

# European Commission: Preliminary Conclusion with regard to Financing of ORF

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*Mara Rossini  
Institute for Information Law (IViR), University of Amsterdam*

On the basis of a series of complaints received since 2004, the European Commission has been looking into the degree of transparency and control surrounding the public mission and financing of the Austrian public service broadcaster ORF. Aside from claims alleging insufficiency of transparency and control of ORF's public mission and financing, the scope and public financing of the broadcaster's online activities and sports broadcasts have also been challenged. After reviewing the information presented by both the complainants and the Austrian authorities, The Commission has come to the preliminary conclusion that the definition of the public service remit of the ORF is not precise enough - especially where online activities and sports programmes are concerned - and the fulfillment of the public service tasks is not subject to adequate supervision. In addition to these findings, the Commission observes that no adequate mechanisms seem to be in place to prevent overcompensation and to ensure that ORF carries out its commercial activities in line with market principles.

The Commission has suggested measures that would help bring Austria's state funding of the public service broadcaster into line with EC state aid rules. The Austrian authorities now have the opportunity to propose measures of their own, which may satisfy the Commission's criteria and demands, eventually resulting in the closure of the investigation. Until the Austrian funding scheme has been clarified, the case remains open in much the same way as the cases concerning the Belgian, Irish and Dutch state financing of public service broadcasters.

***"State Aid: Commission requests Austria to clarify financing of public service broadcaster ORF", press release of 31 January 2008, IP/08/130***

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