[DE] Amendment of Regulation Governing the Federal Constitutional Court Makes Broadcast of Court Proceedings Possible

IRIS 1998-9:1/18

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The German Parliament, after years of heated debate, gave its approval in April to an amendment to the Regulation Governing the Constitutional Court (Bundesverfassungsgerichtsgesetz), which will in future make it possible to view the proceedings of the German Supreme Court on television.

The change in the law will make it possible to make sound and film recordings as well as broadcast them on radio and television. Whereas in the past the Constitutional Court already permitted recordings of the announcement of the operative part of a judgement to be made, now the hearings, the pronouncement of judgement and the declaratory part of the judgement may be broadcast live. Exceptions may be made for the protection of those involved or of third parties and in the interest of the smooth running of the proceedings. The first decision of the Court of which a live, full-length broadcast is to be made is the ruling on the pregnacy aid amending law in Bavaria, which is still expected this year.

The Berlin-based national news broadcaster n-tv may consider this as a breakthrough following its longrunning crusade for a "court-TV" programme. The channel is endeavouring to secure comparable reporting rights from the other German courts. Radio and television recordings for public broadcasting purposes are still forbidden in German courtrooms, with the exception of the Federal Constitutional Court (§ 169, para 2 Bundesverfassungsgerichtsgesetz). The Federal Constitutional Court is expected to decide next year on an appeal lodged in this regard by n-tv.

The amended law came into force on 17 July 1998.

Gesetz zu Änderung des Bundesverfassungsgerichtsgesetzes (BGBl. 1998, S. 1823).

Law amending the Regulation Governing the Federal Constitutional Court (Bundesverfassungsgerichtsgesetz) (BGBl. 1998, S.1823)

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