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| FRENCH REPUBLIC | | |
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| The Ministry for Culture | | |
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**Decree No of implementing Article 20-7 of Law No 86-1067 of 30 September 1986 on freedom of communication, laying down the trigger thresholds and the time limit for the application of obligations to promote services of general interest**

NOR: MICE2200636D

***Target audience:*** *Regulatory Authority for Audiovisual and Digital Communication, operators mentioned in II of Article 20-7 of Law No 86-1067 of 30 September 1986 on freedom of communication.*

***Subject:*** *fixing the trigger threshold and the time limit for the application of obligations to promote services of general interest.*

***Entry into force******:*** *the text shall enter into force on 1 July 2022.*

***Notice:*** *this Decree fixes the trigger threshold and the time limit for the application of obligations to promote services of general interest to which the operators referred to in Article 20-7(II) of Law No 86-1067 of 30 September 1986 on freedom of communication are subject.*

***References:*** *the Decree can be found on the Légifrance website (*[*https://www.legifrance.gouv.fr*](https://www.legifrance.gouv.fr)*).*

**The Prime Minister,**

Following the report of the Minister for Culture,

Having regard to Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, and in particular Notification No of ;

Having regard to Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive), as amended by Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018;

Having regard to Law No 86-1067 of 30 September 1986, as amended, on freedom of communication, in particular Article 20-7 thereof;

Having regard to Opinion No of the Regulatory Authority for Audiovisual and Digital Communication dated ;

[Having regard to Opinion No of the Regulatory Authority for Electronic Communications, Posts and Press Distribution dated .]

**Hereby decrees:**

**Article 1**

The threshold referred to in Article 20-7(II) of the aforementioned Law of 30 September 1986 shall be fixed in accordance with the rules laid down in Articles 2 and 3.

**Article 2**

I. - For the user interfaces referred to in Article 20-7(I)(1) and (2) of the aforementioned Law of 30 September 1986, the threshold shall be fixed at 150,000 user interfaces marketed or made available in the context of an offer of audiovisual communication services during the last calendar year in France.

II. — For the application of the threshold referred to in I, user interfaces which meet the following three conditions shall be considered to be the same user interface:

— they are installed on equipment of the same category, among those specified in (1) and (2) of I of Article 20-7 of the same law;

— they are installed on common brand equipment;

— they are installed on equipment using the same operating system.

**Article 3**

For the user interfaces referred to in (3) and (4) of I of Article 20-7 of the aforementioned Law of 30 September 1986, the threshold shall be set at 3 million unique visitors per month for each user interface in France.

The threshold referred to in the first subparagraph shall be calculated on the basis of the last calendar year.

**Article 4**

The Regulatory Authority for Audiovisual and Digital Communication shall publish each year by 15 March at the latest the list of user interfaces exceeding the thresholds laid down in Articles 2 and 3.

The operators mentioned in Article 20-7(II) of the aforementioned Law of 30 September 1986 shall have a period of six months from the publication of the list referred to in the first paragraph to comply with the obligation laid down in II of Article 20-7 of the same law.

**Article 5**

For the first application of the provisions of Article 4, the Regulatory Authority for Audiovisual and Digital Communication shall publish the list referred to in the same article before 1 August 2022, and the operators referred to in Article 20-7(II) of the aforementioned Law of 30 September 1986 shall have a period of six months from the publication in the Official Journal of the French Republic of the deliberation of the Regulatory Authority for Audiovisual and Digital Communication in order to comply with the obligation laid down in Article 20-7(II) of the same law.

**Article 6**

This Decree shall enter into force on 1 July 2022.

**Article 7**

The provisions of this Decree shall apply in New Caledonia, French Polynesia, Wallis and Futuna and the French Southern and Antarctic Territories.

**Article 8**

The Minister for Overseas Affairs and the Minister for Culture shall be responsible for the implementation of this Decree, which shall be published in the Official Journal of the French Republic.

Done on

By the Prime Minister:

The Minister for Overseas France,

The Minister for Culture,