[FR] Decree concerning the ban on advertising in children's programmes on public TV

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On 22 December 2017, a decree was adopted amending several elements of the terms of reference of France Télévisions. The first, main amendment concerns the entry into force of Act no. 2016-1771 of 20 December 2016 banning commercial advertising in children's programmes on public television (see IRIS 2017-1/13). As of 1 January 2018, France Télévisions programmes aimed primarily at children under the age of 12 no longer contain advertising (other than generic messages promoting goods or services related to children's health and development or general interest campaigns). This restriction applies during and for fifteen minutes before and after these programmes. It also applies to all messages transmitted on the websites of these same national television services that offer programmes aimed primarily at children under the age of 12. Without listing the Act's provisions concerning the services in question, the decree states, in the new Article 27-1 of the terms of reference, that commercial advertising will be banned during programmes aimed primarily at children under 12 provided to the public by the on-demand audiovisual media services and online public communication services of France Télévisions. This concerns commercial messages directly associated with programme viewing - in particular pre-roll advertising - on France Télévisions' digital platforms, such as france.tv. It also covers on-demand audiovisual media services and online public communication services - or parts thereof - that are aimed primarily at children under 12. In particular, these include the Ludo and Zouzous platforms and applications, as well as sections or tabs of public platforms such as france.tv specifically dedicated to children under 12. This therefore concerns all forms of commercial messages, including banners and pre-roll ads.

The decree also amends, in the terms of reference, the extent of the rights granted by producers to France Télévisions concerning animated works in order to take into account their most recent professional agreement of 31 March 2017. For all works, the text also specifies that, with regard to the part of the contribution that is not dedicated to the development of independent production and that is made with independent production companies, the company will respect the exploitation conditions set out in professional agreements.

Finally, the decree changes the extent of the rights granted for documentary and live entertainment programmes in order to comply with the latest professional agreements between France Télévisions and organisations representing the

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producers of audiovisual works.

Décret n° 2017-1746 du 22 décembre 2017 portant modification du cahier des charges de la société nationale de programme France Télévisions

https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000036252039&dateTexte=20180207

Decree no. 2017-1746 of 22 December 2017 amending the terms of reference of national broadcaster France Télévisions

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