[AT] Constitutional Court Allows Bundesliga Short Reporting

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In December 2004, the Austrian *Verfassungsgerichtshof* (Constitutional Court - *VfGH*) decided not to allow a complaint from *ATV-Privatfernseh GmbH* (ATV) to have suspensive effect. As a result, *Österreichische Rundfunk* (the Austrian public service broadcaster - ORF) may continue broadcasting short reports about the Austrian Bundesliga football matches for the time being. ATV had complained about the decision of the *Bundeskommunikationssenat* (Federal Communications Office - *BKS*), to allow ORF to broadcast a 90-second report on each matchday (see IRIS 2005-1: 7), and requested that the effect of the decision be deferred. However, the Court did not grant this request on the grounds that the public interest in the fulfilment of the ORF's legal programming remit, which includes sports reporting, outweighed the disadvantages cited by ATV, which where based on a contract it had signed with pay-TV broadcaster *Premiere* .

Decision of the Federal Communications Office (BKS) of 9 September 2004, GZ 611.003/0023-BKS/2004

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