[FR] CSA Authorises Purchase by Canal Plus of Direct 8 and Direct Star

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After the French Competition Authority (Autorité de la Concurrence) in July 2012 (see IRIS 2012-8/26), it has been the turn of the audiovisual regulatory authority (Conseil Supérieur de l'Audiovisuel - CSA) to authorise - "subject to conditions" and "in the light of the undertakings subscribed to by Canal Plus" - the latter's purchase of the channels Direct 8 and Direct Star. This closes the long round of negotiations between the French pay television giant and the independent administrative authorities, which wanted above all to prevent the group from being able to disturb the balance of the market for free-view television because of its dominant position. The Competition Authority has authorised the purchase in exchange for undertakings involving mainly a limit on the acquisition of rights for American films, American series and French films, and the conditions for granting rights for sports events of major importance. For its part, the CSA stresses the fact that its decision is based mainly on "the viewer's interests", and on its desire to preserve the balance of the audiovisual sector, to ensure the maintenance of the format of the two channels, and to strengthen support for cinematographic and audiovisual production and creation in France.

To achieve this, the CSA has imposed a number of important undertakings on D8 (the new name of Direct 8), to such an extent that the channel's convention now includes the greatest number of obligations of all the conventions of the unencrypted DTV channels launched since. For example, the channel will no longer be able to devote more than the first half of one evening's viewing per week to the broadcasting of new unencrypted series of the main American studios. It will also have to broadcast two hours each day of programmes never before shown on French television, and keep to a minimum lead time of 18 months between the broadcasting of French series not previously broadcast on Canal+ and on its airwaves. The CSA has also imposed obligations on D8 to invest more substantially in the production of new films and fiction programmes made originally in the French language, beyond the statutory requirements. As a result, the channel will have to contribute to the pre-financing of cinematographic works as of 2013. The undertakings given to the Competition Authority on the films purchased jointly with Canal+ are to be reiterated in D8's convention and supplemented by an obligation to purchase broadcasting rights for films with a budget of less than 7 million euros. Apart from a number of other undertakings, mainly to reinforce the offer of cultural programmes and the protection of young children, D8 has undertaken to show a more diverse range of sports disciplines in

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its programmes. Now that is has been given the go-ahead by the CSA, Canal+ has been able to communicate officially on D8's broadcasting schedules.

CSA, Communiqué de presse du mardi 18 septembre 2012

http://www.csa.fr/index.php/Espace-Presse/Communiques-de-presse/Le-CSA-autorise-sous-conditions-l-achat-de-Direct-8-et-Direct-Star-par-le-groupe-Canal

CSA, press release of Tuesday, 18 September 2012

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