[CH] Inadmissible Traffic Information

IRIS 1999-6:1/13

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The fact that the automobile associations ACS and TCS were named as partners of the Swiss radio station DRS in connection with traffic information constituted an infringement of the ban on political advertising set out in the Radio and Television Act (Radio- und Fernsehgesetz) as it took place in the run-up to a Swiss vote on traffic issues.

The frequent mention of the two automobile associations as sponsors of traffic information had already been the subject of a complaint about two years previously. On that occasion, the Independent Radio and Television Complaints Authority (Unabhängige Beschwerdeinstanz für Radio und Fernsehen - UBI) had ruled that the naming of the associations was compatible with programming law. It had pointed out in particular that the broadcast had not been made in connection with an actual imminent vote or ballot.

The situation in this case was different, however. The complaint was made during the campaign for the vote on the Bill on financing the infrastructure of public transport (Vorlage zur Finanzierung der Infrastruktur des öffentlichen Verkehrs - FinöV) . Both automobile associations were involved in the committee which was opposing the Bill. The general director of the ACS had even taken part in a controversial discussion programme broadcast on the DRS radio station. Since the facts of this case were different, the UBI upheld the complaint on the grounds that the ban on political advertising had been breached.

Entscheid der Unabhängigen Beschwerdeinstanz für Radio und Fernsehen vom 5. März 1999 (b.376).

Decision of the Independent Radio and Television Complaints Authority (UBI), 5 March 1999 (b.376).

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