[FR] The CSA Gives Its Opinion on the Second Part of the Bill to Reform the Audiovisual Scene

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The CSA (Conseil supérieur de l'audiovisuel - audiovisual regulatory body) has given its opinion on the second part of the bill to reform the audiovisual area which supplements the text amending the organisation and financing of the public-sector audiovisual area adopted by the Conseil des Ministres last November (see Iris 1998-10: 13). The CSA stresses that «the second part of the bill to reform the audiovisual area deals with a number of serious shortcomings in existing legislation, particularly as regards broadcasting by satellite, and permits the transposition into French law of a number of provisions contained in the "Television without Frontiers" Directive. In accordance with the CSA's wishes, the bill proposes the inclusion of channels broadcast by satellite in the system which applies to cable services, and the introduction for these services of a minimum contribution to the production of new programmes. In addition, the CSA's sanctioning powers are extended to cover all cable and satellite channels, and it will now be able in this respect to include a communiqué in programmes; it considers this to be a rapid means of intervention. The conditions for allocating and renewing frequencies for terrestrial broadcasting are set out in detail. However, the CSA considers the new criteria proposed to be superfluous and contradictory to its power of regulation and appreciation. The Government is also proposing to institute greater transparency in the procedure for the automatic extension of authorisations.

In accordance with the "Television without Frontiers" Directive, professional agreements between broadcasters and film industry organisations will henceforth determine the amount of time between a film's release and its broadcast on television. There is to be a decree setting out the rules for advertising, sponsorship, tele-shopping, self-promotion and broadcasting quotas for cinema and audiovisual works. The CSA, which would like to be given more regulatory power, regrets that the bill makes use of regulations for fixing such obligations. It also deplores the fact that there is not to be greater flexibility as regards quotas for songs in French on the radio, as well as the lack of provision to ensure the transposition of Directive 95/47 on norms and signals. Lastly, the CSA feels it is essential to introduce a specific legal framework to permit the launch of digital television broadcast terrestrially; it cannot but regret the absence of any steps in this direction in the text submitted.

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Furthermore, the Government has decided to amend a number of the provisions already adopted, which are aimed at reforming the public-sector audiovisual area. Thus the repayment in full of licence fee exemptions is to be included in the Act, and the maximum duration of advertising on the public-sector channels broadcasting terrestrially (France 2 and France 3) is to be fixed definitively at 8 minutes per hour.

The entire draft reform (public and private sectors) is to be submitted to Parliament on 18 May.

Avis n° 99-2 du 12 avril 1999 du Conseil supérieur de l'audiovisuel relatif au projet de loi modifiant la loi n° 86-1067 du 30 septembre 1986 modifiée. Journal Officiel du 22 avril 1999, p. 6014

Opinion no. 99-2 of 12 April 1999 by the Conseil supérieur de l'audiovisuel on the bill to amend Act No. 86-1067 of 30 September 1986, as amended. Journal Officiel (official gazette) of 22 April 1999, p. 6014.

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