



Press release

Paris – May 26, 2016

On May 24, 2016 the France Télévisions and TF1 groups signed an industry-wide agreement with the professional bodies representing French producers and distributors of audiovisual programmes (SATEV, SEDPA, SPECT, SPFA, SPI and USPA). The agreement relates to the negotiation of distribution mandates for audiovisual works co-produced by broadcasters that count towards their obligations to invest in independent production, as required by Article 6 of Decree no. 2015-483 of April 27, 2015.

This agreement arises from the reforms to the producer/broadcaster relationship on which the French government has been working since 2012, which also led to a new alliance agreement between France Télévisions and the independent producers to encourage creativity (signed on December 10, 2015) and a new partnership between the TF1 group and the producers of audiovisual content to promote creativity in the French broadcasting industry (signed on May 24, 2016).

At a time when the broadcasting sector is undergoing a radical transformation due to rapid changes in technology and in the ways in which the public use media, **this agreement aims to create optimal conditions for the distribution of co-produced independent programmes by establishing a structure for the key mechanism of allocating mandates between producers, co-producer broadcasters and distributors of audiovisual programmes. This will benefit all those involved on the creative side of the broadcasting industry.**

If an executive producer has no distribution capability or master distribution contract, or decides to opt out of distribution in a specific case, the new agreement specifies a “fair, transparent and non-discriminatory” competitive tendering mechanism for the awarding of distribution mandates to the broadcasters’ distribution subsidiaries or to independent producers. It also specifies that this same “fair, transparent and non-discriminatory” mechanism be used for the assignment of secondary rights.

In addition, the agreement lays down the basis on which an executive producer may opt out of using its in-house distribution capacity or a distributor with whom it has a master distribution contract, and the control exercised by the CSA (the French broadcasting industry regulator) over the terms of such an opt-out.

Finally, the agreement establishes effective terms for the exercise of distribution mandates applicable to all distributors of audiovisual content, so as to guarantee the circulation of programmes.

This agreement reflects the signatories’ shared commitment to establishing a fair framework for awarding distribution mandates and to promoting the circulation of programmes, to the mutual benefit of all players involved on the creative side of the French broadcasting industry.

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