

**STRUCTURE. PROMOTE.
RESEARCH. INFORM.**

Bayerische Landeszentrale für neue Medien



Editorial

STRUCTURE. PROMOTE. RESEARCH. INFORM.

These activities comprise the core remit of the BLM, the regulatory authority for commercial broadcasting in Bavaria. On national issues and services, it cooperates with the other 13 regulatory authorities in Germany.

Under the stipulations of the Bavarian Constitution, the BLM acts as a public-service institution licensing and controlling commercial radio and television services for Bavaria and beyond. With its research and development activities, the BLM aims at promoting a technical infrastructure which will warrant the future-proof, secure and sustainable development for commercial broadcasting in the digital world.

The BLM also sees itself as an information platform for all interested parties and aims at optimum transparency in its activities. This brochure is therefore intended to inform the general public about our responsibilities and activities.

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The BLM

The Bayerische Landeszentrale für neue Medien (BLM) is in charge of commercial broadcasting in Bavaria. It licenses, promotes and monitors private radio and television programmes and services.



Legal framework

>> Commercial broadcasting in Bavaria is organised on the basis of the Bavarian Media Law. Unlike all other German states (Länder), the Constitution in Bavaria requires broadcasting services licensed in Bavaria to be organised under public control.

In accordance with this requirement, the BLM was set up on 1 April 1985 as an independent body of public law, exercising responsibility on behalf of the public under the Bavarian Constitution and acting as a public service agent for commercially organised broadcasting services in Bavaria. The tasks of the BLM are laid down in the Bavarian Media Law which affords the BLM independence from state intervention and autonomy regarding programme organisation. The Bavarian Ministry of Sciences, Research and the Arts monitors the activities of the BLM regarding general law while its financial policy is monitored by the Bavarian Supreme Audits Office.

Bodies

Media Council

>> The Media Council acts on behalf of the general public by ensuring a balance of interests, pluralism of opinions and services and by supervising programme services. It deliberates on issues of principal significance for the media. The Media council elects the President and the members of the Administrative Council. It decides on the transmission and retransmission of broadcasting services licensed under the Bavarian Media Law, passes directives regarding programme organisation, approves the annual budget and accounts and decides on the promotion of programmes and technical infrastructure. The 47 members represent all groups of society.

Administrative Council

>> The Administrative Council is in charge of the finances and economics of the BLM. It decides on the annual budget and accounts. The nine members are elected by the Media Council. Two members represent local communities and community associations, two represent commercial broadcasters, while the other five represent the breadth of the industry and society.

President

>> The responsibility for the management and the legal and the extrajudicial representation lies with the President. He is in charge of day-to-day operations of the BLM and acts as its external representative. The President is elected by the Media Council for a term of five years.

Together with the Managing Director as his deputy, he executes the decisions taken by the Media Council and the Administrative Council and issues orders in matters of great urgency. He also takes account of for personnel matters and represents the BLM in public.

Total → 28.9 million €

Staff costs
→ 8.1 million €

TV window programme support
→ 4.2 million €

Investments
→ 1.6 million €

Other operating costs
→ 4.6 million €

Memberships and Furtherances
→ 0.3 million €

Funding

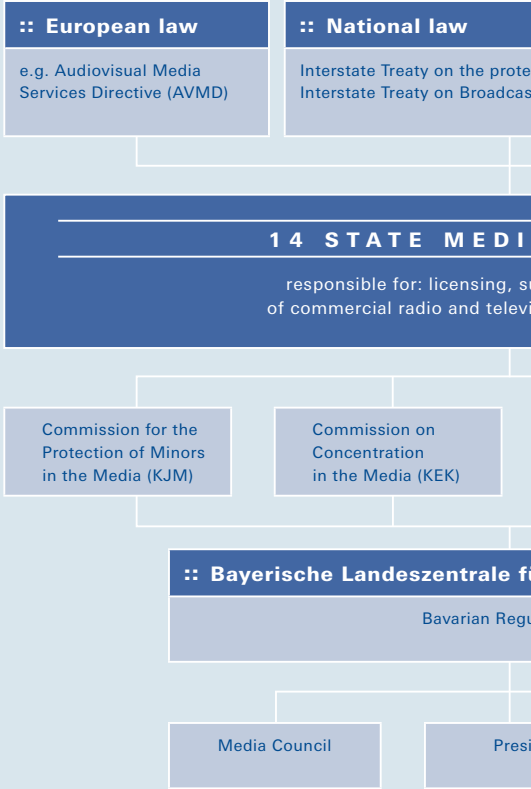
>> Under the German Interstate Broadcasting Treaty, a share of approx. 1.9 per cent of the licence fee income of each state may be devoted to the licensing and regulation of private broadcasting by the respective regulatory authority. The BLM thus receives approx. a 1.9 per cent share of the licence fee income raised in Bavaria.



Budget expenditure in 2011

Programme promotion	→ 1.4 million €
Television production support	→ 1.8 million €
Local TV support	→ 1.0 million €
Media education	→ 0.8 million €
Research	→ 0.9 million €
Public relations	→ 1.3 million €
Technical infrastructure	→ 2.2 million €
Media literacy	→ 0.7 million €

Structure of Media Control in Germany



Protection of minors (JMStV)
Advertising and Telemedia (RStV)

:: Federal law

Bavarian Media Law
(BayMG)

REGULATORY AUTHORITIES

Supervision and development
of radio and television broadcasting in Germany

Conference of
Chairpersons (GVK)

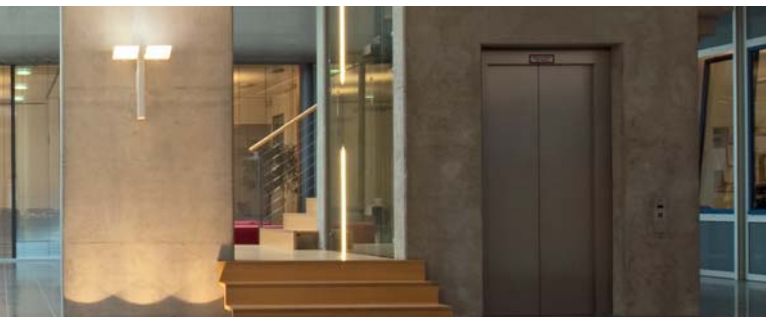
Commission on
Licensing and
Supervision (ZAK)

Regulator for New Media (BLM)

Regulatory Authority

President

Administrative Council



Our responsibilities – an overview

STRUCTURE

- :: **licensing private broadcasters**
- :: **securing plurality**
- :: **programme monitoring**
- :: **applying advertising rules**
- :: **protection of minors**
- :: **technical transmission**
- :: **cable (re)transmission**

PROMOTE

- :: **programmes and services**
- :: **film and television productions**
- :: **training and further education**
- :: **media literacy and media education**
- :: **technical infrastructure**



RESEARCH

- :: media research**
- :: programme research**
- :: media economics**
- :: broadcasting technology**

INFORM

- :: consumer information**
- :: internet**
- :: publications**
- :: events**



STRUCTURE



“Structuring” comprises the issues which impact the broadcasting landscape in a wider sense, e.g. the licensing and development of commercial broadcasting. Furthermore, the BLM supports and enhances technical infrastructures – always with a view to safeguarding the future of the media industry in Bavaria.

Licensing

>> The BLM lays down in which way private broadcasting is organised in the various regions of Bavaria and decides on who may use which frequency or cable channel at which times, or which applicant is allocated a licence. To award a frequency for a local radio or television service, the BLM invites applications by tender.

Under the Interstate Broadcasting Treaty, the BLM can also grant licences for television or radio services which are transmitted all over Germany via satellite. There is a light-touch licensing procedure for IPTV; web-radios give notice of the programme activities.

Securing plurality

>> Radio and television impact the formation of public opinion in a considerable manner. The regulatory authorities for private broadcasting therefore have to ensure that the services licensed are balanced, giving voice to all major strands of opinion, including those of minorities. This requirement was laid down by the Federal Constitutional Court in its rulings on broadcasting and was adopted in the Bavarian Media Law.

Securing plurality not only relates to programme contents, but also to issues of media concentration. If, for example, the BLM intends to allocate transmission capacities, it will assess whether and to what extent applicants for services to be distributed in Bavaria are already involved in the operation of other broadcasting services or in newspaper publishing. For national services, plurality issues are assessed by the KEK, the Commission on concentration in the media.

Programme monitoring

>> The BLM monitors the programmes and services it has licensed to check, among other things, whether the licensees adhere to the programme guidelines, to the regulations for the protection of minors and the advertising rules. Programmes and services must not violate human dignity and must pay respect to the moral, religious and ethical beliefs of all members of the public; furthermore, the institutions of marriage and family must be respected.

For this purpose, the BLM conducts regular random checks. The BLM regularly requires recordings of several days of broadcasting for analysis. Specially-trained staff will analyse the contents aired and will establish the topics covered as well as the programme formats, the relevance of each programme for the area the broadcaster services, the type and content of advertising and the duration of each programme element.

Advertising rules

>> All broadcasters must abide by the rules regulating advertising contents. The regulatory authorities developed joint guidelines based on the stipulations of the Interstate Broadcasting Treaty which apply to all broadcasting services. They include, among other things, rules for the insertion and the amount of advertising in broadcasts, the separation of advertising from other contents, for product placement and for sponsoring.

The Commission on Licensing and Supervision (ZAK) ensures that the relevant rules are applied vis-à-vis all national broadcasters. As regards broadcasts transmitted only locally or in one particular region or state, it is up to the respective authority to check that their licensees properly apply the advertising rules.

Protection of minors

>> The BLM monitors the services it has licensed to ensure that the broadcasters comply with the regulations for the protection of minors. The Interstate Treaty for the protection of human dignity and the protection of minors in the media (JMStV) prohibits any infringement of human dignity, the glorification of war or the transmission of pornographic contents in any television broadcast.

Its stipulations cover broadcasting contents as well as services provided via the internet. Consequently, the BLM is also in charge of online service providers located in Bavaria. Content that could harm the development of children is subject to restrictions in transmission times or to technical access control.

Control over private broadcasting and internet services is concentrated under the roof of the Commission for the protection of minors in the media (KJM). If the KJM finds that the regulations for the protection of minors have been violated, it will decide what measures are to be taken against the provider. The measures will then be executed by the regulatory authority in whose area of responsibility the provider is located. Under the remit specified in this respect for the regulatory authorities in the JMStV, they can impose sanctions ranging up to 500.000 Euros.



Technical transmission

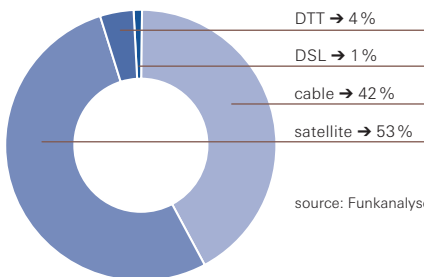
>> The digitisation of broadcasting technology significantly changes the media landscape. Digital transmission replaces analogue bit by bit, with better quality of image and sound, higher capacities and the possibility of interaction. Beyond that, internet and mobile phones modify the behaviour of media users. DVB is the European standard for digital TV via antenna, satellite, cable or mobile devices. With IPTV and Web-TV, WLAN and webradio, the internet is developing into a further important transmission path.

Currently, three per cent of all TV households in Bavaria watch digital terrestrial TV. 52 per cent receive their TV signal via satellite, 44 per cent by cable and one per cent via IPTV. End of April 2012 has been announced by the Landesmedienanstalten in Germany to switch off analogue satellite broadcasts.

(Re)Transmission

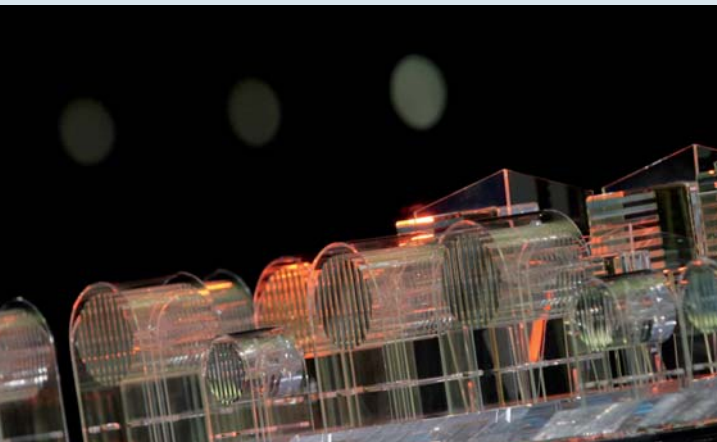
>> Under the Bavarian Media Law, a must-carry provision applies for 16 television services which are provided in the analogue Bavarian cable networks. They comprise services of the public-sector broadcasters as well as national and local commercial services licensed by the BLM. Regarding digital cable capacities, network operators are free to allocate cable capacities according to their decision under the general framework of the media law.

TV reception in Bavaria



source: Funkanalyse Bayern 2010

PROMOTE



“Promoting” relates to programmes or services, measures concerning technical infrastructure, support for training and education and a responsible approach to media consumption.

Programmes and services

>> The Bavarian media law specifies that the BLM contributes to the diversity and quality of commercial broadcasters, inter alia, by promoting the production of certain types of programmes or services or by supporting technical infrastructures. In addition, the BLM is required to further media education and media literacy.

Ensuring the diversity of services not only means a wide range of different services but also a diverse range of broadcasts in each service. To this end, the BLM furthers the production of programmes covering cultural, economic, social or religious issues in commercial services in Bavaria, thereby aiming at the highest-possible amount of own productions.

Private broadcasters in Bavaria may apply for funds for the production of high-quality broadcasts and broadcasting series. Every year, the BLM determines a theme on which the private radio and television stations are expected to give wide coverage in their services.

Local television stations are supported also by the Bavarian budget; Bavarian-wide television stations are supported by the national broadcasters. The BLM organises and distributes the funds for the television programmes.

BLM Local radio and TV awards

>> Journalistic quality in the services of commercial local radio and television stations is honoured by the BLM with radio and television awards which are presented during the Local Broadcasting Conference held in Nuremberg every year. There are also prizes for the best advertising spots in the local radio and television broadcasts.

Film & television productions

>> The BLM contributes to the promotion of film and television productions in Bavaria via a financial contribution in excess of two million Euros as a shareholder of the FilmFernsehFonds Bayern GmbH. It also actively participates in the selection procedures for the promotion of film and television productions.

Training and education

>> The BLM has developed a number of approaches to assist newcomers in the media in enhancing their professional competence. As a key measure for training and further education, it organises workshops and participates in training institutions offering financial or human resources. In addition, it has set up radio services like M 94,5 in Munich and afk max in Nuremberg and the television channel afk.tv for on-air training of new staff.

The workshops organised by the BLM comprise courses for editors, trainees, presenters/announcers and technical staff working in the commercial radio and television stations in Bavaria.

The BLM also cooperates on the board of Medien-Campus Bayern, an institution which was set up to coordinate and interlink all activities offered in Bavaria for the training and further education of people working in the media.

Together with the Bayerische Akademie für Werbung und Marketing, the BLM developed a one-year training course for media marketing. The BLM is a co-founder of the Bayerische Akademie für Fernsehen, which offers full-time and starter courses specifically devised for the demands of the television sector.

Media literacy & media education

>> Enabling people to analyse, evaluate and create media and messages is a key goal of the BLM. Therefore it supports projects geared towards this objective. The projects focussing on media education and media literacy aim at enhancing the competent use of the media by children and adolescents.

One project involves working with minors producing their own radio, television and video broadcasts, e.g. in the project series "In eigener Regie" which is organised by the BLM in cooperation with the Munich-based Institute for media research and media education (JFF). "Stiftung Zuhören", a foundation aiming at teaching proper listening, is just one of the projects in which the BLM is a partner furthering media literacy.

Among other things, the BLM founded the association "Programmberatung für Eltern" which provides assistance for the television consumption of children via Flimmo, a guide published three times a year and updated in its online version every fortnight.

"Forum Medienpädagogik" functions as a stage for dialogue and discourse. The members of the Forum – members of the Media Council and its public-sector counterpart, the BR Broadcasting Council – deal with the contents, methods and parameters of media education as a social obligation.

In 2008, the BLM founded the "Stiftung Medienpädagogik Bayern" in order to interlink and to coordinate the players and institutions that are dedicated to the promotion of media competence in Bavaria. The foundation aims at communicating a self-determined, active and critical media use. It therefore aims at intensifying the interdisciplinary exchange among politics, economy, science, culture and religious denominations.

Infrastructure

>> Digitisation is the driver of the changing media landscape. New technologies allow different media genres such as radio, television, internet and mobile media, to converge and now an extensive range of content to develop.

Under its remit, the BLM also sees to the transmission of radio and television services by supporting technical infrastructures as well as new transmission technologies. To improve and digitise the routes of transmission, the BLM particularly supports the local and regional radio and television stations.

The objective of these activities is a sustainable development and technical infrastructure of the commercial broadcasting sector. A total of 2.2 million Euros is earmarked for the support of technical infrastructure in 2011.

Among other things, the BLM contributes to the funding of the infrastructure of the local radio broadcasters via VHF and DAB. Regarding TV, the BLM provides funds for the Bavarian broadcasters transmitting their programmes via DTT, DVB-S and the trial of live-streaming over the internet protocol.



RESEARCH



Dedicated media research helps to obtain data on the options and the deficits in the development of commercial broadcasting in Bavaria. To this end, the BLM commissions research into the audience reach of radio or television services, the use of the available advertising funds or the possibilities to enhance programmes and services.

Audience research

>> The annual research project Funkanalyse Bayern (FA) establishes data on the audience reach of all radio and television stations as well as on internet use.

The BLM has also joined the national media research organization AG.MA as a member to represent the interests of Bavarian local broadcasters in the association. The data collated under the regular MA research panels conducted by AG.MA allow the BLM to compare the advertising revenues raised by the Bavarian local radio stations overall and the Bavarian-wide and the national services on air. The BLM also contracts selected data raised by the Nuremberg market research group, GfK, via the national television research association AGF and Nielsen Netratings to assess programme issues and other questions.

Programme research

>> The annual FA survey also includes an analysis of the views and wishes of viewers and listeners. Secondary assessments provide the stations with data for programme analysis and programme planning. Apart from programme contents, the analysis also covers the effects broadcasts could have on consumers. Priority is given to the aspect of media education; as an example, investigations centre on the effect which cartoons could have on children, or the competent use of the internet by minors.

Daily media use 2010

[monday to sunday from 14 years]				
	radio*	television	internet	daily newspapers
media penetration	76.7 %	74.5 %	69.4 %	44.3 %
daily media use	186 min.	242 min.	77 min.	23 min.

* from 10 years; sources: MA 2010 Radio II, GfK, ARD/ZDF-Onlinestudie, ARD/ZDF-Langzeitstudie Massenkommunikation 2010

Media economics

>> The analysis of media economics helps to refine and to further the concepts developed by the BLM for commercial radio and television in Bavaria. For this purpose, the economic situation of the local radio and television broadcasters is analysed in a continual process.

Another measure in this respect is the study on the staffing and economics of broadcasting in Germany which the BLM coordinates. The study "Beschäftigte und wirtschaftliche Lage" pointed out that the Bavarian labour market was stable overall, despite downsizing tendencies in economically difficult times. The turnover of commercial broadcasters developed in a positive way: Launched in 1995, the private radio stations in Bavaria generated profits. Although it experiences a phase of consolidation, Bavaria and especially Munich remain among being the most important European centres of the media industry.

Broadcasting technology

>> Technical research and development of the BLM currently centres on the digitisation of broadcast technologies. For current and future broadcasting supply, the BLM initiates and conducts a broad range of measures and projects in the field of technical research and development. For the purpose of optimising transmission networks, the BLM carries out continual and systematic monitoring (measuring, analysis, assessment). In this way, reception of commercial broadcasts can be increased and improved.

With all these research and development activities, the BLM aims at developing a technical infrastructure suited for the future which will ensure the secure and sustainable development of commercial broadcasting in the digitised world.

INFORM



As one of its core activities, the BLM ensures transparency in and on the broadcasting industry and informs about developments in the media sector.

Consumer information

>> The BLM sees itself as an information platform for various interested parties and therefore aims at making its work transparent. For media users, the BLM has set up a “public hotline” – its link with the world.

Internet

>> A click on the BLM’s website www.blm.de will provide all key data. The website offers information on questions which are interesting for the wider public as well as on more specific issues.

Publications

>> The BLM offers various publications. In its own series of publications, the BLM regularly presents studies and surveys on issues such as programme research, media economics, media policy, media legislation and media literacy. Experts and the interested public are offered information in the quarterly magazine “tendenz” which dedicates each issue to a specific topic. “Wellenspiegel” is a guide containing all relevant data on the transmission of commercial radio and television in Bavaria as well as on the status quo and the development of technical infrastructure.

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Events

>> The annual Munich Media Days Conference, which is organised by a subsidiary of the BLM and supported by the BLM and the Bavarian federal state government, addresses all types of media and all issues of relevance to the industry. In its congress which forms part of the Conference, the BLM organises panels on issues concerning radio and television and hosts its own stand at the congress trade fair.

Experts and insiders are addressed with the events organised under the heading BLM Forum; it deals with all topics of relevance – be it media politics, advertising, programming or media literacy. Another annual event hosted by the BLM are the Media Talks which take place in Augsburg. This event aims at the general public and always meets with wide interest.

Since 1993, local radio people from all over Germany and other countries have been meeting once a year at the Nuremberg Local Broadcasting Conference. It provides a platform for the discussion of the latest developments in local broadcasting and an exhibition.

Events | Tanja Nagel
events@blm.de | +49 [0]89 63808-324



Radio and television in Bavaria



Commercial broadcasting means diversity. Looking at the media landscapes of the German Länder, Bavaria features a variety of local, Bavarian- and nationwide radio and television services, offering original news, sports and information on cultural events from their own surroundings. Bavaria holds top rank among the centres of the German media industry.

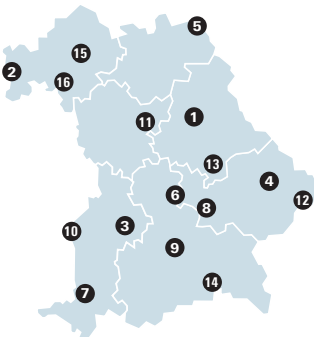
Television services in Bavaria

>> Since the introduction of commercial broadcasting, the local, regional and Bavarian-wide television services have offered a great diversity in the media landscape. Therefore Bavaria's citizens can choose from a wide range of television channels.

In 2010, there were 147 nationwide Free-TV, Pay-TV and teleshopping channels on air. The BLM licensed 37 of them. More than 50 services are based in Munich or operate their programme production and/or transmission facilities in the capital city of Bavaria. Measured by the total number of staff of all German commercial TV broadcasters, Bavarian television stations employ approximately one third (2008: 5.734 employees).

Currently, local television services are produced in 16 cities throughout Bavaria, transmitting their signals free-to-air via cable and digital terrestrial television. In the national services of RTL and Sat.1, a Bavarian local or regional "window" is broadcast daily through-out Bavaria. Under its local TV concept, the BLM started a pilot project to enhance audience reach and the marketing potential for the local TV broadcasters via transmission over digital satellite (DVB-S).

Local TV services in Bavaria



- | | |
|-----------------|----------------|
| 1 Amberg | 13 Regensburg |
| 2 Aschaffenburg | 14 Rosenheim |
| 3 Augsburg | 15 Schweinfurt |
| 4 Deggendorf | 16 Würzburg |
| 5 Hof | |
| 6 Ingolstadt | |
| 7 Kempten | |
| 8 Landshut | |
| 9 München | |
| 10 Neu-Ulm/Ulm | |
| 11 Nürnberg | |
| 12 Passau | |

Radio services in Bavaria

>> To reach all Bavarian regions, 64 radio services are on air. Some 250 VHF frequencies operate between Aschaffenburg and Berchtesgaden, providing more than twelve million listeners in Bavaria – equivalent to 97 per cent of the population – with a local radio service. According to the latest research of the Funkanalyse, approx. three million listeners switch on local radio every day. This is equivalent to one third of the Bavarian population aged 14 years or over.

Local radio in Bavaria started in the mid-eighties and in 1988 was complemented by the Bavarian-wide service of Antenne Bayern, which is distributed via 38 transmitters set up all over Bavaria. This station, too, quickly reached enormous popularity among listeners and now attracts an audience of approx. three million every day.

The BLM initiated the non-commercial training channels for radio afk M94.5 in Munich and afk max in Nuremberg. Moreover, the BLM established the radio chain Radio Galaxy and the channel egoFM for a young audience.

A further radio service located in Bavaria is Klassik Radio. Like egoFM, it is delivered by satellite and by cable all over Germany. In some cities of Bavaria, terrestrial frequencies have also been allocated to them.

Digital Audio Broadcasting (DAB) in Bavaria started in 1995 as a pilot project and has been in regular operation since 1999. It offers higher fidelity, greater noise immunity, mobile and multimedia services. Currently, the range of DAB services includes 16 licensed radio channels. More than 90 per cent of the Bavarian population can receive local or regional DAB services.

Bavaria – media industry hub

>> Despite economical crises, Bavaria remains being a well-established and sustainable location for the media industry. The entire panorama of media and communication industries is located in Bavaria: More than 4,000 companies can be found in the Greater Munich area, including the media group ProSieben-Sat.1 Media AG, the Tele München group, the pay-TV platform Sky, the cable network operator Kabel Deutschland and the satellite service operator SES Astra. Beyond that, the headquarter of Germany's most successful commercial radio service, Antenne Bayern, is also situated here.

As a consequence, no other city in Germany provides as many jobs in the media and communications sectors as Munich. As the following facts and figures detail, Bavaria is also Germany's leader in audiovisual media and film production: Bavaria's broadcasting industry employs some 7,300 people; approx. 40 per cent of the employees in commercial TV stations and 26 per cent of the employees in commercial radio stations work in Bavaria, more than one third of Germany's TV channels have their headquarters here and Bavaria is home to some 2,000 film production companies.



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