[FR] Serious Consideration of the Relationships between Producers and Broadcasters of Audiovisual Material

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On 8 October 2007, the French Minister for Culture, Christine Albanel, took advantage of the MIPCOM international programmes market in Cannes to announce "the updating and amendment of the framework of regulations set up in 1986", which will be combined with "measures to ensure better quality". She said that the future of French fiction lay in a rapidly changing context, and that this called for new resources and tools to better stimulate the revival of the programme industry in France. The launch of three complementary expertises were announced. The first covers the definition of the "economic sub-set" in the contribution made by broadcasters to the programme industries. In accordance with the Act of 5 March 2007 on the television of the future, it is in fact necessary to consolidate the proportion of economic works (works of fiction, animated works, creative documentaries, music videos and the recording or re-creation of live performances) in the investment obligations incumbent on television channels in both the public and private sectors.

Professionals have already been consulted, in September, concerning two draft Decrees. The first lays down an 85% sub-quota for the investment obligations incumbent on analogue television channels in respect of audiovisual works. The second amends the technical specifications of France 2, France 3 and France 5, increasing the rate of contribution to 95%. The Minister announced that she would be examining the feed-back she had received and would ensure that "the setting up of this sub-set would take place gradually, taking into account more particularly the criteria for defining the concepts of 'documentary' and 'creation'". The second area of consideration involves the "Tasca Decrees" adopted in 2001 and 2002 that lay down the framework for relations between broadcasters and producers, particularly regarding the matter the possession of economic rights.

The Minister felt the regulations were “complex” and “no longer truly encouraged the circulation of works on television services”. Specifically, under these texts, the terrestrial broadcast channels were only allowed to produce one-third of the works originally made in the French language that they themselves broadcast. For the other two-thirds (series, television films and documentaries that they co-produced), the money they invest only guaranteed them limited exclusivity of broadcasting. Hence a consultation with professionals in the sector, with the purpose of proposing amendments to these Decrees, has been entrusted to Mr

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Kessler and Mr Richard, acknowledged experts in the audiovisual sector. The first specific proposals, which ought to obtain the widest possible consensus among the professionals concerned, are expected by 15 December and the final propositions early in 2008.

Thirdly, the Minister announced that priority would be given to aid for writing and innovation. To this end, in 2008, the selective support of the national cinematographic centre (*Centre National de la Cinématographie* - CNC) in favour of audiovisual production will increase by 17.7%, with priority for aid upstream of production, including the audiovisual innovation fund and aid for creative work. Thus, “although we should not be cloning the American series”, the Minister said, “we could take inspiration from the work of their teams of screenwriters (...); we need to look to a new concept for creative work”.

Lastly, the Minister promised that these initiatives should be supplemented by the commitment of public-sector television to the same objectives, with significant efforts in terms of investments and exposure for audiovisual creation, and a 3.6% increase in the budget for public-sector audiovisual work in 2008.

Mission de concertation avec les professionnels du secteur de l’audiovisuel tendant à proposer des modifications des décrets de 2001 et 2002 qui organisent les relations entre producteurs et diffuseurs, lettre de mission

http://www.culture.gouv.fr/culture/actualites/lettrekessler.pdf

Mission of consultation with professionals in the audiovisual sector aimed at proposing amendments to the 2001 and 2002 Decrees organising relationships between producers and broadcasters; mission statement

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