[FR] New rules on obligatory investments for French broadcasters in audiovisual production

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Ad van Loon
European Audiovisual Observatory

Article 27(3) French law relating to the freedom of communication (Loi à la liberté de communication) obliges French broadcasters to contribute to the development of European cinematographic and audiovisual works and of works that were originally produced in the French language. They are also obliged to invest in the acquisition of broadcasting rights of such works. This provision was implemented by Decree No 90-67 of 17 January 1990, which stipulated that broadcasters should invest 15% of their annual turnover in the commissioning of such audiovisual works from producers that are independent of broadcasters and to broadcast annually 120 hours of such audiovisual works at primetime hours or, alternatively, to invest 20% of their annual turnover in the commissioning of such audiovisual works without an obligation to broadcast these works. On 6 November 1995, this Decree was replaced by a new Decree, allowing greater flexibility to the French media authority Conseil supérieur de l'audiovisuel (CSA). Now, the French broadcasters can either commission audiovisual works worth 15% of their annual turnover and respect the obligation to broadcast them or, alternatively, they can agree with the CSA to invest more money in the production of audiovisual works, in return for a lowering of the number of primetime hours in which they actually have to broadcast such works. The products in which they are meant to invest are: works that are originally produced in the French language, European audiovisual works, the broadcasting rights of such works, or the development of scripts or projects for such works.

The Decree of 17 January 1990 also obliged French broadcasters broadcasting unencrypted signals via terrestrial frequencies, to invest 3% of their annual turnover in film production. The new Decree allows these broadcasters to invest 0.5% of this amount in European co-productions.

Décret ns 95-1162 du 6 novembre 1995 modifiant le décret ns 90-67 du 17 janvier 1990 modifié pour l'application du 3s de l'article 27 de la loi ns-1067 du 30 septembre 1986 modifiée relative à la liberté de communication et le Rapport au Premier ministre du décret, Journal Officiel de la République française, 7 novembre 1995: 18292-18293.

Decree No 95-1162 of 6 November 1995 modifying the amended version of Decree No 90-67 of 17 January 1990 to implement 3s of Article 27 of the amended

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version of Law No 1067 of 30 September 1986 relating to the freedom of communication, and the Report on the Decree to the Prime Minister, Journal Officiel de la République française, 7 November 1995: 18292-18293.

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