



**The Walt Disney Company's Response to
The Joint Committee on Media, Tourism, Arts, Culture, Sport and the Gaeltacht on
The General Scheme on the Online Safety and Media Regulation Bill
12 March 2021**

Introduction:

The Walt Disney Company would like to thank the Joint Committee on Media, Tourism, Arts, Culture, Sport and the Gaeltacht for soliciting our views on the General Scheme on the Online Safety and Media Regulation Bill, namely:

- The application of the content levy
- The protection of children across online services and platforms

We address each issue in turn below. We look forward to working with the Joint Committee and the Irish Government as your work on continues.

Levies:

Disney is committed to contributing to the health and growth of the Irish AV eco-system. It is a truism to say that the media landscape is changing incredibly rapidly. This is resulting in a mixed ecology of local and global companies, each of which can contribute in an appropriate and meaningful way to Ireland's AV sector. This mixed ecology helps meet consumer demand for an array of content, both local and global. In that regard, we would like to work with the Joint Committee and the Irish Government to define a framework that advances our shared objective of driving investment in Ireland, its cultural heritage and AV sector in a manner that maximises Disney's long-term, sustainable and organic contributions consistent with our businesses and operations. In short, our goal is a competitive media landscape that stimulates consumer choice in services and content and promotes more production and investment.

Indeed, Disney has historical and recent experience in Ireland. Our latest production in Ireland was the feature film "The Last Duel". We worked closely with the Government on numerous issues related to that production and were greatly appreciative of the Government's and Screen Ireland's assistance throughout. We also have several feature films and series that we anticipate being produced in Ireland commencing in 2021. These Disney productions contribute meaningfully to the long-term development and health of the Irish AV eco-system through infrastructure, talent and skills development.

We understand and welcome the Irish Government's desire to support the telling and production of Irish stories. We believe the most effective means of doing so is through incentives rather than obligations. Obligations often become ceilings rather than floors, which can limit the long-term, sustainable and organic growth for the overall sector that incentives have proven so effective at securing in markets around the world.

Moreover, given the competitive media landscape, services already have a keen eye toward meeting consumer demand, including for local content. As such, the market will naturally drive the production of Irish stories. A robust and competitive production incentives regime, including perhaps an enhanced production incentive for Irish stories, will serve to further fuel the growth of Irish storytelling.

If the Government is nevertheless committed to adopting a levy, we believe that the regime should take into account the different contributions being made by companies to the local AV eco-system. With this in mind, we offer several suggestions for you to consider which we believe reflect such contributions. They include offsetting a company's levy obligation by:

1. Any parallel investment it injects into local content, skills and development;
2. A portion of the spend on global content produced in Ireland; and
3. A threshold production spend over which the levy obligation would be eliminated in its entirety.

Finally, any levy should be set at a reasonable level such that it does not constitute a barrier to market entry into the local AV market and be applied to the broadest tax base of media service providers, without any discrimination based on origin/nationality.

Child Protection:

As The Walt Disney Company, we take great pride in creating positive, inspirational, and high-quality content that all families can enjoy. As such, we were pleased to see the robust focus on harmful online content and children's wellbeing reflected in the Online Safety and Media Regulation bill as well as the AVMS transposition explainer. We share the Government's commitment to ensuring media experiences remain age-appropriate and positive, and are of the belief that the parent is best suited to decide what content is suitable for their individual family members. For this reason we are focused on creating media experiences that prioritize robust parental controls; including kid profiles, pin protections, content ratings and more. As a company, we remain committed to learning from and listening to stakeholders about what tools and controls they might find valuable. We commend the Irish government for their thoughtful and thorough drafting of the Online Safety and Media Regulation Bill and transposition of the AVMS Directive.

Conclusion:

Thank you again for seeking our input. Please do not hesitate to contact us if you would like to discuss these comments/suggestions in more detail.

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