[FR] Change in rules on politicians' speaking time in the media

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The next presidential election in France will be held in the spring of 2017. As part of its tasks to ensure diversity at election time, conferred on it by Article 16 of the Act of 30 September 1986, the national audiovisual regulatory authority (Conseil Supérieur de l'Audiovisuel - CSA) ensures the application of the specific rules applicable to the handling of election news. The organic law of 25 April 2016 modernising the rules applicable to presidential elections has been gazetted. The Act provides for the application of the principle of equity in audiovisual matters, during the period between publication of the list of candidates and the eve of the official campaign. According to this principle of equity, television services must allocate candidates (or political parties) and their supporters speaking or broadcasting time according to their representativeness and their actual involvement in the campaign. This principle therefore replaces the previous principle of equal speaking time for candidates during election campaigns, as advocated by the CSA; in September 2015 it published fifteen proposals it considered desirable to implement during future elections in order to achieve a better balance between freedom of communication and observance of political diversity in audiovisual media.

As a result, only the last two weeks preceding the presidential election will be subject to the principle of equal speaking time in the audiovisual media. The Constitutional Council has declared that the text does not contravene the Constitution; it considers that the legislator's intent was to promote clarity in the electoral debate, in the citizen's interest, and to allow the editors of audiovisual communication services greater freedom in their treatment of news in the period leading up to an election. The Constitutional Council felt that while these editors retained their decisive role in broadcasting information to citizens at election time, their diversity had been increased. It pointed out that there were also other methods for providing the population with information at election time that were not covered by identical regulations; it felt that in this way the legislator had reconciled the constitutional demands of diversity of ideas and opinions on the one hand, and freedom of communication on the other. 25 April 2016 also saw the promulgation of an Act modernising various rules applicable to elections, and including provisions on the transparency of opinion polls.

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Loi organique n° 2016-506 du 25 avril 2016 de modernisation des règles applicables à l'élection présidentielle

https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000032451659&dateTexte=20160607

Organic law of 25 April 2016 modernising the rules applicable to presidential elections

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