[FR] Fox Life is Indeed an Italian Channel

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The *Société des auteurs et des compositeurs dramatiques* (French society of dramatic authors and composers - SACD), the *Syndicat des producteurs indépendants* (French syndicate of independent producers - SPI) and the *Chambre syndicale des producteurs de films* (French syndicate of film producers - CSPF), considering the channel Fox Life, launched in France in 2005 and directed mainly at the French market, had artificially relocated its registered office to Italy in order to escape the constraints of French legislation, referred the matter to the *Conseil Supérieur de l'Audiovisuel* (audiovisual regulatory authority- CSA) last February. The applicant parties claim this location is misleading, creates unfair competition with the other French theme channels available on cable, and is prejudicial to French and European audiovisual creation, as they are being deprived of the resources and air time that would apply under the application of French law. At its plenary session on 4 April, the CSA replied that the management of Fox Life had assured it that all strategic decisions concerning the channel's programming were made in Rome, where the editorial line was decided. This was where the programme director was located; this person ensures the consistency of the various national versions of Fox Life and receives proposals for broadcasting local programmes. The channel was therefore well and truly an Italian channel. The CSA nevertheless stated that it realised the importance of such matters and what they represented in terms of audiovisual and cinematographic creation, and that it was concerned about this in the context of the process of the revision the Directive on "Television Without Frontiers". The fact of a channel establishing itself in a country other than the country in which it broadcast in order to avoid legislation deemed too constricting was one of the cases quoted by Viviane Reding as an abuse of the principle of country of origin, which is the fundamental basis of the TWF Directive. Ways of combating abusive relocations of this kind are in fact included in the revised text of the Directive, which is currently under discussion.

Situation de la chaîne Fox Life : le Conseil répond à la SACD, au SPI et à la CSPF

http://www.csa.fr/actualite/decisions/decisions_detail.php?id=116490

Status of the channel Fox Life - the CSA's answer to the SACD, the SPI and the CSPF

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