[CH] Amendment to Radio and Television Ordinance

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On 26 June 2001, the Swiss Bundesrat (Council of Ministers) adopted an amendment to the Radio- und Fernsehverordnung (Radio and Television Ordinance - RTVV), which will enter into force on 1 August 2001.

The definition of advertising is brought into line with the amended Council of Europe Convention on Transfrontier Television, which was adopted by the Swiss parliament in 2000. This means that self-advertising by a broadcaster, ie promotion of its own products and services (merchandising), is subject to advertising regulations (separation of advertising, maximum duration of advertising). References to a broadcaster's own programmes and ancillary products do not qualify as self-advertising. In parallel to the Ordinance amendment, the ban on radio advertising set out in the SRG licence will be changed in order to allow SRG radio stations to advertise some of their own products (eg recordings of radio programmes). This does not in any way broaden the scope for advertising on SRG radio stations, but merely continues the existing situation.

The Bundesrat has also decided to relax the obligation on cable network operators to carry certain channels ("must carry rule"). The operators' choice of channels will only be restricted insofar as is necessary for the SRG to provide a universal service. TV channels that primarily re-broadcast programmes from other channels will be exempt from the "must carry rule". This new provision applies to the SRG's "SF Info" channel, for example, which repeats programmes previously broadcast on other SRG channels.

Another amendment to the RTVV concerns the collection agency, Billag AG, which must now, on application, exempt any person receiving an old-age or invalidity pension and on supplementary benefits from the duty to pay the licence fee. This change corresponds with a decision of the Bundesgericht (Federal Court) of 5 January 2001, stating that the previous rule was unfair and therefore unconstitutional. In addition, nursing home residents with special care needs are explicitly released from their obligation to inform Billag AG that they are able to receive radio or television services.

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