



Reporting obligation for video-on-demand (VoD) data under Article 27 of the Ordinance on the Quota for European Films and Investments in Swiss Film Production (FQIO ; [RS 443.14](#))

Instruction leaflet concerning data to be reported

FSO, revised version 20.12.2024

In 2016, the revised Film Ordinance (FiO, [RO 2015 5639](#); Art. 16a) extended the scope of the data reporting obligation. This obligation, which had previously applied to companies showing films in cinemas since 2002, was extended from 2016 to Swiss and foreign companies offering on-demand services (VoD, platforms) in Switzerland, as well as to the holders of the corresponding exploitation rights (distributors). The decisive criterion is not the location of the company's head office, but whether it operates on the Swiss market (views or purchases in Switzerland).

As of 1 January 2024, the data reporting obligation in the VoD field is no longer governed by the Film Ordinance but by the new Ordinance on the Quota for European Films and Investments in Swiss Film Production ([FQIO](#)). With this new revision, in addition to films, the reporting obligation **also applies to series**.

These instructions describe and detail the data requirements according to Article 27 of the FQIO. They are intended as a guideline or aid to companies with a reporting obligation for internal data collection. These guidelines are supplemented by datasheets for the different types of film exploitation, **including series**. A FAQ document is available online on the FSO's statistics portal.

For the purposes of this notice, the following terms are defined as follows:

On-demand service: an audiovisual offering containing eligible films, made available on demand in the form of a catalog on the Internet or other electronic communication networks;

Eligible films: films falling under the genres of documentary films, fiction films, or animated films, **including series (Art. 2, para. 1, OQICin)**.

Important information:

As communicated in a circular by the Federal Office of Culture (FOC) on 10.01.2018, the survey is only for VoD services, not physical media (DVD, VHS, etc.).

This decision is the result of a prioritisation of the Confederation's tasks. In the first phase, the data are only collected from the distribution platforms. In a second phase, rights holders may be contacted to verify the data reported by the platforms. Since January 2017, they have been responsible for registering all of their films with ISAN that do not yet have an ISAN number. (see below "Data on supply / film catalogues"). Rights holders must report this code to the distributors at the time of the licence agreements at latest.

Types of film exploitation and data to report

The data reporting obligation concerns the three following types of exploitation:

VoD sales:

Sales of films via digital channels with unlimited rights of use

- *Payment per eligible films, without time limitation of user rights*

VoD rental:

Time limited, paid sales of user rights for a film

- *Payment per eligible films, time limited right of use*

VOD subscription:

Paid subscription services with unrestricted access to subscription films/series

- *No payment per eligible films. Instead, there is a flat-rate fee for supplied films/series with no limitation on the number of views*

VoD platforms which also offer free films in addition to films subject to charge report only films subject to charge and paid views, or views in the scope of a paid subscription.

Extensive digital broadcasting station offerings (e.g., catch-up TV) are not surveyed.

For all data reported, it must be clear to which one of the 3 types of operation mentioned they refer. Companies with an obligation to report offering films via several methods of exploitation need to provide their **data separately for each method of exploitation**.

For VoD types of exploitation, series and films that meet the following criteria must be reported:

- **Fiction or animated** film with a runtime of 60 minutes or more, or a series in the corresponding genres with a total runtime of 120 minutes or more per season.
- **Documentary** with a runtime of 50 minutes or more, or a documentary series with a total runtime of 100 minutes or more per season.

Pornographic films are not subject to the reporting obligation, even if they fulfil the formal criteria mentioned above (cf. [Art.16, para. 2 FiO](#)).

Data on supply / film catalogues

For supply-related data, information on films must be delivered separately for each method of exploitation. This concerns lists of eligible films, offered to customers in Switzerland during the year in question. The lists should also include, if possible, films removed from the offering during the year and those never requested by customers. The following data is required in accordance with the FQIO:

- ISAN number (optional : V-ISAN) and the following information contained in the ISAN code:
 - Original title and title used in the three language regions
 - Director
 - Screenwriter and producer Swiss films
 - Genre (*feature film, documentary, animated film*)

- Production country(ies) and co-producer countries
- Length of film in minutes
- Production year
- Language versions offered for the film (*original, German, French, Italian*)
- Start date of exploitation (for each type of exploitation)
- Rights holder in Switzerland

The ISAN identification number must be used for all titles released from 1 January 2017. This concerns all new eligible film releases (including series) on digital platforms, as well as older films that are re-released ("rereleases"). Existing ISAN codes for films must be adopted by the companies subject to the reporting obligation. This increases the general quality of the statistics. All existing codes are publicly accessible on the ISAN [website](#). You can also find pre-existing ISAN numbers generated for in cinema releases on the [ProCinema](#) website (for example, see : [here](#)), which is updated continuously with ISAN codes. Without an ISAN number, films cannot be analysed in detail (only the overall volume of sales or viewings would be visible in such cases). There is no legal obligation for retroactive registration with ISAN of films released in VoD before 1 January 2017, but it can increase the data quality greatly. These older titles should be reported with their respective internal IDs.

In the VoD sector, films are sometimes marketed in different versions or in the form of 'box sets' containing several films (several language versions of a film, or several films on the same medium, or digital sales of packages containing several titles). This makes it difficult to record data *for each film*. For example, the language versions offered may not be the same for all films, or the length may not be the same for all versions of the same film. As a result, and to simplify data collection, data will have to be delivered, if necessary, per film *and* per product unit (identifiable product: (e.g., a specific version of the film or a 'box set' identified by an internal code / product number).

For series, the unit collected is the season.

Data on usage

The aim is not to collect data on turnover but data on annual usage (number of sales or downloads, minutes viewed). The details of the data requirements on usage vary by method of exploitation:

VoD sales - Delivery per eligible film or per film and product unit

Digital sale of films as:

- Annual number sales, per film/episode
(*Report the number of transactions, not the turnover. For delivery by product and product ID, the linking of the product to the individual films via ISAN must always be possible, even for various product versions and package offers*)

VoD rental - Delivery per eligible film, or per film and product unit

Paid viewings per film or per product, expressed in:

- Annual number of payments per film/episode
(*Report the number of transactions, not the turnover. For delivery by product and by product ID, the linking of the product to the individual films/episodes via ISAN must always be possible, even for various product versions and package offers*).
- Cumulative annual number of viewing minutes per film (*if technically possible, see datasheets (Excel) - see link at end of document*)

VoD subscription - Delivery per eligible film, or per film and product unit

Views on paid subscription services (fixed fee for films), expressed in:

- Annual number of requests/views per film/episode
(See explanatory datasheets (Excel) : absolute number and/or number limited per user. (For delivery by product and product ID, the linking of the product to the individual films via ISAN must always be possible, even for each product version and package offers).
- Cumulative annual number of viewing minutes per film/episode
(This indication, together with the total length of the work, makes it possible to produce a statistical indicator (cumulative minutes of views divided by the length of the film/episode) that describes how many times a work was viewed in its entirety during the year under review. With this indicator, we can mainly reduce the weight of interrupted viewing or short clicks on works. This counting method will help to improve the quality of statistical results).

Only purchases and views in Switzerland count.

Confidentiality of analyses

The delivered data are handled confidentially by the FSO in accordance with the Federal Statistics Act (SR 431.01) and are only published in aggregated form. Subsequently, it will not be possible to draw any conclusions about the companies with a reporting obligation from the statistical analyses.

For security reasons, we recommend that you send your data via [Filetransfer](#). If you are not yet using this tool, please let us know so that we can set up an account for you.

Questions and useful documents

For questions or comments concerning the data requirements, please contact the FSO directly. Detailed information for the various methods of exploitations can be found on the FSO website.

film@bfs.admin.ch - www.fiv.bfs.admin.ch

If you have any other questions on the reporting obligation, please contact the Federal Office of Culture:

fqiv@bak.admin.ch

[Requirement to report statistics of film sales outside of cinemas \(Art. 24 para. 3bis Film Act\) \(admin.ch\)](#)