

Informative Note

Main measures concerning the use of certain audio-visual rights relating to football matches and support for science and technology parks, research staff and university students

22nd April 2020

Regarding Royal Decree-Law 15/2020 of 21st April on urgent supplementary measures to support the economy and employment

On 21st March the Council of Ministers approved Royal Decree-Law 15/2020 extending the measures already taken, with an economic and social package to help avoid a prolonged economic impact beyond the health crisis in order to respond to the support needs arising from the prolongation of the extraordinary situation in order to protect and support the productive and social fabric and minimise the impact of the crisis.

The main developments included in the Royal Decree-Law (hereinafter, the "RD") regarding the trading of certain exploitation rights and aid to the scientific and university sector are set forth below.

Measures relating to the marketing of audio-visual trading rights for professional football competitions

The fifth final provision of the RD modifies certain aspects of RD 5/2015 of 30th April on urgent measures regarding the trading of audio-visual exploitation rights for professional football competitions. Specifically, it introduces the following changes:

- It extends the application of Royal Decree 5/2015 to all state-wide competitions for both men and women organised by the Royal Spanish Football Federation when in its original wording it was only applicable to certain championships.
- As regards the general conditions governing the centralised trading of the rights to exploit audio-visual content relating to professional football competitions, the limitation on the duration of exploitation contracts, which were limited to three years, was amended. This Royal Decree provides that this duration will be subject to the EU competition rules and this amendment will apply to the trading of exploitation rights that are centrally marketed from the entry into force of the Royal Decree.
- With regard to the financing obligations of the entities participating in the National League Championship, the percentages of the income obtained from the joint trading of audio-visual rights that must be allocated to the Compensation Fund are modified, specifically decreasing from 3.5% to 2.5% and increasing from 1% to 2% the percentage of said income that must be allocated to the Royal Spanish Football Federation as a solidarity contribution for the development of amateur football and federative infrastructures. Likewise, a new category is added in which it is established that 1.5% of said income must be destined to the Consejo Superior de Deportes for the purpose of promoting and internationalising Spanish sport, and the possibility is indicated of creating the corresponding foundation with the participation of the CSD, the RFEF and the LFP as members to manage the resources corresponding to said 1.5%.



- With respect to the trading and distribution of the audio-visual rights that may be marketed directly by the Royal Spanish Football Federation so far limited to the Supercopa and the Copa de S.M. El Rey (King's Cup), this Royal Decree extends that power to the other state-level competitions organized by the Royal Spanish Football Federation. The percentage of distribution of the income obtained by the Royal Spanish Football Federation in relation to such marketing is also modified. Specifically, the original distribution was 90% for the teams of the National Professional Football League and the remaining 10% for the promotion of amateur football, with this Royal Decree leaving the distribution at 60% and 40%.
- The obligation to manage the audio-visual rights through the foundation created for this purpose is included when the sports federations of sports other than football do not wish to manage them directly.

Finally, and in relation to the above, article 26, as Transitional Provision 3, includes the constitution and particularities of the Spain Global Sports Foundation, F.S.P. as the foundation managing the new percentage of the income obtained by the entities participating in the National League Championship from the joint trading of audio-visual rights aimed at promoting and internationalising Spanish sport. They also detail that until the approval and inscription in the Foundations Register of the statutes that will govern the foundation, the CSD will be the competent body for the management of said income.

Support measures for certain science and technology Parks

Additional Provision 12 of the Royal Decree includes measures to provide financial support for activities in science and technology parks by means of refinancing mechanisms and deferral of payments arising from loans or advances granted to entities promoting such parks by virtue of calls for tenders managed by the relevant Ministry.

Measures relating to pre-doctoral contracts for trainee research staff

Additional Provision 14 establishes certain rules in relation to pre-doctoral contracts for research staff in training signed in the field of research that end on 2nd April 2020 in order to facilitate their extension during the state of alert, as well as the charging of the labour and social costs of such extension to the budgets of the entity that has signed the employment contract.

Measures concerning certain university loans

Transitional Provision 4 establishes the novation regime applicable to university loans granted through different calls and linked to obtaining future income to carry out university master's or doctoral studies, as well as an initial grace period until December 31st 2020.

We hope the information is useful and of your interest. At Andersen Tax & Legal we have created a multidisciplinary team to attend to all the questions that may arise on this aspect or in relation to the COVID-19.

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