[DE] Media Regulation Reforms

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After several meetings held in September and October, the Governments of the Bundesländer (Heads of the State and Senate Chancelleries and Minister-Presidents) agreed on the principles of a new regulatory framework for the media, mainly broadcasting, at their conference in Saarbrücken at the end of October.

Whereas a new common standard for the protection of minors is to be laid down for all types of media and enforced by each individual Land (see IRIS 2001-9: 14), the reform of media supervision in general is also under discussion. To this end, the Land Minister-Presidents approved the idea of setting up so-called "central commissions" to deal with the monitoring of content, digital access and media concentration. As organs of the Landesmedienanstalten (Land media authorities), these commissions would be given decision-making powers. It has not yet been decided how they should be set up and whether their members should be appointed or elected, although a possible model is the Kommission zur Ermittlung der Konzentration im Medienbereich (Media Concentrations Commission - KEK), whose members are appointed by the various Land Minister-Presidents. The extent to which the Landesmedienanstalten will be represented within these bodies remains to be determined, along with exactly which tasks will in future be entrusted to their committees, which are composed of representatives of relevant interest groups.

With regard to the protection of minors, the selfregulatory bodies are to be given new powers. These bodies, which were established by law, will now be given responsibility for monitoring broadcasting and other electronic media; the media authorities will then in turn monitor the supervisory activities of the self-regulatory bodies. Media concentration regulations will be amended and incentives offered to operators of regional programme windows on national channels.

It was also agreed that, following the sale of the broadband cable network by Deutsche Telekom AG to foreign investors, developments in this area should be closely monitored; immediate action to protect broadcasting diversity on fully- and partially-digitised cable networks was considered unnecessary. Incidentally, it is currently being discussed whether, by means of an authorisation clause in the Rundfunkstaatsvertrag (Inter-State Broadcasting Agreement), the regional legislators might be empowered, if necessary, to initiate ahead of time the

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transition to digital terrestrial television by the Landesrundfunkanstalten (Land broadcasting authorities), ZDF and Deutschlandradio.

Finally, consideration is being given, in connection with the description of the broadcasting authorities' role, to whether a self-regulation model similar to that used by the BBC might be used by German public broadcasters. A reform of the licence fee rules is also being suggested, whereby individual households or companies would be subject to the fee rather than each individual piece of receiving equipment, as is currently the case.

Beschlüsse der Ministerpräsidentenkonferenz, Oktober 2001

http://www.mpk.saarland.de/medien/inhalt/MPK-beschluesse.pdf

Decisions of the Conference of Minister-Presidents, October 2001

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