[AT] Parliament Adopts Audiovisual Media Services and ORF Act Amendments

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On 29 February 2012, the Austrian Nationalrat (national assembly) adopted the long-debated amendments to the Audiovisuelle Mediendienste-Gesetz (Audiovidual Media Services Act - AMG) and ORF-Gesetz (ORF Act - ORF-G).

In the AMG, the licence restrictions for private television companies, which date back to the era when analogue frequencies were in short supply, were relaxed. The provision preventing private media companies from transmitting more than two terrestrial television channels was replaced with a rule limiting media companies to the provision of one radio channel and no more than one-third of the terrestrial TV channels available in a particular region or town. The amendment also enables a person or partnership to own more than one licence for digital terrestrial television as long as no more than three of the supply areas covered by its licences overlap.

One key amendment to the ORF-G concerns the broadcast of certain sports competitions on the specialist sports channel of Österreichische Rundfunk (Austrian public broadcaster - ORF). In order to prevent distortions of competition detrimental to private broadcasters, the ORF sports channel is, in principle, prohibited from broadcasting sports competitions that already receive a high level of coverage in the Austrian media (so-called premium sports competitions). These particularly include the football Bundesliga, the UEFA Champions and Europa Leagues, football World Cup and European Championships, Alpine and Nordic Skiing World Cups and World Championships, the Summer and Winter Olympic Games and Formula 1 races.

In the interests of fringe sports, the amendment adds a new paragraph to the ORF-G, defining which sports competitions do not receive a high level of media coverage. These are defined as sports events, other than those listed above, either held in Austria or in which Austrian individuals or teams compete, for which no private broadcaster has acquired the broadcast rights even though ORF made them available in good time, without discrimination, transparently and under normal market conditions. If ORF can show that these conditions are met, its sports channel may now broadcast such competitions.

Änderungsgesetz zum Audiovisuellen Mediendienste-Gesetz

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http://www.parlament.gv.at/PAKT/VHG/XXIV/I/I_01670/fname_243552.pdf

Act amending the Audiovisual Media Services Act

Änderungsgesetz zum ORF-G

http://www.parlament.gv.at/PAKT/VHG/XXIV/BNR/BNR_00502/fname_245330.pdf

Act amending the ORF-G

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