[DE] First Decisions on EPGs

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In a recently-published decision taken in January 2004 the responsible regulatory body, the Hamburgische Anstalt für neue Medien (Hamburg New Media Authority

- HAM) ruled that the programme guide offered by the magazine HÖRZU was compatible with the requirements of media law. Axel Springer AG was given official clearance under media law for its EPG in accordance with Art. 53.2 and 53.5 of the Rundfunkstaatsvertrag (Inter-State Broadcasting Agreement - RfStV). The electronic programme guide submitted to HAM was deemed to be a navigator in the sense of Art. 53.2 RfStV and Art. 14 of the Satzung über die Zugangsfreiheit zu digitalen Diensten (rules on free access to digital services). It controlled the selection of television programmes and could be used as a generic user interface for all services available via the system. To be legally classified as a navigator, it was irrelevant whether the EPG was integrated as a basic navigator in set-top boxes or if it was installed by users as a multi-channel navigator to aid programme selection. The decisive factor was that the services offered by the navigator were available to all TV service providers under equal, reasonable and non-discriminatory conditions. When first turned on, it offered equal access to public service and private channels. It was also possible to switch programmes on directly and to change between the HÖRZU EPG and direct programme selection. It also supported other navigators and EPGs.

According to a press report, the Gemeinsame Stelle Digitaler Zugang (Joint Digital Access Board - GSDZ) of the Landesmedienanstalten (Land media authorities) has also examined the "receiver programming and programme listing procedure, Raps" and declared it compatible with media law. The corresponding decision was supposed to have been issued by the Bremische Landesmedienanstalt (Bremen Land media authority) at the end of last year.

Siehe Pressemitteilung der Hamburgischen Anstalt für neue Medien

http://www.ham-online.de/details.php?id=27

Press release of the Hamburg New Media Authority

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