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Ordinance on Radio and Television (RTVO)

of 9 March 2007 (Status as of 1 January 2022)

The Swiss Federal Council,

based on the Federal Act of 24 March 2006¹ on Radio and Television (RTVA),
ordains:

Title 1 Scope

Art. 1 Programming of minor editorial importance (Art. 1 para. 2 RTVA)

¹ Programming of minor editorial importance is programming which can be received by fewer than 1,000 devices simultaneously in a quality corresponding to the state of the art.

² Programming of minor editorial importance is also programming which:

- a. is restricted to editorially unprocessed, free or charged-for reproduction of the following data in particular:
 - 1. indications of the time and environmental measurement data,
 - 2. still or moving weather and meteorological data,
 - 3. emergency numbers,
 - 4. references to services or events of the public administration,
 - 5. public transport timetables; and
- b.² which otherwise contains neither advertising nor sponsorship with the exception of advertising for own products and services.

AS **2007** 787

¹ SR **784.40**

² Amended by No I of the O of 13 Oct. 2010, in force since 1 Jan. 2011 (AS **2010** 5219).

Title 2 Broadcasting of Programme Services**Chapter 1 General Provisions****Section 1 Obligation to Notify****Art. 2 Obligation to notify**

(Art. 3 let. a RTVA)

¹ Broadcasters subject to the obligation to notify must provide the Federal Office of Communications (OFCOM)³ with the following information in particular:

- a. the name of the programme service and the main features of the programme service content;
- b. the name of the person responsible for editorial matters ;
- c. the domicile or registered office of the broadcaster;
- d. details which enable the public to establish quick and uncomplicated contact with the broadcaster, in particular the e-mail address and the web address;
- e. the nature and area of the technical broadcasting;
- f. the identity as well as the share of capital or voting rights of shareholders and other co-owners possessing at least one third of the capital or voting rights, as well as their holdings of at least one third in other undertakings in the media sector;
- g. the identity of board of directors and management members;
- h. the broadcaster's holdings in other undertakings of at least one third of the capital or voting rights, as well as holdings of these undertakings of at least one third in other undertakings in the media sector;
- i. programme-related cooperation with third parties;
- j. the number of employees;
- k.⁴ the date of recording of the broadcast programme service.

² For the broadcasting of a programme service of a duration of 30 days at most, the obligation to notify is limited to the details in terms of paragraph 1 letters a–e.

³ OFCOM may publish the notified information.

⁴ The Federal Department of the Environment, Transport, Energy and Communications (DETEC)⁵ regulates which changes to notifiable circumstances must be reported to OFCOM and within which period.

³ Term in accordance with No I of the O of 12 March 2010, in force since 1 Apr. 2010 (AS 2010 965). This amendment has been made throughout the text.

⁴ Inserted by No I of the O of 15 June 2012, in force since 1 Aug. 2012 (AS 2012 3667).

⁵ Term in accordance with No I of the O of 12 March 2010, in force since 1 Apr. 2010 (AS 2010 965). This amendment has been made throughout the text.

Art. 3 Correspondence address
(Art. 3 let. a RTVA)

Broadcasters subject to the obligation to notify must designate a correspondence address in Switzerland to which communications, writs and official decisions among other things may be delivered with legal force.

Section 2 Content Principles

Art. 4 Protection of young people
(Art. 5 RTVA)

¹ Broadcasters of freely-receivable television programme services must acoustically announce programmes which are unsuitable for young people or identify them as such by visual means throughout their entire period of transmission.

² Broadcasters of subscription television must enable their subscribers by means of appropriate technical precautions to prevent access by minors to content which is unsuitable for young people.

Art. 5 Minimum quotas for European works and independent productions
(Art. 7 para. 1 RTVA)

¹ Broadcasters of national and regional-language television programme services shall as far as practicable and with appropriate resources ensure that:

- a. at least 50 per cent of the relevant broadcasting time is reserved for Swiss or other European works;
- b. in their programme services at least 10 per cent of the relevant broadcasting time or at least 10 per cent of programme costs are reserved for Swiss or other European works made by independent producers. Appropriate space shall be reserved for works which are not older than five years.

² The relevant broadcasting time referred to in para. 1 does not include the time appointed to news, sports events, games, advertising and teletext services.

³ In their annual report to OFCOM, broadcasters shall report on the extent to which these quotas have been achieved or progress has been made compared with the previous year, the reasons why this is not the case and the measures taken or envisaged to achieve these quotas or to make progress.

⁴ If the information or the measures taken are not adequate to achieve the required quotas, the supervisory authority shall take measures in accordance with Article 89 para. 1 RTVA.

Art. 6 Obligation to promote Swiss films
(Art. 7 para. 2 RTVA)

¹ The obligation to promote Swiss films and films co-produced in Switzerland and other countries applies to all regional-language and national television broadcasters which meet the following criteria:

- a. they broadcast feature films, documentary films or animation films in their Swiss programme services or foreign syndicated programme services;
- b.⁶ their annual operating expenditure exceeds CHF 1 million;
- c. they do not transmit any programme service with low broadcasting activity.⁷

² The broadcasters referred to in paragraph 1 shall report on their film promotion activities in their annual report. The Federal Office of Communications, in consultation with the Federal Office of Culture, decides on the amount of any support fee. All expenditure incurred in the reporting year for the purchase, production or co-production of Swiss films, documentaries or animated films will be allowable.

³ The use of the support fee is based on Article 15 paragraphs 2 and 3 of the Film Act of 14 December 2001⁸.

Art. 7⁹ Adaptation for the disabled of television programmes on SRG SSR channels

(Art. 7 para. 3 and 24 para. 3 RTVA)

¹ The Swiss Broadcasting Corporation (SRG SSR) shall subtitle its contributions for each linguistic region to the following extent:

- a. in its television programme service: three quarters of the entire broadcasting time for editorial programmes;
- b. on the internet: two thirds of the programming that is only offered on the internet.

² It shall ensure that the largest possible number of programmes broadcast in the first television programme services between 18.00 and 22.30 are accessible to the visually impaired.

³ It may achieve the numbers in paragraphs 1 and 2 by gradual expansion.

⁴ SRG SSR must broadcast every day in each official language at least one information programme in sign language.

⁵ At least one third of television programme services that are offered in terms of Article 25 paragraph 4 RTVA in collaboration between SRG SSR and other broadcasters must be subtitled.

⁶ Programming for people with sensory disabilities, and the scope of the other services to be provided by SRG SSR, as well as the schedule for implementation, are fixed in an agreement between SRG SSR and the disabled persons associations concerned. If no agreement is reached or if the existing agreement is terminated without being replaced, DETEC shall fix the services to be provided by SRG SSR.

⁷ Every three years at least, OFCOM shall examine the possibility of increasing the proportion of television programmes adapted for the disabled. If the regulations in

⁶ Amended by No I of the O of 5 Nov. 2014, in force since 1 Jan. 2015 (AS **2014** 3849).

⁷ Amended by No I of the O of 12 March 2010, in force since 1 Apr. 2010 (AS **2010** 965).

⁸ SR **443.1**

⁹ Amended by No I of the O of 29 Aug. 2018, in force since 1 Oct. 2018 (AS **2018** 3209).

force no longer appear to be appropriate, DETEC shall request the Federal Council to amend them.

Art. 8 Adaptation for the disabled by other television broadcasters

(Art. 7 para. 3 and 4 RTVA)¹⁰

¹ Television broadcasters with a national or regional-language programme service which do not broadcast their programme service in cooperation with SRG SSR must provide the visually impaired or hard of hearing with at least one weekly programme adapted for the disabled, during prime time.

² OFCOM exempts broadcasters from the obligation relating to editing to ensure disabled access if their annual operating expenditure is less than CHF 1 million, if their programme service is not suitable for disabled-access editing or if they transmit a programme service with low broadcasting activity.¹¹

³ Licensed regional television broadcasters must provide subtitles for their main information programme, at the latest from its first and in subsequent repeats. In the case of broadcasters that have main information programmes in two languages, the foregoing applies to both languages.¹²

⁴ OFCOM shall fix the maximum amount of the payment for each broadcaster in advance based on the available resources and the anticipated level of the chargeable costs of fulfilling the obligation under paragraph 3. The definitive calculation is made as soon as the broadcaster submits its final account.¹³

Art. 9¹⁴ Broadcasting obligations

(Art. 8 para. 1–3 RTVA)

¹ SRG SSR and all broadcasters with a licence based on Article 38 paragraph 1 letter a or 43 paragraph 1 letter a RTVA must broadcast the following information:

- a. urgent police announcements;
- b. the following announcements in terms of the Civil Protection Ordinance of 11 November 2020¹⁵; ¹⁶
 1. official alarms and related instructions on conduct, as well as the all-clear announcements and the relaxation or lifting of instructions on conduct,
 2. warnings issued by the authorities of natural dangers and earthquake reports of levels 4 and 5 as well as related all-clear announcements,

¹⁰ Amended by No I of the O of 25 May 2016, in force since 1 July 2016 (AS **2016** 2151).

¹¹ Inserted by No I of the O of 12 March 2010 (AS **2010** 965). Amended by No I of the O of 5 Nov. 2014, in force since 1 Jan. 2015 (AS **2014** 3849)

¹² Inserted by No I of the O of 25 May 2016, in force since 1 July 2016 (AS **2016** 2151).

¹³ Inserted by No I of the O of 25 May 2016, in force since 1 July 2016 (AS **2016** 2151).

¹⁴ Amended by Art. 23 Abs. 2 of the Alarm O of 18 Aug. 2010, in force since 1 Jan. 2011 (AS **2010** 5179).

¹⁵ SR **520.12**

¹⁶ Amended by Annex 3 No II 7 of the Civil Protection Ordinance of 11 Nov. 2020, in force since 1 Jan. 2021 (AS **2020** 5087).