

Audit of the supervision of private radio and television broadcasters

Federal Office of Communications

Key facts

The Federal Office of Communications (OFCOM) is responsible for the financial and licensing supervision of private radio and television broadcasters with a licence. Most licensed broadcasters receive a share of the radio and television fee in order to fulfil the performance mandate set out in their licences. Since 2019, a total of around CHF 81 million has been paid out annually to private broadcasters. In addition, the private broadcasters received further subsidies of around CHF 7 million in 2022. Financial supervision is intended to ensure that the fee and other subsidies are used economically and in line with their intended purpose.

The aim of the Swiss Federal Audit Office (SFAO) in this audit was to assess whether OFCOM's supervision of private radio and television broadcasters is efficient and effective.

The results showed that OFCOM can improve its financial supervision of private broadcasters. There is a particular need for improvement in the standardisation of the supervisory principles and instruments. The strained resource situation and the unclear division of responsibilities in the Media Division, which is responsible for supervision, have also had a negative impact on the quality of supervision in recent years. There are plans to reorganise this division in 2024 in order to proactively address the identified weaknesses and challenges.

A comprehensive and standardised basis is required for efficient and effective financial supervision

Although the SFAO found that OFCOM has the necessary basis for exercising supervision, there is room for improvement. In particular, active risk management and a complete financial supervision and audit concept for private broadcasters are lacking. This concept should be regularly supplemented and updated as part of a continuous improvement process.

There is also a need for action regarding the monitoring of recommendations. The SFAO recommended that OFCOM strengthen this accordingly in order to increase the impact of its supervision.

Financial supervision tasks need to be reallocated

The situation in the Media Division has been marked by a certain amount of unrest in recent years. This has led, for example, to the Finances Media section (FM), which is responsible for financial supervision, never being able to fully utilise its approved FTEs for the tasks they were intended for.

OFCOM has recognised the problem and is currently working to reorganise the Media Division. The reorganisation will come into effect in 2024. This will bring changes to the FM section in particular. The SFAO recommended that OFCOM also redefine the employees'

responsibilities in a binding manner as part of the reorganisation. In addition, the SFAO recommended that the independence and impartiality of the employees responsible for supervision must be declared on a regular basis.

A binding sanctions practice must be implemented for the future

Since 2020, the licence requirements for private broadcasters have also included minimum quantitative requirements for regional information. OFCOM launched supervisory procedures against broadcasters that did not fulfil the minimum requirements. The procedures were concluded in 2021 without financial penalties because these minimum requirements were applied for the first time.

The SFAO recommended that OFCOM define and implement a standardised and binding sanctions practice. This must fulfil the requirements of the Radio and Television Act and the Subsidies Act.

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