[FR] Reinforcement of Rules Governing Call TV Programmes

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Call TV programmes - programmes where viewers are invited to phone in or send SMS messages at premium rates in order win hypothetical prizes - have been under the scrutiny of the *Conseil Supérieur de l'Audiovisuel* (audiovisual regulatory authority - CSA) for several months. In 2002 the CSA adopted a recommendation establishing rules for calls at premium rates, which were authorised if they were "occasional and discrete" and if they were an extension of a programme being broadcast at that point in time. Call TV operates according to a different model, however, since the calls at premium rates are the actual purpose of the broadcast, and the problem for the CSA lies in defining the status of these programmes and recognising whether they fall into the category of tele-shopping or unlawful advertising. Their development in France, particularly on the terrestrially broadcast channel M6 (with 'Star6Music' and 'Club') and the digitally broadcast channel NT1 (with 'La nuit est à vous'), has led the CSA to adopt a new recommendation on 4 December to replace the 2002 recommendation. The aim of the text is to reinforce viewer protection, more particularly by providing better information on the possibility of obtaining a refund of the expense incurred by taking part in a game. This information must now be made known to the public in the same way used for the contact details of the SMS or telephone service. For registration on-screen, this information must therefore be indicated in characters identical to those used for the service's number. It must also be provided directly when people connect to the premium service, before actual participation commences. The new recommendation also specifies the conditions under which a television service can encourage viewers to use SMS or telephone services at premium rates without such encouragement being qualified as unlawful advertising. Thus the referral must be a direct extension of the programme being broadcast and only appear on the screen occasionally and discretely. The premium service must also be directly related to the broadcast that refers to it, and it must complement it. The CSA has announced that it will be examining every broadcast in which viewers take part using a telephone or SMS service at a premium rate in order to ascertain whether or not this constitutes unlawful advertising. If this is the case it will demand that the channel stop such broadcasting. However, one thing is certain - the channel RTL9, which is very keen on call TV broadcasts, is not likely to be concerned with these rules: it broadcasts from the Grand Duchy of Luxembourg, and is therefore not subject to the French regulations!

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Délibération du CSA relative aux renvois, dans les programmes de télévision, à des services téléphoniques ou SMS surtaxés (« télé-tirelire »), du 4 décembre 2007

http://www.csa.fr/actualite/communiques/communiques_detail.php?id=125310

CSA deliberation on references in television programmes to telephone or SMS services carrying a surcharge (call television), of 4 December 2007

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