[FR] CSA's Opinion on the Proposed Decree on Services Broadcast Terrestrially in Digital Mode

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With a covering letter dated 31 July 2001, the Minister for Culture and Communication sent to the CSA (Conseil supérieur de l'audiovisuel - official regulatory body) the draft of a decree concerning television channels broadcasting terrestrially in digital mode. After gathering comments from the main parties concerned, the CSA met in plenary session on 2 October 2001 and delivered its opinion on the draft.

The opinion starts by making general remarks. The CSA wishes to see the increase in the obligations spread out over a longer period than the five years proposed by the Government. It feels in particular that it is necessary to facilitate the migration of services away from cable and satellite towards terrestrial digital mode. This should be done by ensuring that scheme for the future terrestrially-broadcast digital television services for which a charge is made will be as close as possible to the present regulations applicable to cable and satellite services. The CSA advocates the use of negotiated agreements rather than regulations, as it feels these are a more appropriate way of taking into account the specific nature and situation of each service.

With regard to advertising, the CSA feels that the encrypted channels should be able to broadcast advertising segments throughout their programming, and it also advocates a gradual, concerted opening up of those sectors where advertising is not permitted. Regarding production obligations, the CSA feels that these should primarily encourage the channels to invest in new programmes. It recommends that the decree should enable it to negotiate with the editors a specific undertaking on the production of European works not shown elsewhere, or works originally made in French, in return for lowering the level of the obligations imposed on cinema film and audiovisual production.

The Minister Catherine Tasca announced that this decree, together with four others laying down the rules applicable to the new services of terrestrially-broadcast digital television, demanded "thorough work in conjunction with the professionals in the sector" and as a result it would not be published until mid-December, ie two months late; the CSA, understanding the need to postpone publication, also needs to postpone the closing date for applications for these services, set at 45 days following publication of the decrees. It will decide on the new closing date for applications once the decrees have been published in the

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CSA's opinion of 2 October 2001

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