[DE] ZAK Complains that Programmes Breached Separation Rules

IRIS 2011-8:1/22

Peter Matzneller
Institute of European Media Law (EMR), Saarbrücken/Brussels

On 28 June 2011, the *Kommission für Zulassung und Aufsicht der Medienanstalten* (Licensing and Monitoring Commission of the State Media Authorities - ZAK) complained that several RTL and Sat.1 programmes had infringed the rules on the separation of advertising and programme content set out in Article 7(3) of the *Rundfunkstaatsvertrag* (Inter-State Broadcasting Agreement).

Both TV companies had, in a total of three cases, used so-called move-splits, a form of split-screen advertising in which a particular advertisement appears as part of a scene somewhere on the screen and the camera then zooms in until it fills the whole screen. In both RTL cases, the advertisement was on a poster that was initially in the background of a scene, while Sat.1 used a split-screen advertisement on a television set as the starting point for an advertising spot.

The ZAK began by stating that, although the use of these so-called move-splits was fundamentally lawful as a special form of split-screen advertising, it should be clearly labelled as advertising. Although RTL had already inserted the appropriate label during the scene in both cases, the label had not been sufficiently clear. Sat.1, on the other hand, had not inserted the label until the advertisement had filled the screen.

In all three cases, the ZAK considered that the advertising had not been visually separated from the programme to a sufficient degree, nor adequately labelled, which was why it claimed that the principle of separation between advertising and programme material had been infringed.

Pressemitteilung der ZAK vom 28. Juni 2011

http://www.die-medienanstalten.de/pressecenter/pressemitteilungen/detailansicht/article/zak-pm-132011-medienaufsicht-beanstandet-faelle-von-split-screen-werbung-bei-rtl-und-sat1.html

ZAK press release of 28 June 2011

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026