[FR] Ban on Showing Advertising Placards for Alcoholic Drinks on Television

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The provisional order (ordonnance de référé) of the regional court of Bordeaux of 11 March 1995 dismissed the ban on the televised broadcasting of sports events. Shortly afterwards, the television companies rejected the Code of Good Conduct which would have allowed them to broadcast certain sports events that that took place out of France, even if they showed advertising placards for alcoholic drinks. This meant that international sports events would no longer come within the scope of the Evin Law (Loi Evin) of 10 January 1991. The judge laid down that French television companies were simply retransmitting events filmed by British television and that they could exert no control over their content nor of the pictures shown nor of the camera angles. Moreover, they had nothing to do with the placing of the advertising placards and did not intend either to promote any particular product or make any financial gain from showing them. Also, under the "Television without Frontiers" directive of 3 October 1989, programmes need only comply with the laws of the Member State from which they originate , so as to guarantee the free movement of programmes : the same restrictions do not apply to the Member States where the programme is received.

Décision n°634 95 de référé du Tribunal de grande instance de Bordeaux du 11 mars 1995, CIVB contre TF1, France 2, France 3.

Provisional Decision (Décision de référé) n°634 95 of the regional court of Bordeaux of 11 March 1995, CIVB vs. TF1, France 2, France 3.

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