[FR] Results of Application of the Act of 5 March 2009 Reforming the Public-Sector Audiovisual Scene

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Three years after the adoption of the Act of 5 March 2009 on audiovisual communication, and with France's new Government announcing reform of the public-sector audiovisual scene, it is worth noting the publication of a report by Senators David Assouline and Jacques Legendre on behalf of the commission for supervising application of legislation. On the basis of the preparatory work for the Act, and after hours of debate and hearings, the rapporteurs have highlighted the objectives set out in the 2009 Act and compared them with the results actually achieved. There are comments on nearly all the measures concerned, presented in thematic form. The results of the application of the Act are in fact equivocal. The key measure - the abolition of advertising - was at the heart of the debate. According to Mr Assouline, however, "it is emblematic above all in its failure". It has to be said that it has only been partially applied: advertising during the evening was supposed to be abolished by the end of 2011 but this did not happen, for financial reasons. Indeed the present Government will have to settle the matter quickly. The report also highlights a cultural model that swings between audience figures and programme quality, even though the type of programme has not changed, contrary to the intention of the reform. The rapporteurs believe the new governance of France Télévisions has had a number of positive effects, such as the reorganised administrative board, while other results are more questionable, as for example the appointment of the chairmen of the public-sector audiovisual undertakings by France's President, which the new President François Hollande has announced he wants to reform. The part of the reform concerning which application is the most worrying, according to the rapporteurs, involves financing - the yield of the taxes introduced to compensate for the abolition of advertising has not reached the anticipated amount, thus costing the State 180 million euros per year. What is more, there is a serious risk that the European authorities will cancel the "telecoms" tax (250 million euros per year) and require the repayment of the tax received from the operators (a billion euros!). "The financing of the reform by introducing new taxes has thus been a failure". The transposition into national law of the Directive on Audiovisual Media Services is also analysed at length. The rapporteurs consider this has been applied fairly satisfactorily and relatively comprehensively, particularly with regard to promoting French diversity and the accessibility of programmes. It has also made it possible to bring catch-up TV and video on demand - which are already part of our everyday lives - within the scope of French law. In conclusion,

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the rapporteurs note that the modernisation of audiovisual law, particularly with regard to the digital revolution, is under way, and that the reform of the public-sector audiovisual scene is still in hand.

Communication audiovisuelle et nouveau service public de la télévision : la loi du 5 mars 2009 à l'heure du bilan, Rapport d'information de MM. David Assouline et Jacques Legendre

http://www.senat.fr/rap/r11-572/r11-572_mono.html

Audiovisual communication and new public-sector television service: taking stock of the Act of 5 March 2009, an information report by David Assouline and Jacques Legendre

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