[AT] New Regulations for Licence Fee Collection

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By adopting a Rundfunkgebührengesetz (TV and Radio Licence Fee Act) and amending a number of existing regulations, the legislature has brought in a brand new system of regulating the collection of licence fees (and indirectly, therefore, a new system of programme fees, funding for the arts and various regional taxes). The new regulations will enter into force on 1 January 2000.

Of fundamental importance, but also particularly controversial, is the requirement that the company which has recently assumed responsibility for collecting these fees, " Gebühreninkasso Service GmbH" (GIS), may demand the following information from the registration authorities: first name, family name, gender, date of birth and home address of the registered persons, in whatever capacity they are registered (§4.3 of the TV and Radio Licence Fee Act). Supplying the GIS with this information, which is relevant to the collection of licence fees, should make it possible to "include all those obliged to pay without generating huge administrative costs" and to reduce the number of listeners and viewers without a licence.

Other changes include the replacement of the current system, whereby authorisation is required for the use of radio and television sets, with a simple registration scheme. Another measure designed to simplify the administration of licensing is the fact that, from now on, licences will only be required for stationary reception and not for mobile equipment (such as car radios).

In accordance with §5 of the TV and Radio Licence Fee Act, the GIS is based in Vienna. The Austrian Broadcasting Corporation (ORF) holds 50% of the ordinary share capital. The remainder is held by the Federation and other entitled parties subject to the control of the Auditor-General's office. The GIS is non-profitmaking. Its activities are supervised by the Federal Finance Minister, whose instructions must be followed by the GIS management.

An administrative fine of up to Schilling (ATS) 30,000 can be imposed on any radio or television owner who fails to register correctly, provides inaccurate information when questioned by the GIS or refuses to reply despite receiving a warning. In order to give those viewers and listeners without a licence a chance to rectify their situation, they will not be fined for failing to register under their own initiative provided they deliver, at the request of the GIS, the correct information needed to calculate the fee they owe.

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Bundesgesetz, mit dem ein Rundfunkgebührengesetz erlassen wird sowie das Fernmeldegebührengesetz, die Rundfunkverordnung, das Telekommunikationsgesetz, das Rundfunkgesetz und das Kunstförderungsbeitragsgesetz abgeändert werden, Bundesgesetzblatt 1999 I 159 vom 17. August 1999.

Federal Act to pass a TV and Radio Licence Fee Act and amend the Telecommunications Fee Act, the Broadcasting Ordinance, the Telecommunications Act, the Broadcasting Act and the Act on Funding for the Arts, Federal Gazette 1999 I 159, 17 August 1999.

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