[FR] Public consultation on observance of obligations to broadcast European works and works made originally in the French language

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On 10 March 2017, the Ministry of Culture and Communication launched a public consultation to gather observations from the stakeholders concerned on the amendment of the definition of peak times for television service editors' observance of obligations to broadcast European works and works made originally in French.

Under Articles 27 and 33 of the Act of 30 September 1986, these obligations amount to at least 60% for European works and 40% for works made originally in the French language. Adopted in application of these provisions, Article 7 of the Decree of 17 January 1990 defines the 'peak times' to which these broadcasting obligations apply. Thus, the second paragraph of Article 7-II defines peak times as being 'between 8.30 and 10.30 p.m. For editors of cinema services and editors of pay-per-view services, however, peak times are deemed to be from 6 p.m. to 2 a.m'.

The national audiovisual regulatory body (Conseil Supérieur de l'Audiovisuel - CSA) has noted that some service editors declare works they start broadcasting between 10.20 and 10.30 p.m. as part of their peak-time quota. This method of calculation may in some cases result in peak-time quotas being observed only by the inclusion of works broadcast later in the evening, with only a few minutes falling within the peak timeslot.

This has encouraged the Ministry of Culture to consider the advisability of amending Article 7 of Decree No. 90-66 in order to ensure, as initially envisaged, good early-evening exposure for European cinematographic works and works made originally in the French language. The first option consists of re-centring peak viewing times to earlier in the evening, by stating in the Decree that 'works are considered broadcast at peak times if broadcasting commences between 8.30 and 9.30 p.m., or perhaps 10 p.m.'. Another possible option would be to simply disregard late programmes starting between 10.20 and 10.30 p.m.. The first option was the one adopted for this consultation.

The stakeholders concerned are invited to comment on this proposed amendment and, if they are in favour, to say whether they feel it is necessary to apply the

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same amendment to Article 8 of the Decree, which imposes an annual ceiling of 144 works.

Replies to the consultation should be sent in no later than Friday, 31 March 2017.

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