothenburg and Lund [receive](#) printed publications. Audiovisual media are taken care of by the National Library's Department of Audiovisual Material.

The regulations covering [legal deposit](#) are related to provisions in the Fundamental Law on Freedom of Expression and the Freedom of the Press Act.

Internet-based content The National Library is waiting for the adoption of the Government's bill to the Parliament: the adoption of a Digital Deposit Act. The Library has, in anticipation of this, established a department for digital collection. There is an ongoing robot gathering of Swedish websites, a process that began back in 1997. This collection is growing rapidly, with 2-3 data gathering cycles per year, [according](#) to the Library.

The Government has examined the issue of legal deposit of online material, and a bill was presented in November 2009. Adoption has been delayed, and a revised bill was presented by the Government in August 2011. The bill has still (as of primo December 2011) not entered the parliamentary process leading to adoption.

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## **Nordic cooperation**

### **Nordic Council Literature Prize 2012**

[Nordic cooperation]

The national members of the Adjudicating Committee have [nominated](#) two works from each Nordic country for the Nordic Council Literature Prize 2012.

The winner will be chosen by the Adjudicating Committee at its meeting in Reykjavik in the spring of 2012. The prize is worth 350,000 Danish kroner.

Source: norden.org (1 December 2012)

### **Swedish film won the Nordic Council Film Prize 2011**

[Nordic cooperation]

The Swedish film Svinalängorna (Beyond) was named [the best](#) Nordic film in 2011. Receiving the prize are the film's director Pernilla August, who is also the scriptwriter with Lolita Ray, and the producers Helena Danielsson and Ralf Karlsson.

The jury consisted of film experts from the five Nordic countries and the jury's honorary chairman Helen Mirren. The award was presented during the Nordic Council Session in Copenhagen 2 November.

Source: norden.org (17 October 2011)

### **Survey of culture statistics of the Nordic countries**

[Nordic cooperation]

The Finnish Ministry of Education and Culture has published an overview of culture statistics from the Nordic countries. The survey was compiled as part of the Finnish Presidency of the Nordic Council of Ministers in 2011.

The Finnish presidency programme notes that a joint Nordic knowledge base would be of great importance for the cultural sector. More comprehensive cultural statistics included in the joint Nordic statistical reports would strengthen the knowledge base and simultaneously transform statistics to a tool for Nordic decision-making. The purpose of the survey is, among other things, to conclude whether this might be a solution, states the Finnish Ministry of Education and Culture.

Source: The Ministry of Education and Culture / Finland  
(2 November 2011)

### **Printed media**

#### **VAT on Finnish newspapers and magazines**

[Printed media] [Finland]

The Parliament has – responding to a proposal from the Government – decided that the value added tax (VAT) on newspapers and periodicals will be increased from zero to nine percent.

The vote in the Parliament was 108 for, 61 against, according to the newspaper Hufvudstadsbladet, which writes that it was the opposition who voted against: the True Finns, the Centre party and a left-wing splinter group. VAT will apply from the beginning of 2012, to both newspapers and magazines subscribed to for at least a month.

Source: Hufvudstadsbladet (23 November 2011)

#### **Literature and language policies to be investigated**

[Printed media] [Norway]

Are current measures appropriate for promoting the quality, breadth and variety of Norwegian literature with respect to both content and genres?

The Ministry of Culture would like to know more about this and has engaged external investigators to shed light on this matter.

In addition, the Ministry of Culture and the Ministry of Education and Research have carried out a survey of the framework and instruments used to promote the book and publishing

industry in central European countries. In this context, special legislation should be considered as an appropriate instrument for promoting Norwegian specialist literature and fiction, reports the Ministry of Culture.

Source: The Ministry of Culture (4 October 2011)

### **Investigation of press subsidies**

[Printed media] [Sweden]

The Government has decided to investigate the state support for the press. The reason is a changed media market and EU state aid rules, according to the Ministry of Culture. Today's Swedish press subsidy rules apply to 31 December 2016.

The committee appointed is to consider, among other things, support rules in light of media diversity and the impact of subsidies on competition in the media market, and provide suggestions for a future support system. The assignment must be completed no later than 31 August 2013.

Source: The Ministry of Culture (15 December 2011)

### **Audiovisual media**

#### **Three agencies to become one**

[Audiovisual media] [Denmark]

As from 1 January 2012, the Danish Arts Agency, the Heritage Agency and the Agency for Libraries and Media will be merged to form one unit.

In a statement, the Ministry of Culture points out the need to strengthen the interaction between art, cultural heritage, libraries and media, as well as to improve the coordination of government and local efforts in the cultural sector. Also important is the need to promote the development and utilization of increased digitization in the cultural and media landscape, in addition to developing new offerings and future forms of communication between central and local agencies and citizens.

Source: The Ministry of Culture (6 December 2011)

#### **TV 2 to become pay channel from 1 January 2012**

[Audiovisual media] [Denmark]

In 2009, a broad majority in the Danish Parliament agreed to give TV 2/DANMARK A/S (TV 2) the option to demand payment for viewing the main channel. Since 2004, the company has not received any licence funding. Advertising revenue and income from niche channels, however, have not been sufficient to ensure the company's finances.

In the spring of 2011, the European Commission approved the restructuring plan for TV 2/DANMARK A/S previously adopted by the Parliament. TV 2 still has public service obligations and the main channel is distributed on all platforms.

Source: The Ministry of Culture (10 November 2011)

### **Free choice of TV channels will increase competition**

[Audiovisual media] [Denmark]

The Danish Competition and Consumer Authority concludes, in a [report](#) on the Danish pay TV market, that the competition could be more intense. Consumers have a very limited choice with respect to selecting the exact TV channels they want, according to a press release from the Authority.

Furthermore: A consumer survey from 2009 showed that 90 percent of consumers pay for more television channels than they use, and that 23 percent would prefer to pay more in order to get the channels they want.

Source: The Danish Competition and Consumer Authority (3 November 2011)

### **YLE to be the budget financed by a public service broadcasting tax**

[Audiovisual media] [Finland]

The public service company YLE will be financed through the state budget. The leaders of the parliamentary groups and Minister of Housing and Communications Ms Krista Kiuru have agreed that funding should be covered by a public service broadcasting tax as of 2013, when the current licence funding ceases. The company will continue to be under the supervision of Parliament.

"The tax is less than 0.7 per cent of a person's income. In euros, this means a minimum of EUR 50 and a maximum of EUR 140 per year, depending on the level of income. Minors and those remaining under a certain income level will not be subject to the tax," [according](#) to the Ministry.

Source: The Ministry of Transport and Communications (16 December 2011)

### **The Finnish Board of Film Classification changes name and scope**

[Audiovisual media] [Finland]

A revised Act on Audiovisual Programmes will come into force [on 1 January 2012](#) – and the Finnish Board of Film Classification will become the Finnish Centre for Media Education and Audiovisual Programmes.

A safer environment for children is the main aim of the reform. Pre-investigation of audiovisual programmes will be abolished, but the system of age classification will still be used.

The Centre may, on its own initiative, classify an audiovisual programme and ensure that suppliers meet their obligations, by means of observation and a fine. The responsibility for audit data relating to television broadcasting and protection of children from unsuitable audiovisual material has shifted from the Communications Regulatory Authority to the Finnish Centre for Media Education and Audiovisual Programmes, the Ministry of Education and Culture states in a press release.

Source: The Ministry of Education and Culture (16 June 2011)

### **Captions in Norwegian for all state-supported films**

[Audiovisual media] [Norway]

The hearing impaired, among others, will benefit from new regulations coming into force on 1 January 2012: Producers of all films receiving public funding after that date are required to caption their films intended for screening in cinemas.

This will make Norwegian films available to a wider audience and helping to make society more inclusive and accessible to all parts of the population, said Minister of Culture Anniken Huitfeldt, according to a statement from the Ministry of Culture.

Source: The Ministry of Culture (18 November 2011)

### **Complaints commission for media issues appointed**

[Audiovisual media] [Norway]

The Government has appointed a complaints commission for media issues that, through 1 July 2015, will serve as an appeal body for individual decisions of the Norwegian Media Authority.

Among the matters to be considered is media ownership – in addition to other complaints that fall under the Broadcasting Act, according to the Ministry of Culture. Creation of the Complaints commission is a result of amendments to the Broadcasting Act adopted by the Parliament in March 2011 – part of the Government's efforts to give the Media Authority a more independent position.

Source: The Ministry of Culture (26 August 2011)

### **Survey of possible commercial exploitation of local radio**

[Audiovisual media] [Sweden]

Are some local radio stations exploited for commercial purposes? The Government has commissioned the Swedish Broadcasting Commission to investigate whether local radio stations are being used for commercial purposes, and if so, to what extent this occurs. The Swedish local radio stations are to be run by local voluntary organizations.

The Authority will consider and, if deemed warranted, propose amendments or other measures to discourage commercial exploitation, the Ministry of Culture writes. The commission ends on 15 October 2012.

Source: The Ministry of Culture (8 December 2011)

### **Examination of the coverage requirements for Sveriges Television**

[Audiovisual media] [Sweden]

The Swedish Broadcasting Commission has been commissioned by the Government to investigate whether the current coverage requirements for broadcasts by public broadcaster Sveriges Television (SVT) in the terrestrial network are still relevant with respect to the public service company's mission: to transmit programme services to the population of the whole country.

The Commission will submit proposals concerning the appropriate level of coverage required in the terrestrial network and, if warranted, concerning how other means of distribution should be used to satisfy the requirement that the SVT television broadcasts must reach at least 99.8 percent of the resident population in Sweden. The Commission will report its findings no later than September 1, 2012, according to the Ministry of Culture.

Source: The Ministry of Culture (8 November 2011)

### **Government support to the digitization of Swedish cinemas** [Audiovisual media] [Sweden]

The Swedish Film Institute will distribute state support for the digitization of cinemas. The grants will be allocated in accordance with a special regulation on state contributions to the digitization of cinemas.

The Film Institute must give priority to cinemas that, during recent years, have had regular film showings on a larger scale. The allocation should take into account whether the municipality in question has not previously had any digital cinema, states the Ministry of Culture.

Source: The Ministry of Culture (6 October 2011)

## **Information society**

### **Uniform regulation of electronic communications** [Information Society] [Finland]

The Government has initiated efforts to merge the ten laws relating to electronic communications into one, called informationssamhällsbalken (the Information Society Code).

The purpose is to remove overlapping provisions, update content and make it clearer, according to a statement from the Ministry of Transport and Communications. Relevant industry organizations and associations are participating in the process, which will last for several years.

Source: The Ministry of Transport and Communications (6 September 2011)

### **Press subsidies to more online newspapers** [Information Society] [Sweden]

The Press Subsidies Council has decided that the online newspaper Feministiskt Perspektiv should receive press subsidies. Previously, only the online newspaper Politiken has received such support, writes the trade newspaper Medievärlden. At the same meeting of the Council, the standard sum of press support to online newspapers online was increased.

Previously, an online newspaper received 55 percent of the support given to printed newspapers. The Press Subsidies Council has made new calculations showing that a low-frequency online newspaper has about 30 percent lower costs than a low-frequency printed newspaper. The Council also took into account that online newspapers have higher VAT costs, and the result was that the online newspapers (still low frequency) will now receive 75 percent of the amount given to low-frequency printed newspapers.

Source: Medievärlden (27 September 2011)

## **Media ownership**

### **The Media Authority will consider the purchase of Edda Media**

[Media ownership] [Norway]

A Norwegian group of media companies, A-pressen, wish to buy the Norwegian part of the multiplatform media company Mecom, Edda Media.

The Media Authority will identify and assess the acquisition in light of [the Media Ownership Act](#). When we have done that we will discuss with A-pressen anything that might be problematic. A-pressen can then come back to us with suggestions for solutions. We will consider the solutions and focus on whether they promote free speech and a comprehensive range of media diversity, says Gudbrand Guthus, the Media Authority's director of licensing and supervision.

The Media Authority manages the Media Ownership Act. The Authority may intervene against the acquisition of all or part of a media company. The Media Authority expects that the assessment process in this case will take 4-6 months.

In May 2011, the Government appointed an expert group to review the Norwegian media ownership rules. A series of hearings form the basis for the expert group's report, which should be completed by spring 2012.

Source: The Media Authority (5 December 2011)

## **Publications**

### **The report of the media support committee has been sent out for comments**

[Publications] [Denmark]

The Agency for Libraries and Media received the report Demokratistøtte – Fremtidens offentlige mediestøtte (Support of democracy – the future of public media support) on 30 September 2011. The report was compiled by the media support committee, appointed by the Government, and the consultative round ends on 2 January, 2012.

Among the proposals in the report is that the Radio and Television Board should continue to manage and supervise the support of radio and television, except for the special public service fund, managed by the Danish Film Institute, while a new Media Board should manage support schemes for distribution and production and development support for both printed and web-based media.

Source: The Agency for Libraries and Media (17 November 2011)

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## **Nordic Media Policy**

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