[FR] Relaxation of Rules for Scheduling Cinematographic Works on Television

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On 2 May 2012, a decree was adopted, amending the Decree of 17 January 1990 on the broadcasting on television of audiovisual and cinematographic works. Previously, the Decree prevented the free-access channels from broadcasting feature films on Wednesdays, on Friday evenings, and during the day on Saturdays and Sundays before 8.30 pm. The new Decree reflects in part the agreements reached recently by France Télévisions and Canal+ with representatives of the cinematographic industry. The aim of these agreements is to relax the times for showing cinematographic works on television services as laid down in Articles 10 and 11 of the Decree of 17 January 1990, in exchange for financial undertakings on the part of these television groups in favour of pre-financing the cinema industry. It now becomes possible for editors of non-cinema services with an average annual audience not exceeding 5% of the total audience of television services to broadcast feature films on Wednesdays in the early evening, solely on condition that they abide by the conditions attesting greater commitment on the part of the service editor, or the group to which it belongs, in favour of cinematographic creation. Specifically, they must earmark at least 3.5% of their annual turnover - instead of the minimum of 3.2% provided for in the current regulations - for expenditure that contributes to the development of the production of European cinematographic works other than the mere purchase of broadcasting rights. Service editors must also reserve at least 85% of the total annual number of initial and repeat showings of feature films for broadcasting European works or works originally made in the French language. This relaxation of the rules on the broadcasting of films on Wednesdays in the early evening concerns the channel France 4 in the first instance, which is why a decree amending the terms of reference for France Télévisions was published in the *Journal Official* on the same day.

The new Decree on the broadcasting on television of audiovisual and cinematographic works provides that cinema services showing films for the first time other than exclusive premieres (referring to the Ciné+ bundle) may now broadcast feature films on Fridays between 6 pm and 9 pm and on Saturdays from 6 pm to 11 pm. This relaxation is also conditional - the films must have been released in France more than ten years previously and they must have been seen by fewer than 1.5 million people during the first year they were shown in cinemas in France. The relaxation also applies to cinematographic heritage services and to other cinema services if they are included in a grouping of several services

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including at least one cinema service showing films for the first time.

Décret n° 2012-757 du 9 mai 2012 modifiant les articles 10 et 11 du 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

http://www.legifrance.gouv.fr/affichTexte.do;jsessionid=13351FEA474D26C03590A9F0FC01CDEB.tpdjo15v_2?cidTexte=JORFTEXT000025837856&dateTexte=&oldAction=rechJO&categorieLien=id

Decree No. 2012-757 of 9 May 2012 amending Articles 10 and 11 of Decree No. 90-66 of 17 January 1990 adopted for the purpose of application of Act No. 86-1067 of 30 September 1986 and laying down the general principles for the broadcasting by television service editors of cinematographic and audiovisual works

Décret n° 2012-758 du 9 mai 2012 portant modification du cahier des charges de la société nationale de programme France Télévisions

http://www.legifrance.gouv.fr/affichTexte.do;jsessionid=13351FEA474D26C03590A9F0FC01CDEB.tpdjo15v_2?cidTexte=JORFTEXT000025837885&dateTexte=&oldAction=rechJO&categorieLien=id

Decree No. 2012-758 of 9 May 2012 amending the terms of reference of the national programme company France Télévisions

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