[FR] Draft Legislation on the Information Society

IRIS 1999-8:1/4

Amélie Blocman
Légipresse

The French Government has confirmed its voluntary approach to the new information and communications technologies (see IRIS 1999-2: 3). The French Prime Minister, Lionel Jospin, announced on 26 August at the Communication Summer School in Hourtin that a bill on the information society would be submitted to the Parliament early next year. The Prime Minister said that certain essential decisions needed to be set out in legislation. These included, for example, freedom to use encryption in order to ensure the confidentiality of communications. It was also necessary to adapt French legislation on consumer protection in order to ensure the transparency and security of commerce via Internet.

Adopting a position on the matter of regulating the network, the Government considered that this mission could not, owing to the very nature of Internet, be entrusted to a specific independent administrative authority (Conseil supérieur de l'audiovisuel or Autorité de régulation des télécommunications). The Government was therefore proposing the setting up of a body involving both private and public participants in Internet with a view of co-operation and abiding by a code of ethics.

The second important area of the bill concerns the protection of content and copyright. The Prime Minister expressed the Government's fundamental commitment to the system of royalties but did not exclude the possibility of a number of selected adaptations. The Minister for Culture and Communications was currently looking into the concept of a collective work, the status of «salaried creation» and the conditions for devolving royalties under the terms of a contract. The Minister's conclusions were to be presented to the Prime Minister by the end of the year. Moreover, the Government's attention was particularly directed at the problem of piracy; it recommended setting up technical solutions to protect works from unlawful copying and imitation. In any event, a briefing document setting out the main options which the Government intends to propose to the Parliament is to be published and widely discussed starting in October.

Pending the start of this wide-ranging legislative work, three important texts are already in preparation. Firstly, the bill on electronic signatures is to be submitted to the next meeting of the Cabinet chaired by the President of the Republic. Secondly, the bill on legislation to transpose into national law the Community Directive on the protection of personal data, amending the Informatics, Files and

© European Audiovisual Observatory (Council of Europe) 2026

Liberties Act of 6 January 1978, should be forwarded next month to the National Consultative Commission on Human Rights and the National Commission on Computer Technology and Liberties for their opinion. Lastly, the conditions for the liability of technical intermediaries on the Internet and the methods for developing terrestrial digital broadcasting are to be included in the bill on the audiovisual sector currently under discussion in Parliament.

Discours du Premier ministre à l'Université d'été de la communication, 26 août 1999.

Speech by the French Prime Minister at the Communication Summer School on 26 August 1999.

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026