[FR] Change in Terms of Reference for France 2 and France 3

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Amélie Blocman
Légipresse

Article 48 of the Act of 30 September 1986 (as amended) provides that terms of reference fixed by decree should define the legal framework for the operations and obligations of the two national television companies. A decree of 31 December 1999 has now approved the amendments to the terms of reference for France 2 and France 3, originally defined in 1994 and already amended in 1996 and 1998 (see IRIS 1998-6: 10). On 15 December the official audiovisual monitoring body (Conseil supérieur de l'audiovisuel - CSA), to which the matter was referred in application of Article 48 of the 1986 act (as amended), delivered its opinion on the proposed decree. The changes made cover three areas: programme ethics, less advertising, and a greater contribution from the channels to audiovisual production.

Concerning programme ethics, there is to be a new provision, inspired by the agreements which the CSA has concluded with TF1 and M6, aimed at ensuring protection of the identity of minors in difficult situations. Thus the channels must "refrain from asking minors in difficult conditions in their private lives to give information, unless there is assurance of the total protection of their identity by an appropriate technical process and the assent of the minor and of at least one of the persons exercising parental authority". The CSA congratulated itself on this new provision; on the other hand, it deplored that there was no reference to representation on the air of the various elements of which the national community is comprised.

In accordance with the bill on the audiovisual sector voted last January by the Senate, the duration of advertising on France 2 and France 3 has been cut. Thus the amount of time devoted to broadcasting advertising on these channels may not now exceed six minutes per hour of broadcasting time as an overall daily average, and may not exceed ten minutes in any one hour, with each spot being limited to a maximum of four minutes. The CSA, in favour of reducing the public-sector channels' dependency on advertising, approved this two-minute reduction in the maximum duration of advertising in any one hour. On the other hand, it criticised the new provision relating to the broadcasting of promotional messages for the channels, the duration of which could not exceed the limit "fixed by the board of directors". Indeed, the CSA considers it inappropriate to involve the boards of directors in this matter, as it felt this was the task of the channels'

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managements.

Lastly, France 2 and France 3 are now required to invest 17 and 17.5 % respectively (compared with 16 and 17 % previously) of their net turnover for the previous financial year in orders for audiovisual works produced in the French language.

Décret n° 99-1229 du 31 décembre 1999 portant approbation des cahiers des missions et des charges des sociétés France 2 et France 3 et avis n° 99-5 du 15 décembre 1999 du Conseil supérieur de l'audiovisuel sur le projet de décret portant approbation de modifications des cahiers des missions et des charges des sociétés France 2 et France 3, JO du 1er janvier 2000.

Decree no.99-1229 of 31 December 1999 approving the lists of tasks and terms of reference for the companies France 2 and France 3, and opinion no.99-5 of 15 December 1999 by the official audiovisual monitoring body (CSA) on the proposed decree approving the lists of tasks and terms of reference for the companies France 2 and France 3, published in the official gazette on 1 January 2000.

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