[FR] Canal Plus and French cinema industry sign media chronology agreement

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A key element of the current audiovisual reforms, media chronology, which determines when cinematographic works can be released via different methods of exploitation, is set out in Articles L. 231-1 *et seq*. of the *Code du cinéma et de l'image animée* (Cinema and Animated Image Code). Under the law, a professional agreement should be signed, setting out when a film can be made available by an on-demand audiovisual media service provider or when it can be broadcast on television. The current agreement, which was concluded on 6 September 2018, was extended to include all companies in the sector under a decree issued by the Minister of Culture on 25 January 2019. Under the new legal framework that resulted from the transposition of the Audiovisual Media Services Directive and the Decree of 22 June 2021, which requires foreign on-demand audiovisual media service platforms (such as Netflix, Disney +, Amazon Prime Video, etc.) to finance film production, media chronology must be adapted to changes in how these services are used. These platforms, which are now obliged to plough huge amounts of money into film production, are no longer content to wait 36 months after a film is released in cinemas before being allowed to show it themselves.

Article 28 of Ordinance no. 2020-1642 of 21 December 2020 therefore creates a framework for a new agreement to be negotiated. On 2 December, after negotiations had stalled for months, causing the Ministry of Culture to threaten regulatory intervention (as provided for in the Decree of 26 January 2021), the Canal Plus group, the primary funder and broadcaster of French films, and industry representatives (BLIC, BLOC, ARP) announced that they had reached an agreement.

Under the agreement, Canal Plus and its Ciné + channel will provide a guaranteed annual investment of EUR 190 million until 2024, in return for which the pay-TV channel will be allowed to broadcast films six rather than eight months after their cinema release, with an exclusive window of at least nine months for Canal Plus ("which can be extended to up to 16 months with the second window").

The signatories want the agreement to enter into force as soon as possible in order to safeguard the long-term financing of the film sector. For their part, the on-demand audiovisual media service platforms must now sign an agreement

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with film industry representatives, which could see them permitted to show films 15 months after their cinema release. The rules for free TV channels have yet to be agreed.

Le Groupe Canal+ et les organisations du cinéma signent un nouvel accord, L'ARP, Communiqué du 2 décembre 2021

https://larp.fr/communiques/le-groupe-canal-et-les-organisations-du-cinema-signent-un-nouvel-accord/

Canal+ Group and film organisations sign a new agreement, L'ARP, press release of 2 December 2021

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