[DE] Protection of Minors - Land Body Protests

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Early in February, the Assembly of Land Councils of Private Broadcasters (Landeszentrale für private Rundfunkveranstalter - LPR) in Rheinland-Pfalz brought a formal complaint against the private television channel SAT1. It claimed that an item dealing with a night club, included in a programme shown by SAT1 between 6pm and 6.30pm, had broken the rules on protection of minors. The report featured a woman on display, as a sex object, to large numbers of men at the same time.

Under the regulations on protection of minors contained in Article 3 (2) of the Agreement between the Federal States on Broadcasting, as amended for the third time from 26 August to 11 September 1996, and in Section 32, sub-section 2(1) of the Rheinland-Pfalz Broadcasting Act, as amended by the Act of 17 December 1996, programmes which may be physically, psychologically or emotionally harmful to children or young people may not be broadcast, unless the operator makes sure, by his choice of time or in some other way, that children or young people in the relevant age-groups will not normally see them; he can assume this will be the case between 11pm and 6am.

The LPR found that the programme was calculated to convey confusing ideas of sexuality and as such broke the rules. The community's responsibility for the welfare of growing children and young people imposed certain restrictions on the freedom of television, and this obliged operators to consider carefully how a subject of this kind should be presented and, above all, when it should be shown on public television. The scheduling of this item had violated the basic regulations on protection of minors.

On the basis of Section 32, sub-section 6, in conjunction with sub-section 5, sentences 2 to 5 of the Rheinland-Pfalz Broadcasting Act, the Committee for the Protection of Minors proposed that a formal complaint be made concerning the programme. On the unanimous recommendation of all the Land media authorities in the Federal Republic, the Assembly upheld the complaint, ordered that it be made public in the channel's programme, in accordance with Section 61 (4) of the Act, and imposed a fine of DEM 75,000.

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