

## [FR] Signature of a protocol agreement between France Télévisions and the audiovisual production sector

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On 10 December 2015 the public-sector audiovisual group France Télévisions announced that it had concluded an important agreement with the main unions of audiovisual producers, SATEV (Syndicat des Agences de Presse Télévisée), SPFA (Syndicat Français des Producteurs de Films d'Animation), SPI (Syndicat des Producteurs Indépendants) and USPA (Union Syndicale de la Production Audiovisuelle), aimed at promoting public-service investment in new creations. Under the agreement, France Télévisions undertakes to invest 20% of its turnover - EUR 400 million per year - in new creations.

The agreement also provides that the public-sector group is to increase its share in creation expenditure on the “dependent” works for which it holds some of the rights from the current level of 5% to 25%. This means the group will then have the same threshold as groups in the private sector. Half of this dependant share could be paid to MFP, a subsidiary of France Télévisions, either alone or in co-production with independent producers. The other half of this share would be paid to independent producers but under conditions that are more favourable to France Télévisions, for example regarding the duration of the rights or the level of co-production. The budgets allocated to web-creations should also be included in this share. For the “independent” share, France Télévisions has obtained the possibility of allowing a better circulation of works within its bundle of channels. Until now, the public-sector audiovisual group has ordered works from independent producers amounting to 95% of its creation expenditure, without holding any property rights in respect of the works. This system, instituted by the “Tasca” decrees in the 1990s which the Ministry of Culture wants to reform, is aimed at protecting independent producers. Thus the new President of France Télévisions has adopted an amicable professional agreement for the better protection and better use of its programmes, without waiting for new regulations. This is also why the signatories have made mutual undertakings on the duration of rights, use on digital platforms, the circulation of works, and value sharing in both the dependent and independent parts of their obligations. The agreement is also good news for Minister for Culture Fleur Pellerin, who is seeking to redefine relations between producers and broadcasters. In a press release, the Minister welcomed “this ‘new alliance strengthening the partnership between producers and broadcasters, which will allow for better risk sharing, clarify production models, and support the diversity of new creations”. The Minister would like to see this important step followed up very quickly by an agreement on

transparency, and for discussions to start very soon between private-sector broadcasters and producers along similar lines.

