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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(26.2.2026)

The Commission analysed the possible need for an extension of the term of protection to audiovisual performers and also film producers in the Staff Working Document¹ published in 2020. In both the Staff Working Document and the later Commission Report² on the application of the 2011 Term Directive,³ the Commission concluded that the available evidence did not call for such an extension.

The 2020 Staff Working Document analysed the potential effects of a term extension on audiovisual performers and also film producers, as well as on content providers and on the availability of films. It also pointed out the different contracting and collective management practices between the music and audiovisual sectors. The expected commercial lifespan of films was taken into consideration in assessing the expected impacts on the revenues of audiovisual performers. The commercial lifespan of films can be distinguished from the economic exploitation of sound recordings over time. This was a factor in assessing the impact of the term extension on the revenue of music performers in the 2025 Report.

The term of protection of performers is fully harmonised by Article 3 of Directive 2006/116, and save as is provided in Article 10, that Directive leaves open no possibility for Member States to introduce a different term of protection for any category of performers.

¹ <https://digital-strategy.ec.europa.eu/en/library/staff-working-document-pursuant-reporting-obligation-laid-down-directive-2011/77/eu-term-protection>.

² Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee - Report on the application of Directive 2011/77/EU amending Directive 2006/116/EC on the term of protection of copyright and certain related rights.

³ Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 2006/116/EC on the term of protection of copyright and certain related rights.