

[AT] New Funds for Private Broadcasting and Commercial Communication Self-Monitoring

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The latest amendment to the *KommAustria-Gesetz* (*KommAustria* Act - KOG) resulted in the creation of three funds, to be managed by the broadcasting regulators *Rundfunk und Telekom Regulierungs-GmbH* (RTR-GmbH) and *KommAustria* .

The *Fonds zur Förderung des privaten Rundfunks* (fund for the promotion of private broadcasting) is available to Austrian private commercial broadcasters and profit-oriented broadcasters that do not fall under Austrian jurisdiction but broadcast specifically to Austrian audiences. It will offer funding of EUR 5,000,000 per year. According to the Act, the money is to be used "to support the Austrian dual broadcasting system and the diversity of private, including local and regional, channels within the Austrian media landscape, and to foster the provision of a varied, high-quality range of programmes".

The *Fonds zur Förderung des nichtkommerziellen Rundfunks* (fund for the promotion of non-commercial broadcasting) was set up "to support non-commercial broadcasting within the Austrian media landscape and to foster the provision of a varied, high-quality range of programmes, which in particular should help to promote Austrian culture, Austrian and European identity, as well as providing information and education to the population". It will offer funding of EUR 1,000,000 per year. The fund can be used to support non-commercial Austrian radio and private television broadcasters as well as non-commercial broadcasters that do not fall under Austrian jurisdiction but broadcast specifically to Austrian audiences. Applicants for funding must not broadcast advertising and must guarantee open access to the public to produce programmes for broadcast on their channels.

In addition, the *Fonds zur Förderung der Selbstkontrolle bei der kommerziellen Kommunikation* (fund for the promotion of self-monitoring of commercial communication) was created to finance self-regulatory bodies for commercial communication in the media. It receives funding of EUR 50,000 per year, which can be claimed by self-regulatory bodies with a broad representation among the relevant professional groups and a sufficient level of transparency in terms of the bases for their decisions, their procedures and the implementation of decisions.

All three funds are financed from the revenue generated by the broadcasting licence fee, which is levied on the use of reception devices together with the programme fee that is used to fund *Österreichische Rundfunk* (Austrian broadcasting corporation - ORF). To allow for the creation of the new funds, the amount set aside for the *Digitalisierungsfonds* (digitisation fund) was reduced from EUR 6,750,000 to EUR 500,000 per year. The Act was made retrospective to 1 January 2009.

Budgetbegleitgesetz 2009 (NR: GP XXIV RV 113 und Zu 113 AB 198 S. 21. BR: AB 8112 S. 771.)

http://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2009_I_52/BGBLA_2009_I_52.pdf

Budgetbegleitgesetz 2009 (2009 Budget Act) (NR: GP XXIV RV 113 and Zu 113 AB 198 p. 21. BR: AB 8112 p. 771.)

