[FR] Broadcasting Cinematographic Works on Television

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The Decree of 17 January 1990, as amended, which lays down the general principles for the broadcasting of cinematographic and audio-visual works by the editors of television services, and the Decree of 28 December 2001 on the contribution of Canal + (terrestrially broadcast analog pay channel) to the development of the production of audio-visual and cinematographic works, has now been amended by two decrees adopted on 23 December 2004. The purpose of these decrees is to take advantage of developments in relations between service editors, and more particularly Canal +, and representatives of the cinema. "First showing" cinema services (see Article 6-3 of the Decree of 17 January 1990) broadcast one or more cinematographic works as an exclusive first television screening excluding pay-per-view or more than two cinematographic works as an exclusive second screening within 36 months of their first cinema screening in France. There is now a sub-category of these services; in return for the special effort they make in terms of financing the cinematographic industry, these services are to be allowed to make their programme schedules a little more flexible. According to the Decree, "`first exclusivity cinema service' means a service that broadcasts the first exclusive showing on television apart from pay-per-view of at least seventy-five cinematographic works a year within 36 months of their first cinema screening in France; at least ten of these must be in French in the original version and the corresponding rights acquired before the end of shooting". Although it is established that "other editors of cinema services" may not broadcast or re-broadcast any full-length cinematographic work on a Friday between 6 and 9 pm, on a Saturday between 6 and 11 pm or on a Sunday between 1 and 6 pm, the editors of first exclusivity services may now broadcast or re-broadcast a cinematographic work on a Friday evening or on a Saturday evening in the case of works for which fewer than 1.2 million cinema tickets were sold (and five times a year films that fared better in theatres). While the official regulatory authority (Conseil

supérieur de l'audiovisuel - CSA) was pleased with this greater flexibility, which would "permit better cinema exposure on television", it nevertheless regretted the increased "complexity of the arrangements of the regulations" caused by the creation of the new sub-category of first exclusivity services.

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Décret n° 2004-1482 du 23 décembre 2004 modifiant le décret n° 2001-1332 du 28 décembre 2001 pris pour l'application des articles 27, 28 et 71 de la loi n° 861067 du 30 septembre 1986 et relatif à la contribution des éditeurs de services de télévision diffusés par voie hertzienne terrestre en mode analogique dont le financement fait appel à une rémunération de la part des usagers au développement de la production d'oeuvres cinématographiques et audiovisuelles

Decree No. 2004-1482 of 23 December 2004 amending Decree No. 2001-1332 of 28 December 2001 adopted to permit application of Articles 27, 28 and 71 of Act No. 86-1067 of 30 September 1986 and concerning the contribution of editors of television services broadcast terrestrially in analogue mode whose financing involves remuneration from users being devoted to development of the production of cinematographic and audio-visual works

Décret n° 2004-1481 du 23 décembre 2004 modifiant le décret n° 90-66 du 17 janvier 1990 pris pour l'application des articles 27, 33 et 70 de la loi n° 86-1067 du 30 septembre 1986 et fixant les principes généraux concernant la diffusion des œuvres cinématographiques et audiovisuelles par les éditeurs de services de télévision

Decree No. 2004-1481 of 23 December 2004 amending Decree No. 90-66 of 17 January 1990 adopted to permit application of Articles 27, 33 and 70 of Act No. 86-1067 of 30 September 1986 and laying down the general principles for the broadcasting of cinematographic and audiovisual works by television service editors

Arrêté du 23 décembre 2004 pris pour l'application du deuxième alinéa du II de l'article 11 du décret n° 90-66 du 17 janvier 1990 pris pour l'application de la loi n° 86-1067 du 30 septembre 1986 et fixant les principes généraux concernant la diffusion des œuvres cinématographiques et audiovisuelles par les éditeurs de services de télévision

Decision of 23 December 2004 adopted to permit application of the second paragraph of Article 11(II) of Decree No. 90-66 of 17 January 1990 adopted to permit application of Act No. 86-1067 of 30 September 1986 and laying down the general principles for the broadcasting of cinematographic and audiovisual works by television service editors

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