

[NO] Action against Pornographic Broadcasts

IRIS 1995-2:1/31

*Liv Daae Gabrielsen
Statens Medieforvaltning*

The Mass Media Authority of Norway has taken action against the Swedish film channel FilmMax. The channel, owned by TV1000 Sverige AB, is transmitting films which, according to Norwegian law, are of a pornographic nature and for that reason illegal. According to Norwegian broadcasting law, the Mass Media Authority can ban the distribution by Norwegian cable networks of programmes containing pornography in defiance of Norwegian law. In this particular case, illegal pornographic programmes were transmitted several times every week.

The Mass Media Authority informed the cable and broadcasting companies, of its decision to ban the distribution on the cable networks. The EFTA Surveillance Authority (ESA - established under the European Economic Area Agreement) was informed of the decision in question. From the Mass Media Authority's point of view, Norway may have more restrictive national regulations on this matter than what follows from the EEC Directive on "Television without Frontiers".

FilmMax, the cable networks and its subscribers have appealed to the decision. The Norwegian Ministry of Culture is now handling the case, and ministerial representatives will consult with the ESA before taking their decision. Until the final decision, the Norwegian cable networks may continue the distribution of the programmes of FilmMax.

In the Autumn of 1994, the Swedish film channel TV1000 also broadcasted programmes containing illegal pornography which were distributed by Norwegian cable networks. After being informed by the Mass Media Authority that it would possibly ban the programme of TV1000 from Norwegian cable networks, TV1000 adjusted its programme to the requirements of Norwegian law. (Liv Daae Gabrielsen, Statens Medieforvaltning)

