

18/08/2020

SWITZERLAND



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Name of Regulatory Authority Bundesamt für Kommunikation (BAKOM) / Office Fédéral de la Communication (OFCOM) / Ufficio federale delle comunicazioni (UFCOM) / Federal Office of Communications (OFCOM)

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Basis for operation

Legal framework Federal Act of 24 March 2006 on Radio and Television
Telecommunications Act of 30 April 1997

General remit TV radio networks and infrastructures
 Others (please specify) Information Society, Postal Services

Funding mechanisms ⁱ licence fee industry fee state budget
 mixed funding (please specify):
 other (please specify):

Composition

Number of members: Term of office: years Re-election possible:
Proposal of members: *<please describe the procedure>*

Appointment of members: *<please describe the procedure>*

Revocation of mandate possible: based on: *<please state the possible reasons for revocation of the mandate>*

Number of staff: 273

Chairman: **Bernard Maissen** Vice Chairman: **Philippe Horisberger**

Please describe your authority's structure if it does not have a board:

OFCOM Switzerland is part of the Swiss "governmental structure". OFCOM is therefore part of the overarching Federal Department of Environment, Transports, Energy and Communications (DETEC). The office has been founded in 1992. OFCOM's Director General is appointed by the Swiss Federal Council (the Swiss government). In addition, all Vice-Directors are appointed by the Swiss Federal Councillor ("minister") responsible for DETEC.

Competences

		national	regional	local
Granting of licences	terrestrial analogue broadcasters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	terrestrial digital broadcasters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" 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):	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

For main broadcaster SRG SSR, the short term permission granted by OFCOM to broadcast via internet

In the areas where your authority is not competent to grant licences, please specify the authority in charge:

OFCOM is only competent to grant so-called "short term licenses" to broadcasters for a broadcasting period of one month. In general, licenses are granted by the Federal Department of Environment, Transports, Energy and Communications (DETEC). Still, OFCOM being the competence centre for most issues related to broadcasting is preparing the corresponding licensing procedure.

Please add any other relevant information:

In Switzerland, licenses are granted in two cases: 1. The main public service broadcaster SRG SSR has the right to obtain a license by the Federal Council. 2. Regional and local broadcasters who fulfil a legally foreseen public service mandate shall also be granted a license.

Granting of registrations	terrestrial analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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):	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Broadcasting via internet

In the areas where your authority is not competent to grant declarations, please specify the authority in charge:

Please add any other relevant information:

In general all non-licensed Swiss broadcasters are obliged to register themselves to OFCOM.

Frequency allocation

- Supervision of
- | | | | |
|----------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| private broadcasters | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| public broadcasters | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| others | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
- Handling complaints
- Sanctioning
- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> issue warning | <input checked="" type="checkbox"/> impose fine | <input type="checkbox"/> demand to broadcast announcement |
| <input checked="" type="checkbox"/> revoke licence | <input checked="" type="checkbox"/> suspend licence | <input checked="" type="checkbox"/> reduction in the licensing period |
| <input checked="" type="checkbox"/> suspend a programme / broadcast | | |
| <input checked="" type="checkbox"/> other (please specify): Requirement to the broadcaster to remedy deficiency and to take measures that the infringement does not reoccur / Inform OFCOM about measures taken / Surrender to the Swiss Confederation the revenue achieved of the infringement / Make the license subject to conditions or restrictions | | |
- Rule making
- | | |
|---|--|
| <input type="checkbox"/> codes | <input type="checkbox"/> rules (please specify): |
| <input checked="" type="checkbox"/> other (please specify): Guidelines on advertising and sponsorship | |
- Consultative powers please specify the areas covered:
 Various areas. Amongst others, OFCOM is consulted within the Swiss Federal Administration for all media-related political issues (lawmaking, parliamentary requests etc.). OFCOM is preparing broadcasting licensing procedures for the overarching Federal Department of Environment, Transports, Energy and Communications (DETEC). OFCOM is consulted for agreements between the main public broadcaster SRG SSR and the associations of handicapped persons. OFCOM is consulted for environmental issues regarding building projects for radio transmitting antennaes.
- Power of nomination please specify:
 (e.g. chairman of PSB)
- Monitoring
- | |
|---|
| <input checked="" type="checkbox"/> programming |
| <input checked="" type="checkbox"/> financial performance |
| <input checked="" type="checkbox"/> others (please specify): so-called "residual editorial offerings" by main public service broadcaster SRG SSR which means online services and agreement on editorial offerings for foreign countries (TV5, 3Sat and swissinfo) |
- Others Please specify:

Please add any information you deem important:

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.