[FR] Publication of Decrees Laying Down the Obligations incumbent on Future Terrestrially-Broadcast Digital Television Channels

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The decree setting out the general principles concerning the contribution of future editors of terrestriallybroadcast digital television services to the development of the production of audiovisual and cinematographic works, and their obligations in terms of broadcasting European works and original French-language works or advertising has just been published officially (see two other articles on the new decrees elsewhere in this issue). The decree has been eagerly awaited, particularly since the call for applications from candidates for terrestrially-broadcast digital television put out by the CSA on 24 July last year (see IRIS 2001-8: 8). Adopted in application of the provisions of Articles 27, 70 and 71 of the amended Act of 30 September 1986, Decree no. 2001-1333 of 28 December applies to television services broadcast terrestrially in digital mode, except for simulcasts (the broadcasting in digital mode of channels broadcast in analog mode). This new text includes the definitions of the various services, distinguishing between the scheme for free channels and that for pay channels, for which a general scheme is provided (Heading II, Section 1), a scheme for those channels devoted to the broadcasting of cinematographic works (Section 2), and a scheme for those channels operating on a pay-per-view system. For each of these services details are also given of the obligations to contribute to the production and broadcasting of audiovisual and cinematographic works. There is also provision for substantial possibilities for the temporary relaxation of the obligations incumbent on editors (rules on their increase) to take into account the economic constraints peculiar to the initial stage of terrestrial digital broadcasting. It should be noted that, with a view to harmonising the scheme of the obligations incumbent on service editors whatever their mode of broadcasting or distribution, the rules laid down by this new decree are defined with reference to those applicable firstly to terrestrially-broadcast unencrypted analog channels and secondly to pay channels broadcast in the same way.

In this respect, a second decree on 28 December (no. 2001-1330) has amended the Decree of 17 January 1990 "laying down the general principles concerning the broadcasting of cinematographic and audiovisual works" in such a way as to gather within a single text those provisions which are at present scattered through other decrees and agreements between the channels and the CSA. Extended to all television service editors, the 1990 Decree thus amended therefore determines the scheme for broadcasting audiovisual and

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cinematographic works according to the different categories of service and modes of broadcasting (proportions of European cinematographic and audiovisual works and of original French-language works, scheme for the broadcasting of full-length cinematographic works and their programming grid). In particular, a new Section II is included in Heading I that defines cinematographic heritage services, audiovisual heritage services and the pay-per-view system.

Décret n° 2001-1333 du 28 décembre 2001 pris pour l'application des articles 27, 70 et 71 de la loi du 30 septembre 1986 et fixant les principes généraux concernant la diffusion des services autres que radiophoniques par voie hertzienne terrestre en mode numérique

Decree no. 2001-1333 of 28 December 2001 adopted in application of Articles 27, 70 and 71 of the Act of 30 September 1986 and laying down the general principles for broadcasting services other than broadcasting by terrestrial means in digital mode

Décret n° 2001-1330 du 28 décembre 2001 modifiant le décret du 17 janvier 1990 fixant les principes généraux concernant la diffusion des oeuvres cinématographiques et audiovisuelles

Decree no. 2001-1330 of 28 December 2001 amending the Decree of 17 January 1990 laying down the general principles for broadcasting cinematographic and audiovisual works

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