

(Last updated on 07.04.2017)



Name of Regulatory Authority : **Kommunikationsbehörde Austria (KommAustria)**
Address : *c/o Rundfunk und Telekom Regulierungs-GmbH (RTR-GmbH),
Mariahilfer Straße 77-79, 1060 Wien, Austria*
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Homepage : <http://www.rtr.at/>

Basis for operation

Legal framework : *Bundesgesetz über die Einrichtung einer Kommunikationsbehörde Austria ("KommAustria") und eines Bundeskommunikationssenates (KommAustria-Gesetz - KOG), BGBl. I Nr. 32/2001, idF BGBl. I Nr. 50/2016*
(Federal Act on the establishment of an "Austrian Communications Authority" ("KommAustria") and a Federal Communications Board – see text at <https://www.rtr.at/en/m/KOG>)

General remit : TV radio networks and infrastructures
 others (please specify): *Press Subsidies*

Funding mechanisms ⁱ : licence fee industry fee state budget
 mixed funding (please specify):
*Broadcasting issues are funded by industry fee,
Press subsidies issues are funded by federal budget*
 other (please specify):

Composition

Number of members: 5 Term of office: 6 years Re-election possible:
Proposal of members: *The appointment is preceded by a public invitation for applications. The Federal Government proposes the members after the agreement of the Main Committee of the National Council to the Federal President.*
Appointment of members: *by Federal Chancellor*
Revocation of mandate possible: based on: *KOG, civil servant laws*
Number of staff: *additional Staff is provided by RTR-GmbH (approx. 20 persons for regulatory broadcasting issues)*

Chairman: **Mag. Michael OGRIS**

(if not applicable, please name Director General) New Vice Chairwoman: **Dr. Susanne LACKNER**

Please describe your authority's structure if it doesn't have a board:

The KommAustria consists of five members, i.e. the Chairman, a Deputy Chairman and three additional members.

The KommAustria operates through the General Assembly, through committees or through individual members.

In order to provide administrative support to KommAustria and the Telecom Control Commission (the NRA for telecommunication), a limited-liability company named "Rundfunk und Telekom Regulierungs-GmbH (RTR-GmbH)" is set up. The company has two managing directors, one for the broadcasting and one for the telecommunications sector.

Competences

		national	regional	local
Granting of licences	terrestrial analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	terrestrial digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	satellite analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	satellite digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	cable analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	others(please specify): <i>terrestrial digital multiplex operators</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	in the areas where your authority is not competent to grant licences, please specify the authority in charge: <i>"licences" for the public broadcaster are granted by the law</i>			
	Please add any other relevant information:			
Granting of registrations	terrestrial analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	terrestrial digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	cable digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	others(please specify): <i>communication network and/or service operators as far as broadcasting is relevant (e.g. cable network operators, operators of terrestrial broadcasting infrastructure, ...), on-demand media services</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	in the areas where your authority is not competent to grant registrations, please specify the authority in charge:			
	Please add any other relevant information:			

Frequency allocation

Supervision of private broadcasters
public broadcasters
others:
communication network and/or service operators as far as broadcasting is relevant (e.g. cable network operators, multiplex operators, operators of terrestrial broadcasting infrastructure, ...)

Handling complaints

Sanctioning issue warning impose fine demand to broadcast announcement
 revoke licence suspend licence reduction in the licensing period
 suspend a programme / broadcast
 other (please specify):

Rule making codes rules (please specify):
 other (please specify):

Consultative powers please specify the areas covered:

Power of nomination please specify:
(e.g. chairman of PSB)

Monitoring programming (*only legal supervision*)
 financial performance
 others (please specify):

others Please specify: *granting federal press subsidies*

Please add any information you deem important:

Appeals against decisions of KommAustria can be submitted to the Federal Administrative Court (BVwG), where a panel of judges decides. Further appeals against BVwG decisions may be submitted to the Austrian Administrative Court (VwGH) and the Austrian Constitutional Court (VfGH).

ⁱ By "licence fee" we refer to the public service licence fee usually paid by the entire population, whereas the term "industry fee" implies all those funding mechanisms based on a contribution from broadcasters themselves, including, for example, licensing fees (i.e. an amount of money that is paid by the broadcaster for it to be able to carry out its broadcasting operations) and frequency taxes.