[DE] Mediation Committee Agrees on *TKEntschNeuOG*

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The *Vermittlungsausschuss* (Mediation Committee - VA) of the *Bundestag* and *Bundesrat* (lower and upper houses of parliament respectively) has reached an agreement on the *Gesetz zur Neuordnung der Entschädigung von TK-Unternehmen für Dienste im Rahmen der Strafverfolgung* (Act on the reform of compensation for telecommunications companies providing assistance with criminal prosecutions - TKEntschNeuOG).

The *Bundesrat* had convened the VA (see IRIS 2009-2: 11) because it thought some of the fixed amounts laid down in the draft Act to compensate telecommunications companies for surveillance measures were too high. In its recommendation, the VA reached a compromise on the size of the payments. The payments will also be graded more closely in line with the duration of surveillance operations: the full monthly rate for a surveillance measure will not, as previously, be paid for every month that is started, but only when the operation lasts for more than two weeks. Furthermore, a more detailed differentiation between connection types will be carried out: for example, companies will receive more compensation for surveillance of a DSL or ISDN connection than an analogue one.

However, the general reduction of compensation for information about traffic data stored for ID purposes from EUR 30 to EUR 20 was rejected.

Empfehlung des Vermittlungsausschuss von Bundestag und Bundesrat vom 4. März 2009

http://www.bundesrat.de/cln_099/SharedDocs/Auschuesse-Termine-To/va/ergebnis/16wp/04.03.09_20TK-Entsch,templateId=raw,property=publicationFile.pdf/04.pdf

Recommendation of the Mediation Committee of the Bundestag and Bundesrat, 4 March 2009

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