[CH] Satellite Broadcasting of Local Radio Restricted

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The Swiss Bundesrat (Council of Ministers) has rejected complaints by two local radio stations, who wanted to broadcast their programmes unencrypted via the Hotbird3 satellite. The court of first instance (UVEK) granted the applications in principle, on condition that the signals were transmitted in encoded form. Otherwise listeners across central Europe and all over Switzerland would have been able to tune in. This would have been a clear breach of the licences awarded to both local radio stations. Under the UKW-Sendernetzplanung (FM transmitter network system), licences are restricted to a clearly-defined geographical area.

The complainants argued that the high cost of encoding equipment (around CHF 70,000 with 10 aerials) made satellite broadcasting virtually impossible for local radio stations. However, the Bundesrat thought that the so-called three-level model (local/regional, national/language regional and international stations) was decisive. This is a cornerstone of the Radio- und Fernsehgesetz (Radio and Television Act), which would be undermined if local radio stations were to broadcast in unencoded form via satellite. Any amendment to this model would have to be made by the legislature.

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