

Recommendations

**Industrial Policy Council
for Cultural and Creative
Industries in Norway**

(2015–2017)

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Foreword

The industrial policy council for the cultural and creative industries (the Council) hereby hands over its latest recommendations. The Council was appointed by the Ministry of Trade, Industry and Fisheries and the Ministry of Culture in June 2015, and the work was initiated in August 2015 and finalized in June 2017. In consultation with the Ministries, the Council has delivered contributions on an ongoing basis.

The first recommendations were delivered to the Minister of Culture, Linda Hofstad Helleland, and State Secretary for the Minister of Trade, Industry and Fisheries, Lars Jacob Hiim, on June 21, 2016, while the second batch was sent to ministers Hofstad Helleland and Mæland on March 6, 2017. The third and final batch and an overall report containing in total 19 recommendations, was handed to Minister Linda Hofstad Helleland on June 19, 2017.

The Council has delivered input according to the mandate, which in its entirety deals with *business development* in the cultural and creative industries; exports, value creation, private capital and digital challenges. Recommendations have been made both at the overall business level – loan financing options, taxes, minimum standard deductions - and at more industry-specific levels, including the film incentive scheme, new TV series funding and funds for early testing of sustainable architecture services.

The government has already met some of the recommendations from the council, including the Ministry of Culture's commission to Innovation Norway (the Norwegian Government's main instrument for innovation). Innovation Norway has implemented several measures for the creative industries, including loan financing options and investor forums, which were recommended in 2016.

This is the Council's report with all recommendations.

Oslo June 19, 2017

Anne-Britt Gran, Secretary

1 About the Council

1.1 Establishment, function and mandate

On 27 August 2015, the Ministry of Trade, Industry and Fisheries and the Ministry of Culture (“the Ministries”) launched a business policy council for cultural and creative industries. The Council replaced the former sector council that was created as part of the action plan from 2013.

The Council’s mandate is formulated in a press release from the Ministry of Culture of 25 June 2015

The council will concentrate on industries with commercial potential in terms of international opportunities and scaling. It will focus on film, computer and video games, music, literature, architecture and design. A particular focus shall be given to utilising ICT innovations. The council will provide the government with advice and recommendations on industry-specific and cross-sectoral obstacles and opportunities for cultural and creative business development. The industrial policy council is to devote particular attention to how the government can address the challenges and opportunities presented by digitalisation.

Prior to the Council’s first meeting, ministers Widvey and Mæland held a press conference in relation to the initiative ‘Games Go Global’ with collaboration partners Innovation Norway. In connection with this, the mandate was further refined through the ministers’ request that the Council focus on measures that can strengthen the value chain and industry structures, facilitate increased investment in Norwegian intellectual property rights and Norwegian talents, and can contribute to increased turnover and exports.



Ministry of Culture: First meeting the business policy council for cultural and creative industries, 27th of August 2015. From the left: Erik Brataas, Anne Gaathaug, Kai Robøle, Fredrik Sundt Breien, Anita Krohn Traaseth, Tor Jonasson, Monica Mæland, Rolf Assev, Thorhild Widvey, Stine Helén Pettersen, Elisabeth Sjaastad, Bente Sollid Storehaug, Erlend Mogård-Larsen, Anne-Britt Gran og Kim Daniel Arthur.

Photo: Ketil Frøland / Ministry of Culture

1.2 Members

The Council has the following members:

Kim Daniel Arthur, computer game entrepreneur and partner in Superplus.

Rolf Assev, IT-entrepreneur, investor partner in StartupLab.

Erik Brataas, managing director, Phonofile.

Fredrik Sundt Breien, computer game developer, general manager and partner in Turbo Tape Games.

Kjerstin Braathen, Group Executive Vice President, corporate banking, DNB.

Anne Gaathaug, publisher, Kagge Forlag and deputy chair of the Norwegian Festival of Literature.

Leila Hafzi, designer, founder of Empower Productions AS and partner in Rebuild Nepal Foundation.

Peter Aalbæk Jensen, film producer, general manager and partner in the production company Zentropa and the studio Filmbyen.

Tor Jonasson, literary agent, Salomonsson Agency.

Erlend Mogård Larsen, founder of a series of music festivals and general manager of the by:Larm festival.

Stine Helén Pettersen, lawyer and partner at the law firm Bing Hodneland.

Kai Robøle, general manager and founder of the Waterfall companies; chairman of the by:Larm festival and Musikkforleggerne.

Elisabeth Sjaastad, freelance film director and producer. Former CEO of the European Federation of Film Directors (FERA), Brussels; now works for Kulturmeglerne.

Siv Helene Stangeland, architect, entrepreneur and partner at Helen & Hard.

Bente Sollid Storehaug, CEO at Wizaly Nordic and board member of the media group Polaris Media.

Secretary, Prof. **Anne-Britt Gran**, director BI Centre for Creative Industries.

Øyvind Torp, research fellow BI Centre for Creative Industries, has been referent.

The council members have been appointed on a personal basis, which means that they do not formally represent their respective industries or organisations in the Council, as an interest organisation would do. The Council Secretary was appointed at the same time as the Council members.

Below is a summary of all Council recommendations.

2 Loan and loan guarantee schemes for creative industries

The first recommendation concerns the need for loan and loan guarantee schemes for cultural and creative industries in Norway.

Objectives: Establish loan and loan guarantee schemes earmarked for cultural and creative industries.

Background: Banks view the creative industries as high risk, and it is therefore difficult to raise capital in the form of loans. This is due, among other things, to a lack of creative industry expertise within the banks, and lack of sufficient knowledge of loans and finance within the creative industries.

Keywords: Access to finance, financial predictability, risk mitigation, competition with international operators.

Actions: Increase access to capital through loan and loan guarantee schemes for creative industries through Innovation Norway, with a loss fund established at the Ministry of Culture.

The Council proposes that the Ministry of Culture provides a commission for Innovation Norway to create new loan offerings aimed at businesses in the creative industry and loan guarantee schemes aimed at other lenders. Innovation Norway is the Norwegian Government's most important instrument for innovation and development of Norwegian enterprises and industry. It is recommended that The Ministry of Culture finances a loss fund and finances the implementation costs for Innovation Norway according to the institution's financing model. Loan and loan guarantee schemes managed by Innovation Norway will help to strengthen the creative industry expertise both within Innovation Norway and the financial institutions. Similarly, the involved creative industries will strengthen their knowledge of loans and funding.

3 Investor forum for creative industries

The recommendation is linked to the previous recommendation on loan challenges and the need for private capital. It is necessary to enhance competence among both potential investors and companies in the cultural and creative industries who aim to connect with private investors. There is a need for an investor forum where knowledge about investment and potential projects can be disseminated.

Objectives: Increase private investment in cultural and creative industries. Strengthen the expertise within the industries and expertise of investors on investments in this industry.

Background: There is a need for more private capital in creative industries. There is a lack of expertise regarding this kind of investment among both investors and the companies that receive the investments.

Keywords: Access to finance, financial predictability, private investment, risk mitigation.

Actions: Establish an investor forum facilitated by Innovation Norway for a trial period of three years. The Ministry of Culture gives Innovation Norway a project mission for its facilitation.

The Council proposes that the Ministry of Culture gives Innovation Norway the project management mission to establish and operate such an investor forum for a trial period of three years. In addition to releasing private capital, such an investor forum provides significant competence benefits for both investors, the creative industries and Innovation Norway.



There is a strong and growing international interest in Norwegian literature. When Norway is a Guest of Honour at the Frankfurt Book Fair in 2019, a number of new voices will be given international opportunities.

4 Cluster and competence centre – a preliminary project

Norwegian cultural producers have challenges in retaining property rights and thus income flow in Norway. The Council proposes to establish a cluster and competence centre for creative industries for the purpose of competence sharing and networking.

Objectives: Increased Norwegian ownership of intellectual property rights, as well as expertise development within marketing, internationalization and exports.

Background: There is a need for increased commercialization and export expertise in the industry, as well as increased Norwegian ownership of intellectual property rights over creative production.

Keywords: Increased export, commercialization, intellectual property rights, expertise, cluster, networking.

Actions: The Ministry of Culture should finance a pre-project to establish a cluster and competence centre in 2017, which in the long term may become the hub of an industry cluster.

5 Strengthen the expertise in creative industries within Innovation Norway

The recommendation deals with competence and resource use within Innovation Norway. It is the Council's view that Innovation Norway should strengthen its expertise in the cultural and creative industries, both at relevant foreign offices and in Norway. This must be seen in light of our previous recommendations and the fact that the creative industries and tourism have recently been launched as a focus area within Innovation Norway.

6 Optimization of the incentive scheme for the film and television industry

The Council has reviewed a recent European study of incentive schemes, and on this basis it is proposed that the Norwegian scheme be converted from application-based to an automatic reimbursement scheme.

Objective: To improve the Norwegian incentive scheme for the film and television industry.

Background: Today's incentive scheme is limited (has a fixed financial framework), somewhat unpredictable and bureaucratic. This makes it less attractive, especially for foreign productions companies with a long-term planning horizon.

Keywords: Competitiveness, predictability, stop run-away productions, non-discriminatory, documented benefits.

Actions: To develop the current incentive scheme to an automatic refund scheme under the Ministry of Finance, as well as lower the minimum production budget requirement.

The Council's proposals for changes to the current scheme are:

- Remove restrictions to the maximum grant awarded.
- Converting the scheme from an application-based scheme managed by the Norwegian Film Institute to an automatic refund scheme under the Ministry of Finance.
- Reduce the minimum production budget requirements so that more productions will qualify for support.

Refund levels should be adjusted to be competitive with other European schemes, and should therefore be set at 30 percent.

7 Strengthen diversity and sustainable innovation in architectural sector

Objectives: Strengthen diversity and sustainable innovation in the architectural sector.

Background: Diversity in the sector is under pressure, and those who are commissioning public buildings are not promoting sustainable innovation.

Keywords: Public procurement, diversity, SMEs in the architectural sector, sustainable innovation.

Actions: Commissioners of public buildings must facilitate diversity and sustainable innovation in architectural competitions, terms and conditions, award criteria and requirement specifications.

Commissioners of public buildings must introduce clearer goals for sustainable innovation, inter alia, by making demands that environmentally friendly material use (CO₂ neutral) and specific goals concerning greenhouse gases account as part of the requirement specification. Norway has an excess of sustainable building materials through its expanding forest plantations. Using wood from industrial forestry stores CO₂ and helps build more climate-neutral cities.



The Oslo School of Architecture and Design offers studies in interaction and service design. The Council recommends to secure more study places in this field.

Photo: Helge Høifødt.

8 Improve conditions for sole proprietorships

The recommendations relate to various forms of affiliation in the labour market (employed, freelancer, limited liability company, sole proprietorship) with a focus on sole proprietorship, which is the dominant form of company in the cultural and creative industries. Improving the rules for sole proprietorships companies will strengthen the economy and improve the conditions for all types of artists and cultural entrepreneurs.

Objective: To improve the conditions for sole proprietorships, which could strengthen the financial position of artists and cultural entrepreneurs in the industry.

Background: Sole proprietorships are the dominant corporate form in creative industries and the fastest growing form of company in Norway. Improving the economic conditions for sole proprietorships will strengthen artists' financial position and make it easier for them to start and run their own company.

Keywords: Different treatment of affiliation to the labour market, minimum standard deduction, retirement savings, sickness insurance for short-term absence.

Actions: Introduce minimum standard deduction for sole proprietor companies, as well as improve pension savings and sickness insurance.

The Council believes that the following three measures are particularly relevant: a) Harmonize differences in the possibility of receiving tax deductions for private pension savings. b) Introduction of a minimum standard deduction for sole proprietorships. Sole proprietorships do not have a minimum standard deduction, which creates a tax disadvantage if the deductible costs are lower than the minimum standard deduction level, which was set at kr. 91 450 in 2016. c) Reduce the price of insurance for short-term sickness for sole proprietors. This insurance is more than twice as expensive as similar insurance for employees in limited liability companies, and three times as expensive as that for freelancers paid by an employer.

9 Change share option tax to strengthen start-up companies

The recommendation concerns share option taxation, which in its present form (as of March 2017) is inconvenient for both the employees of start-up companies and their employers.

Objective: Change share option taxation in order to recruit and retain the best people in start-up companies, thus boosting innovation and growth in the industry.

Background: Today's share option taxation is inconvenient for employees because gains on share options are taxed as salary income (rather than capital gains tax), hence employers are required to pay employer social security contributions on the gains. Moreover, the employee is often taxed for a non-real gain since many start-up investments end up with a capital loss.

Keywords: Stock options, stock, tax, expertise, start-up companies.

Actions: Change the stock option tax by removing both payroll tax and employees tax on capital gains, making it better suited to start-up companies for both employees and employers.

One country with competitive stock option taxation is the UK, which has a total of four incentive programs with favourable tax terms. One of these, created specifically for smaller growth companies in order to retain the 'competent capital', is known as the Enterprise Management Incentive (EMI) scheme. It means that stock options are neither subject to income tax for the employee nor payroll tax for the employer.

Sweden has relatively similar stock option taxation as Norway, but is now working to change it by following inspiration from EMI (the proposed legislation was handed to the Swedish Parliament in December 2016). We believe that Norway should, as a minimum, introduce a scheme similar to that proposed by the Swedish government, that is, a targeted arrangement that is directed at start-up companies.

10 Creative Industries and Brand Norway

In Norway, systematic work towards national branding has only taken place to a small degree, and to an even less so for creating a culture-based image of Norway. The Council therefore proposes that creative industries be taken into account in the ongoing work on Brand Norway ('Merkevaren Norge') in Innovation Norway.

Objective: To ensure that the creative industries are represented, heard and visualized in the work of Branding Norway in Innovation Norway.

Background: The creative industries have a high-profile potential, and work is being done with Brand Norway within Innovation Norway.

Keywords: Brand Norway (Merkevaren Norge), high-profiling creative industries, pilot, export.

Actions: A pilot for the creative industries should be established in Innovation Norway's branding work in line with the model used for the pilot Ocean Space ('Havrommet'). The pilot should represent and visualize the creative industries' potential and role within Brand Norway.

In connection with this development work, Innovation Norway launched Havrommet as a pilot project. Nine clusters are associated with this work (3 GCE, 4 NCE and 2 Arena). The Council proposes that the creative industries be launched as a pilot along the lines of Havrommet, funded by Innovation Norway. The pilot should have a twin target; both to visualize how the creative industries can influence Brand Norway itself - create associations for a creative and cultural image of Norway - and to clarify how companies in the creative industries can make use of the new reputational platform to strengthen their own exports and profiling.

11 New private-public TV-series fund

The recommendation concerns releasing more private capital from commercial TV channels to TV series production. In Norway, there is little demand for co-financing from private broadcasters, in contrast to countries such as Germany, France and Spain. The Council proposes to establish a TV series fund financed by commercial TV channels with a matching government contribution.

Objective: To release more private capital from commercial TV channels to TV series through a matching arrangement with the state.

Background: TV series have a large international market, and Norway should participate even more in this competitive market. Norway has few requirements for co-financing from private broadcasters, in contrast to countries like Spain, Italy, France, Belgium and Germany.

Keywords: TV series, funds, private broadcasters, private-public, government matching.

Actions: To establish a private-public TV series fund financed by commercial TV channels (TV 2, MTG and Discovery, etc.) with a matching government contribution of an equivalent sum.

12 Expand the film incentive scheme to include other types of audio-visual productions.

The Council's view is that the film incentive scheme has had a positive impact on the Norwegian sector. The Council proposes to extend the scheme to include other types of audio-visual productions rather than just feature films and drama.

Objective: To attract more foreign productions to Norway to increase knowledge and experience in the Norwegian audio-visual industry, stimulate growth and a sustainable Norwegian audio-visual sector, as well as increased international cooperation.

Background: The incentive scheme has been a success and has had positive spill over effects in Norway, both in terms of income and knowledge / experience. The scheme should now be expanded to include other types of audio-visual production, such as entertainment programs, to ensure that Norway is a relevant country for foreign producers.

Keywords: Incentives, audio-visual productions, knowledge, experience, competitiveness, cooperation, international.

Actions: Extend the film incentive scheme to include several types of audio-visual production, such as entertainment programs, or to implement additional incentives for such productions.

13 Investigate the possibility of international co-financing of Norwegian computer game production

The Council proposes to investigate the possibility of a surcharge of 0.5-1 per cent on sales of games to Norwegian consumers through the largest international distributors such as Steam, Playstation Store, Xbox Store and Nintendo Store. The surcharge amounts to only a few kroner per game even for the most expensive games. Aggregated, such co-financing means a significant increase in funding for the Norwegian gaming industry, something which is also expected to increase interest in private investment.

Objective: To provide Norwegian computer game production with international capital and thus release more investment capital.

Background: The current gaming scheme at Norwegian Film Institute is insufficient to finance the bigger-budget game production, which also makes it difficult to obtain private investors.

Keywords: International co-financing, game distributors, private capital, investment funds.

Actions: To explore the possibility of co-financing Norwegian-developed games through a surcharge of between 0.5 and 1 per cent on sales of international games in Norway.

14 Evaluation of the collective rights management organisations

This recommendation addresses a need for an evaluation of the collective rights management organisations in connection with the ongoing implementation of EU Directive 104/26/EU.

Objective: To evaluate the role of the collective rights management organisations cultural policy role and assess whether collective rights management organisations will be able to comply with the terms of Directive 104/26/EU, as well as be competitive in relation to digital developments.

Background: Directive 104/26/EU is not yet implemented in Norwegian law¹. The Directive lays down requirements for the operation of collective rights management organisations and how the members' funds can be used.

Keywords: Collective rights management organisations, disbursements, new digital conditions, evaluation, EU directive, transparency, implementation.

Measures: Conduct a comprehensive evaluation of the collective rights management organisations in Norway that allocate rights holders funds with a focus on functionality, transparency and operation, as well as an evaluation of the legal requirement regarding disbursement of rights holders' funds following implementation of Directive 104/26/EU.

The EU adopted in 2014 Directive 104/26/EU entitled «Collective management of copyright and related rights and multi-territorial licensing of rights in music works for online use in the internal market.» One of the purposes of the Directive is to establish minimum requirements for collective rights management organisations in order to ensure a high standard regarding how they are run, including financial management, transparency and reporting. In addition, the Directive contains regulations that will ensure the effective licensing of music across national borders. This Directive has not yet been implemented in Norway, and the Council is of the opinion that this should be a prioritized task.

¹ This directive was included in the EEA-agreement, pending parliamentary approval, on September 22 this year. The Norwegian Government is currently preparing a consultation paper on how to implement the directive into Norwegian law.

15 New study places in interaction and service design

The Council proposes that the Ministry of Education evaluates the entire education process for designers and creates new study places in these specialized design subjects. There is currently a significant and increasing demand for this competence.

Objective: To secure more study places within interaction and service design.

Background: There lacks sufficient study places within these specific and sought after design areas. Digital interaction solutions and user-focused service design are becoming increasingly important in a complex society, in both the public and private sectors.

Keywords: Education, study places, unsatisfied demand, interaction design, service design, Ministry of Education.

Actions: The Ministry of Education evaluations the entire education process within design and creates new study places in interaction and service design.

There is a significant and growing demand for qualified interaction designers. Since 2007, there have been approximately 400 individuals educated with relevant competencies in Norway. There is a need for at least twice that amount. The lack of design competence is due to several factors within the entire education process in Norway.



Dirtybit is a Norwegian mobile game company. Their real-time multiplayer mobile game, Fun Run, has been downloaded more than 100 million times worldwide.

16 Innovation team for increased public innovation –design and architecture

The council proposes to establish a multidisciplinary innovation team (i-team) for government and municipalities.

Objectives: Making public procurement exemplary in terms of innovation, new ideas and sustainable solutions.

Background: The state and municipalities across the country constitute a major and important purchaser of architecture and design services. Many municipalities lack procurement skills, and there is minimal transfer of experience between the municipalities. NIBR calls this competence shortage a democratic deficit.

Keywords: Public procurement, model projects, democratic deficit, experience transfer, interdisciplinary, i-team, innovation, sustainability.

Actions: To establish an «innovation team» (i-team) for government and municipality entities with a cross-departmental funding. This can be established and operated in partnership between DIFI, DOGA and AHO.

I-teams will ensure high quality outcomes in *challenging* public procurement and initiate assignments that increases public innovation. I-teams must be interdisciplinary with expertise in innovation, design, law, management, sociology, sustainability, technology. I-teams work in the “pre-launch phase” and secure quality commissions for demanding, innovative public procurement. This is done by helping stakeholders *understand* needs, *anchoring / raising* the innovation potential, and *committing to* the right businesses. I-teams will reduce risk, and disseminate knowledge, skills and competence.

17 New program for younger architects

The recommendation concerns the maintenance of core competencies and further development of a unique Norwegian industry structure with many small and medium-sized architectural firms. The Council recommends establishing a program of this nature, which should be a broad industry initiative and funded by the Ministry of Trade, Industry and Fisheries.

Objectives: To strengthen and update younger architects' core competencies, as well as to maintain and further develop a unique industry structure with small and medium-sized architectural companies that strengthen innovation and Norway's international competitive advantage.

Background: Norway has a unique industry structure in architecture that can be better exploited. Currently, this industry structure is challenged from several directions, and the program will strengthen younger architects and counteract deterioration to the industry structure.

Keywords: SMEs, Norwegian industry structure, diversity, innovation, competitive advantage.

Actions: To establish a permanent program for younger architects that includes financial resources from Ministry of Trade, Industry and Fisheries.

18 Fund for early testing of sustainable architectural solutions

The recommendation concerns the issue that the construction industry has a low risk tolerance when it comes to new sustainable solutions and that there is therefore a need for new thinking in the early stages of construction projects. The Council proposes to establish a fund to enable application-based funding for early testing and prototypes.

Objectives: Strengthen conversion to sustainability and innovation in the construction industry through early testing of sustainable solutions.

Background: The Government, working with the committee for Green Competitiveness, has pointed to the construction industry as lagging with respect to gaining a foothold in the work being done with new sustainable solutions. This recommendation seeks to remedy this.

Keywords: Fund, early testing, risk reduction, innovation, sustainable solutions.

Actions: Create a fund for early testing and prototypes. The fund can be created through setting aside a small proportion of all government building projects, such as 0.1%, for this purpose.

The fund may, for example, be linked to the goal of new thinking, innovation and contribute to sustainability conversion and green competitiveness. Niches should also be targeted to reinforce existing competitive advantages - for example, to ensure the use of wood-based building systems and social sustainability. A fund for early testing of sustainable solutions will, with relatively little money, strengthen sustainable conversion and innovation in the construction industry.

19 Strengthen «Go Global» - export scheme at Innovation Norway

The «Go Global» scheme in Innovation Norway was established in 2015 to meet the need for export assistance in the creative industries, and the computer game industry was voted the first to participate in 2016 with Games Go Global. Architecture Go Global was launched in 2017. The financial framework for the scheme is NOK 10 million. The Council welcomes the scheme, but believes it should be expanded and strengthened.

Objective: To strengthen Norwegian exports of cultural and creative industries.

Background: The scheme «Go Global» has been positively received by industry, but one year's experience is too short to reap the experiential benefits of the scheme.

Keywords: Export, Innovation Norway, Go Global scheme, financial strengthening of policy instruments.

Measures: The Ministry of Culture should strengthen the scheme financially, increasing the time-frame from 1 to 2 years, enabling two industries to use the scheme in parallel. This could give synergy effects.

20 Profiling need and cross-departmental profiling strategy

The recommendation addresses the industry's need for additional profiling resources and measures beyond the existing schemes. The Council recommends that relevant ministries draw up a comprehensive and binding strategy for profiling creative industries internationally in close dialogue with the public funding agencies and relevant organisations.

Objective: To ensure that creative industries are visualized and profiled internationally to a greater degree.

Background: The need for strengthened profiling internationally has been a reoccurring theme in the Council's work.

Keywords: Profile strategy, internationalization, increased exports, Brand Norway, cross-departmental cooperation.

Measures: Create an overall strategy for profiling creative industry across relevant ministries and actors in the policy apparatus. It should involve the Ministry of Foreign affairs' international-focused cultural activities, the Ministry of Trade, Industries and Fisheries through Innovation Norway tourism and the Brand Norway work, the Ministry of Culture (through Norwegian Arts Abroad) and possibly the Kreativt Norge office of the Norwegian Arts Council.

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