# [DE] Broadcasting Agreement Amendments Adopted

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On 20 December 2001, the heads of the German Bundesländer agreed to and signed the proposed amendments contained in the 6th Agreement Amending the Rundfunkstaatsvertrag (Inter-State Agreement on Broadcasting - RStV). Once they have been adopted by the parliaments of the Länder, the revised versions of the RStV, the Rundfunkfinanzierungs-Staatsvertrag (Inter-State Agreement on the Funding of Broadcasting - RFinStV) and the Mediendienste-Staatsvertrag (Inter-State Agreement on Media Services - MDStV) should enter into force on 1 July 2002.

The provisions on media concentration contained in the RStV have been amended. The audience share allowed before providers of national commercial TV are considered to have a dominant opinion-forming power has been reduced from 30% to 25%. However, such providers will be "credited" 2 or 3% if they broadcast regional programme windows or programmes by independent third parties.

Further amendments concern the possibility for ARD, ZDF and DeutschlandRadio, gradually and under appropriate conditions, to replace analogue terrestrial broadcasting with digital services and, by introducing technical safeguards, to exempt themselves from broadcast time restrictions designed to protect minors until the end of 2005.

The new para. 5a of the RFinStV is designed to increase transparency related to the funding of public broadcasters and companies part-owned by them. As soon as the Commission investigating the financial needs of broadcasters publishes its report, the Landtage (state parliaments) will be aware of broadcasters' economic and financial position. If they are subject to the duty of public disclosure, "key data" relating to subsidiaries and companies jointly owned by public broadcasters will also be published.

The MDStV incorporates the provisions relating to media services contained in Directive 2000/31/EC on e-commerce. For example, regulations on the "country of origin" principle are included in relation to such services.

***Sechster Staatsvertrag zur Änderung des Rundfunkstaatsvertrages, des Rundfunkfinanzierungsstaatsvertrages und des Mediendienste-Staatsvertrages (Sechster Rundfunkänderungsstaatsvertrag) vom 20.***

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*Sixth Agreement Amending the Inter-State Agreement on Broadcasting, the Inter-State Agreement on the Funding of Broadcasting and the Inter-State Agreement on Media Services (Sixth Agreement Amending the Inter-State Agreement on Broadcasting) of 20 December 2001*

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