[CH] Illegal Sponsorship on the Internet

IRIS 2000-1:1/25

Oliver Sidler
Medialex

A radio broadcaster who distributes, via the Internet, a programme which may not legally be sponsored, but whose Internet broadcast is funded by a third party and mentions the sponsorship arrangement, is in breach of the ban on sponsorship (Article 19.4 of the Radio and Television Act - RTVG). This is the conclusion of the Federal Office of Communication (BAKOM) in a decision addressed to the Swiss Radio and Television Corporation (SRG). Since Spring 1999, a selection of reports from Swiss radio station SR DRS' political analysis programme Echo der Zeit has been made available from around 8 pm on the homepages of the Neue Zürcher Zeitung (NZZ) and of SR DRS. This gives Internet users access to the programme using their own browser. The programme regularly (but not always) mentioned the collaboration between SR DRS and the NZZ. The SRG and NZZ signed a "co-operation agreement" with the Swiss bank UBS which covered the Echo der Zeit/NZZ Online projects and enabled the UBS to be seen, by means of short "trailers", as a partner in the Internet broadcast of the Echo der Zeit programme. In return , the UBS paid money to SR DRS and the NZZ.

The BAKOM believes this sponsorship is illegal on the grounds that even the Internet repeat of a programme such as Echo der Zeit is subject to the ban on sponsorship of political radio and television programmes. The legislator had wanted to eliminate the danger of sponsors influencing programmes of a political nature. Since the reports distributed on the Internet had not been re-edited, sponsorship of the programme on the Internet amounted to financing of the radio programme. Even if the sponsorship money was only paid for the Internet version of the programme, the BAKOM claimed that there remained a risk that the economic relationship between the programme producers and the sponsor might influence the selection, editing and bias of the initial broadcast. The BAKOM's decision was also based on the fact that the SRG constantly drew attention to the link between the radio programme and its Internet version by using the phrase "Echo der Zeit, at 6 pm on DRS 1, 7 pm on DRS 2 and 8 pm on the Internet". The BAKOM thought this proved that the sponsorship by the UBS also covered the radio programme, stating in its decision that the radio programme Echo der Zeit was the object of the sponsorship deal with the UBS, since without the radio broadcast, a sponsored Internet version of the programme would be unthinkable. As far as co-operation between SR DRS and the NZZ was concerned, the BAKOM ruled that this did not constitute sponsorship under the terms of the Radio and Television Act. However, by making regular and exclusive reference to the NZZ homepage, SRG had violated the ban on advertising on SR DRS.

© European Audiovisual Observatory (Council of Europe) 2026

Verfügung des Bundesamtes für Kommunikation vom 29. September 1999 (nicht rechtskräftig).

Order of the Federal Office of Communication, 29 September 1999 (which has no legal force).

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026