[FR] Reform of the Public Cinematographic Register

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The public cinematographic register was created in 1944 to ensure the legal security of the production and exploitation of cinematographic works by making public the contracts made in this field. The register gives full effect to the financial guarantees specific to the sector, such as security contracts and allocation of revenue. Producers are thus able to obtain from specialist banks the financing needed for the production and post-production stages, and the register is recognised both in France and abroad as a particularly useful instrument of legal security that spares professionals having to resort to multiple, and expensive, contractual guarantees. Sixty years after it was set up, concerted efforts among the professional organisations in the cinematographic industry and audiovisual production has made it possible to determine the direction it now needs. In consequence, the Government has just passed an order amending the provisions of the code governing the cinematographic industry that concern the public cinematographic and audiovisual register and creating a register of options. The major innovation of the reform lies in the extension of the benefit of the register of options to non-cinematographic audiovisual works. Section III of the code governing the cinematographic industry has also been amended to allow publication in the register of certain documents that were previously not allowed, the formalities for lodging documents for inclusion or publication where they are in a foreign language have been simplified, and the nullity of unlisted clauses providing for the voiding of a contract under specific circumstances cancelled. The possibility of creating an optional register of options has also been introduced; this will ensure that option contracts covering the purchase of rights to adapt pre-existing literary works are public. To allow enough time for implementing the changes required by the reform, it will not come into force until 1 March 2006.

Ordonnance n° 2005-652 du 6 juin 2005 relative au registre public de la cinématographie et de l'audiovisuel et créant un registre des options

http://www.legifrance.gouv.fr/

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