[DE] ZAK Sees no Legal Basis for Televising Parliament

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The Kommission für Zulassung und Aufsicht (Commission for Licensing and Supervision - ZAK) of the Landesmedienanstalten (regional media authorities) decided on 16 March 2011 that the law does not permit the television broadcasts of the Bundestag proceedings, which have been produced since 1990, in their present form.

The reason why the ZAK has made this ruling is that the programme has been distributed unencrypted via satellite and cable and as a webstream since January 2011. Moreover, the editorial organisation of the programme, which originally consisted to a very large extent of live broadcasts from the chamber and the committees without the use of a commentator, has increased.

In the ZAK's view, the televising of the Bundestag is to be classified as broadcasting within the meaning of section 2(1) of the Rundfunkstaatsvertrag (Inter-State Broadcasting Agreement - RStV) and therefore requires a broadcasting licence. However, the programme provider is a constitutional organ and, as a corporate body subject to public law (section 20a(3) RStV) and in view of the requirement that broadcasting be separate from the State, can accordingly not be given a licence.

The chair of the ZAK conceded that the Bundestag, like all other institutions, must be able to inform the public about its work in a manner in keeping with the times, but there is currently no legal basis for the current way in which parliament is televised.

Pressemitteilung der ZAK vom 16. März 2011

http://www.die-medienanstalten.de/pressecenter/pressemitteilungen/detailansicht/article/zak-pressemitteilung-082011-derzeitige-rechtslage-laesst-parlamentsfernsehen-des-deutschen-bundest.html

ZAK press release of 16 March 2011

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