[FR] Decree Published on the Declaration Scheme for Distributors of Audiovisual Communication Services

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The system adopted in the Freedom of Communication Act of 30 September 1986 (as amended) requires the programme editors operating within a single multiplex to join forces and designate a common technical operator - referred to as a "distributor of services" - for the purposes of the Act. Article 30-2 of the Act lays down the legal scheme applicable to distributors of services broadcast terrestrially in digital mode, in accordance with the desire of the national audiovisual regulatory authority (Conseil Supérieur de l'Audiovisuel - CSA) for the multiplex operator to be covered by a specific legal framework. Service editors must also designate a separate company for marketing their products to the public. The distributor of services made responsible for marketing in this way (promotion, marketing and subscriber management) is merely required to make a prior declaration to the CSA. The decree of 31 October 2005 has now set out the details for this procedure of declaration to the regulatory authority prior to making an offer available to the public. These provisions also apply to distributors of services (other than terrestrially-broadcast digital television) serving at least 100 homes and not using frequencies allocated by the CSA, although the formalities for declaration are not the same. The decree also clarifies the operation by the distributors of services of local public initiative audiovisual communication services, defined as being services edited directly or indirectly by a local authority or a grouping of local authorities. According to Article 14 of the Decree, the distributors of services using a network of electronic communications not using frequencies assigned by the CSA and other than satellite are to make local public initiative services intended to provide information on local events available to their subscribers if requested to do so.

Avis n° 2005-7 du 11 juillet 2005 relatif au projet de décret pris pour l'application des articles 30-2, 34 et 34-2 de la loi n° 86-1067 du 30 septembre 1986, JO n° 179 du 3 août 2005, texte n° 100

http://www.csa.fr/infos/textes/textes_detail.php?id=28652

Opinion No. 2005-7 of 11 July 2005 on the draft decree for the purpose of application of Articles 30-2, 34 and 34-2 of Act No. 86-1067 of 30 September 1986, gazetted on 3 August 2005 in issue no. 179 of the Journal Officiel (text no. 100)

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Décret n° 2005-1355 du 31 octobre 2005 relatif au régime déclaratif des distributeurs de services de communication audiovisuelle et à la mise à disposition du public des services d'initiative publique locale, JO n° 256 du 3 novembre 2005, p. 17309, texte n° 47

http://www.csa.fr/infos/textes/textes_detail.php?id=32452

Decree No. 2005-1355 of 31 October 2005 on the declaration scheme applicable to distributors of audiovisual communication services and making local public initiative services available to the public, gazetted on 3 November 2005 in issue no. 256 of the Journal Officiel (p. 17309, text no. 47)

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