
Press release

PRINT MEDIA DISTRIBUTION

The Conseil d'Etat upholds the temporary measures adopted by Arcep to guarantee continuity in the distribution of general interest and political press publications

Paris, 27 April 2021

In a Decision dated 17 December 2019, the Arcep body responsible for settling disputes, legal proceedings and investigations (RDPI), adopted a temporary six-month freeze on termination notices issued by the company, Presstalis, to ensure continuity in the distribution of daily general interest and political newspapers. Through an application submitted on 7 February 2020 to the Conseil d'Etat, the Marie Claire Group requested that the abovementioned Decision be annulled.

On 21 April 2021, the Conseil d'Etat rejected the appeal that the Marie Claire Group filed against the Arcep Decision.

In particular, the Conseil d'Etat confirmed that the Decision was sufficiently reasoned, in fact and in law, and concluded that the several concealments made for reasons of trade secrecy did not affect the Decision's legality.

Moreover, the Conseil d'Etat concluded that the principle of non-retroactivity of administrative acts does not apply to the contested Decision, as it is accordance with the terms of Article 22 of the Bichet Act which stipulates that the Authority can suspend the cancellation of publishers' contracts with distributors.

Lastly, the Conseil d'Etat found that the Authority had not erred in its application of the provisions of Article 22 of the Bichet Act when deciding to freeze termination notices for a period of six months, given the serious and immediate threat to the continuous distribution of daily general interest and political newspapers.

Arcep welcomes this Decision which validates the analysis it had conducted of the gravity and imminence of the threat to the continuity of daily general interest and political newspapers' distribution.

Associated documents:

- [Conseil d'Etat Decision](#)
- [Decision No. 2019-1868-RDPI](#)
- [Arcep press release of 17 December 2019](#)





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 communications and postal networks in France.

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