[DE] Bundesrat Accepts Need for TV Directive Revision

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A resolution adopted on 1 March 2002 by the Bundesrat (upper house of parliament), which represents the Bundesländer at federal level, mentions various issues that should be taken into account during the forthcoming revision of the "Television Without Frontiers" Directive.

First of all, the Bundesrat suggests that the Directive should stipulate that its provisions may be transposed in conformity with Community law by means of self-regulatory mechanisms.

With regard to Article 3a, various adjustments are proposed in response to past experiences with the practical enforcement of Member States' lists of events of major importance for society. The Bundesrat calls for mutual recognition of the events included in the various national lists, a definition of what constitutes "a substantial proportion of the public", to whom coverage must be available on free-to-air television, and an explanation of the form such coverage should take. It also believes that the Directive should stipulate that the European Commission should issue formal decisions after verifying the compatibility with EC law of national measures notified by a Member State. This should remove the confusion about whether such decisions may be disputed.

The Bundesrat also suggests that the importance of the principles of unhindered access to information and the free flow of information in the internal market should be clearly emphasised. The proposal that broadcasters should be entitled to present short reports free of charge corresponds with the first of these principles. This could benefit all European-based TV broadcasters wishing, for their own broadcasting purposes, to report on events that are open to the public and of particular interest.

The Bundesrat also suggests that programme quotas should be abolished. As advertising is deregulated, it is particularly important to adhere to qualitative rules.

Entschließung des Bundesrates vom 1. März 2002 zur Revision der Richtlinie 89/552/EWG des Rates vom 3. Oktober 1989 in der Fassung der Änderungsrichtlinie 97/36/EG zur Koordinierung bestimmter Rechts- und Verwaltungsvorschriften der Mitgliedstaaten über die Ausübung der

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Fernsehtätigkeit (Bundesrats-Drucksache BR-Drs. 116/02 (Beschluss)

Bundesrat Resolution of 1 March 2002 on the revision of Directive 97/36/EC amending Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (doc. BR-Drs. 116/02)

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