[FR] Senate Adopts Bill on the Television of the Future

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On 22 November 2006 the Senate adopted the Bill on the television of the future, which provides for the definitive phasing out of the analog mode by 30 November 2011, the launch of high-definition television (HD TV), and the launch of personal mobile television (see IRIS 2006-9: 9). Despite the protests of the new digital television channels, the incumbent channels (TF1, Canal + and M6) will be granted a “bonus” channel, allocated to them by way of “compensation” to “make good the prejudice” in connection with the gradual phasing out of analog television. Their broadcasting authorisation would also be extended automatically for five years. In return, however, the additional channels may not be launched before 30 November 2011 and will be bound by specific obligations concerning broadcasting films and audiovisual works made originally in French and other European languages, to enrich the programmes available on terrestrially-broadcast digital television. The Senate has also removed any favouritism in the selection of editors of channels for personal mobile television, and the frequencies released by stopping analog broadcasting should be, “for the most part, allocated to the audiovisual sector”. A “digital dividend commission” has also been set up to involve Parliament in the reallocation of the frequencies released; the Prime Minister has the final say. The task of numbering for the channels has been included in the general missions of the CSA, and terrestrially-broadcast digital television has been opened to local channels. The Senate also adopted, unanimously, an amendment proposing a new definition of audiovisual works. The text of the amendment does not concern the channels’ broadcasting obligations, but aims to require them to produce “a significant proportion (…) of works of fiction, animation, and documentaries creating, recording or recreating live shows”; this “significant proportion” would then be determined by decree. The CSA had in fact been on the point of presenting its report on the subject, with a view to grooming the Decree of 17 January 1990 which lays down a definition of an audiovisual work by opposition (“broadcasts not falling within the following genres: full-length cinematographic works, news and current affairs programmes, variety shows, games, broadcasts other than fiction produced mainly in the studio, sports broadcasts, advertising, tele-shopping, auto-promotion, teletext services”) as it is necessary to correct the perverse effects this has (see IRIS 2004-7: 11). Mr Baudis, Chairman of the CSA, said that it was “difficult” for the CSA to “interfere” in Parliament’s work and did not wish to “enter into competition with the legislator”. Michèle Reiser, member of the CSA and chairperson of the corresponding working party, for her part deplored that the amendment (adopted)

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resulted in having one definition for production quotas and another for broadcasting quotas. A few days later she was relieved of her duties for having failed in her obligation of discretion... The bill should be discussed by the National Assembly at the end of January, as it has been declared urgent (it will therefore have one reading in each house), otherwise, according to the Minister, there was a risk of “allowing the installation of a digital divide”.

Projet de loi relatif à la modernisation de la diffusion audiovisuelle et à la télévision du futur

http://www.senat.fr/leg/tas06-024.html

Bill on the modernisation of audiovisual broadcasting and on the television of the future

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