[FR] Change to Conditions for Broadcasting Cinema Films on Television

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The Decree of 17 January 1990 laying down the general principles for television service editors broadcasting cinematographic and audiovisual works was amended on 28 November 2008. The text, which prohibited the showing of cinematographic works on Wednesday and Friday evenings, all day Saturday, and after 8.30 pm on Sunday, in order to protect exploitation in cinema theatres, has been rendered more flexible. Those television channels other than cinema or pay-per-view services whose agreements or lists of missions and duties provide that they are to devote a proportion of their turnover to expenditure that contributes to the development of the production of European cinematographic works which is at least equal to 3.4% in 2008 and in 2009 and 3.5% from 2010 onwards, with the annual investment in the production of cinematographic works reaching a minimum amount that still remains to be determined, may now broadcast full-length art films that have achieved a certain level of box-office sales in France or that were first screened more than twenty years ago after 11 p.m. on Saturday, and full-length cinema films which were first screened more than thirty years ago before 3 a.m. on Sunday.

The CSA had been asked for its opinion on the draft decree opening up the slot starting at 11 p.m. on Saturday and ending at 3 a.m. on Sunday for broadcasting cinematographic works in return for an increase in the contribution made by the channels to the production of European cinematographic works, and it delivered this on 22 July 2008. Declaring itself in favour of this relaxation of programming for broadcasting such works, made necessary by the multiplication of media for showing cinema films, including the Internet, the CSA had however recommended withdrawing the provisions concerning the programming of these works, which it considered were too restrictive and not favourable for the future evolution of the inter-professional agreements bar any change in the regulations. The CSA made its opinion public on the same day the Decree was published.

Décret n° 2008-1242 du 28 novembre 2008 modifiant le décret n° 90-66 du 17 janvier 1990 pris pour l'application de la loi n° 86-1067 du 30 septembre 1986 et fixant les principes généraux concernant la diffusion des œuvres cinématographiques et audiovisuelles par les éditeurs de services de télévision, JORF du 30 novembre 2008

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Decree No. 2008-1242 of 28 November 2008 amending Decree No. 90-66 of 17 January 1990 adopted for the application of Act No. 86-1067 of 30 September 1986 and laying down the general principles for the broadcasting of cinematographic and audiovisual works by the editors of television services, gazetted on 30 November 2008

Avis n° 2008-4 du 22 juillet 2008 relatif à deux projets de décrets, l'un modifiant le décret n° 90-66 du 17 janvier 1990 fixant les principes généraux concernant la diffusion des œuvres cinématographiques et audiovisuelles par les éditeurs de services de télévision, l'autre portant modification des cahiers des missions et des charges des sociétés France 2 et France 3, ainsi qu'à un projet d'arrêté, JORF du 30 novembre 2008

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Opinion No. 2008-4 of 22 July 2008 concerning two draft Decrees, one amending Decree No. 90-66 of 17 January 1990 laying down the general principles for the broadcasting of cinematographic and audiovisual works by the editors of television services, and the other amending the lists of missions and duties of the companies France 2 and France 3, and on a draft order, gazetted on 30 November 2008

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