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Press release

## PRINT MEDIA DISTRIBUTION

### Arcep launches a public consultation on its proposed contractual requirements for approval by print media distribution companies

9 October 2020

Article 12 of the “Bichet Act” – on updating print media distribution – stipulates<sup>1</sup> that pooled distribution of newspapers and periodicals will be provided by approved print media distribution companies. To be approved, these companies must comply with a set of contractual requirements which are set by decree, and based on an initial proposal from Arcep.

Today, Arcep is publishing its proposed contractual requirements and obligations for print media distribution companies for public consultation. Based on these elements, the Authority will then submit its proposed contractual requirements to the Government, with a view to their adoption by decree.

#### **Central tenet of these proposals: ensuring that readers across the country have access to a diverse and high quality selection of print media, at an affordable price**

During its first dialogue with the sector’s stakeholders, in November 2019, Arcep shared with participants its desire to put readers’ interests at the heart of its actions, to ensure that they have access nationwide to a diverse and high quality selection of print media, at an affordable price. This is the compass that guided Arcep when setting forth the main tenets of its proposals.

- **Nationwide coverage: guaranteeing consistent print media distribution across France**

One of the major issues for print media distribution in the coming years will be to ensure that every point of sale across the whole of France is being supplied, including in the most challenging areas – overseas territories, mountain regions, sparsely populated areas, etc. – at a frequency that aligns with publishers’ strategies.

In particular, Arcep wants to evaluate the opportunity for print media distribution of having distributors that provide regional or subnational coverage and, if appropriate, to assess what characteristics in terms of coverage area they would need to comply with to ensure consistent print media distribution across the whole of France.

- **Supplying points of sale: enabling newsagents to participate in defining the selection of print media publications they sell**

The reformed “Bichet Act” gives newsagents an active role in defining the print media publications they sell at their points of sale. To assert this role, Arcep is proposing a system that would enable a distributor to give newsagents the ability to define which press titles, from among those not registered with France’s Joint Commission for Press Publications and Agencies (CPPAP), they receive and, if applicable, to determine a maximum number of copies to be delivered, in keeping with the agreements that each one has established with their publishers, in accordance with Para. 3 of Article 5 of the Bichet Act.

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<sup>1</sup> <https://www.arcep.fr/fileadmin/cru-1602018390/reprise/textes/lois/loi-2019-1063-distribution-de-la-presse-181019.pdf>

Regarding press titles that are registered with the CPPAP, Arcep takes the view that, as the player situated at the centre of the chain, the distributor is in the best position to guarantee to everyone along the chain that the titles and quantities distributed through its logistics network comply with a set of common rules<sup>2</sup>. It is for this reason that the proposals being submitted for public consultation plan on making this an obligation for distributors, provided they are supplied with the information needed to verify that publishers and newsagents are properly enforcing these rules.

- **Information systems: strengthening and harmonising their operation, to streamline information and improve coordination between the different players**

Distributors' information systems are the tools that enable them to manage a substantial portion of their business and the communication between users (newsagents and publishers) and the distributors themselves, on a daily basis. Arcep wants the sector to provide it with a detailed description of their needs in terms of available information, interfaces, features, etc. It is also calling for sector-specific work to be done on these information systems.

- **Collecting sales proceeds: updating and simplifying the process**

As it already expressed in the opinions it issued in February 2020, on the technical, pricing and contractual terms and conditions applied by companies MLP and Presstalis, Arcep is proposing to have its contractual requirements serve as the basis for updating the process for transferring sales proceeds.

In particular, it wants to obtain feedback on newsagents' possible interest in switching to a billing system based solely on actual sales, instead of the current system which is based, first, on billing for supplied quantities and, second, reimbursement for unsold quantities.

It is also querying stakeholders on how interested newsagents might switch over to a new system.

- **Quality of service: applying data-driven regulation to improve the performance and efficiency of distributors' services**

The quality of the service provided by a distributor is crucial to the satisfaction of those publishers that entrust it with their publications, of the newsagents that sell those publications and the readers who buy them.

Arcep plans on requiring every distributor to measure and publish quality of service indicators on a regular basis. On the one hand, this would encourage distributors to improve their performance and efficiency and, on the other, enable publishers to make an informed choice when selecting their distributor.

This public consultation will be open until 9 November 2020.

### **Associated document:**

- [The public consultation](#)

### **Arcep at a glance**

The Regulatory Authority for Electronic Communications, Postal Affairs and Print Media Distribution (Arcep), a neutral and expert arbitrator with the status of independent administrative authority (IAA), is the architect and guardian of internet, fixed and mobile telecoms and postal networks in France.

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<sup>2</sup> Negotiated by the industry, pursuant to Par. 2 of Article 5 of the Bichet Act or, if applicable, established by Arcep in accordance with Par. 5 of Article 18 of this same Act.

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#### **Press liaison**

Anne-Lise Lucas  
[anne-lise.LUCAS@arcep.fr](mailto:anne-lise.LUCAS@arcep.fr)  
Tel.: 01 40 47 71 37

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