[FR] CSA Looks to the Protection of Minors

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According to Articles 1 and 15 of the Act of 30 September 1986, as amended, one of the duties of the *Conseil Supérieur de l'Audiovisuel* (audiovisual regulatory body - CSA) is to guarantee the protection of children and young people in respect of programmes that are broadcast.

On 04 July 2006, as part of this mission, the CSA set up a framework for the presentation and promotion on television (apart from cinema channels and pay-per-view schemes) of cinematographic or audiovisual works and their spin-off videograms, video games and telephone and telematic services and Internet sites to which minors are not allowed access. In its recommendation, the CSA recalls that when broadcasting an excerpt or trailer for a film or video game subject to classification on the basis of age, the choice of images shown should always take account of the scheduling context, broadcasting times, and the likelihood of young people watching. Moreover, the public must always be informed clearly and intelligibly if the content is subject to classification on the basis of age, whether it is a broadcast, an advertisement or sponsorship. This Recommendation follows on from two others issued on 7 June.

One was intended to set a framework for programming animation and fiction works directed at minors which, by making use of characters used for separate commercial activity, could contribute to promoting the products or services that used the image of these characters, by causing confusion in the minds of young viewers between what was advertising and what was part of the programme. The Recommendation draws a distinction between two eventualities. Firstly, if the fiction or animation work has given rise to spin-off products or services, it may not be interrupted, preceded or followed by advertising on behalf of products or services that use the image of the characters involved. In the case of a work that uses characters derived from pre-existing products or services, the CSA considers that the promotional nature of this practice is tantamount to unlawful advertising, which is prohibited by the Decree of 27 March 1992. It therefore wants the first airing to take place outside the period during which the products or services in question are being launched commercially nationwide. Furthermore, the advertisements should be broadcast at least forty-five minutes before or after the work in question.

Lastly, the CSA recalled the ban on advertisements for SMS services that could exploit the credulity or inexperience of minors. There were in fact a number of

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advertisements during advertising slots that promoted services offering, in return for sending an SMS, an analysis of the sexual affinity of two people on the basis of their first names, the probability of becoming rich in the future, or the name of the person one was supposed to have been in a previous life, etc. Recalling the terms of Article 7 of the Decree of 27 March 1992, as amended, the CSA recommends that young people should not be exposed to advertising encouraging them to use such services, which, moreover, involve a substantial financial outlay. It therefore calls on all television services to stop broadcasting advertisements of this kind.

Recommandation du CSA du 4 juillet 2006 relative à la présentation faite à la télévision d'œuvres cinématographiques ou audiovisuelles, de jeux vidéos et de services téléphoniques, télématiques ou de sites Internet qui font l'objet de restriction aux mineurs

http://www.csa.fr/infos/textes/textes_detail.php?id=118089

CSA Recommendation of 4 July 2006 on the presentation on television of cinematographic or audiovisual works, video games, telephone and telematic services, and Internet sites that may not be accessed by minors

Recommandation du 7 juin 2006 aux éditeurs de services de télévision relative à des pratiques publicitaires liées à la diffusion d'oeuvres d'animation et de fiction à destination des mineurs

http://www.csa.fr/infos/textes/textes_detail.php?id=117796

Recommendation of 7 June 2006 to editors of television services on advertising practices in connection with the broadcasting of animated and fiction works directed at minors

Recommandation du 7 juin 2006 relative à des messages publicitaires en faveur de services SMS susceptibles d'exploiter l'inexpérience ou la crédulité des mineurs

http://www.csa.fr/infos/textes/textes_detail.php?id=117797

Recommendation of 7 June 2006 on advertisements for SMS services that could exploit the credulity or lack of experience of minors

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