[FR] Television sponsorship scheme made more flexible

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A Decree adopted on 15 February 2017 has altered the scheme for television sponsorship that results from the Decree of 27 March 1992. This Decree was adopted to permit application of Articles 27 and 33 of the Act of 30 September 1986 and to lay down the general principles defining the obligations incumbent on service editors with regard to publicity, sponsorship, and tele-shopping.

The new text henceforth authorises the sponsor to include the presentation of 'its products and services' among the means used to identify it (whereas previously only 'its activities' were covered) and, more generally, adopts the provisions of Directive 2010/13/EU on audiovisual media services with regard to the various mentions of the sponsor in television programmes. Sponsors may now be identified 'by the name, logo or other symbol or the sponsor, for example by a reference to its products or services, a distinctive sign, or an advertising slogan'. Sponsored television broadcasts may not, however, directly incite viewers to purchase or rent the product or services of the sponsor or of any third party.

This increased flexibility in identifying the sponsor includes the possibility of mentioning the sponsor during the sponsored programme and in trailers. However, to protect viewers by ensuring a clear distinction between editorial and commercial content, the Decree maintains the present ban on presenting the sponsor's products and services and repeating its advertising slogan when mentioning the sponsor during the actual broadcast, that is to say, apart from a reminder after a break in the broadcast. Lastly, the occasional discreet mention of the sponsor during the broadcast and in trailers will still be permitted, apart from the reminder after a break in the broadcast.

The Union des Annonceurs (the French advertisers union) has welcomed the text, which 'makes it possible not only to end a discrepancy in the regulations applicable to linear and non-linear media services', but also 'bridges the gap between the French regulations and the European legal framework which authorises the presence of product sponsorship and advertising slogans on-screen'.

According to assessments carried out by the Ministry of Culture, the new provisions ought to generate 30 million euros and benefit more than 420 television service editors. Income from sponsorship amounted to 155 million euros in 2015, 8% less than in 2014.

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Décret n° 2017-193 du 15 février 2017 portant modification du régime du parrainage télévisé

https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000034053308&dateTexte=20170404

Decree No. 2017-193 of 15 February 2017 altering the scheme for sponsorship on television

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