[FR] Next steps towards transposing Copyright Directive into French law through the Audiovisual Reform Bill

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The Law creating a neighbouring right for news agencies and news publishers will not be the last piece of copyright legislation in France. At the start of July, the Minister of Culture, Franck Riester, announced the “next stages” of work to transpose the EU Copyright Directive. “The government is continuing to work on all the other topics in an effort to quickly transpose the essential provisions,” he said. Referring to Articles 17 and 18 of the new law, which aims to oblige online platforms to pay fair remuneration to creators for the content that they redistributeand fair and proportional remuneration to authors, the minister said that draft texts were currently being discussed with the industry.

Franck Riester also listed the other copyright-related topics that he considered "essential": “Safeguarding the ReLIRE project [...] on the digitisation of out-of-print books, which we need to bring into line with European law for it to continue; adapting the provisions of the law on freedom of creation concerning image referencing services so that they also comply with European law and can be used effectively; and the ‘direct injection’ principle of the so-called ‘Cabsat directive’.” During the debates, the minister also mentioned the transposition into national legislation of the exception for text-mining for the purposes of scientific research.

The Prime Minister added that all these provisions should be included in the audiovisual bill to be presented to the Council of Ministers at the end of October and examined by the National Assembly in January 2020.

At the same time, the*Conseil supérieur de la propriété littéraire et artistique* (Higher Council for Literary and Artistic Property – CSPLA), which advises the Ministry of Culture on these issues, set up a study group to assess the conditions in which a compulsory collective management system could be created “in order to ensure fair remuneration of photographers and artists whose works are reproduced and communicated to the public, without their prior consent, by automated image referencing services.” Although such a scheme was brought in under the law of 7 July 2016 on freedom of creation (Art. L. 136-4 of the Intellectual Property Code), the implementing decree was never adopted. Since then, Directive 2019/790 of 17 April 2019 has supported "the objective pursued by the legislature through various measures designed to increase the possibility for creators to be remunerated by the digital platforms that exploit their works.”

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The Ministry of Culture therefore wishes to amend the measure that was adopted in 2016 “in order to ensure its effective implementation”. As well as the proposed compulsory collective management system, the study group was invited to examine "alternative systems". The results are expected by 31 October.

Discours de Franck Riester, ministre de la Culture, prononcé à l’occasion de l’examen au Sénat de la proposition de loi tendant à créer un droit voisin au profit des agences de presse et des éditeurs de presse

https://www.culture.gouv.fr/Presse/Discours/Discours-de-Franck-Riester-ministre-de-la-Culture-prononce-a-l-occasion-de-l-examen-au-Senat-de-la-proposition-de-loi-tendant-a-creer-un-droit-vo

Speech by Franck Riester, Minister of Culture, on the occasion of the Senate's consideration of the bill to create a neighbouring right for news agencies and press publishers

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