[FR] The Government Adds to the Preliminary Bill on Electronic Communications

IRIS 2003-6:1/16

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The Government, which wished to add two points to the preliminary bill on electronic communications (see IRIS 2003-5: 15) extension of the powers of the Conseil supérieur de l'audiovisuel (audio-visual regulatory body CSA) in terms of the economic regulation of the audio-visual sector and support for the development of local television stations revealed on 14 May 2003 the additional provisions on these points.

Firstly, the CSA would be given the power to settle disputes between editors and distributors of services. Previously, the CSA only had such power in matters concerning the distribution of terrestrially broadcast digital television. Thus the CSA's powers would be extended to include all modes of distribution, without interfering with the prerogatives of the other regulatory authorities (ie the Conseil de la concurrence (competition council) and the Autorité de régulation des télécommunications (telecommunications regulatory authority)).

The preliminary bill also includes a set of provisions intended to promote the development of local television stations, perfectly in keeping with the proposals put forward in the supplementary report on terrestrially broadcast digital television submitted to the Prime Minister by Mr Michel Boyon on 28 February 2003. At the request of Jean-Jacques Aillagon, the Direction du développement des médias (Media Development Directorate) has carried out a study, not yet made public, on conditions for the development of local television, in liaison with the actors concerned. This document has largely inspired the provisions supplementing the preliminary bill. Firstly, the rule prohibiting any one operator holding more than half the capital of a company running a local television station would be repealed. The rule prohibiting concurrent national and local authorisations would be relaxed, leaving the ban applicable only to the concurrence of authorisations for both a national service broadcaster with an aggregate audience greater than 2.5% and a local service in analog mode, with a view to promoting the use of terrestrially broadcast digital television. The ceiling of six million inhabitants applicable where a number of local authorisations are concurrent would be increased to ten million. The restrictions on the creation of local television channels by local authorities and their groupings would be lifted. These legislative provisions supplement the regulations already announced concerning the production obligations of local television stations and their

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participation in the financing of reorganising the analog frequencies made necessary by the introduction of terrestrially broadcast digital television. Lastly, the Government has announced that the tax measures proposed in Mr Michel Boyon's second report would be examined carefully in the context of the bill on the 2004 Budget. Lastly, the preliminary bill increases from five to seven the number of authorisations for a national service broadcast terrestrially in digital mode that may be held by any one group. This provision confirms the importance the Government places on the digitalisation of terrestrially broadcast television.

The text will now be sent to the CSA and the competition council for their opinion before being submitted to the Conseil d'État. Meanwhile, anyone concerned may send their comments to the Media Development Directorate.

Le gouvernement complète l'avant-projet de loi sur les communications électroniques pour favoriser le développement des télévisions locales et doter le CSA de nouveaux pouvoirs de régulation économique, communiqué de presse de la direction du développement des médias du 14 mai 2003

http://www.ddm.gouv.fr/actualites/87.html

The Government supplements the preliminary bill on electronic communications to encourage the development of local television stations and to give the CSA new economic regulation powers, press release from the Media Development Directorate of 14 May 2003

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