



Notification Number: 2015/231/F

Decree defining the characteristics of the mark provided for in the second paragraph of Article 32 of Law No 98-468 of 17 June 1998, as amended, on the prevention and punishment of sexual offences and the protection of minors and designating the administrative authority responsible for the measures provided for in Articles 32 and 33 of the same Law

Date received : 30/04/2015

End of Standstill : 31/07/2015

Message

Message 002

Communication from the Commission - TRIS/(2015) 01295

Directive 98/34/EC

Translation of the message 001

Notification: 2015/0231/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201501295.EN)

1. Structured Information Line

MSG 002 IND 2015 0231 F EN 30-04-2015 F NOTIF

2. Member State

F

3. Department Responsible

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PARIS Cedex 13

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3. Originating Department

Ministère de l'intérieur,
Direction des libertés publiques et des affaires juridiques,
11 rue des saussaies, 75008 Paris.
Courriel : dlpaj-questions-penales@interieur.gouv.fr

4. Notification Number

2015/0231/F - SERV

5. Title

Decree defining the characteristics of the mark provided for in the second paragraph of Article 32 of Law No 98-468 of 17 June 1998, as amended, on the prevention and punishment of sexual offences and the protection of minors and designating the administrative authority responsible for the measures provided for in Articles 32 and 33 of the same Law

6. Products Concerned

Documents stored by means of a process decodable by analogue or digital electronic means (DVD and blu-ray) and documents containing leisure software within the meaning of Article 220 I II of the French General Tax Code (video games) representing a risk for young people due to the prominence of crime or violence, encouraging the use, possession and sale of narcotics, encouraging excessive drinking or inciting discrimination or hatred against a particular person or group of people.

7. Notification Under Another Act

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8. Main Content

This Decree is issued pursuant to Article 32 of the Law of 17 June 1998, as amended by Law No 2015-177 of 16 February 2015. Publishers and distributors responsible for the dissemination in France of documents stored by means of a process decodable by analogue or digital electronic means, and documents containing leisure software stored by means of the same processes, must - if their content presents a risk for young people - ensure that the storage media and each packaging unit for these documents bears a mark intended to restrict their availability to certain categories on the basis of age. This mark shall be awarded by the administrative authority on the basis of an approval application submitted in advance. The draft Decree repeals Decree No 2008-601 of 24 June 2008 and defines the new characteristics of the mark referred to in Article 32 of the Law of 17 June 1998, as amended.

9. Brief Statement of Grounds

Law No 2015-177 of 16 February 2015 on the modernisation and simplification of the law and procedures in the fields of justice and internal affairs amended Article 32 of the above Law of 17 June 1998, stipulating that documents containing leisure software made available to the public on a physical medium incorporating artistic and technological elements and offering one or more users a series of interactions based on a scripted framework or simulated situations represented through visual animations with or without sound (video games), would thereafter have to bear a mark specifying the risk represented by the document by amending Article 32 of the Law. This draft Decree establishes the new characteristics of the mark that must be applied to the documents referred to in paragraph 2 of Article 32 and which must be approved by the administrative authority.



10. Reference Documents - Basic Texts

Reference(s) to basic text(s): - Law No 98-468 of 17 June 1998, as amended, on the prevention and punishment of sexual offences and the protection of minors
- Decree 2008-601 of 24 June 2008 defining the characteristics of the mark provided for in the second paragraph of Article 32 of Law No 98-468 of 17 June 1998 on the prevention and punishment of sexual offences and the protection of minors and designating the administrative authority responsible for the measures provided for under Article 33 of the same Law

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - the draft has no significant impact on international trade.

SPS aspect

No - the draft is neither a sanitary nor a phytosanitary measure.

European Commission

Contact point Directive 98/34

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