[DE] Framework for a federal "Act on Information and Communication Services"

IRIS 1996-6:1/6

Mario Heckel
Institute of European Media Law (EMR), Saarbrücken/Brussels

On 02.05.1996 the Minister of Training, Science, Research and Technology, Jürgen Rüttgers, presented the foundations for the legislation on information and communication services. According to these, the Act is to include broader forms of interactive individual communication, various forms of switching between individual and mass communication, and electronic press services. It is intended to lay down outline conditions for the new information and communications technologies, thereby creating optimum conditions for standardised development.

Regulations to liberalise the various media markets, create legal security and protect the citizen are to be incorporated. The field of application of the "Act on Information and Communication Services" will extend to all new information and communications services. Specifically, it will include details of regulations on access to communications services (basis of freedom of access), transparency of offer and price, liability of participants, informational self-determination (protection of users' anonymity), protection of young people (particularly voluntary auto-supervision by suppliers and network operators in on-line services) and security criteria for digital signatures. In order to keep the law open to new technical developments, the inclusion of so-called experimental clauses will be investigated.

This calls for extensive changes in existing legislation, such as the Criminal Code (StGB), the Federal Data Protection Act (BDSG) and the law on the circulation of documents damaging to young people (GjS). By analogy to the Information and Communication Act, amendments and additions to other federal legislation will be investigated and drafted, including amendments to the Civil Code (BGB) on standardisation of electronically-handled transactions and the possibility of registering patents electronically (on-line or on diskette). There are also discussions on the transposition into national law of an EC-Directive on consumer protection in concluding agreements in tele-marketing, which is expected to be adopted later in 1996.

Rechtliche Rahmenbedingungen für neue Informations- und Kommunikationsdienste vom 2. Mai 1996 sowie das Statement hierzu von Bundesminister Jürgen Rüttgers vom 2. Mai 1996.

© European Audiovisual Observatory (Council of Europe) 2026

Outline of legal framework for the new information and communication services, dated 2 May 1996, and the corresponding statement by Federal Minister Jürgen Rüttgers dated 2 May 1996.

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026