[DE] State Media Authorities and ProSiebenSat.1 Group Settle Dispute over Competition Rules

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The Kommission für Zulassung und Aufsicht (Licensing and Monitoring Commission - ZAK) announced on 24 November 2010 that the TV broadcasters of the ProSiebenSat.1 group and the responsible Landesmedienanstalten (State media authorities - LMA) had settled their dispute over consumer protection in TV competitions and game shows.

The disagreements concerned the competition rules adopted by the Landesmedienanstalten in 2009, which include rules on phone-in competitions designed to protect competition participants, such as a ban on misleading the public and certain transparency obligations (see IRIS 2009-3/12). The ZAK has issued sanctions against several private broadcasters (see IRIS 2009-10/9) and the LMA have instigated legal proceedings on the basis of these rules. The broadcasters defended themselves against these measures.

According to the ZAK, an analysis of the game show sector conducted in the summer showed that the broadcasters were complying with the main provisions of the competition rules. This finding led to the dispute being settled. Under the settlement, the broadcasters concerned have withdrawn their complaints and appeals against sanctions already imposed. Consequently, nine fines totalling EUR 100,000 will now be paid. In addition, the broadcaster 9Live will withdraw its appeal against the decision of the Bayerische Verwaltungsgerichtshof (Bavarian Administrative Court) on the validity of the competition rules (see IRIS 2009-9/13). In return, the LMA have agreed to cancel ten fines and abandon pending procedures in previous cases.

However, the ZAK announced that it would continue to monitor compliance with the competition rules on a regular basis.

Pressemitteilung der ZAK vom 24. November 2010

http://www.alm.de/34.html?&tx_ttnews[tt_news]=621&cHash=412728ead9

ZAK press release of 24 November 2010

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