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COMMUNICATIONS OUTLOOK 1999

BROADCASTING: Regulatory Issues

Country: Denmark

Date completed: 1 June 1998

The attached questionnaire was undertaken in preparation for the biennial OECD Communications Outlook. The responses provided by Member countries on broadcasting regulation were used to provide information supporting the analytical sections published in association with data. A similar questionnaire with responses on telecommunication regulation is also available. In some cases, data for individual firms, used to compile OECD totals, have not been published at the request of the respondent. For further information, including data, see **OECD Communications Outlook 1999** and <http://www.oecd.org/dsti/sti/it/index.htm>

Broadcasting market status (Questions 1- 3)

1. Please provide details of the broadcasting and cable television infrastructure provision in your country.

Infrastructure provision for following service	Number of licensed operators (1998)	Number of privately owned companies ¹	Number of public service organisations ²
Terrestrial TV (National coverage ³)			2
Terrestrial TV (Local coverage ⁴ only)	approx. 50		8 (regional)
Terrestrial radio (National coverage)			1
Terrestrial radio (Local coverage only)	approx. 300		
Cable television service ⁵	Liberalised		
Analogue direct broadcast satellite (DBS) service	None		
Digital DBS service	None		

2. Please provide details for the major public / private terrestrial TV broadcasting companies in your country. They include state and privately owned organisations providing broadcasting services with national coverage.

Name of public terrestrial TV broadcasting companies	Ownership Status (1998) (e.g. state-run / state owned / privately owned)	Do they own transmissions infrastructures? If not, please indicate the name of company which provide transmission infrastructures.
Danmarks Radio	State owned	Tele Danmark A/S
TV 2	State owned	Tele Danmark A/S

¹ Defined as private sector companies holding one or more licences for service provision.

² Including state-owned corporations or institutions holding one or more licences for service provision.

³ A service with national coverage is defined as a service by a group of television or radio stations distributing a majority of the same programming, that are licensed on a national or regional basis but collectively provide nation-wide coverage. Affiliating companies of the nation-wide broadcast network are included in this category. If new operators have been licensed to provide national coverage in the last three years but are at the stage of rolling out networks please include these operators in the total.

⁴ A service with local coverage is defined as a service by a group of television or radio stations that are licensed on a national or regional basis but distribute the programming in the local area only. If new operators have been licensed to provide local coverage in the last three years but are at the stage of rolling out networks please include these operators in the total.

⁵ Please indicate if more than one organisation is permitted to own and operate cable television infrastructure in the same area.

3. What was the price of cable television service for a subscriber in the largest city of your country on 1st January 1998? Basic service corresponds to the least expensive option to a customer and premium service the most expensive option. (Local currency, current prices)

Cable Television services	Basic service			Premium service	
	Connection	Monthly subscription fees	Number of cable channels included in the basic option (excluding free services)	Monthly subscription fees	Number of cable channels included in the premium option (excluding free services)
(Please indicate the name of operator) Tele Danmark	DKK 595.00	DKK 50.00	10+ radio	DKK 110.00	30+ radio
(National average, if available)	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

Broadcasting Regulatory Framework (Questions 4 - 9)

4. Which organisation(s) administer the following services (carriage and content) in your country and what are their main responsibilities? Please mention agencies dealing with spectrum allocation and management, and providing licences.

<p>Please provide details:</p> <p>a. Terrestrial broadcasting service</p> <p>Carriage: Tele Danmark Content: Danmarks Radio; TV 2</p> <p>b. Cable Television service</p> <p>Carriage: liberalised Content: 4 privately owned cable TV stations</p> <p style="text-align: center;">c. Direct broadcast satellite (DBS) service</p> <p>None</p>
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5. Please provide a description of significant recent policy changes affecting the provision of broadcasting services, as well as any draft laws, or regulatory proposals to be implemented in 1998.

Please provide details:

* Television rights to important events may not be utilised in such a way that a significant proportion of the population are unable to watch the event

* Rules against television piracy for commercial purposes have been introduced

6. How is broadcasting defined in your country's regulatory framework? In addition, please specify public service obligations stipulated in broadcasting regulations.

Definition of broadcasting:

Not defined

Public service obligations:

Programmes shall include news, information, entertainment and art. Special attention should be given to freedom of speech and information, as well as quality and pluralism.

7. Are there must-carry rules? For example, are cable television or satellite operators required by regulation to provide capacity for certain services? If yes, please elaborate on the reasons.

Please provide details:

Owners of cable systems are obliged to ensure that programmes from Danmarks Radio and TV 2 are distributed. If a cable system has more than 8 channels, one must be made available for local TV programmes. The rule is primarily established to ensure that everybody can receive public service TV and local TV.

8. Are there any local content requirements for broadcasters and cable television operators in your country in terms of the level of domestically produced content which must be broadcast, the amount of turn-over which must be allocated to domestic production or other criteria? Yes/No

	If Yes, please provide local content specification and where applies.
Terrestrial Television service	Minimum of 1 hour per day of locally produced news and current affairs programmes or other programmes based on the local community.
Cable Television service	Same
DBS service	Not utilised

9. Are there any limitations on share ratio, number of stations, or other ownership restrictions on entities investing in service providers of terrestrial broadcasting, cable television and satellite broadcasting in your country? Please refer to each service individually, if they have separate restrictions.

If yes, please provide details:

For local TV stations the following applies:

- * a majority of board members must reside within the area
- * sole object of the company shall be to provide TV broadcasting services
- * no commercial undertakings (apart from newspapers) may have decisive influence
- * the same individual may not be a member of the board of more than one local station

Cross-ownership and cross sector provision (Questions 10 - 14)

10. Are there any restrictions on terrestrial broadcasting companies from directly providing the cable television infrastructures and services in your country? On the other hand, are there any restrictions on cable television operators from directly providing the terrestrial broadcasting companies in your country?

If yes, please provide details:

Only in relation to local TV(see question 9)

- a. Restrictions on terrestrial broadcasting companies providing the cable television infrastructures
- b. Restrictions on terrestrial broadcasting companies providing the cable television services
- c. Restrictions on cable television operators providing the terrestrial broadcasting

11. Please specify any restrictions on cable television operators and terrestrial broadcasting companies investing (including merging and acquiring shares) in companies that provide other infrastructures or services.

Please provide details:

None

- a. Restrictions on cable television operators investing in telecommunications operators
- b. Restrictions on cable television operators investing in terrestrial broadcasting companies
- c. Restrictions on terrestrial broadcasting companies investing in telecommunications operators
- d. Restrictions on terrestrial broadcasting companies investing in cable television operators

12. Are there any restrictions or limitations on foreign investment regarding services of terrestrial broadcasting , cable television and satellite broadcasting in your country? Please refer to each service individually, if they have separate restrictions.

Yes/No

If yes, please provide details:

No

13. Are there any regulations restricting cross media ownership (e.g. broadcast television, radio, newspapers) for infrastructure and services in the same geographical market.
Yes/No

If yes please provide details:

No

14. **What kind of methods are adopted by regulatory authorities in order to measure market shares in broadcasting market? If the measure used is “audience rates”, please describe the methodology used.**

Description of market share measurement
The Ministry of Culture does not measure market shares.
Please provide methodology for measuring audience rates.

Convergence (Questions 15 - 18)

15. **Under the communication regulation existing in your country how would services provided over the Internet, which some have likened to broadcasting services (e.g. audio and video services transmitted over the Internet) be defined and treated?**

Please provide details:
Services via Internet are defined and treated as telecommunications.

16. **Would a video on demand service be treated differently in terms of regulations, by the transmission methods (for example, PSTN, cable or satellite)?**

Please provide details:
It depends on the audience. If the video on demand service can be seen by other viewers, it is regulated as broadcasting. If it can be seen only by the viewer requesting the service, it is regulated as telecommunications. Thus, the transmission method is of no particular importance.

17. **Under the communication regulation existing in your country how would conditional access services, such as in digital DBS services, be treated?**

Please provide details:
As broadcasting

18. Please detail plans for digital broadcasting and cable television services.

	Number of Licences to be granted	Expected Number of New Channel Capacity	Expected Date of Service Commencement
Terrestrial TV service	Not decided yet	do.	do.
Terrestrial Radio service	Not decided yet	do.	do.
Direct Broadcast Satellite service	Not available	N/A	ongoing
Cable Television service	N/A	N/A	ongoing
Additional information and comments			