[FR] Senate adopts public audiovisual reform and audiovisual sovereignty bill at first reading

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On 13 June 2023, despite opposition from the government, the French Senate adopted the bill tabled by Laurent Lafon, centrist senator and chair of the Culture, Education and Communication Committee, and several of his colleagues concerning the public audiovisual reform and audiovisual sovereignty. According to the Minister for Culture, “a big institutional shake-up is neither necessary nor a priority.”

The bill’s authors believe that “an ambitious global strategy is vital to preserve our country’s audiovisual sovereignty.” To this end, the bill is based on two pillars. The first brings together the public broadcasters by establishing a holding company, France Médias, composed of four subsidiaries (France Télévisions, Radio France, France Médias Monde and the *Institut national de l'audiovisuel* (INA)), of which it would hold all the capital and define strategic direction. The bill sets out the process for the creation and operation of the holding company already described in the audiovisual communication bill tabled by Franck Riester, examination of which was halted in March 2020 due to the health crisis, and taken up again in the report of the National Assembly’s information task force on the future of the public audiovisual sector, presented by MPs Jean-Jacques Gaultier and Quentin Bataillon on 7 June.

Under the Senate’s decision to adopt the bill, the holding company president will be appointed for a five-year term by ARCOM rather than through a Council of Ministers decree. However, the company’s board will still propose a name to ARCOM, just as it would previously have put a name forward to the President of the Republic. Similarly, rather than the head of state, ARCOM will have the power to remove the France Médias president from office, still on the basis of a reasoned decision by the board of directors.

The bill also stipulates that the holding company should primarily be financed through adequate, predictable, long-term public fiscal funds that take inflation into account. Indeed, following the abolition of the licence fee, financing of public broadcasting needs to be sustained beyond 2024.

The bill also aims to reduce the imbalance between TV channels and digital platforms, especially where sports rights are concerned. For example, it proposes

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to extend to subscription-only platforms the existing obligation for subscription-based pay-TV channels to allow free-to-air DTT television services to broadcast certain sports events of major importance. The aim is to allow free terrestrial channels to continue showing sports programmes in an era when the rise in the cost of sports rights effectively means that major events are usually only available on pay-TV platforms. The bill also provides for the creation of a third commercial break during films lasting more than two hours, and an upper limit for advertising revenue for public broadcasters.

The bill also encourages public broadcasters to invest more in high-quality productions suitable for export and to help promote French productions abroad.

Proposition de loi relative à la réforme de l'audiovisuel public et à la souveraineté audiovisuelle, adopté en première lecture par le Sénat le 13 juin 2023.

https://www.senat.fr/leg/tas22-132.html

Public audiovisual reform and audiovisual sovereignty bill, adopted at first reading by the Senate on 13 June 2023.

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