[AT] Broadcasting Laws Amended

IRIS 2003-8:1/13

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On 20 August 2003, a law was published amending the Privatfernsehgesetz (Private Television Act) and authorising the use of terrestrial digital transmission capacities. logue broadcasting licences to transmit their programmes digitally on a trial basis "in order to test out digital broadcasting techniques". The regulatory body is required to allow the public service broadcaster ORF and private TV companies as defined in the Privatfernsehgesetz to test digital broadcasting techniques and programme-related developments in accordance with available transmission capacities. According to Section 54.3 of the Telekommunikationsgesetz (Telecommunications Act TKG 2003) published on 19 August 2003, which is designed to transpose new EU communications legislation, KommAustria is responsible for allocating broadcasting frequencies (see IRIS 2001-3: 8 and IRIS plus 2002-2: 3). Such permission is to be limited to one year at most, although it may extended by a year on request. Content and advertising on these digital channels are to be regulated in accordance with the ORF-Gesetz (ORF Act) and Privatfernsehgesetz.

In order to promote digital transmission techniques (eg by carrying out academic studies, developing programming and funding the purchase of the necessary terminal equipment), a digitisation fund has been created through an amendment to the KommAustria-Gesetz (KommAustria Act), published within the framework of the law of 20 August 2003 (see IRIS 2003-6: 7). A TV film support fund has also been set up; like the digitisation fund, it will be financed through the licence fee (see IRIS 2003-6: 7).

In June 2003, the ORF-Stiftungsrat (ORF Foundation Committee) approved a licence fee increase. Some of the funds generated by this 8.2% increase will be used to finance the unencrypted digital transmission of ORF 2 via satellite.

Budgetbegleitgesetz 2003, Bundesgesetzblatt Teil I Nr. 71 vom 20. August 2003, S. 1041

Budget Act 2003, Federal Gazette Part I No. 71 of 20 August 2003, p. 1041

Federal Act passing a Telecommunications Act and amending the Federal Act on Communications Supervision and the KommAustria Act, Federal Gazette Part I No. 70 of 19 August 2003, p. 983

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