# [DE] North Rhine-Westphalia Landtag passes new law strengthening public service broadcasting

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At its sitting on 27 January 2016, the Landtag (parliament) of North Rhine-Westphalia passed a new law providing for changes for the public service broadcaster Westdeutscher Rundfunk (WDR). The law provides a new overall plan to strengthen the public service broadcasting system and safeguard the diversity of media reporting.

The law defines the remit of WDR and lays down its institutional structure. For example, the broadcaster is given a clear mandate for the organisation of information and communication services (Telemedien) and Internet content, with the aim of ensuring its future in the digital age. The Rundfunkrat (Broadcasting Council) will in future hold its meetings in public, while the Verwaltungsrat (Board of Directors) is to be developed into a specialised professional body, thus strengthening internal supervision on a pluralistic basis.

The proportion of state representatives on the Broadcasting Council will be reduced from just under 31% to around 22%, exceeds the demands of the Bundesverfassungsgericht (Federal Constitutional Court) in its “ZDF judgment” (judgment of 25 March 2014, Cases 1 BvF 1/11 and 1 BvF 4/11 - see IRIS 2014-5:1/11). The WDR can now cooperate on research with other public service broadcasters and commercial third parties. It is hoped that this cooperation in research will create synergies between the organisations. A further innovation in the law is that above a certain threshold the procurement of programmes from WDR subsidiaries will be subject to scrutiny by the aforementioned specialised body, with the aim of promoting transparency.

A particularly important new provision provides that WDR radio advertising will be reduced to 75 minutes a day from 2017 and to 60 minutes from 2019. With this measure, the Landtag aims to increase public acceptance of public service broadcasting and safeguard media diversity in North Rhine-Westphalia. The statutory reduction of advertising in the case of public service broadcasters is so far unique in this form and could mean further losses to a budget already in deficit. For example, the number of posts to be discarded - the current plan is to cut about 500 by 2020 - could rise further. This new rule was severely criticised by the WDR; the WDR’s director general stated, “This is a short-sighted decision that is only in the interests of publishers and our commercial radio competitors”. However, the Verband Privater Rundfunk und Telemedien (Association of

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Commercial Broadcasters and Audiovisual Services - VPRT) welcomed the decision: the Chairman of the VPRT's Department of Radio and Audio Services stated that "In passing the WDR Act today, the NRW government coalition has taken an important step towards a better balance in the dual broadcasting system and pointed the way forward for other Länder".

### *Gesetz zur Änderung des WDR-Gesetzes und des Landesmediengesetzes Nordrhein-Westfalen (15. Rundfunkänderungsgesetz) vom 2. Februar 2016*

https://recht.nrw.de/lmi/owa/br_vbl_detail_text?anw_nr=6&vd_id=15485&vd_back=N79&sg=0&menu=1

*Act amending the WDR Act and the North Rhine-Westphalia Regional Media Act (15th Amendment to the Broadcasting Act) of 2 February 2016*

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