[FR] Conseil d’Etat, asked for opinion by government, lays down method for new Radio France president taking up post

IRIS 2018-5:1/15

Amélie Blocman
Légipresse

On 10 April 2018 the French government decided to publish the opinion it had asked the Conseil d’Etat to provide regarding the method for ensuring the continuity of the presidency of the national media companies (France Télévisions, Radio France, and France Médias Monde) “in the event of the early end of a president’s term of office”. The question does indeed arise, with the removal of Mathieu Gallet as president of Radio France by the national audiovisual regulatory authority (Conseil Supérieur de l’Audiovisuel - CSA), while the CSA was to interview candidates for his succession on 10, 11 and 12 April.

The issue concerns more particularly the scope of the provisions adopted by the legislator in 2013 with a view to setting up an arrangement for an overlap between two presidents. Given the fact that under these arrangements - i.e. in accordance with Article 47-4 (3) of the Act of 30 September 1986 on freedom of communication - the appointments of the presidents of the national media companies are to be made “three to four months before the post is effectively taken up”, is it possible, in the event of a delay in the appointment procedure or an unexpected vacancy in the post to be filled, to make an appointment that takes effect less than three months after the date of the decision?

The Conseil d'Etat reiterated that the purpose of these provisions, as confirmed by the parliamentary work preceding their adoption, was to allow a newly-appointed president enough time to examine or prepare with his/her predecessor (while the latter was still in-post) the strategic decisions affecting the life of the undertaking, particularly those concerning the audiovisual sector and measures on programming. This overlap period is therefore only meant to apply when the term of office of the president of a national programme company expires on its anticipated date or on another foreseeable date, such as in the case of his or her reaching the age limit. On the other hand, the Conseil d'Etat considered that in cases - such as the case at issue - of an unexpected cessation of function for whatever reason, the legislator had not intended to specify any time lag between the date of appointing a new president and the date of him/her actually taking up the post. Thus, it was possible for a person appointed under such circumstances to take up his/her post immediately on being appointed.

© European Audiovisual Observatory (Council of Europe) 2026

In the present case, the Conseil d'Etat concluded that, in order to ensure the effectiveness of the arrangement provided for in the Act, it was for the CSA to adopt the necessary measures to ensure that the appointment was made at least three months before the end of the term of office to be renewed. As it had indicated that it would, the CSA appointed the new president of Radio France immediately after interviewing the candidates. On the basis of Article 47-4 of the Act of 30 September 1986, the CSA, meeting in plenary session on 12 April 2018, appointed Ms Sybile Veil for a five-year term of office, starting on 16 April 2018. In accordance with the recommendations of the Conseil d'Etat, she will therefore take up her post immediately.

Avis consultatif du Conseil d'Etat rendu public le 10 avril 2018

http://www.conseil-etat.fr/Decisions-Avis-Publications/Avis/Selection-des-avis-faisant-l-objet-d-une-communication-particuliere/Modalites-permettant-d-assurer-la-continuite-de-la-presidence-des-societes-nationales-de-programme-en-cas-de-cessation-anticipe

Consultative opinion of the Conseil d'Etat made public on 10 April 2018

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026