[FR] Directions for Modernising Relations between Producers and Broadcasters of Audiovisual Material?

IRIS 2008-2:1/18

Amélie Blocman
Légipresse

Christine Albanel, Minister for Culture and Communication, has received an interim report on the mission entrusted to Mr Kessler and Mr Richard on modernising the regulation of relations between the producers and broadcasters of audiovisual material (see IRIS 2007-10: 13). The background to this is that the Government is particularly keen to overhaul the “Tasca” decrees adopted in 2001 and 2002, which make the channels subject to quotas, requiring them to devote 16% of their turnover to audiovisual works, two-thirds of which must be commissioned from producers independent of the channel. At the end of this first stage in the mission, during which the rapporteurs met the players concerned (creators, producers, writers, broadcasters, distributors and Internet access providers), the rapporteurs have drawn up an inventory and identified directions for reform. Firstly, they note the limited growth in resources for audiovisual creation and in the income of channels from advertising. In this respect, the rapporteurs call on the public authorities to adopt the necessary measures, in particular when the Directive on audiovisual media services is transposed into national legislation, to improve the financing for public-sector television. They also note that there was a substantial increase - +38% - in investment in audiovisual works on the part of the incumbent channels between 2000 and 2006. Nevertheless, the objective of the circulation of works sought by the legislator and the Tasca Decrees has not been achieved - only 40% of the fiction programmes broadcast by the private channels had access to a second market within France. In addition, new entrants on the Internet wishing to acquire VOD rights for French audiovisual works are finding it extremely difficult, and the channels’ claims to exclusivity run counter to the objective being pursued. In light of this, the rapporteurs would like to propose directions for agreements relevant to everyone in the sector by the end of their mission. These will include, in particular, the desire to refocus the channels’ obligations on stock programmes (fiction programmes, documentaries in the broadest sense, animated programmes, live shows, music videos), as the present system of quotas and sub-quotas of stock programmes is deemed to be “unnecessarily complex”.

Secondly, it is proposed that the regulations should be changed in order to link the channels’ level of investment to the duration of the rights, the circulation of works within the group, and the involvement of the channels in various media in order to develop the second market. The rapporteurs also advocate revising the definition of independent production. The Minister has said that she would like

© European Audiovisual Observatory (Council of Europe) 2026

inter-professional agreements on this to be concluded as quickly as possible; such agreements have been in existence for some time now with regard to cinema, and they could be used as the basis for the new regulations.

Mission sur les rapports entre les producteurs et les diffuseurs audiovisuels

http://www.culture.gouv.fr/culture/actualites/rapportkessler08.pdf

Mission on relations between the producers and broadcasters of audiovisual material

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026