[FR] Publication of addendum to agreement amending media chronology

IRIS 2023-10:1/16

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On 25 September, an addendum to the agreement amending media chronology of 24 January 2022 was adopted, providing for two experiments on the blackout period stipulated in the co-exploitation agreement between free-to-view television channels and subscription-based on-demand audiovisual media services. The Minister of Culture implemented the addendum under a decree of 29 September 2023.

Under the agreement of 24 January 2022, platforms are required to wait 17 months after a film's cinema release before making it available online, and must withdraw access to it when the free-to-view window opens. The first change to be trialled concerns the blackout period stipulated in the co-exploitation agreement and applies to works not produced by a subscription-based on-demand audiovisual media service or its affiliates, or whose production costs are above EUR 5 million. Such works may not be made available by subscription-based on-demand audiovisual media services from the time the relevant window opens until at least one month after they are first broadcast by the free-to-view television service concerned.

The second change concerns works produced by subscription-based on-demand audiovisual media services or their affiliates with a production cost greater than EUR 25 million and that are not prefinanced by a free-to-view television service.

On a trial basis and by way of derogation from the provisions of the media chronology agreement, the co-exploitation agreement makes provision for a two-month continuous blackout period around the first planned broadcast of a work, during which subscription-based on-demand audiovisual media services may not show the work concerned. The dates of the blackout period, which can only be triggered once for each work, are determined by the free-to-view television service concerned and must fall during its exploitation window. The television service must inform the on-demand audiovisual media service of its chosen blackout period at least two months before it starts.

These trials will apply to contracts concluded during the remainder of the term of the media chronology agreement.

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Arrêté du 29 septembre 2023 portant extension de l'avenant du 25 septembre 2023 à l'accord pour le réaménagement de la chronologie des médias du 24 janvier 2022, JO du 6 octobre 2023

https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000048158944

Decree of 29 September 2023 implementing the addendum of 25 September 2023 to the agreement amending media chronology of 24 January 2022, official gazette of 6 October 2023

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