



The live performance sector is dependent on efficient logistics

Revision of Regulations 561/2006 and 1071/2009

The live performance sector is a very international and highly mobile sector, with artists and cultural professionals performing and working around the world. This allows them to develop their careers and reputation, whether as individual artists or touring groups, and contributes to the European and international objectives on cultural diversity.

The sector already faces practical challenges, e.g. to obtain Schengen visas for artists and accompanying staff on tours. Other pieces of legislation -that might look remote from our sector's interests- may heavily impact live shows. We are calling on decision-makers to consider the specificities of our industry when amending such rules.

Whether you are attending an opera show with a renowned foreign ballet or a concert of a singer touring Europe, the performance you enjoy as a spectator involves a tremendous amount of preparation, not only on the part of the artists you see on stage but also for the many “invisible” players who work behind the scenes to ensure a smooth delivery of each event. Most artists aren't on the roads for more than a few days or a couple weeks. But **logistics of longer tours** -for example in the pop music sector- is much more **complex** due to tight schedules and the need to carry high-value, fragile equipment be it audio gear, musical instruments or stage decor. Against this backdrop, it is in the interest of both artists and their promoters to be able to rely on one trustworthy service provider who is familiar with the processes in order to minimise interface costs and to keep up with demanding schedules over the whole duration of a tour. On long tours, service providers - including drivers- are essentially part of the crew. They have the possibility to eat, rest and live with other tour staff and artists and can **use the facilities available at the show venues**, which are much **higher standard than most facilities** used by the general haulage industry. They also have the option to spend their free time in hotels in the vicinity of show venues.

Current proposals as part of the Revision of Regulations 561/2006 and 1071/2009 are compromising this model **-not necessarily for a majority of shows** for which performers are not on the roads for a very long time, **but would be critical for a number of bigger, longer tours**. Requiring drivers and vehicles to return to the establishment country of the transport service provider in the middle of a show would prove very disruptive. The number of specialised companies providing such tailored services is limited and there are serious doubts regarding the capacity available to take over from a first company that would have to pull out for regulatory reasons after three or four weeks.

We call on decision-makers to consider the specific needs of our industry and to align the regime of logistics and transport providers who serve us with the one of our other providers who stay with the artists for the whole duration of a tour. This can be achieved through a targeted exemption -only from the return home rule- that would specifically apply to touring companies (see Annex).

ANNEX

TRAN Amendments No. 314 & 315:

Amendment 314 Proposal for a regulation Article 1 – paragraph 1 – point 5 – point c b (new) Regulation (EC) No 561/2006 Article 8 – paragraph 8 b a (new)	
<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(c b) 8ba. The provisions under Article 8.8b shall not apply to the transport of properties, material, accessories and animals to or from entertainment shows, theatrical, musical, film, sports or circus performances when the same transport company provides transport services to a customer for the duration of its entertainment, theatrical, musical, film, sports or circus tour."</i>
<i>Justification</i> <i>Theatrical or concert tours can typically last two or three months. The obligation to ensure that the driver can return after four weeks would greatly disrupt the organisation of these tours. Operators of such tours are not in competition with the general haulage market and were not the intended target of the European Commission's proposal.</i>	

Amendment 315 Proposal for a regulation Article 1 – paragraph 1 – point 5 – point c b (new) Regulation (EC) No 561/2006 Article 8 – paragraph 8 b a (new)	
<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(c a) The paragraph 8 b a is inserted as follows: "8ba. The provisions under Article 8 (8) shall not apply to the transport of goods to or from entertainment shows, theatrical or musical performances when the same transport company provides transport services to a customer for the duration of its tour."</i>
<i>Justification</i> <i>Given that concert or theatrical touring shows and performances typically last between two and three months. Having an obligation to return home after three weeks would potentially disrupt their operation. These operators for a very specific and, indeed, niche part of the profession and are not in competition with the general haulage market. In general, other workers on these tours that provide support functions are required to stay for the duration of the tour and the same should apply to the drivers.</i>	