[DE] Agreement on the 8th Amendment to the Inter-State Broadcasting Agreement

IRIS 2004-10:1/16

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At their annual conference in October 2004 the prime ministers of the different German Länder "took note" of their approval of the draft 8th Amendment to the Inter-State Broadcasting Agreement, subject to certain conditions.

The key point was the decision concerning the level of the broadcasting licence for the coming licence period. The heads of the Länder governments are of the opinion that a smaller increase in the licence than the one called for by the KEF, the Commission set up to identify the financing needs of the public broadcasting companies, will have to suffice, in view of the clearly very difficult financial situation of all sectors of the population and the untapped potential for further savings.

In addition, there will be no change in the number of TV programmes transmitted by the public broadcasting companies at the level of the Länder. In future, public broadcasters wanting to transmit new satellite programmes will have to accept a corresponding reduction in their current programming. For the first time, a standard must-carry rule with respect to the digital cable network will apply to all nationwide private broadcasters with regional windows. Under the revised Art. 53 communications service providers are banned from using access entitlement systems, APIs, navigators and special payment systems to restrict the freedom of access of providers of broadcast and similar tele-media services or to discriminate against other providers. The use of such systems must be notified to the media authorities of each Land, who then monitor their use.

In the appended minutes some of the Länder asked the public broadcasters to examine whether and to what extent ZDF could be given sole responsibility for the joint programme 3sat (however, this possibility was rejected by Baden-Württemberg however in a further minute). Statements made by the public broadcasting companies on the issue of structural autonomy are appended to the draft inter-state agreement. The 8 Amendment now has to be approved by the parliament of each Land. It is expected to enter into force on 1 April 2005.

Draft 8th Amendement to the Inter-State Broadcasting Agreements

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