[CH] New Radio and Television Act under Discussion

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Oliver Sidler
Medialex

Over 170 organisations of interested groups, parties and cantons have until the end of April 2001 to give their views on a draft of a new Radio- und Fernsehgesetz (Radio and Television Act - RTVG). The draft incorporates the principles of media policy set out in the discussion paper, which the Bundesrat (Swiss Federal Council) published in January 2000 (see IRIS 2000-2: 4).

By channelling responsibilities and available funds (licence fees), to the Schweizerische Radio- und Fernsehgesellschaft (Swiss Radio and Television CorporationSRG), it should be possible to provide a public service offering a common standard of programming to each language region, with comprehensive content, which can be received over a wide geographical area and which is capable of maintaining its position in Switzerland despite international competition. At the same time, opportunities for private broadcasters will be increased. First of all, market access will be opened up and broadcasting licences abolished. Furthermore, private broadcasters will no longer have to meet specific programming requirements and will have greater commercial opportunities, as the advertising regulations are extensively liberalised in line with European standards (eg commercial breaks, teleshopping). Since licences are to be abolished, broadcasters will no longer have to pay a special levy on their advertising income. Finally, broadcasters wishing to offer specialised services will be granted privileged access to broadcasting infrastructures.

In return for its preferential treatment in the distribution of licence fee revenue, the SRG will be subject to stricter advertising and sponsorship regulations than private broadcasters. The Act assigns responsibility for drawing up detailed regulations to the Bundesrat. The regulations are to be implemented by decree rather than by law because the separate regulatory frameworks for the private sector and the SRG each need to be adapted to current public service requirements and market conditions. The Bundesrat has already indicated how it intends to regulate the SRG's commercial activities in its decree. It will maintain restrictions on the amount of advertising on SRG channels, the current regulations on commercial breaks and the ban on radio advertising. In addition, all sponsorship and advertisements for medicine will be prohibited. Finally, teleshopping windows outside spot advertising will be banned on SRG channels. The more flexible nature of regulations made by decree means that the Bundesrat can adapt them to changing conditions as necessary while avoiding the time-

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consuming process of amending the law.

It is expected that, after the results of the consultation process have been analysed, the communication on the new RTVG will be submitted to the Federal Councils for discussion towards the end of 2001. The new Act could then enter into force no earlier than 2004.

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