

COMMUNICATIONS REPORT

2024



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Table of contents

communications report

2024

Preface	10
01 RTR and the regulatory authorities	14
1.1 Our company: we stand for competition and media diversity	14
1.1.1 RTR annual review	15
1.1.2 Equality at RTR	18
1.1.3 RTR's financial statements for 2024	19
1.2 National regulatory authorities KommAustria, TTK and PCK	24
02 Activities of KommAustria	28
2.1 Access to media markets	28
2.1.1 Approvals and notifications relating to multiplexes	28
2.1.2 Approvals and notifications relating to radio	29
2.1.3 Approvals and notifications relating to audiovisual media services	33
2.1.4 Approvals and notifications of new ORF services	34
2.1.5 Notification of video sharing platforms	35
2.2 Legal supervision	35
2.2.1 General supervision	35
2.2.2 Commercial communications	35
2.2.3 Programming principles	36
2.2.4 Conciliation procedures in media	37
2.2.5 Purpose of business, public mandate and bodies	37
2.2.6 Supervision of business activities	37
2.2.7 Market research	38
2.2.8 Promotion of accessibility	38
2.2.9 Promotion of European works	38
2.2.10 Specific supervision of VSP providers	39
2.3 Market regulation	39
2.3.1 Public communications networks and services	39
2.3.2 Ex ante regulation under TKG 2021	39
2.3.3 Merger procedures	40
2.4 Supervision of intermediary services	40
2.5 Act on Transparency in Media Cooperation and Funding	41
2.6 Act Addressing Terrorist Content	42
2.7 Administration and coordination of broadcasting frequencies	43
2.7.1 Licensing and assignment procedures	43
2.7.2 Spectrum negotiations and coordination procedures	45
2.7.3 Measurement projects	46
2.7.4 Frequency register	46
2.7.5 Contributions to working groups under international organisations	47

2.8	International activities	48
2.8.1	KommAustria and ERGA	48
2.8.2	KommAustria and EPRA	49
2.8.3	KommAustria and cooperation with consumer authorities	50
2.8.4	Sanctions	50
2.9	Grants	50
2.9.1	Press subsidies	51
2.9.2	Promotion of quality journalism	52
2.9.3	Journalism subsidies – promotion of print periodicals	54
2.9.4	Promotion of self-regulation bodies for print and online media	55
2.9.5	Funding for self-regulation of commercial communication	56
03	KommAustria Reports	60
3.1	2024 Youth Protection Report	60
3.1.1	Introduction	60
3.1.2	Legal framework for co- and self-regulation in relation to the protection of minors in Austria	60
3.1.3	Association for the Protection of Minors through Self-Regulation of Audiovisual Media Products and Services	63
3.1.4	Conduct guidelines	65
3.1.5	Youth protection at the ORF	68
3.1.6	Complaints and sanctioning procedures (rules of procedure)	69
3.1.7	Recognition of the conduct guidelines and rules of procedure	70
3.1.8	Effectiveness of the conduct guidelines, and type, number and outcome of complaints	70
3.1.9	Evaluation, assessment and recommendations by KommAustria to improve effectiveness	74
3.2	Report on Accessibility	76
3.2.1	Legal basis	77
3.2.2	Reports on action plans	79
3.2.3	Austrian Broadcasting Corporation (ORF)	91
3.2.4	Statement about further improvements to accessibility	94
3.3	2024 survey of reach and market shares	98
3.3.1	Overview	98
3.3.2	2024 market report	99
3.3.3	Selected detailed results	106
3.3.4	Link to full survey results	108
3.4	Digitisation in broadcasting: update	109
3.4.1	Digital linear television	109
3.4.2	Digital terrestrial radio	113
3.4.3	Expansion of digital broadcasting (Digitisation Plan)	118
3.5	2024 report on self-regulation of commercial communication	119
3.5.1	General information: legal framework for self-regulation	119
3.5.2	Austrian Advertising Council	120
3.5.3	Conduct guidelines (Code of Ethics)	121

3.5.4	Rules of procedure	122
3.5.5	2024 Annual Report	123
3.5.6	Evaluation, assessment and recommendations by KommAustria to improve effectiveness	126
3.6	Digital Services Act imposes new responsibilities	128
3.6.1	Introduction	128
3.6.2	Supervision of national service providers	130
3.6.3	Complaints pursuant to Art. 53 DSA	130
3.6.4	Certification of out-of-court dispute settlement bodies (Art. 21 DSA)	131
3.6.5	Certification of trusted flaggers (Art. 22 DSA)	132
3.6.6	Orders pursuant to Art. 9 and 10 DSA	133
3.6.7	Cooperation with authorities and stakeholder dialogue	134
3.6.8	Contributions to activities of the European Board for Digital Services and its working groups	137
3.6.9	Bilateral affairs	139
3.6.10	Public relations work for the DSA	140
3.6.11	Evaluation pursuant to Art. 7 KDD-G	141
04	Activities of RTR Media Division	148
4.1	Complaints board annual report	148
4.1.1	Summary for 2024 – the procedures	148
4.1.2	Procedural rules	149
4.1.3	DSA dispute resolution	150
4.1.4	Complaints procedures relating to communications platforms	152
4.1.5	Complaints procedures relating to video sharing platforms	152
4.1.6	Complaints procedures relating to accessibility issues	152
4.1.7	Complaints procedures relating to major online platforms	152
4.1.8	Events	152
4.2	Management of funds and grants	153
4.2.1	Digitisation Fund	153
4.2.2	Austrian Television Fund	155
4.2.3	Broadcasting funds	160
4.2.4	Fund for the Promotion of Digital Transformation	165
4.2.5	Funding for the production of audio podcasts	168
05	Regulatory activities of the TKK	172
5.1	Measures to ensure competition	172
5.1.1	Market analysis procedure	172
5.1.2	Resolution of disputes between undertakings	173
5.2	Net neutrality	173
5.2.1	General information	173
5.2.2	Fair share	174
5.2.3	War in Ukraine: Internet blocking	174
5.2.4	Copyright law: internet blocking	174
5.2.5	Responsibilities as part of cooperation with consumer protection authorities	175
5.2.6	Responsibilities relating to EU market surveillance	175

5.3	Spectrum issues – mobile and broadband	175
5.3.1	Completion of the spectrum auction in the 3600 MHz and 26 GHz ranges	175
5.3.2	Initial preparations for the 2.6 GHz and 2.3 GHz awards	178
5.3.3	Review of level of coverage of poorly served cadastral municipalities	178
5.3.4	Review of the additional coverage-level requirements to be fulfilled after 31 December 2023	178
5.3.5	Amended assignment in the 3410–3800 MHz range to improve energy efficiency	179
5.3.6	Material changes in ownership structure	180
5.4	Electronic signatures and trust services	180
5.4.1	Procedures before the TKK	180
06	Activities of RTR Telecommunications and Postal Services Division	184
6.1	Conciliation procedures in telecommunications services	184
6.2	Reporting phone number misuse	185
6.3	Third-party services	186
6.4	Ensuring legally compliant telecommunications contract terms	186
6.5	Services subject to notification requirements	188
6.6	Communications parameters: administration of the Austrian number range	188
6.6.1	Implementation of the 'Spoofing Amendment' and preparatory work for the revision of the Communications Parameters, Fees and Value-Added Services Ordinance 2009 (KEM-V 2009)	188
6.6.2	Central number database (ZR-DB)	189
6.6.3	Reports detailing statistics on telephone number administration	189
6.6.4	Emergency communications	190
6.6.5	Public warning system (AT-Alert)	190
6.7	Network deployment and infrastructure use	190
6.8	Ordinances	191
6.8.1	TRV 2024: reissuing of a Telecommunications Reference Rate Ordinance	191
6.8.2	Evaluation of Cost Limitation Ordinance: no changes proposed	192
6.8.3	RTR planning to issue new Itemised Bill Ordinance	192
6.8.4	Review of Telecommunications Network Security Ordinance 2020	192
6.8.5	Introduction of an ordinance procedure for redundancy	193
6.9	Security of networks and services	193
6.9.1	Reports of network failures	193
6.9.2	Security of 5G networks	194
6.9.3	Cybersecurity in the context of the war in Ukraine	194
6.9.4	Sector risk analysis	194
6.9.5	Cross-sectoral activities	195
6.9.6	5G certification	195
6.9.7	National transposition of NIS 2	195
6.9.8	Network security advisory board	196

6.10	Single information points for infrastructure data and broadband coverage: Information hubs for telecommunications network operators	196
6.10.1	Single information point for infrastructure data (ZIS)	196
6.10.2	Geographical surveys of broadband coverage levels	197
6.11	International activities	198
6.11.1	RTR and BEREC	198
6.11.2	DMA High-Level Group	200
6.11.4	RTR and ENISA – cybersecurity and trust services	202
07	RTR and PCK activities in the postal sector	206
7.1	Procedures before the PCK	206
7.1.1	Closure and discontinuation of postal service points	206
7.1.2	Payment orders for the financial contribution under Art. 34a KOG	207
7.1.3	Licence issuing	207
7.1.4	General terms of service and tariffs	207
7.1.5	Tariff adjustments and design changes applying to Post AG letter products	208
7.1.6	Proceedings before the Federal Administrative Court	208
7.2	Procedures before RTR	208
7.2.1	Notification of provision of postal services	208
7.2.2	Review of Post AG's cost accounting system	208
7.3	Conciliation procedures in postal services	209
7.4	Portal for postal service recipient complaints	209
7.5	International activities: RTR and the ERGP	210
08	Service Desk for Artificial Intelligence	214
8.1	AI Service Desk website	214
8.2	Social media	216
8.3	AI newsletter	216
8.4	Events	216
8.4.1	Artificial intelligence (AI) in high-risk settings	217
8.4.2	Artificial intelligence and consumer rights: balancing the needs of innovation and regulation	217
8.4.3	AI Impact Workshop: Labelling requirements for media	218
8.4.4	AI Impact Forum: mitigating AI risks with media literacy – the DACH region as a test case	219
8.4.5	AI Impact Forum: The evolving media landscape	219
8.5	Studies and publications	220
8.5.1	Current Use of AI in the Austrian Telecommunications Sector	220
8.5.2	Artificial intelligence in cybersecurity	220
8.5.3	Other events	221
8.6	Advisory services	221
8.7	Supporting the AI Advisory Board	221

09	RTR's role as a competence centre and in public relations	224
9.1	Activities within the Media Division	224
9.1.1	Studies and publications	224
9.1.2	Events	226
9.2	Activities of the Telecommunications and Postal Services Division	229
9.2.1	Studies and publications	229
9.2.2	Events	231
9.3	Convergent activities	233
9.3.1	Expert conference: Radio and mobile network – a powerful duo for digital disaster control	233
9.4	Public relations: information and transparency	234
10	Market developments from a regulatory viewpoint	238
10.1	The Austrian communications markets in 2024	238
10.1.1	Developments in the advertising market	238
10.1.2	The Austrian television market	243
10.1.3	The Austrian radio market	252
10.2	Developments in the telecommunications markets	265
10.3	Developments in the Austrian postal market	275
	Figures	280
	Tables	282
	Publishing Information	285

Preface

Dear reader,

the following Communications Report for 2024 describes in detail once again the activities of the four regulatory and supervisory bodies responsible for media, telecommunications and postal services: the Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR), the Austrian Communications Authority (KommAustria), the Telekom-Control-Kommission (TKK) and the Post-Control-Kommission (PCK). While meeting the extensive statutory reporting requirements set forth in the KommAustria Act as well as the Telecommunications Act and the Postal Market Act, the report also delivers insight into all of the services we provide, which go far beyond simply complying with our regulatory remit as defined under law. Our key concern here is to present with the utmost transparency the tasks we accomplished in the course of the year under review.

The topics from the 2024 reporting year you will find discussed here

The focus of the first section is RTR, an undertaking with currently about 200 employees that provides operational support to KommAustria, the PCK and the TKK. Here we describe changes in RTR's organisation, equality and equal opportunity activities at RTR, as well as the company's funding, presenting the annual accounts as per 31 December 2024. This is followed by a brief introduction to KommAustria, the PCK and the TKK in their role as regulatory authorities.

The second section gives an overview of KommAustria's regulatory activities, along with the funding it provides to media markets. Details covered include: procedures involving notification and approvals, platform regulation, media transparency, anti-terrorist activities and frequency management. In addition, we present the responsibilities KommAustria fulfils in its capacity as Digital Services Coordinator as defined in the Digital Services Act (DSA). The final sub-section outlines the decisions handed down by KommAustria in relation to press and journalism subsidies, as well as those aimed at promoting quality journalism or self-regulation, be it in commercial communications or in the protection of minors.

Six special reports by KommAustria make up the third section: the Youth Protection Report, the Report on Accessibility, the survey of broadcasting reach and market shares, the report on the progress of digitisation in broadcasting, the report on self-regulation of commercial communication, and finally a presentation of regulatory competences ensuing from the DSA.

The fourth section covers the activities of the RTR Media Division. The annual report by the complaints board for communications platforms describes the subjects of complaints submitted to the board, while giving details on the ensuing procedures and on the guidelines for complaints cases, as based on applicable legislation. The sub-report on fund and grant management provides insight into grant decisions and disbursement of the funds administered by the Media Division, which are allocated a total of EUR 66.75 million each year. In detail, these funds include: the Digitisation Fund, the Austrian Television Fund, the broadcasting funds and the Fund for the Promotion of Digital Transformation, as well the Fund for Promoting Audio Podcasting added during the reporting year.

The procedures conducted by telecommunications regulatory authority TKK, including the decisions handed down, is the subject of the fifth section. Regulatory activities in the year under review focused on issues that included steps taken to ensure competition in fixed and mobile communications markets, as well as the enforcement of net neutrality regulations, which seek to guarantee free access to an open internet. In relation to spectrum management, the frequency award procedure was completed for the 3600 MHz and 26 GHz bands. Other activities here involved launching preparations for the award of the 2.6 and 2.3 GHz bands and monitoring the fulfilment of coverage requirements as specified in past frequency award procedures. Finally, the TKK's activities in its capacity as supervisory authority under the Signature and Trust Services Act (SVG) are described.

The sixth section details the main activities of the Telecommunications and Postal Services Division at RTR in the reporting year, including activities in its role as regulatory authority, also responsible for passing ordinances. The topics here include conciliation activities in the context of user protection, phone number misuse, as well as reviewing operators' general terms and conditions and the tariff provisions of telecommunications products. Other information provided here relates to RTR ordinances that were issued or evaluated, to phone number administration and emergency communications, infrastructure rights in the context of deploying networks, and to duties arising from the need to ensure secure communications network and services. The section also reports on the single information points for infrastructure data and construction projects, on broadband coverage and approval activities.

Safeguarding competition in the market for postal services, as described in section 7, falls within the competence of the PCK and the Telecommunications and Postal Services Division at RTR. As in previous years, the duties here include cases involving the closure or discontinuation of postal service points, as well as procedures to ensure the legal compliance of the contractual conditions and tariffs charged for universal services, in addition to auditing the universal service provider's cost accounting system. Lastly, this section also discusses activities related to user protection, including conciliation duties and handling complaints brought forth by postal service recipients.

The 2024 Communications Report presents for the first time, in section 8, the work of the Service Desk for Artificial Intelligence (AI Service Desk). Established under law at RTR in early 2024, the AI Service Desk serves the general public as a point of contact and information centre for AI while also assisting with the implementation of the EU's AI Act.

Section 9 follows, with a summary of the services we at RTR made available to the interested public in our capacity as a competence centre in 2024, including symposiums, publications and research reports. This activity is in keeping with our conviction of the need to share our expertise in legal, business and technical issues for the benefit of public discourse.

The final section of the 2024 Communications Report presents evaluations of Austria's communications and advertising market as well as the telecommunications and postal services markets. Here we describe current trends, including numerous charts depicting visually, in an appealing way, the changes in the markets under our regulation.

We represent the interests of all stakeholders in Austria—businesses and users alike—not only at national level, but also by contributing our expertise within numerous international bodies and working groups. Readers should also be aware of this work, so we provide corresponding details on the following pages.

We hope this report serves as a source of stimulating insights.

Vienna,
June 2025

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www.rtr.at

RTR and the regulatory authorities

01 RTR and the regulatory authorities

1.1 Our company: we stand for competition and media diversity

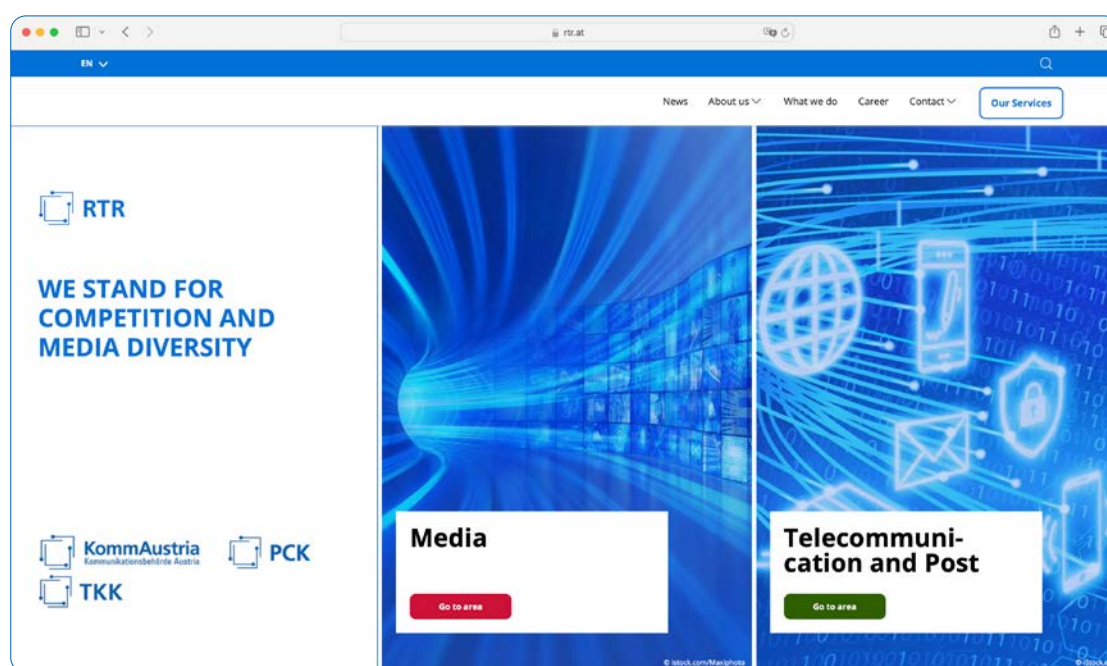
The Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR) is wholly owned by the Republic of Austria. RTR's core mandate is to promote competition in the broadcasting, telecommunications and postal markets, while achieving the goals set out in the KommAustria Act and the Telecommunications Act. It is structured into two specialist divisions: the Media Division, and the Telecommunications and Postal Services Division, each of which are headed by a separate managing director. RTR also serves as an administrative agency, providing support to the Austrian Communications Authority (KommAustria), the Telekom-Control-Kommission (TKK) and the Post-Control-Kommission (PCK). RTR uses the funds under its administration to support projects in the broadcasting and media sectors. The two specialist divisions within RTR additionally offer alternative dispute resolution services, including via RTR's officially recognised conciliation bodies for consumers. During the reporting year, a Service Desk for Artificial Intelligence was also established within the RTR.

Wolfgang Struber headed the Media Division in the 2024 reporting year, while Klaus Steinmaurer was the Managing Director of the Telecommunications and Postal Services Division.

As a public corporation, RTR follows the requirements of the 2017 Federal Public Corporate Governance Code, which takes into account the special responsibility and diligence duty owing upon public authorities. As owners of state property, authorities have a responsibility towards such property and thus towards the public. The RTR Corporate Governance Report is published (in German) on the RTR website at https://www.rtr.at/rtr/wer_wir_sind/Aufsichtsrat/Aufsichtsrat.de.html.

Further information on RTR can be viewed at www.rtr.at.

Figure 01: RTR website



1.1.1 RTR annual review

RTR service department

The Service Department at RTR – designated the ‘Finance, HR and IT Department’ during the reporting year – consists of all teams whose work supports the business activities of RTR. In the 2024 reporting year, work here focused primarily on activities in preparation for the restructuring of this part of RTR.

This restructuring was a necessary response to several recent developments. After RTR had been entrusted with many new duties, a concomitant rise in staff numbers had been seen over the last few years within the Media and Telecommunications and Postal Services divisions. The long-serving head of the Service Department also planned to retire mid-year 2025. The new structure creates the overall framework needed to ensure that the Service Department can continue to support the diversity of tasks handled by RTR and the increasingly complex demands made on the organisation.

In recent years, action has been taken in several areas to promote a positive working environment at RTR. One example is the introduction of a modern policy on working arrangements, to make these as flexible as possible (options for work from home and flexitime). A new remuneration policy was drawn up to ensure pay scales are transparent and competitive, and a project focusing on employer branding was also initiated. Complementing these activities, the groundwork has now been laid to strengthen human resources at RTR. Following public announcement of the opening, an HR expert from outside the organisation was hired, so as to bring a fresh perspective to efforts aimed at designing the workplace to be even more attractive. A new position, In-House Law, was also created. The person appointed to this role is responsible for internal legal affairs (labour, tendering and contract law) and contract management, and ensures company management are provided with competent legal counsel on matters outside their domain-specific legal know-how.

In 2024, a Chief Information Security Officer (CISO) for RTR was also appointed as required by the new legal framework adopted for cybersecurity (NIS2 Directive). In response to the new Directive, action also needs to be taken in several areas – some of these relating to recommendations made by the Court of Audit – to clear the obstructions to innovation resulting from a lack of resources in previous years.

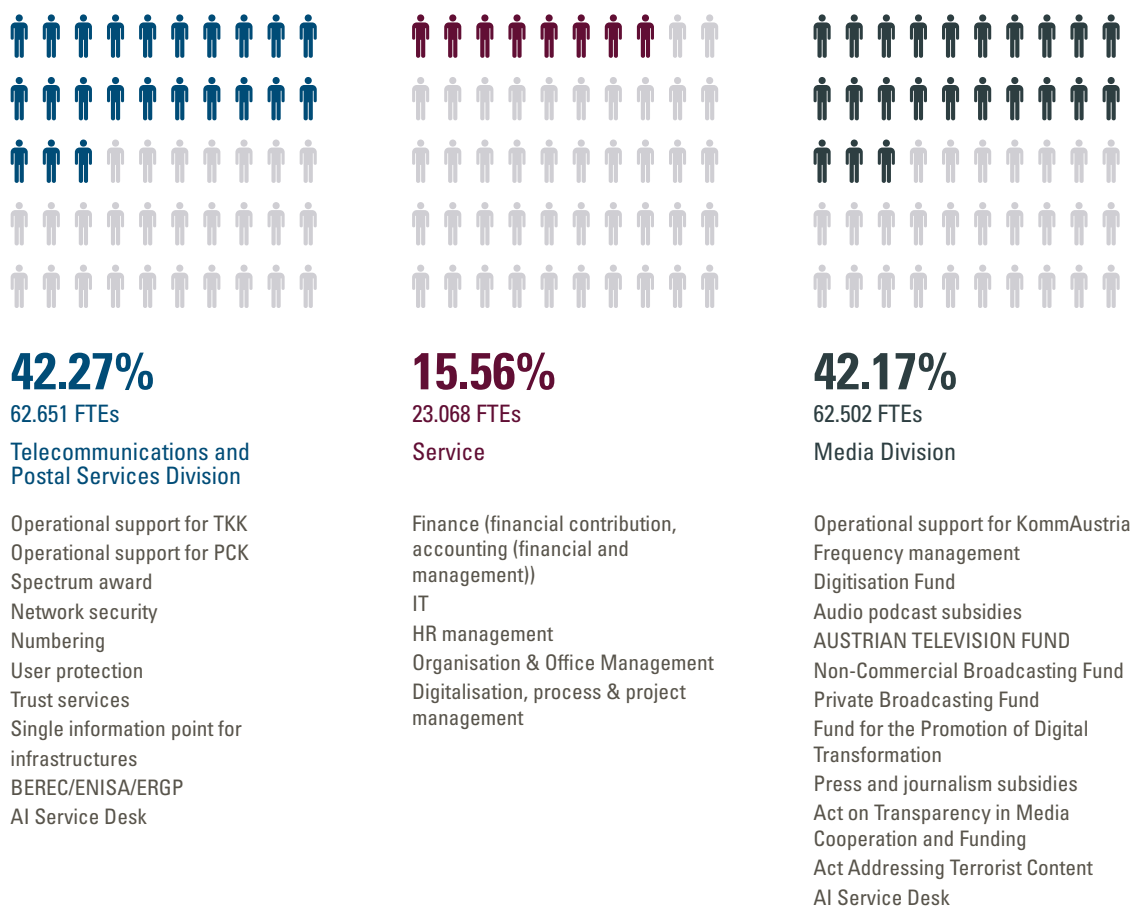
The many pieces of new legislation adopted in the 2024 reporting year also had significant repercussions for employees in the Finance team. Achieving compliance with these new laws required numerous revisions to budgets and financial planning. Assuming new responsibilities also meant a greater volume of documents to be processed.

Modifications to the office infrastructure were also needed to accommodate workforce growth. Workplaces were redesigned, office furniture replaced and minor conversion work completed as part of an extensive project completed in the reporting year. These changes have optimised the use of existing office space and have avoided the need to lease additional office facilities, despite an increase in staff numbers.

RTR staff members: specialists competent in their areas of expertise

The figure below shows the relative proportion of personnel assigned to the two specialist divisions and the service area. The 2024 reporting year marked the first time that staff numbers were roughly the same in each division.

Figure 02: Service departments, media division, and telecommunications and postal services division, average FTEs in 2024



As is clearly shown by the following table, staff numbers rose across the board within RTR during 2024. The Media Division recorded the largest increase, which is mostly attributable to the need to handle a larger subsidy workload; overall funding was increased and a new subsidy scheme was introduced for audio podcasts.

Table 01: RTR staff size 2022-2024

Average staff levels (FTEs)	2022	Percentage	2023	Percentage	2024	Percentage
Telecommunications and Postal Services Division	56.229	51.08%	57.279	46.25%	62.651	42.27%
Media Division	36.567	33.22%	47.913	38.69%	62.502	42.17%
Service	17.292	15.71%	18.652	15.06%	23.068	15.56%
Total for RTR	110.088	100.00%	123.844	100.00%	148.222	100.00%

As a family-friendly employer, RTR is proactive in helping staff achieve a good work-life balance, which creates a company culture where employees feel valued and supported. By offering flexible working hours, part-time models and mobile working, RTR gives its employees the opportunity to pursue their career ambitions while attending to the needs of their families. Support programmes, such as parental leave with individual return-to-work options and flexible working arrangements, are an important factor in promoting the long and mutually beneficial working relationships typically enjoyed by RTR and its employees. During the reporting year, 35% of the workforce was employed on a part-time basis, with 10% employed part-time under parental leave arrangements.

By catering in this way to their everyday needs, RTR consistently motivates employees to stay focused on productive, high-quality work, which has a positive impact on the completion of the many tasks within its remit.

Skilling up the workforce: continuing education and knowledge management at RTR

The quality of RTR's work is dependent on employees' expertise. Correspondingly, both personal and the professional dimensions of staff development play a key role at RTR. In the 2024 reporting year, 135 employees made use of a total of 457 working days for education and training,

The significant growth in staff numbers, in response to the many new tasks entrusted to RTR by recent legislation, reached record levels during the reporting year. This fact had an enormously positive impact on the general circumstances for knowledge transfer between the organisation's new employees and its experienced experts. Both groups work side by side to tackle tasks in their specialist field, thus optimising communication and enabling the continuous dissemination of work-related expertise. A structured onboarding process ensures the rapid integration of new employees into the organisation. The system includes a comprehensive familiarisation programme and a buddy system that pairs new hires with an experienced member of their own team.

New employees are also kept in the loop by regular internal meetings, briefings and other events, usually held in a hybrid format. Specialists in a particular field can also be contacted easily thanks to RTR's in-house 'yellow pages' staff directory. A digital information point for distributing staff bulletins as well as a digital pinboard for the exchange of staff information are now established tools for distributing knowledge within RTR's hybrid working world.

During the year under review, RTR continued to open its doors to those interested in taking a closer look at the organisation as a workplace. Seven seasonal trainees and three employees of other authorities on job rotation used this avenue in 2024 to familiarise themselves with RTR's activities.

Occupational health and safety at RTR

Employee health and safety is a vital concern at RTR. During the reporting year, RTR's team of safety officers organised appointments for the services offered by RTR's occupational health specialist and the safety specialist.

Alongside annual TBE and influenza vaccinations, the occupational health specialist also carried out a great many routine screening exams during the 2024 reporting year. Owing to the sharp rise in staff numbers and the switchover to a desk-sharing system, the occupational health specialist also inspected numerous workplaces to advise on good ergonomic practice at work.

RTR makes a point of having properly trained first aiders in house to guarantee an adequate level of safety in the workplace. In line with this policy, employees are offered basic first aid training and refresher courses every two years, with both types of class held on company premises. During the 2024 reporting year, the first aid courses were again offered by the Johanniter association of Austria. A total of 25 employees completed basic training in first aid, with 16 people taking the first aid refresher course.

Widening the scope of its health promotion activities beyond the workplace, RTR also organised an in-house back training course in the reporting year, to make it as easy as possible for employees to participate.

RTR's IT Team: the digitalisation experts

The IT team ensured RTR's ability to smoothly meet the demands RTR faces as a digital regulator. The IT Helpdesk once again provided its colleagues with prompt advice and assistance for technical problems. Alongside other activities, the IT team provided ongoing website support to the two divisions.

A key point of focus at RTR during the 2024 reporting year was the rollout of the 'Bundes-ELAK', which is the federal web-based electronic file management system for Austrian government administration. Apart from the technical implementation, extensive basic training was also offered for authorities and commissions, to ensure the smoothest possible transition to the ELAK system for handling administrative procedures.

The IT team also installed new multimedia equipment in the RTR's major event room, the Assembly. This upgraded system facilitates an even more professional approach to the organisation of hybrid events.

The Media Division provided the IT team with support during the first reporting period for the new Act on Transparency in Media Cooperation and Funding (MedKF-TG). Work related to this new law also involved modifying and optimising the backend system for day-to-day report processing, and updates to the media list. RTR's IT experts also implemented a new visualisation solution (<https://visualisierung.medientransparenz.rtr.at/home>) during the 2024 reporting year. This new website portrays the data released for consumption by the interested public as a set of easy-to-understand presentation graphics.

Members of the IT team also developed and implemented an end-to-end digital process for subsidy applications pursuant to the Act on the Promotion of Quality Journalism (QJF-G). The first submission deadline for this new type of media funding was in 2024. A digital processing system for the new audio podcast production subsidy pursuant to Art. 25a of the KommAustria Act (KOG) was also set up in 2024. The Digitisation Fund was similarly migrated to a digital submission system by the end of the year.

In the Telecommunications and Postal Services Division, the IT team helped the AT-Alert project team implement the [warnung.at-alert.at](https://www.warnung.at) web solution, which will be used to visualise the warnings issued by this system. In the same context, a technical mailing list was set up to handle communications between the alert issuers (warning centres) and the mobile network operators broadcasting the alerts.

1.1.2 Equality at RTR

RTR is committed to equal opportunity and equal treatment for all staff members, regardless of age, gender, ethnic or national origin, religion, any physical or mental challenges, and sexual orientation.

Founded upon this commitment, equality work at RTR is stipulated in a works agreement. The agreement requires an equality and family support policy, defining both personnel and organisational measures for promoting equality, to be drawn up every two years. The currently applicable equality policy from 2022 includes guidelines on gender-appropriate language, an income equality report and the promotion of career opportunities for women, as well as regulations on the reconciliation of work and family life, and education and training measures. These agendas are supported by the role of equal opportunities officer, which is newly staffed every three years.

During the year under review, work essentially focused on implementing the equality and family support plan for 2022. Caring for family members was a key point of focus in 2024. According to official estimates, roughly 1 million people in Austria provide informal care to relatives – and this figure excludes the approximately 42,700 children and adolescents with special needs. Eighty percent of carers are female, with some 30–40% of these women simultaneously in employment while caregiving.

On 19 March 2024, an event titled “I didn’t see that coming” was held with Birgit Meinhard-Schiebel, the President of the Interest Group for Family Caregivers (IG-Pflege). The event provided an opportunity to discuss many aspects of this increasingly important social issue.

In addition to the usual activities such as the traditional equal opportunities breakfast held to mark International Women’s Day on March 8, childcare was offered for the third time to employees with young children on November 15, a school holiday in Vienna and Lower Austria.

1.1.3 RTR’s financial statements for 2024

The external auditors at Confida Wirtschaftstreuhandges mbH have issued an unqualified audit certificate confirming RTR’s financial statements for the 2024 business year (1 January to 31 December 2024). The financial statements presented below were prepared in accordance with the Austrian Commercial Code (UGB) as amended.

The profit and loss account and balance sheet, as shown in RTR’s financial statements, are presented below. RTR is funded by various sources, depending on the areas of activity in question. Market participants are required by law to assume a portion of the financing, while public funding is also tapped. The financial contribution is calculated using the planned revenues of each company in relation to total sector revenues. Once the actual revenues have been determined, the actual financial contributions are calculated and compared with the estimated financial contributions. To simplify administration, entities falling below a certain revenue limit, or threshold, are not required to pay financial contributions.

In 2024, RTR received federal funds amounting to EUR 4.684 million to finance media regulation; the share for financing the market was 26.43%, equivalent to EUR 1.683 million.

Public funds totalling EUR 5.523 million were awarded for the regulation of the telecoms market; market participants contributed EUR 3.563 million, which corresponds to 39.21%. For postal service regulation, EUR 0.279 million was allocated from the federal budget, with the remaining expenditure, amounting to EUR 0.739 million or 72.58% of the total, contributed by market participants.

Public financing covers the funds (Digitisation Fund, the AUSTRIAN TELEVISION FUND, the Private Broadcasting Fund, the Non-Commercial Broadcasting Fund, the Fund for the Promotion of Digital Transformation and the Fund for Promoting Audio Podcasting) and the supervisory body for trust services. This funding base also covers activities related to the network security advisory board, setting up a public warning system (AT-Alert), and the recently established AI Service Desk.

More information is available at www.rtr.at.

RTR closed the business year running from 1 January to 31 December 2024 with a balanced result.

Table 02: Profit and loss account for the business year from 1 January to 31 December 2024

	EUR	EUR	2023 EUR thousands	2023 EUR thousands
1. Net income		23,962,884.28		18,427
2. Other operating income				
a) Income from the disposal of fixed assets excluding financial assets	183.34		6	
b) Income from the release of provisions	153,794.09		11	
c) Other	922,817.34	1,076,794.77	773	790
3. Personnel expenses				
a) Salaries	-12,549,095.10		-9,779	
b) Social expenses				
ba) Pension insurance expenses	-364,441.82		-323	
bb) everance pay expenses and contributions to staff provision funds	-204,036.32		-170	
bc) Statutory social insurance contributions as well as payroll-related fees and mandatory contributions	-2,891,293.57		-2,310	
bd) Other	-162,010.00	-16,170,876.81	-141	-12,723
4. Amortisation and write-downs of intangible assets, depreciations and write-downs of tangible assets				
a) Depreciation, amortisation and write-downs	-737,949.06		-724	
b) Release of investment grants	0.00	-737,949.06	25	-699
5. Other operating expenses				
a) Other	-6,449,485.70	-6,449,485.70	-5,835	-5,835
6. Subtotal of items 1 to 5		1,681,367.48		-39
7. Income from other securities held as long-term investments		11,025.00		14
8. Other interest and similar income		154,483.41		30
9. Expenses for financial assets				
Write-downs	0.00	0.00		
10. Interest and similar expenses		-0.04		
11. Subtotal of items 7 to 11		165,508.37		44
12. Result before taxes		1,846,875.85		5
13. Taxes on income		-38,620.93		-8
14. Result after taxes/annual deficit		1,808,254.92		-3
15. Release of profit reserves				
Appropriation to free reserves		-1,808,254.92		0
Release of free reserves		0.00		3
16. Net result		0.00		0

Sector-specific expenditure in RTR's specialist divisions

In the annual financial statements submitted by RTR, funding use is not reported by division. Table 03 correspondingly provides a breakdown of the main items listed in RTR's profit and loss accounts for the Telecommunications and Postal Services Division and the Media Division as well as the AI Service Desk (KI-Servicestelle), in accordance with Art. 19 Par. 3 no. 3 KOG.

Table 03: RTR's income and expenses by division

In EUR thousands	Telecommunications and Postal Services	Media	AI Service Desk	Total
Net income	10,552	12,710	700	23,963
Other operating income	385	692	0	1,077
Personnel expenses	-8,419	-7,537	-215	-16,171
Depreciation, amortisation and write-downs	-426	-311	-1	-738
Other operating expenses	-2,153	-4,103	-193	-6,449
Operating result	-61	1,451	291	1,681
Financial result	75	90	0	166
Result before taxes	14	1,542	291	1,847
Taxes on income	-17	-21	0	-39
Result after taxes/annual surplus or deficit	-3	1,521	291	1,808
Appropriation to/release of profit reserves	3	-1,521	-291	-1,808
Net result	0	0	0	0

RTR's income and expenses for the individual areas of activity within each division are presented in the annex to the annual accounts as at 31 December 2024 as adopted by the general assembly. The individual areas within the Telecommunications and Postal Services Division are: telecoms regulation, supervisory body for trust services, and postal services regulation. The areas within the Media Division are: media regulation, digital services coordination, Act Addressing Terrorist Content, supervision of video-sharing platforms, Digitisation Fund, Austrian Television Fund, broadcasting funds and the Fund for the Promotion of Digital Transformation, and the Fund for Promoting Audio Podcasting (refer to www.rtr.at).

Table 04: Balance sheet as at 31 December 2024 – assets

	31.12.2024		31.12.2023	
	EUR	EUR	EUR thousands	EUR thousands
A) Fixed assets				
I. Intangible assets				
1. Industrial property and similar rights	667,290.96		582	
2. Prepayments	53,043.81	720,334.77	222	804
II. Tangible assets				
1. Buildings on third-party land	42,284.86		56	
2. Other assets, operating and office equipment	441,567.30	483,852.16	423	479
III. Financial assets				
Long-term securities		1,854,081.26		1,854
		3,058,268.19		3,137
B) Current assets				
I. Receivables and other assets				
1. Trade receivables (With a maturity >1 year EUR 0; previous year: EUR 0)	484,180.04		1,353	
2. Other receivables and assets (With a maturity >1 year EUR 37,659.21; previous year: EUR 20 thousand)	566,054.19	1,050,234.23	921	2,274
II. Cash at bank and in hand		6,762,199.23		3,076
		7,812,433.46		5,350
C) Prepaid expenses		278,475.47		178
D) Trustee accounts – funds		39,155,189.00		35,669
		50,304,366.12		44,334

Table 05: Balance sheet as at 31 December 2024 – liabilities

	31.12.2024		31.12.2023	
	EUR	EUR	EUR thousands	EUR thousands
A) Equity capital				
I. Called-up and paid-in nominal capital	3,633,641.71		3,634	
II. Capital reserves				
Committed	1,924.59		2	
III. Profit reserves				
Other reserves / free reserves	1,854,380.43		46	
IV. Net result	0.00		0	
Profit carried forward (previous year: EUR 0)	0.00	5,489,946.73	0	3,682
B) Provisions				
1. Provisions for severance pay	126,400.00		102	
2. Other provisions	1,236,361.00	1,362,761.00	977	1,079
C) Liabilities				
1. Trade payables	1,064,682.35		729	
(With a maturity <1 year EUR 1,064,682.35; previous year: EUR 729 thousand; with a maturity >1 year EUR 0; previous year: EUR 0)				
2. Other liabilities	2,688,556.32	3,753,238.67	2,794	3,523
(With a maturity <1 year EUR 2,688,556.32; previous year: EUR 2,794 thousand; with a maturity >1 year EUR 0; previous year: EUR 0; due to taxes EUR 224,969.97; previous year: EUR 481 thousand; due to social security obligations EUR 316,078.93; previous year: EUR 254 thousand)				
D) Trustee obligations – funds		39,698,419.72		36,050
		50,304,366.12		44,334

1.2 National regulatory authorities KommAustria, TKK and PCK

One of RTR's main responsibilities is to serve as the administrative agency for the national regulatory authorities KommAustria, TKK and PCK, introduced briefly below.

Austrian Communications Authority (KommAustria)

The Austrian Telecommunications Authority (KommAustria) is Austria's independent and autonomous regulatory and supervisory authority with responsibility for electronic audio and audiovisual media. This mandate includes supervision of the Austrian Broadcasting Corporation (ORF) and its subsidiaries. The authority ensures media and opinion diversity and fair competition on the dual broadcasting market with its private providers and public service broadcaster, and has the mandate of introducing and expanding digital broadcasting.

KommAustria is the designated oversight authority for providers of intermediary services, platforms and video-sharing platforms. As the national Digital Services Coordinator, the authority is also tasked with implementing the EU's Digital Services Act (DSA) in Austria.

KommAustria also grants funding to print media and fulfils mandates under the Act on Transparency in Media Cooperation and Funding (MedKF-TG) and the Exclusive Television Rights Act (FERG). The organisation, duties and objectives of KommAustria are set forth in the [KommAustria Act \(KOG\)](#).

KommAustria is a panel authority made of up seven members. Michael Ogris serves as chair of KommAustria and Susanne Lackner as deputy chair.

Detailed information about KommAustria, including its Rules of Procedure, allocation of responsibilities and decisions, can be found at www.rtr.at/medien/wer_wir_sind/KommAustria/KommAustria.de.html (in German).

Telekom-Control-Kommission (TKK)

The TKK has been responsible for regulating the telecommunications market in Austria since 1997. The tasks and responsibilities of this independent regulatory institution are laid down in detail in the 2021 Telecommunications Act (TKG 2021). Among other things, it is responsible for regulation of competition, frequency assignment procedures and network cooperation, as well as monitoring net neutrality. Pursuant to the [Signature and Trust Services Act \(SVG\)](#), the TKK is also the supervisory body for trust services.

The TKK consists of three main members and three substitute members who are appointed by the federal government for a five-year term. Barbara Nigl, justice at the Vienna Regional Court, chairs the TKK.

Details on the TKK are published (in German) at www.rtr.at/TKP/wer_wir_sind/tkk/TKK.de.html.

Post-Control-Kommission (PCK)

The PCK has been responsible for regulating the postal market in Austria since 2008. The tasks and responsibilities of this independent regulatory institution are laid down in detail in the Postal Market Act. Among other things it is responsible for measures relating to the universal service provider, licences or approvals of specified sets of general terms of business, and the fees charged by postal service providers. The PCK consists of three main members and three substitute members who are appointed by the federal government for a five-year term. Barbara Nigl, justice at the Vienna Regional Court, chairs the PCK.

Details on the Post-Control-Kommission are published (in German) at www.rtr.at/TKP/wer_wir_sind/pck/startseite.de.html.



www.rtr.at

Activities of KommAustria

02 Activities of KommAustria

2.1 Access to media markets

KommAustria regulates access to media markets, specifically through assignment of broadcasting frequencies, issuing of broadcasting licences, acceptance and review of notifications from cable broadcasters and other providers of audiovisual media services, as well as review of new services prior to launch by the ORF or its subsidiaries. Other responsibilities include the issuing of multiplex licences to radio and television broadcasters.

2.1.1 Approvals and notifications relating to multiplexes

2.1.1.1 Nationwide digital radio

In relation to the nationwide MUX I multiplex platform, one change to a telecommunications licence was approved and the frequency 'SCHLADMING 1 (Hauser Kaibling) Block 5D' was assigned in the reporting period. At the end of 2024, the overall station line-up comprised 16 stations and two ancillary services. With 14 broadcasting systems in operation, the nationwide multiplex platform MUX I enabled DAB+ to achieve a technical coverage rate of 84% of the Austrian population in 2024.

The nationwide MUX III multiplex platform was approved with a station line-up of 14 stations by a decision issued on 8 March 2024. With the systems currently in operation, coverage levels of 84% for mobile reception and 63% for portable indoor reception (in terms of primary place of residence) can be achieved.

In relation to the nationwide MUX III multiplex platforms, four station line-up changes were approved in the reporting period. The station line-up comprised 14 stations and two ancillary services at the end of the reporting period.

2.1.1.2 Regional and local digital radio

In the period under review, five licences were issued for operating new regional multiplex platforms for digital terrestrial radio.

These are the new multiplex platforms 'MUX II – Vorarlberg', 'MUX II – Tyrol', 'MUX II – Salzburg und Oberösterreich', 'MUX II – Steiermark, Kärnten und Südburgenland', and 'MUX II – Niederösterreich und Nordburgenland'.

Following the approval of several station line-up changes, the station line-ups comprise a total of 17 stations and ten ancillary services.

One valid licence had already been issued for operating a regional multiplex platform, which provides service to around 2.2 million people in greater Vienna. After two station line-up changes, the station line-up for this multiplex platform comprised 15 stations and two ancillary services at the end of 2024.

2.1.1.3 Nationwide television

No applications for changes to station line-ups for the nationwide multiplex platforms A, B, D, E and F were received during the reporting period.

In relation to the nationwide MUX A and B multiplex platforms, one procedure for issuing a telecommunications permit was completed successfully during the reporting year.

An extension to the deployment of an access rights system was also approved for the multiplex platforms MUX A and B.

2.1.1.4 Regional and local television

Permits to operate the multiplex platforms 'MUX C – Weststeiermark und Zentralraum Graz' and 'MUX C – Tiroler Oberland' were handed back in the reporting period. A total of twelve MUX C platforms were therefore in operation at the end of the reporting period.

Overall, eight changes to channel line-ups were approved in this area.

A station broadcast licence for the 'MUX C – Wien' multiplex platform was also relinquished.

2.1.1.5 Television pilot projects

In the context of 5G broadcasting trials in Vienna, three existing licences were extended or reissued during 2024.

Five applications to extend the licence for trial use of the terrestrial multiplex platform '5G broadcast test operation Vienna' were also approved.

2.1.2 Approvals and notifications relating to radio

During the period under review, KommAustria conducted licensing procedures, on the one hand in response to applications for creating new coverage areas or expanding existing ones, as well as part of official tender procedures to re-award licences due to expire. In addition, numerous licences were once again issued for radio event broadcasting and educational broadcasting, and for broadcasting radio service via multiplex platforms.

2.1.2.1 Nationwide radio broadcasting (analogue)

Since December 2024, KRONEHIT Radio BetriebsgmbH has held a nationwide private terrestrial broadcasting licence limited to ten years. In keeping with the statutory approval schedule, KommAustria initiated a (repeat) call for tenders for nationwide licensing. In November 2024, the sole tender applicant, KRONEHIT Radio BetriebsgmbH, was (again) issued with a licence for operating nationwide private radio for a period of ten years. The network will therefore continue to broadcast kronehit, an adult contemporary radio format.

KRONEHIT Radio BetriebsgmbH had consequently been assigned a total of 162 frequencies as of the end of this reporting period.

A second nationwide licence had originally been awarded in early 2019, to Antenne „Österreich“ und Medieninnovationen GmbH (now oe24 Radio GmbH). Under this licence, the Radio Austria network (now oe24) has been on air since November 2019. On issue of the licence, oe24 Radio GmbH had originally been assigned 48 frequencies, potentially allowing coverage of 61% of the resident population. The deployment of an additional frequency was completed in the reporting year.

During 2024, one change to a telecommunications licence was approved and seven frequency assignments were handed back.

2.1.2.2 Regional and local radio broadcasting (analogue)

In the local and regional terrestrial broadcasting sector, a total of 15 licensing procedures were carried out in 2024.

Licences were issued as follows:

Table 06: Licenses issued in 2024, by licence holder and licence area

Licence holder	Coverage area	Licence assignment final
Radio Event GmbH	Innsbruck und Tiroler Unterland	Yes
Radio Arabella Oberösterreich GmbH	Traunviertel, Teile des Hausruckviertels und des Mühlviertels	Yes
AGORA – Verein Arbeitsgemeinschaft offenes Radio – Avtonomno gibanje odprtega radia	Bad Radkersburg	Yes
Soundportal Graz GmbH	Bruck an der Mur/Mur-, Mürztal	Yes
Freier Rundfunk Freistadt GmbH	Freistadt	Yes
Freier Rundfunk Salzburg, Verein zur Förderung von freien, lokalen Radio- und Fernsehprojekten	Pinzgau	Yes
Dachverband für Kultur- und Medieninitiativen und Jugend	Dornbirn und Bregenz	Yes
Radio Event GmbH	Innergebirg	Yes
Stadtradio Regional Hörfunk GmbH	Lower Austria central area	Yes

A total of seven licensing procedures were pending at the end of the reporting period. These licences are to be issued either as a result of applications to create new coverage areas, or following the expiry or revocation of the licence in question.

In a number of other instances, parties requested frequencies to expand existing coverage areas or improve coverage in existing areas. In response to these procedures, a total of seven decisions were issued to assign the following frequencies:

- Frequency 'LOCKENHAUS (Margarethenwarte) 89.7 MHz' to Mehrsprachiges Offenes Radio MORA (private association)
- Existing frequency consisting of the radio systems 'SALZBURG 6 (Hochgitzten Mobilfunkmast) 102.8 MHz', 'HAUNSBURG (Austro Control Turm) 102.8 MHz', 'VORAU (Mobilfunkmast) 102.8 MHz' and 'STRASSWALCHEN (Tannberg) 102.8 MHz' to Antenne Salzburg GmbH
- Frequencies 'FORST (Luftenberg) 100.0 MHz' and 'BERNHARDSCHLAG (Feuerwehr) 107.6 MHz' to Freier Rundfunk Freistadt GmbH
- Frequency 'VOITSBERG 2 (Arnstein) 88.8 MHz' to Radio Grün Weiß GmbH
- Existing frequency from the radio systems 'KOEFLACH 2 (Gößnitzberg) 92.9 MHz' and 'VOITSBERG 2 (Arnstein) 92.9 MHz' to Radio Zwei Privatrado Gesellschaft m.b.H.
- Frequency 'WIEN 14 (Stadlau Silo) 101.6 MHz' to ROCK ANTENNE GmbH

A total of 14 procedures, either for expanding coverage areas or for improving coverage in existing coverage areas, were still pending at the end of the reporting period.

2.1.2.3 Regional and local radio broadcasting

In relation to nationwide digital radio licensing, 15 licensing procedures were conducted and one distribution mode change was approved.

Licences were issued as follows:

Table 07: Nationwide DAB+ licensing

Licence holder	Multiplex platform
KRONEHIT Radio BetriebsgmbH.	MUX III
KRONEHIT Radio BetriebsgmbH.	MUX III
Klassik Radio Austria GmbH	MUX III
Superfly Radio GmbH	MUX III
NRJ Digital Radio GmbH	MUX III
Antenne Salzburg GmbH	MUX III (on a regional basis)
Antenne Salzburg GmbH	MUX III (on a regional basis)
LR Digital Audio GmbH	MUX III
XXXL Digital Audio GmbH	MUX III
Verein Österreichischer Gewerkschaftsbund	MUX III
Arabella Digital GmbH	MUX III
nonstopnews.at gmbh	MUX III
Livetunes Network GmbH	MUX III
Radio Event GmbH	MUX III
Bollerwagen Audio FlexCo	MUX III

2.1.2.4 Regional and local radio broadcasting (digital)

The following 19 regional digital radio licences were issued in the year under review:

Table 08: Regional DAB+ licensing

Licence holder	Multiplex platform
ANTENNE VORARLBERG GmbH	MUX II – Vorarlberg
ANTENNE VORARLBERG GmbH	MUX II – Vorarlberg
ANTENNE VORARLBERG GmbH	MUX II – Vorarlberg
Life Radio GmbH & Co. KG.	MUX II – Salzburg und Oberösterreich
U1 Tirol Medien GmbH	MUX II – Salzburg und Oberösterreich
Johann Höber	MUX II – Kärnten, Steiermark und Südburgenland
Life Radio GmbH & Co. KG.	MUX II – Kärnten, Steiermark und Südburgenland
Antenne Kärnten Regionalradio GmbH & Co. KG	MUX II – Kärnten, Steiermark und Südburgenland
G&H Rock FM Medien GmbH	MUX II – Kärnten, Steiermark und Südburgenland
KRONEHIT Radio BetriebsgmbH.	MUX II – Niederösterreich und Nordburgenland
KRONEHIT Radio BetriebsgmbH.	MUX II – Niederösterreich und Nordburgenland
Hippocrepis Beteiligungs GmbH	MUX II – Niederösterreich und Nordburgenland
RTG Radio Technikum GmbH	MUX II – Wien
MEGA Radio GmbH	MUX II – Wien
Antenne Salzburg GmbH	MUX II – Salzburg und Oberösterreich
Peter Rauter GmbH	MUX II – Wien
Radio Grün Weiß	MUX II – Steiermark, Kärnten und Südburgenland
Soundportal Graz GmbH	MUX II – Kärnten, Steiermark und Südburgenland
Regionalradio Tirol GmbH	MUX II – Tirol

2.1.2.5 Event radio and educational radio licences

An event radio broadcasting licence is granted for a maximum of three months, authorising broadcasting in the vicinity of and simultaneously with an independent public event. Eight event radio licences were issued in 2024.

Educational radio licences are granted to education or training institutions, authorising them to locally broadcast radio formats in a functional context with the duties of the particular institution. Such licences can be granted for a maximum of one year. Five educational radio stations were licensed in 2024.

2.1.2.6 Procedures under telecommunications law

To simplify administration, the Telecommunications Act 2021 (TKG 2021) empowers KommAustria as a kind of 'one-stop shop', additionally authorising it to issue permits under telecommunications law that are required for the radio equipment used in broadcasting. Permits under telecommunications law are issued either together with a licence under broadcasting law or in response to an application under telecommunications law. These latter cases usually involve technical changes planned for radio systems, such as the use of new transmitter antennas, the relocation of transmission sites or increased transmission power.

In 2024, KommAustria approved six changes to radio systems, one application to increase power output and one application allowing private radio broadcasters to conduct test transmissions. One application to conduct test transmissions was withdrawn in 2024.

During the reporting period, no applications were received for approval to set up and operate tunnel radio systems.

Seven radio system permits were handed back.

KommAustria also received 20 requests for permission to operate radio equipment within broadcasting frequency bands but for non-broadcasting purposes (to cover drive-in cinemas, conferences and similar events), with these granted where frequencies were available. One such request was withdrawn.

During the reporting period, four applications were received for permits to set up and operate radio systems, and these were approved by KommAustria. Three of these applications were for permit renewals.

2.1.2.7 Licences for satellite radio

KommAustria issued no licences for satellite radio in 2024.

2.1.2.8 Radio stations subject to notification requirements

In the 2024 reporting period, KommAustria was notified of one new cable radio station.

2.1.3 Approvals and notifications relating to audiovisual media services

2.1.3.1 Television channel licensing

Television channels subject to licensing approval are broadcast via satellite and/or via terrestrial multiplex platforms.

KommAustria issued licences for eight satellite television channels in 2024.

Two applications were dismissed owing to a failure to comply with the order to remedy deficiencies.

Table 09: Television licensing

Licence holder	Channel	Multiplex platform
ATV Privat TV GmbH & Co KG	ATV	Satellite, MUX B
ProSiebenSat.1 PULS4 GmbH	ProSieben Maxx Austria	Satellite, MUX C – Wien, MUX C – Tirol, MUX C – Vorarlberg, MUX C – Oststeiermark und Raum Graz, MUX C – Großraum Linz
ProSiebenSat.1 PULS4 GmbH	Sat.1 Gold Österreich	Satellite, MUX B
Verein K.I.T. Kirche ist toll	KIT – Kirche Ist toll	Satellite
WESTSTEIRISCHE KABEL-TV GesmbH	WKK Lokal TV	MUX C – Weststeiermark und Zentralraum Graz
LT 1 Privatfernsehen GmbH	LT1	Satellite
MMag. Elisabeth Keplinger-Radler	Mühlviertel TV	Satellite
Bezirks TV Vöcklabruck GmbH	TV1 OÖ	Satellite
BAT.TV e.U.	BATTV	Satellite

2.1.3.2 Media services subject to notification requirements

The following notifications were received by KommAustria in the 2024 reporting period: 37 notifications of on-demand audiovisual media services, five notifications of television channels broadcast over the internet, no notifications of cable television channels. In addition, five applications for assessment in accordance with Art. 9 Par. 8 of the Audiovisual Media Services Act (AMD-G) were received.

2.1.4 Approvals and notifications of new ORF services

2.1.4.1 Radio broadcasting spectrum assigned to the ORF

As part of its responsibility for assigning radio transmission capacity and for issuing corresponding permits under telecommunications law, KommAustria also plays a role in cases where the ORF uses radio transmission systems.

These duties included handling the permit renewal applications for all (around 700) FM broadcasting systems operated by the ORF. These renewals had become necessary as a result of the legal change from an indefinite to a fixed permit term, as introduced by the TKG 2021. Permits were duly renewed for all radio systems located in Vienna, Lower Austria and Burgenland. For radio systems located in the other provinces, the procedures were still pending at the end of the reporting period. In this context, a total of 14 procedures were carried out in 2024, of which eight concerned extensions or changes to radio systems already assigned to the ORF. Seven procedures concerned the assignment or extension of multiple tunnel radio systems.

2.1.4.2 Changes to service plans and prior evaluation procedures

Three modified service plans were submitted during the reporting period.

One notification pursuant to Art. 3 Par. 4a of the ORF Act (ORF-G) was also received.

2.1.5 Notification of video sharing platforms

Two video sharing platforms in the adult entertainment segment are currently notified in Austria. No other video sharing platforms were notified during the reporting period.

2.2 Legal supervision

2.2.1 General supervision

In relation to legal supervision, a large number of notifications of data updates pursuant to the Audiovisual Media Services Act (AMD-G) and the Private Radio Act (PrR-G) were received. Notifications of service discontinuation and licence relinquishment were recorded in the directories, while infringement and administrative penal procedures were also conducted in response to failures to comply with the duty to update data, or the incompleteness or lateness of such updates. Several changes to stations were also notified and consequently approved.

In the context of material changes to service provider ownership rights, ownership changes were approved, and infringement and administrative penal procedures were conducted in response to breaches of the approval requirement.

Other procedures were conducted, relating to suspected unauthorised broadcasts, to prohibiting media services, to the revocation of licences and/or specific frequencies, as well as in response to the failure to submit the requested recordings of the transmissions, or the incompleteness of such submissions.

2.2.2 Commercial communications

Evaluations of 48 audiovisual media services and radio stations were carried out in 2024 as part of monthly advertising monitoring duties. Four procedures were also conducted on the authority's initiative and three procedures in response to complaints. For the reporting year, evaluations of broadcasts and content focused on the broadcasting of advertising in the context of general elections to legislative bodies.

ORF radio stations were evaluated as follows in 2024: the regional stations Radio Wien, Radio Steiermark and Radio Tirol were evaluated once each, while Radio Kärnten was evaluated twice. Among the ORF's nationwide radio stations, Ö1 was evaluated once and Ö3 was evaluated four times. As a result of these evaluations, procedures were initiated in four cases, of which one was then dropped.

Among the ORF's national television channels, ORF 1 was monitored four times and ORF 2 five times (including two cases involving separate regional-content programmes). ORF Teletext was also monitored once. On the basis of the evaluations, procedures were initiated in two cases that have yet to be completed with final effect.

Among the ORF's streaming services, ORF Kids, ORF Sound and ORF ON were monitored once each.

In the private radio segment, stations run by eight broadcasters were evaluated. In three cases, procedures were initiated due to infringements of advertising regulations, with these procedures yet to be completed with final effect.

In the private television segment, nine channels were evaluated. In response, five sets of procedures were initiated due to infringements of advertising regulations, with these yet to be completed with final effect.

Broadcasts were evaluated from seven services offered by providers of on-demand audiovisual media services. One procedure initiated due to infringement of advertising regulations has not yet been completed with final effect.

2.2.3 Programming principles

In their television and radio programmes, broadcasters are required to uphold the principles of objectivity and diversity of opinions.

Similar principles are set forth in the ORF Act (ORF-G) for the Austrian Broadcasting Corporation (ORF). In all of its service offerings, the ORF is required to strive for quality, innovation, integration, equal rights and mutual understanding. Information must be comprehensive, independent, impartial and objective, and aimed at enabling democratic discourse by helping the public freely form opinions.

Based on its public service remit, the ORF is also obliged to reflect the diversity of opinions represented in public life and to respect human dignity, personality rights and individual privacy rights. Commentaries, analyses and presentations must be objective and based on verifiable facts.

A total of 22 procedures involving complaints of alleged breaches of programming principles by the ORF were initiated in the period under review. The cases mostly involved alleged breaches of the principles of objectivity and impartiality in ORF reporting. In one complaints procedure, part of the complaint was dismissed as inadmissible, with the rest being rejected as unjustified. In one procedure, the complaint had to be dismissed as a result of a failure to comply with the instruction to correct errors. In another procedure, the complaint had to be dismissed as clearly unjustified. In three other procedures, the complaint was dismissed as inadmissible due to insufficient grounds for complaint. Of these complaints, a complaint/appeal was filed against the KommAustria decisions in two cases and therefore prevented these decisions from becoming final. In one complaints procedure, the complaint was rejected as unjustified. An appeal was also filed against this decision that again prevented the KommAustria decision from becoming final.

In another procedure, part of the complaint was dismissed as clearly unfounded, with the other items being rejected as unjustified. An appeal was filed against the decision from KommAustria in this procedure. An appeal was also filed in one procedure in which a complaint had been partially confirmed, with the rest being rejected as unjustified. In one complaints procedure, the complaint against the ORF was confirmed.

Twelve complaints procedures that had been initiated could not be completed in the reporting year.

Within the scope of legal supervision of private broadcasters, a statement of facts was submitted in one procedure for an ex officio review of a private television broadcaster, in response to alleged infringements of programming principles. Here a decision was issued in the reporting period, ascertaining that programming principles had not been infringed.

Another statement of facts received offered no grounds for ex officio action to be taken on the part of KommAustria.

One complaints procedure against a private broadcaster as well as an ex officio investigation of a potential infringement of programming principles, triggered by the receipt of another statement of facts, could not be completed by the end of the reporting year.

2.2.4 Conciliation procedures in media

The RTR Media Division is competent under KommAustria as the conciliation body for complaints relating to communications networks and services used in broadcasting. The main prerequisite for a conciliation procedure is a previously unsuccessful attempt by the customer and operator or provider to reach an agreement. In the course of a conciliation procedure, RTR attempts to negotiate a mutually agreeable solution or informs the participants of its position on the case in question. The conciliation body was submitted 76 complaints in the period under review. Details about conciliation cases are available in the conciliation report published each year (see the 2024 annual report by the conciliation bodies at www.rtr.at/schlichtungsbericht-2024, in German).

2.2.5 Purpose of business, public mandate and bodies

During the 2024 reporting period, KommAustria reviewed three changes to service plans and found no reason to raise any objections.

During the reporting year, KommAustria received one complaint about a breach of Art. 4e Par. 2 in conjunction with Par. 2a and Art. 18 Par. 4 ORF-G. The procedure has not yet been completed.

A complaint was also received about a breach of Art. 21 Par. 1 No. 12 ORF-G. The procedure has not yet been completed.

A total of 14 statements of facts or petitions were also filed against the ORF in the reporting year. Of these, four were formulated as general enquiries, three did not fulfil the requirements for a formal complaint and seven concerned the ORF contribution or the legal system of financing established by the ORF-G and were therefore outside KommAustria's scope of competence.

Also in the reporting period, KommAustria initiated a procedure to review the procedure, based on Art. 4a ORF-G, for defining and revising the quality assurance system for the years 2021–2022, hereby determining that the ORF had indeed fulfilled its obligations in this respect. KommAustria also received an anonymous complaint concerning a breach of the ORF-G in the reporting year, although the complaint ultimately proved to be outside KommAustria's scope of competence.

Three other communications were forwarded to KommAustria only as copies and did not concern a specific competence of KommAustria.

2.2.6 Supervision of business activities

As part of supervising the ORF's business activities, KommAustria audited the consolidated financial statements and the individual financial statements as at 31 December 2023 during the reporting year. In this case, the KommAustria audit commission issued, based on the service agreement, audit reports with unqualified audit certificates.

A key part of the supervision of ORF business activities involves a business audit to ascertain whether ORF management is complying with the principles of economy, efficiency and expediency. In the year under review, the business audit for the 2023 business year was materially concluded with the issuing of an audit report by the audit commission covering a total of eight audit areas.

During the reporting period, KommAustria initiated one procedure, pursuant to Art. 38b ORF-G, to confiscate revenues the ORF had gained through breach of advertising provisions. A pending procedure was completed in the reporting period.

2.2.7 Market research

As part of the survey of reach and market shares carried out in 2024 for the 2023 calendar year, the RTR Media Division performed on behalf of KommAustria an initial survey of 456 providers using a special eRTR application. KommAustria subsequently requested 54 media services providers to provide information about reach (market shares), level of coverage and user or viewer figures, details required in order to compile the market report. After failing to provide this information, five media services providers were issued decisions demanding compliance, and the provider responded.

2.2.8 Promotion of accessibility

Since 1 January 2021, the AMD-G has included provisions to promote accessibility. As a result, media services providers are under obligation to take active steps to make their content accessible to people with disabilities, especially for people with sight and hearing limitations and for those with intellectual disabilities. Accessibility of content is to be achieved through a gradual and incremental process that results in increasingly more accessible content from year to year. The AMD-G specifies for media services providers to draw up action plans as a means of implementation.

To harmonise these action plans, KommAustria enacted regulations in 2021 to ensure the comparability of data and to standardise form and content, also setting up a separate web interface in the eRTR-Portal to report action plans.

During the reporting period, two infringement procedures and one administrative penal procedure in response to a failure to create an action plan (Art. 30b AMD-G) were completed with final effect.

Eleven infringement procedure cases were related to suspected infringements of Art. 30b Par. 3 AMD-G, which requires annual reporting concerning the implementation of the action plan and increasing proportions in the individual categories. These procedures were initiated and completed with final effect in the reporting period.

One provider was the subject of an infringement procedure pursuant to Art. 30b Par. 2 AMD-G and an administrative penal procedure in response to a failure to prepare an action plan for the calendar years 2023, 2024 and 2025.

Another infringement procedure in response to a suspected infringement of Art. 30b Par. 2 and 3 AMD-G (publication of the action plan and submission of the annual report) was completed in the reporting period.

2.2.9 Promotion of European works

During the reporting period, KommAustria received notifications of the funding of European works, to be submitted annually by 31 March, both from providers of on-demand audiovisual media services and from television broadcasters. The data so collected were submitted to the Federal Chancellor for reporting to the European Commission.

In the 2024 reporting year, KommAustria completed an infringement procedure against one provider of on-demand audiovisual media services, concerning the funding of European works in 2022. In its decision, KommAustria stated that, contrary to the requirements of Art. 40 Par. 1 No. 2 AMD-G, the programme guide design had failed to provide the European works with an unambiguous identifier that would have adequately distinguished them from the other works. In 2024, one infringement procedure was also conducted against one provider of an on-demand audiovisual media service in response to a 2023 infringement of notification requirements pursuant to Art. 40 Par. 4 AMD-G.

Also in the reporting year, one infringement procedure was conducted against a television broadcaster in response to a failure to notify programme figures for 2023 pursuant to Art. 50 and 51 AMD-G. One administrative penal procedure, concerning a failure to notify for 2022 programme figures in accordance with Art. 50 and 51 AMD-G, was duly completed.

2.2.10 Specific supervision of VSP providers

During the reporting period, an ex officio supervisory procedure was initiated, but not yet concluded by the end of the period, to clarify whether requirements had been met for a video sharing platform (VSO).

2.3 Market regulation

2.3.1 Public communications networks and services

Operators and providers must notify to KommAustria any planned provision of a public communications network or offer of a public communications service used to transmit broadcasts (radio and television programmes), or any offer of additional broadcasting services, as well as any changes to or discontinuation of such services. This notification requirement applies to all providers of such communications networks and all parties offering such services in Austria, regardless of their domicile. After receiving a complete notification report, KommAustria issues a confirmation (general authorisation) pursuant to Art. 6 Par. 3 in conjunction with Art. 199 Par. 2 No. 1 TKG 2021.

In practice, this notification requirement is especially significant in the case of broadcasting activities by cable network operators and IPTV providers. On the basis of the legal opinion of the European Court of Justice and its ruling of 30 April 2014 in case C-475/12, UPC DTH, certain services are considered broadcasting services and thus subject to notification requirements. Such services consist in detail of providing access rights to a package of programmes which contains radio and audiovisual broadcast services and is transmitted via satellite or cable in return for a fee.

Four broadcasting networks ceased operations in the reporting period.

2.3.2 Ex ante regulation under TKG 2021

Pursuant to the TKG 2021, KommAustria is also responsible for regulating competition among public communications networks and services used for radio and TV broadcasting. In this context, in a case involving Österreichische Rundfunksender GmbH & Co KG and ORS comm GmbH & Co KG, KommAustria issued a decision on 31 January 2018, ruling that there was effective competition within the wholesale 'market for access to transmission systems and the digital terrestrial transmission of television signals to end users,' and that no further need for sector-specific regulation existed. Later, KommAustria published a decision on 1 August 2018 declaring the wholesale market for 'analogue terrestrial transmission of FM radio broadcasting signals to end users' to be a relevant market subject to sector-specific regulation. The material aspects of this decision were confirmed by the Federal Administrative Court (BVwG) in 2023. In the 2024 reporting year, KommAustria also reviewed compliance with imposed obligations relating to the wholesale market for FM radio in 2023, specifically with regard to the cost accounting system and the question of whether the rates offered were in line with the costs of efficient service provision.

In addition, one procedure previously initiated in the 2022 reporting year was continued and still pending at the end of the reporting period. The aims here are: to identify the relevant markets subject to sector-specific regulation within the meaning of Art. 199 Par. 1 No. 2 of the TKG 2021, i.e. particularly those for broadcasting activities in accordance with the Federal Constitutional Act on Broadcasting (BVG-Rundfunk) or ancillary services; to determine whether one or more undertakings have significant market power or, alternatively, effective competition prevails in those markets; and to determine whether specific obligations are to be lifted, maintained, amended or imposed. In a decision issued on 23 July 2024, KommAustria restated its opinion that the wholesale market for 'analogue terrestrial transmission of FM radio broadcasting signals to end users' was a relevant market subject to sector-specific regulation. Within this market, Österreichische Rundfunksender GmbH & Co KG and ORS comm GmbH & Co KG were once again jointly identified as a company with significant market power, with essentially the same ex ante regulations being imposed on this company as by the decision dated 31 January 2018. An appeal against this decision was filed with the Federal Administrative Court.

2.3.3 Merger procedures

As part of competition monitoring conducted by the Federal Competition Authority (BWB), KommAustria is given the opportunity to issue an opinion on cases involving competition in the media sector.

In this context, the BWB communicated to KommAustria 30 instances where registration of company mergers affected media services in 2024. For five of these registrations, KommAustria conducted a depth assessment of the impact of the merger on media diversity and the editorial independence of the companies involved in these mergers. In all of these cases, no substantiated risk of a significant impairment to these protected aspects was identified.

KommAustria also became involved in two procedures relating to commitments to safeguard media diversity.

2.4 Supervision of intermediary services

Regulation (EU) No 2022/2065 of the European Parliament and of the Council on a Single Market For Digital Services entered into force on 17 February 2024. Specific provisions governing very large online platforms and very large online search engines have been in force since 16 November 2022.

This regulation, also known as the Digital Services Act (DSA), has created a directly applicable legislative framework that will harmonise the conditions for the provision of intermediary services throughout the single market. The aim is to create a secure, predictable and trusted online environment, in order to counter the dissemination of unlawful online content, as well as the risks to society that are potentially associated with the dissemination of disinformation or other content, offering effective protection for fundamental rights while promoting innovation.

The Coordinator for Digital Services Act (KDD-G) was adopted with the aim of introducing implementation measures, first and foremost to establish an authority responsible for enforcing DSA provisions (Digital Services Coordinator) and to legally define penalty provisions. This act also entered into force on 17 February 2024.

Intermediary services fall within the scope of the DSA. These services include transit services, cashing services, hosting services, online platforms and online search engines. The duties of care incumbent on an intermediary service are proportional to its functionality and size. Accordingly, the DSA imposes duties of care on all providers of intermediary services (e.g. appointment of a central contact point, transparent reporting duties) as well as additional obligations:

- On hosting service providers, including online platforms (e.g. notice and action mechanisms)
- On providers of online platforms (e.g. internal complaints management system, out-of-court dispute resolution, trustworthy whistleblowers, codes of advertising conduct, transparent recommendation systems)
- On providers of online platforms that enable consumers to conclude distance selling agreements with companies (e.g. 'know your business customer' rule or 'compliance by design' principle)
- Relating to the handling of systemic risks, on providers of very large online platforms (VLOPs) and very large online search engines (VLOSEs)

The Digital Services Act requires Member States to set up one or more competent authorities who will be tasked with supervising the providers of intermediary services as well as enforcing this regulation. A National Digital Service Coordinator must also be appointed, who is given sole responsibility for those intermediary services whose head office is domiciled in the respective Member State. In relation to systemic risks, the European Commission is also responsible for the supervision and enforcement of duties owing upon providers of very large online platforms and very large online search engines.

In transposing these provisions into national law, Austrian legislators have passed the KDD-G, which appoints KommAustria as the competent authority for assuming the duties of a Digital Services Coordinator as defined in Art. 49 Par. 1 and 2 DSA. KommAustria has been the Digital Services Coordinator for Austria since 17 February 2024.

2.5 Act on Transparency in Media Cooperation and Funding

The Act on Transparency in Media Cooperation and Funding ([MedKF-TG](#)) imposes duties of disclosure, relating to media cooperation and funding, on legal entities subject to the supervision of the Austrian Court of Audit (ACA). This act aims to ensure full transparency concerning the awarding of advertising contracts and the funding of public authorities.

Since mid-2012, public legal entities supervised by the ACA must notify to KommAustria all contracts for all forms of advertising, sponsoring and product placement (advertising orders).

This notification had to be made on a quarterly basis until 2023. Advertising orders of more than EUR 5,000 were notifiable. If a legal entity had no advertising orders, or only had orders under EUR 5,000, then a 'blank notification' had to be submitted.

A wide-ranging amendment to the MedKF-TG entered into force on 1 January 2024. Key changes include an extension of the notification intervals, from quarterly to half-yearly, the abolition of the de minimis limit and the removal of the duty to submit a 'blank notification'. The scope of the notification duty was also expanded to non-periodical media and outdoor advertising. In addition, legal entities are now required to upload to a database the advertising subjects used, where the value of the total advertising order exceeds EUR 10,000. The number of legal entities subject to the notification duty remained essentially the same, at around 5,300 entities, largely because the preconditions for the imposition of the duty have remained unchanged.

The expansion of notification duties introduced by the amendment resulted in a significant increase in total ad spend reported and the volume of notifications received. As a result of the amendment to legislation, the number of legal entities notifying advertising orders almost tripled.

Around 1,465 legal entities submitted a notification in the first half of 2024 and therefore fulfilled their legal duty. An average of 500 legal entities did the same in the prior-year period. A total of 3,869 legal entities did not notify any ad spend for the first half of 2024.

For the first half of 2024, an advertising volume amounting to EUR 196,508,874 was notified, alongside a total funding volume amounting to EUR 37,481,557.

The MedKF-TG aims to ensure full transparency in relation to advertising orders and funding. To achieve this objective, the act provides for two types of disclosure measure:

First, KommAustria publishes lists classifying legal entities as those that have fulfilled their reporting obligations by the regular reporting deadline and those that have not done so ('traffic light list').

Secondly, a disclosure is made of the data notified by the legal entities. As a result of the amendment, this data is now presented visually in the form of tables, graphics and diagrams.

Since 1 January 2024, all notified data can be accessed in a graphics format on the RTR website at <https://visualisierung.medientransparenz.rtr.at/>. All data, including data for previous notification periods since 2020, are available as [Open Data](#).

2.6 Act Addressing Terrorist Content

Entering into force on 1 September 2023, the Austrian Addressing Terrorist Content Act (TIB-G) codifies the obligations arising from the EU Terrorist Content Online (TCO) Regulation. KommAustria is the competent authority as defined by the TCO Regulation. The TCO Regulation aims to counter and contain terrorist online content within the European Union. Terrorist online content is to be taken from the internet as soon as possible, thereby helping to improve public safety throughout the Union as a whole.

The TCO Regulation authorises the competent authority to issue takedown orders relating to terrorist online content. The hosting service provider (HSP) must comply with such orders within one hour. Removal orders may also be issued by authorities in other Member States: in such cases, the competent authority in the HSP's country of domicile has a right to review the order. In certain circumstances, HSPs must take action when confronted with terrorist content. For example, providers must report to the competent law enforcement agency without delay any terrorist content that represents a direct threat to life.

Breaches of the TIB-G are subject to legal penalties and fines of up to EUR 50,000 may be imposed. Systematic or repeat offences may be subject to fines of up to 4% of the provider's annual revenue.

In 2024, KommAustria issued eight takedown orders to two HSPs whose head offices were domiciled in another Member State (Belgium and Ireland). The HSPs complied with all orders and removed the offending content within the legal deadline of one hour after receiving the order in all cases. In one case, the Federal Administrative Court as the appellate court dismissed an appeal filed by an HSP against an order. All takedown orders were in relation to terrorist content of a jihadist nature.

In four (other) cases, the authority also made use of the milder remedy of a referral rather than issuing takedown orders. With a referral, a provider is notified that a piece of content may have relevance for the TCO Regulation, and is asked to review this content for compliance with their terms and conditions of use.

2.7 Administration and coordination of broadcasting frequencies

In Austria, KommAustria manages the frequency spectrum for the terrestrial broadcasting of radio stations and television channels. The terrestrial broadcasting spectrum consists of various frequency bands, each of which is allocated to a certain broadcasting system.

Analogue radio (FM), digital radio (TDAB+) and digital television (DVB-T/T2) are the broadcasting systems of commercial relevance in Austria, correspondingly offering large-scale coverage and being of public interest.

The authority receives support for its broadcasting frequency management by the department of the same name (RFFM) within the Media Division at RTR. This task includes the preparation of spectrum evaluation reports during licence award procedures, international frequency coordination, and bilateral/multilateral frequency negotiations with neighbouring countries. As the signals broadcast often extend far into other territories, it is important to negotiate broadcasting frequencies with neighbouring countries as part of a coordinated procedure, so as to avoid mutual interference when receiving broadcasts from the transmitters. The details of such coordination activities are set out in the international agreements that are negotiated by the ITU, a subsidiary organisation of UNO, in its regional radiocommunication conferences.

RFFM staff also participate in the international working groups organised by the CEPT, the EU and the ITU when broadcasting topics affecting Austria are discussed by these bodies.

2.7.1 Licensing and assignment procedures

The RFFM department prepares spectrum evaluation reports for KommAustria's licensing procedures. Such reports mainly involve evaluating technical planning, to determine feasibility in terms of spectrum as well as the number of residents to be provided with coverage. The section below provides a number of details from the procedures in 2024.

2.7.1.1 Reports relating to FM radio

In 2024, as a result of expert opinions commissioned for award procedures managed by KommAustria, numerous frequency changes – particularly extensions – as well as new licensing and relicensing procedures for radio were analysed in terms of spectrum, and expert reports prepared.

Expert opinions were commissioned for licensing procedures that had been preceded by an invitation to tender. The reports included the following coverage areas: Traunviertel, parts of Hausruckviertel and Mühlviertel, Bruck an der Mur/Mur-, and Mürztal, Freistadt, Styria, Pinzgau, Bad Radkersburg, Innergebirg, Dornbirn and Bregenz, and for nationwide private radio.

Numerous applications were also made to extend existing FM licences throughout Austria and to change existing broadcasting systems. Western Styria was a point of focus for frequency planning in the reporting year, with numerous extension projects for existing radio broadcasters that have in most cases resulted in permits under telecommunications law.

Planning of spectrum and coordination with neighbouring states were also required for a test transmission using the frequency 'RECHNITZ 2 (Hirschenstein) 107.7 MHz'

As in previous years, expert opinions were also prepared for the educational radio stations at Deutschlandsberg, Vösendorf and Freistadt, as well as for the St. Pölten campus radio station and the educational radio station in Vienna.

During the reporting year, major effort resulted from the need to comply with an ordinance issued pursuant to TKG 2021, which from 1 February 2025 gradually terminates all radio system permits previously issued for an indefinite term, so that reapplication is required. In radio broadcasting, this ordinance affected around 700 FM broadcasting stations operated by the ORF. The spectrum parameters of these broadcasting transmitters needed to be reviewed and the technical appendices prepared for the new licence decisions – now limited to a maximum term of ten years.

Several reports were prepared in 2024 in the context of the licensing of event radio stations organised consecutively in Lower Austria and Vienna. In the second half of the year, the frequencies for event radio broadcasting in Lower Austria were taken over by a regular private radio operator, after a KommAustria award procedure for which an expert opinion on spectrum had been commissioned.

In 2024, expert opinions were again commissioned and technical documents prepared in response to applications for permits for FM tunnel radio systems under telecommunications law.

In the reporting year, a large number of highly varying requests were again received for low-power FM broadcasting licences, among them for drive-in cinema, audio descriptions, cultural events, civil defence exercises and similar purposes. RFFM staff therefore had to evaluate the frequencies used by these applications to exclude any chance of disruption to existing radio broadcasting stations.

2.7.1.2 Reports relating to digital television

A spectrum evaluation report was also prepared for the extension of 5G Broadcast test operations to channel 45 at the broadcasting transmitter sites WIEN 1, WIEN 8 and WIEN 9 as well as channel 42 at WIEN 8 and WIEN 9.

In relation to event radio permits under telecommunications law, the use of channel 42 at the locations of Campus Vienna, St. Pölten, Wiener Neustadt, TGM and Hollabrunn was analysed in terms of spectrum for use as a low-power 5G broadcast transmitter.

2.7.1.3 Reviews relating to digital radio (T-DAB+)

In the context of setting up a new MUX III with nationwide coverage and other multiplex invitations to tender for extending the existing regional MUX II platform, as commissioned by KommAustria, six spectrum evaluation reports with the corresponding technical documentation were prepared in early 2024.

Expert opinions and technical documentation were prepared for the establishment of the new Schladming 1 T-DAB+ broadcasting site, which now transmits three T-DAB+ multiplexes.

In relation to the frequency block 5C at the Inntal Ebbs broadcasting site, which is located on Austrian territory, RFFM prepared a technical feasibility study and a corresponding expert opinion for a Germany-based multiplex operator, as part of the award procedure managed by KommAustria.

The T-DAB+ tunnel radio test systems in Vösendorf and Rannersdorf were also renewed for another year, with the necessary technical documents and expert opinions prepared.

2.7.2 Spectrum negotiations and coordination procedures

In September 2024, a two-day multilateral meeting was held in Vienna with neighbouring country administrations from Germany, Liechtenstein and Switzerland (ADSL Group), which was also attended by broadcasting network operators from Austria and Germany. The event addressed general topics relating to FM and DAB+ coverage. Several change requests and potential solution strategies were aired relating to the FM assignment plan for T-DAB+.

Meeting participants also shared information about developments in the 5G broadcast standard for the mobile reception of broadcast signals. The question of how contemporary digital broadcasting networks can support efforts to keep the general public informed during a disaster event was also discussed, together with potential approaches.

In relation to the FM frequency range, the number of international coordination procedures involving Austria declined slightly when compared with previous years.

At the ITU in Geneva, by contrast, registrations have risen for FM broadcasting transmitters without prior bilateral consultations.

Digital radio (T-DAB+) was another area where many broadcasters completed registration in the Geneva Frequency Plan in 2024, in accordance with international requirements; these cases were also reviewed by the RFFM.

Czechia coordinated with Austria several new minor local DVB-T/T2 broadcasters in the reporting year. Overall, there were only a few frequency planning activities in relation to digital television (DVB-T/T2) at either national or international level.

In Vienna, 5G broadcasting trials continued in the reporting year. As in previous years, a television channel temporarily provided by the Slovakian administration was once again utilised for this purpose.

The following table lists for the reporting year the number of international broadcasting frequency coordination procedures that were completed with Austria as a participant:

Table 10: Number of international broadcasting frequency coordination procedures in 2024 (AM = medium wave)

Country	Analogue radio	Digital radio	Digital television
Austria	56 + 1 AM*	18	5
Bosnia	1		
Germany	8	39	1
France	4		
Italy	1 AM		
Poland	3		
Switzerland		25	
Slovakia	8	3	1
Slovenia	3	4	
Czechia	14	49	3
Hungary	4		
TOTAL	101 + 2 AM*	138	10
ITU registrations	323	115	1

ITU registrations given in the last row of the table relate to coordination requests for which no bilateral pre-coordination was completed with Austria before registration in the corresponding Geneva Frequency Plan.

As with all other coordination requests listed in the table, these were also subjected to a frequency evaluation. Overall, the RFFM team processed a total of 25 circulars from the ITU with Geneva Frequency Plan registrations in the reporting year.

2.7.3 Measurement projects

Extensive FM measurements were conducted as part of expert opinion commissions and coordination procedures. Several of these measurements concerned greater Vienna as well as northern and southern parts of neighbouring areas. Additional FM measurements were carried out around Graz, Eisenstadt and Klagenfurt, within the city limits of Ried im Innkreis, and in the frontier area between Slovenia and Hungary. A requested test transmission of the frequency 'RECHNITZ 2 (Hirschenstein) 107.7 MHz' was also utilised for measurements.

Various audits of the operational state of broadcasting systems were also carried out in the reporting year.

2.7.4 Frequency register

The frequency register and transmitter map currently lists over 1,400 radio transmitters in the FM band, with power output ranging from less than 1 W to 100 kW.

The ORF accounts for roughly 850 frequencies or transmission capacities, while the remaining spectrum is used by private broadcasters.

In the 470 to 694 MHz television frequency band, the currently approved DVB-T/T2 transmitters in the frequency register were distributed among the individual multiplex platforms as at the end of 2024 as shown here (see table below).

Table 11: Approved DVB-T/T2 transmitters (as of 31 December 2024)

Multiplex	Number of broadcasting transmitters
DVB-T2 multiplex A (ORS multiplex)	317
DVB-T2 multiplex B (ORS multiplex)	43
DVB-T/T2 multiplex C (regional/local multiplex platforms)	31
DVB-T2 multiplex D (ORScomm multiplex)	43
DVB-T2 multiplex E (ORScomm multiplex)	43
DVB-T2 multiplex F (ORScomm multiplex)	43

The 31 base stations in the DVB-T/T2 multiplex C platform are operated by a total of 14 other licence holders in addition to ORScomm.

In VHF band III, which is reserved for DAB+, the following TDAB+ multiplexes were approved as at the end of 2024:

Table 12: Approved DAB+ transmitters (as of 31 December 2024)

Multiplex	Number of broadcasting transmitters
DAB+ multiplex I (ORS comm)	15
DAB+ multiplex II (RTG Radio Technikum GmbH)	1
DAB+ multiplex II (ORS comm)	15
DAB+ multiplex III (ORS comm)	15

Data on approved broadcasting transmitters are available to the public on the RTR website (www.rtr.at) in the form of a transmitter map as well as tables.

2.7.5 Contributions to working groups under international organisations

2.7.5.1 Participation in WP6A of ITU SG 6

Working party 6A of the ITU-R SG 6 drafted – and in some cases also then adopted – a number of revised standards, guidelines, recommendations and reports relating to frequency planning for digital terrestrial broadcasting systems.

The direct transmission of broadcasting signals to mobile devices (phones, tablets etc.) via terrestrial broadcasting transmitters was once again a relevant topic.

The USA and South Korea are also setting up their ATSC 3.0 broadcasting system for the mobile reception of linear broadcasting applications, and reported on trial broadcasts completed in the reporting year.

2.7.5.2 RSPG sub-working group: assessment of the future usage of the frequency band 470–694 MHz within the EU

In the reporting year, a new RSPG sub-working group was established, tasked with preparing a report or opinion on the future usage of the 470–694 MHz frequency band within the European Union after 2030.

This group accordingly developed an extensive questionnaire consisting of around 80 individual items, aimed at giving European regulatory authorities and stakeholders the opportunity to present their expectations in relation to the future usage of this frequency band.

Supported by RFFM staff, KommAustria and the Federal Ministry of Finance (BMF) submitted a jointly completed questionnaire.

2.8 International activities

2.8.1 KommAustria and ERGA

KommAustria maintained a high level of international engagement in 2024, both with and as part of ERGA.

After the adoption of the DSA in October 2022 and the DMA even earlier, in September 2022, attention then turned to the EMFA. During the finalisation of the EMFA, ERGA was consulted several times to advise the European Commission and asked to provide statements on each of the new drafts of the text.

In 2024, ERGA once again completed its work programme in full, with all targets being duly met. KommAustria and RTR staff members played an active part in all four ERGA working groups as well as the action group. Austria's participation in international working groups ensures that the interests and goals of the Austrian media markets are provided with a level and harmonised playing field within an EU context, one that is, wherever possible, also in line with the situation in other EU countries.

Last but not least, the last ERGA plenary meeting was used to draw up the general terms of reference for its successor group, the EBMS. Carlos Aguilar-Paredes (Director of the Spanish regulatory authority CNMC) was nominated for the position of chair of the EBMS for 2025, with Susanne Lackner (deputy chair of KommAustria) being unanimously nominated for the EBMS board. Accordingly, KommAustria will be able to continue its leading role in European bodies into 2025.

2.8.1.1 Working group for the consistent implementation and enforcement of the European framework for audiovisual media services

Among the tasks for this subgroup in 2024 were the consolidation of efforts made by ERGA to ensure an improved and more effective enforcement of the EU's legislative framework for audiovisual media services as well as the collection of data on transposition and the potential future development of this legislative framework. These efforts resulted in a report that, building on the previous year's report, investigates the measures implemented by providers of audiovisual media services, presenting the methods used for age verification systems, the criteria for flagging illegal content and the control systems deployed for the parental control of media content.

Implementation and application of the rules set out in the MoU adopted by ERGA in 2020 was also reviewed with the aim of deriving insights to be used in further development. This MoU facilitates the provision of cross-border support and guidance between regulatory authorities, especially in cases where national options for action on the part of regulatory authorities are restricted by the country-of-origin principle. This is a vital topic, not least because of the EMFA's planned expansion of such cross-border collaboration to become a structured and binding cooperative partnership.

A report on the accessibility of media services for people with particular needs was also prepared, describing the measures implemented by Member States and the impact achieved by these initiatives.

2.8.1.2 Working group for the transition from ERGA to the EBMS

This working group addressed the transition from ERGA to the new EBMS as its main topic in 2024. The EMFA envisages the dissolution of ERGA. Accordingly, a considerable amount of planning needed to be completed for the forthcoming changes and a new structure created for continued international collaboration. Specific documents adopted for the new group included rules of procedure, the work programme and a strategic focus for the initial period.

2.8.1.3 Working group for countering disinformation and strengthening democracy in the digital environment

During 2024, this group was tasked with supporting and advising the Commission on the effective implementation of the more rigorous code of practice on disinformation as well as participating in the activities of a permanent taskforce for countering disinformation. Work in this group also involved monitoring how the competencies of national regulatory authorities evolve towards countering disinformation.

The group also advised the European Commission during the drafting process for the Regulation on the transparency and targeting of political advertising. The group organised two workshops dedicated to the framework created by the DSA to tackle disinformation and also monitored the implementation of the European Democracy Action Plan.

2.8.1.4 Working group for EU regulation of digital services – implementation, enforcement and the role of audiovisual regulators

This working group addressed the interplay between the DSA and the Audiovisual Media Services Directive (AVMSD). In 2024, the group analysed the experiences of national regulatory authorities when regulating media services across borders and made suggestions to further improve the effectiveness of such cross-border enforcement. Much of this work involved highlighting the differences between the provisions of the DSA and those of the AVMSD, given their similarities in a number of areas, also with the aim of clarifying the scope of the various regulatory responsibilities.

2.8.1.5 Action group for media literacy

The ERGA work programme for 2024 once again emphasised the role of media literacy in light of its significance for democratic discourse and debate. Based on the work of ERGA's Action Group on Media Literacy in previous years, national practices were compared in 2024 and a report prepared.

2.8.2 KommAustria and EPRA

EPRA is a platform extending beyond the borders of the European Union that takes in 55 media regulatory authorities from 47 countries. The platform concentrated efforts in 2024 on the following points:

- Applied artificial intelligence
- Media literacy
- Hate speech on the internet

On the topic of AI, EPRA examined the significance of AI systems for media oversight while highlighting possible approaches to introducing AI into the working processes of media regulators. The impact of AI systems on media content was also investigated.

Noting the growing problem of disinformation, the group also discussed the significance of media literacy and the role of media regulators. With 2024 being one of the biggest election years ever worldwide, the group also looked at the topic of disinformation as a tool for influencing election outcomes.

Lastly, EPRA also discussed approaches to fighting hateful content in times of crisis. EPRA activities here addressed the question of the role to be taken by media regulators, especially when searching for ways to combat and prevent hate speech online and offline in times of crisis.

KommAustria also cooperated actively within EPRA, playing a major role in achieving the outcomes that resulted from implementing the 2024 EPRA work programme. In addressing this topic, EPRA even took the step of inviting a guest speaker from RTR to an EPRA conference. This expert presented the work of RTR's AI Service Desk to the international delegates.

2.8.3 KommAustria and cooperation with consumer authorities

KommAustria is the competent consumer protection authority for cooperation with consumer authorities at EU level. To enforce decisions on intra-EU (cross-border) infringements of certain significant consumer protection regulations – in terms of media services, these are the regulations on commercial communication – a corresponding network of consumer protection authorities has been set up, with the aim of addressing and preventing harmful practices.

In the context of its corresponding duties, KommAustria routinely fulfilled its responsibilities in the field of advertising monitoring during 2024.

2.8.4 Sanctions

Various Russian media outlets were placed on the list of sanctioned legal persons, organisations or institutions, in line with the restrictive measures placed on Russian media by the Council of the European Union. These sanctions are imposed by the directly applicable Regulation (EU) 2022/350 of 1 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, OJ L 65/1 of 2 March 2022 (having regard to Council Decision (CFSP) 2022/351 of 1 March 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, OJ L 65/5 of 2 March 2022).

KommAustria makes regular checks to determine whether sanctioned content is accessible.

2.9 Grants

The federal subsidies for the press, publishing and quality journalism are direct support measures in the form of financial contributions. Decisions on the allocation of subsidies are made by KommAustria. The Press Subsidies Commission, the Journalism Subsidies Advisory Board and the Advisory Board for the Promotion of Quality Journalism have been set up as bodies to advise on these matters.

The legal bases for the allocation of grants are the Press Subsidies Act (PresseFG) 2004, the press subsidies guidelines published annually by KommAustria, Section II of the Press Subsidies Act (PubFG), the Act on the Promotion of Quality Journalism (QJF-G) and the promotion of quality journalism guidelines also published annually by KommAustria. The funding of the self-regulating body in print and online is also governed by the QJF-G (Art. 14 QJF-G).

The promotion of self-regulation in the area of commercial communication (Art. 33 KommAustria Act, KOG) and, since 2021, promotion of self-regulation for the protection of minors (Art 32b KOG) also fall within KommAustria's scope of responsibility. No provision has been made for an advisory body to promote these self-regulation bodies. The legal bases for the allocation of grants are the aforementioned statutory provisions and the respective funding guidelines published by KommAustria.

2.9.1 Press subsidies

Press subsidies provide daily and weekly newspapers in Austria with financial support in the interests of promoting a diverse local press landscape. Publishers of daily and weekly newspapers are the target group for the subsidies under the PresseFG 2004.

Section IV of the PresseFG 2004, "Promotion of quality and securing the future", was repealed by the entry into force of the QJF-G on 23 December 2023. The funding measures in that section (EUR 1,560,000), including funding for representative self-regulation bodies for print and online (EUR 150,000), are now to be found in the new quality journalism legislation, in expanded form in terms of content and the allotted budget (cf. [2.9.2](#)).

In 2024, press subsidies were therefore paid out only for distribution (of dailies and weeklies) and in the form of the special subsidy for daily newspapers.

In 2024, KommAustria received 44 applications for subsidies in accordance with the PresseFG 2004. KommAustria awarded funding in 43 cases, with one application having to be rejected due to failure to meet the legal requirements for funding.

Table 13: Press subsidies – grant amounts, applications and approval rates, 2020–2024

Year	Grant amount (EUR)	Requests	Approvals	Approval rate in %
2020	27,038,757.00	243	205	84.36
2021	8,881,000.00	108	104	96.30
2022	8,860,000.00	101	99	98.02
2023	8,904,260.00	102	98	96.08
2024	7,127,000.00	44	43	97.73

Notes:

- 1) This list takes into account the "Promotion of quality and securing the future" governed by Section IV of the PresseFG 2004 until 2023 and the subsidy for the Austrian Press Council, also governed until that date by the PresseFG 2004. Since 2024, both now fall under the quality journalism promotion law, which provides for some changes and a larger budget. This fact also explains the drop in grant applications as well as total press subsidies disbursed.
- 2) The total amount for 2020 encompasses the following types of special Covid-19 aid, in addition to the normal press subsidies: increase in distribution subsidies for daily and weekly newspapers under Art. 17 Par. 8a PresseFG; contribution to printing costs for free and paid-for daily newspapers under Art. 12b PresseFG; and extraordinary funding for free and paid-for weekly newspapers, paid-for magazines, regional newspapers and online newspapers under Art. 12c PresseFG 2004.

The following amounts and applications were allotted to the individual funding areas:

Table 14: Total press subsidies in 2024

Total press subsidies in 2024	Funding	Requests	Granted
Distribution subsidies under Section II PresseFG (dailies and weeklies)	3,885,000.00	41	40
Special subsidies under Section III PresseFG	3,242,000.00	3	3
Total	7,127,000.00	44	43

Full details of subsidy activities are published on the website www.rtr.at.

2.9.2 Promotion of quality journalism

The QJF-G was published in the Federal Law Gazette I No. 163/2023 on 22 December 2023 and entered into force on the following day. The subsidies introduced by this act were first disbursed by KommAustria in 2024.

The promotion of quality journalism legislation provides financial aid to daily and weekly newspapers, magazines and online media to fulfil two key aims. First, to promote the diversity of text-based news media as a basis for public discourse and diversity of opinion. Second and importantly, to support professional journalists who in creating quality editorial content adhere to recognised journalistic principles and exercise the necessary diligence to verify facts and the authenticity of sources. Alongside promoting journalism and content diversity, the QJF-G also provides for the promotion of basic and advanced training, media literacy, as well as the promotion of self-regulation, press clubs and media research projects.

The intended recipients of QJF-G grants include: owners of daily and weekly newspapers, magazines and online media, institutions providing basic and advanced training for journalists, press clubs, research and educational institutions (media research projects), educational institutions for media (promotion of media literacy), and self-regulation bodies for print and online media.

A total of EUR 20,042,500 is made available within each observation period. Funding decisions are made by KommAustria after a meeting of the advisory board.

The first grants to promote quality journalism were disbursed in 2024 for the 2022 and 2023 observation periods.

Table 15: Promotion of quality journalism for the 2022 and 2023 observation periods

Observation period	Grant amount (EUR)	Requests	Approvals	Approval rate in %
2022 ¹	20,029,401.40 ²	213	172	80.75
2023	20,042,858.60 ³	215	177	82.33

1 The total grants reported for the 2022 observation period also include funds previously disbursed for the 2022 observation period under Section IV of the PresseFG 2004, "Promotion of quality and securing the future", having to be properly accounted for pursuant to the transitional provision (Art. 24 Par. 3 last sentence QJF-G).

2 One former grant recipient did not fulfil the new QJF-G subsidy criteria. The grant of EUR 358.60 to fund free subscriptions for schools was therefore withheld in the 2022 observation period. The figure is not the full EUR 20,042,500 because the Press Council did not claim all of the new maximum grant provided for by the QJF. The difference then had to be allocated to an earmarked reserve as specified in Art. 14 Par. 2 of the QJF-G.

3 The sum of EUR 358.60 to fund free subscriptions for schools, withheld in the 2022 observation period, was allocated to the same funding track for the 2023 observation period.

Table 16: Promotion of quality journalism in the 2022 observation period

Promotion of quality journalism (2022 observation period)	Grant amount (EUR)	Requests	Granted
Promotion of journalism including foreign correspondents and additional grants (Art. 6 QJF-G) ⁴	15,405,591.99	84	64
Promotion of content diversity (Art. 7 and 8 QJF-G) ⁵	2,668,875.60	76	56
Educational institutions (Art. 9 QJF-G)	900,000.00	8	8
Career-integrated basic and advanced training (Art. 10 QJF-G)	2,375.00	1	1
Basic training of young journalists (Art. 11 QJF-G)	164,456.91	12	11
Institutions for media literacy (Art. 12 QJF-G)	195,540.50	1	1
Free subscriptions for schools (Art. 13)	349,641.40 ⁶	23	23
Press clubs (Art. 15 QJF-G)	62,500.00	5	5
Media research (Art. 16 QJF-G)	63,130.00	2	2
Subtotal	19,812,500.00	212	171
Self-regulation bodies for print and online media (still disbursed as part of press subsidies)	217,260.00	1	1
Grant amount disbursed	20,029,401.40	213	172

Full details of subsidy activities are published on the website www.rtr.at.

4 Including the new grants for foreign correspondents, as well as additional grants for media owners who have adopted an editorial code pursuant to Art. 5 of the Media Act (MedienG), who operate an error management system, who have established a quality assurance system, or who have and apply verified company programmes to promote women in journalism.

5 Funds for the promotion of content diversity were disbursed as follows: regional reporting pursuant to Art. 7 QJF-G (59 requests, 47 approvals, total of EUR 2,111,034.60); EU and international reporting pursuant to Art. 8 QJF-G (17 requests, 9 approvals, total of EUR 557,841.00).

6 As one former grant recipient did not fulfil the new QJF-G subsidy criteria, the sum of EUR 358.60 to fund free subscriptions for schools was withheld during the 2022 observation period and allocated to the 2023 observation period.

Table 17: Promotion of quality journalism in the 2023 observation period

Promotion of quality journalism (2023 observation period)	Funding	Requests	Granted
Promotion of journalism including the promotion of foreign correspondents and additional grants (Art. 6 QJF-G) ⁷	15,384,657.43	87	68
Promotion of content diversity (Art. 7 and 8 QJF-G) ⁸	2,500,000.00	78	59
Educational institutions (Art. 9 QJF-G)	900,000.00	8	8
Career-integrated basic and advanced training (Art. 10 QJF-G)	6,710.00	2	2
Basic training of young journalists (Art. 11 QJF-G)	286,429.57	8	8
Institutions for media literacy (Art. 12 QJF-G)	285,203.00	2	2
Free subscriptions for schools (Art. 13 QJF-G)	350,358.60	23	23
Press clubs (Art. 15 QJF-G)	62,500.00	5	5
Media research (Art. 16 QJF-G)	37,000.00	1	1
Subtotal	19,812,858.60	214	176
Self-regulation bodies for print and online media	230,000.00	1	1
Grant amount disbursed	20,042,858.60	215	177

Full details of subsidy activities are published on the website www.rtr.at.

2.9.3 Journalism subsidies – promotion of print periodicals

Section II of the PubFG provides for the promotion of periodicals that serve the purpose of educating citizens by contributing high-quality analysis of relevant issues stemming from the spheres of policymaking, culture and world views. Taken as a whole, the periodicals that receive funding represent a broad spectrum of content. The publications range from feminist periodicals to journals that are centred on religious topics or discuss political and scientific issues. Also included are periodicals by associations that are active in the fields mentioned above and are familiar with the topics through practical experience.

In 2024, KommAustria received 61 applications for funding of a print periodical in accordance with Section II PubFG, complying with 58 requests while rejecting three due to failure to meet statutory funding requirements.

KommAustria decides the level of funding on a case-by-case basis, giving due consideration to recommendations made by the Journalism Subsidies Advisory Board as well as to the scope, circulation, resources and financial situation of the relevant print periodical. By law, grants may be no less than 0.4% and no more than 4% of the funds designated for this purpose in the Federal Finance Act (BFG).

⁷ Including new grants for foreign correspondents, as well as additional grants for media owners who have adopted an editorial code pursuant to Art. 5 of the Media Act (MedienG), who operate an error management system, who have established a quality assurance system, or who have and apply verified company programmes to promote women in journalism.

⁸ Funds for the promotion of content diversity were disbursed as follows: regional reporting pursuant to Art. 7 QJF-G (62 requests, 50 approvals, total of EUR 1,989,821.46); EU and international reporting pursuant to Art. 8 QJF-G (16 requests, 9 approvals, total of EUR 510,178.54).

As in previous years, EUR 340,000 was available for this funding in 2024. The subsidy amounts ranged from EUR 1,360 to EUR 13,600.

Table 18: Journalism subsidies – grant amounts, applications and approval rates, 2020–2024

Year	Grant amount (EUR)	Requests	Approvals	Approval rate in %
2020	340,000.00	77	72	93.50
2021	340,000.00	75	73	97.30
2022	340,000.00	70	69	98.60
2023	340,000.00	66	64	96.97
2024	340,000.00	61	58	95.08

Full details of subsidy activities are published on the website www.rtr.at.

2.9.4 Promotion of self-regulation bodies for print and online media

Until 2023, grants were available from the Fund for the Promotion of Self-Regulation of the Press ('Fonds zur Förderung der Selbstkontrolle der Presse') established by the PresseFG 2004 for recognised self-regulatory bodies within the Austrian press. The objectives were to ensure the independence of the body in question, to ensure that the body carries out the duties set forth in its articles of association, and to help it effectively enforce its decisions and resolutions. This fund was allocated an annual budget of EUR 150,000.

Since 2024, the promotion of self-regulatory bodies in print and online media has been incorporated into funding for the promotion of quality journalism. The annual budget has now been increased to EUR 230,000, in addition to any applicable reserves and interest.

The Austrian Press Council was the sole applicant for funding in 2024, requesting a cost contribution that was subsequently approved by KommAustria with a grant of EUR 230,000. The Austrian Press Council processed 425 cases in total in 2024. A total of 422 cases were submitted to the Press Council from outside parties, while in three cases the body's senates reviewed cases arising from its own monitoring activities.

Of Austria's dailies, only Kronen Zeitung has not recognised the Press Council's arbitrator status.

Table 19: Press Council – number of cases handled and cost contributions, 2020–2024

Year	Cases	Cost contribution in euros
2020	418	196,000
2021	647	194,000
2022	435	173,000
2023	407	217,260
2024	425	230,000

2.9.5 Funding for self-regulation of commercial communication

The Fund for the Promotion of Self-Regulation in Commercial Communication has been allocated EUR 75,000 each year since 2021 (previously EUR 50,000 a year). Pursuant to Art 33 KOG, this amount can be granted to a recognised self-regulatory body in the field of media commercial communication. After the addition of interest and the deduction of bank fees, funding totalling EUR 74,860 was available in 2024.

The objectives of this kind of financial support, originally introduced in 2009, are to ensure the independence of the body in question, to ensure that the body carries out the duties set forth in its articles of association, and to help effectively enforce its decisions and resolutions.

As the sole applicant, the Österreichische Gesellschaft zur Selbstkontrolle der Werbewirtschaft – Österreichischer Werberat (Austrian Advertising Council) received all available funding in 2024. A total of 372 complaints were submitted to the Austrian Advertising Council and 249 decisions were handed down in 2024. Gender-discriminatory advertising and 'Ethics and Morals' were the categories that received the largest volume of complaints.

Table 20: Press Council – number of cases handled and cost contributions, 2020–2024

Year	Cases	Cost contribution in euros
2020	411	50,000
2021	413	75,000
2022	503	75,000
2023	334	75,000
2024	372	74,860

2.9.6 Promotion of self-regulation for the protection of minors

An option for promoting a self-regulatory body for the protection of minors was introduced as of 1 January 2021. The corresponding fund is provided with EUR 75,000 a year. This amount can be granted to a representative self-regulatory body for the protection of minors pursuant to Art. 32b KOG, to ensure the independence of the body in question, to ensure that the body carries out the duties set forth in its articles of association, and to help effectively enforce its decisions and resolutions.

Following a guideline amendment in 2024, requests for grants to secure liquidity for self-regulatory bodies can now be made twice a year (first submission deadline is 31 August in the funding year, second submission deadline is 31 March in the following year).

The only applicant to date has been the Association for the Protection of Minors through Self-Regulation of Audiovisual Media Products and Services ("Verein zur Selbstkontrolle audiovisueller Medienangebote zum Schutz von Minderjährigen", abbreviated Jugendmedienschutzverein), formed in June 2021. Four complaints were submitted to the self-regulatory body in 2024 in response to a breach of the conduct guidelines. Alongside activities relating to prevention, the Association also addressed the topic of influencers in 2024.

In 2024, a total of EUR 62,888.84 from the 2023 application period was approved and disbursed to the Jugendmedienschutzverein, while The sum of EUR 31,720.59 from the first application period in 2024 was likewise approved and disbursed. The second submission deadline for the 2024 funding period is in March 2025.

Table 21: Press Council – number of cases handled and cost contributions, 2021–2024

Year	Cases	Cost contribution in euros (disbursed in funding year)	Submission deadlines / funding period
2021	0	35,971.32	2021 submission deadline
2022	2	13,054.59	2022 submission deadline 1
2023	6	47,742.94	2022 submission deadline 2
2024	4	62,888.84 31,720.59	2023 submission deadline 2024 submission deadline 1



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KommAustria reports

03 KommAustria Reports

3.1 2024 Youth Protection Report

3.1.1 Introduction

As noted in the communications reports published in previous years, the self-regulatory system for the protection of minors from audiovisual content that may impair minors' development was introduced in response to Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive, AVMSD).

The Austrian legislative framework was amended (Federal Law Gazette I No. 150/2020) to incorporate these EU provisions. Core provisions set out the protection to be guaranteed for minors by providers of audiovisual media services, as well as the corresponding duties of the self-regulatory body. These provisions are found in Art. 39 of the Audiovisual Media Services Act (AMD-G) and Art. 10a of the ORF Act (ORF-G). Regulations pertaining to self-regulatory bodies and the funding of a self-regulatory body for the purposes of youth protection by the Republic of Austria have been specified in Art. 32a and Art. 32b of the KommAustria Act (KOG).

A self-regulatory body has therefore been partially tasked with the establishment of (and verification of compliance with) an industry-wide youth protection system, which is based on the aims of the amended AVMSD. The effectiveness of this self-regulatory system is subject to a subsequent audit by KommAustria, as is required by various reporting duties (activity report pursuant to Art. 32a Par. 2 No. 5 KOG; effectiveness report pursuant to Art. 32b Par. 4 KOG). KommAustria is to publish an activity report (Art. 19 KOG) presenting its assessment of and recommendations for effectiveness."

The conditions governing both the organisation and the specific activities of the self-regulatory body for youth media protection in audiovisual media (TV and on-demand services) were finalised when the body was set up in 2021. The system was implemented by the Association for the Protection of Minors through Self-Regulation of Audiovisual Media Products and Services (hereinafter: association), which has worked with the industry to develop uniform guidance on conduct and procedure, and also set up a complaints system.

The association submitted its activity report and its effectiveness report for 2024 in February 2025.

3.1.2 Legal framework for co- and self-regulation in relation to the protection of minors in Austria

A system of self-regulation is characterised by the fact that the economic operators concerned directly specify their own conduct guidelines, based on the general legislative framework, and are also directly responsible for the effective sanctioning of breaches of these conduct guidelines.

While self-regulation is encouraged as a supplementary approach to transposing the provisions of the Directive, it does not exempt national policymakers from their duty to transpose the Directive. Austrian policymakers therefore envisaged a number of new provisions on the relationship between self-regulation and state legal supervision in the areas addressed by the Directive since, as required by Recital 14 of the EU Directive, "[c]o-regulation should allow for the possibility of state intervention in the event of its objectives not being met." (Cf. explanatory notes to government bill 462, enclosure to stenographic record of National Council, 27th legislative period, General Part and Special Part, on Art. 1 No. 39.)

In accordance with the concept of co-regulation as supported by the Directive, Art. 39 Par. 4 to 7 AMD-G accordingly contains provisions that initially call on the industry to directly establish this kind of system and submit regular reports on implementation. Par. 5 utilises the powers granted by Art. 4a Par. 3 of the EU Directive, according to which the evaluation of effectiveness may be transferred to the regulatory authority in order to create a legal relationship between the self-regulatory body and national policymakers. For the hypothetical case that the industry itself fails to set up such a system within legal time limits, the regulatory authority is granted powers by Art. 39 Par. 6 and 7 AMD-G to issue an ordinance enforcing a corresponding youth protection system, preceded by a consultation period with representative stakeholders. These powers were not used in the reporting period.

The most relevant provisions of the AMD-G are presented in the following.

"Article 39. (1)–(3)

(4) Taking into consideration existing conduct guidelines of a self-regulation body for the protection of minors, media service providers shall issue and comply with guidelines on how to make available to viewers sufficient information to assess the potential harmfulness of content for minors by describing the nature of the content listed in Par. 1 by means of references that are easily understandable for users.

To ensure uniform conduct guidelines across Austria, media service providers shall support and contribute to initiatives to establish and improve the efficiency of self-regulation (Art. 32a KOG).

(5) A self-regulation body for the protection of minors (Art. 32a in connection with Art. 32b KOG) shall report to the regulatory authority on the current state regarding implementation of the obligation to make information available by means of references (Art. 4 and Art. 32a Par. 2 No. 5 KOG). The regulatory authority shall present the current state regarding the implementation of the obligation described in Par. 4 in its activity report (Art. 19 KOG). The regulatory authority can attach to this report an evaluation suggesting improvements on how information is made available.

(6) If the regulatory authority finds that within six months of entry into force of the Federal Act promulgated in Federal Law Gazette I No. 150/2020 no self-regulation body for the protection of minors as referred to in Art. 32a in conjunction with Art. 32b KOG has been established in the scope of self-regulation (Art. 32a KOG), and, within a period of another two months, also no conduct guidelines have been issued that are used by a representative group of media service providers, including the Austrian Broadcasting Corporation, the regulatory authority shall specify, by way of an ordinance issued within six months of the finding, the manner in which all media service providers shall make available to viewers sufficient information to assess the potential harmfulness of content for minors, specifically how the nature of the content listed in Par. 1 is to be described by means of references that are easily understandable for users.

(7) Before an ordinance as referred to in Par. 6 is issued, the relevant interest groups in the field of audiovisual media services and youth welfare as well as the Federal Ministry of Education, Science and Research, the Federal Ministry of Labour, Family and Youth, the Federal Ministry of Social Affairs, Health, Care and Consumer Protection and the Federal Ministry of Justice shall be given the opportunity to submit statements. The aforementioned entities shall make proposals to the regulatory authority on how to indicate harmful content. The regulatory authority shall verify at regular intervals, but at least every two years, whether there is a continued need for issuing an ordinance. If, after having consulted the aforementioned federal ministries, the regulatory authority comes to the conclusion that sufficient and efficient measures have been taken in the scope of self-regulation in accordance with the requirements of Art. 32a KOG, the regulatory authority shall set aside the ordinance."

Austrian legislation also requires the Austrian Broadcasting Corporation (ORF) to support and contribute to self-regulation initiatives, in accordance with Art. 10a Par. 3 ORF-G:

"Protection of minors

Article 10a. (1)–(2) ...

(3) [...] The Austrian Broadcasting Corporation shall support and contribute to initiatives of self-regulation bodies (Art. 32a KOG) to ensure uniform conduct guidelines throughout Austria. Art. 39 Par. 4 to 6 AMD-G shall be applied with the proviso that, by way of derogation from Par. 5 first sentence, the Austrian Broadcasting Corporation must report on measures to identify and describe content in its annual report."

On the basis of the provisions from EU legislation, Art. 32a KOG codifies standards for recognised self-regulatory bodies of this kind, so as to safeguard the effectiveness of self- and co-regulation measures, particularly those aimed at protecting consumers and protecting public health.

"Self-regulatory bodies

Article 32a. (1) The activities of recognised self-regulatory bodies may be granted funding in order to help achieve the goal of ensuring compliance with minimum European standards on the part of content providers.

(2) A recognised self-regulatory body is defined as a body with legal personality that:

- 1. guarantees a broad representation of the providers concerned, and comprehensive transparency in respect of decision-making criteria, procedures and the enforcement of decisions;*
- 2. defines conduct guidelines and rules of procedure that are generally recognised by the primary stakeholders and which clearly define the goals of self-regulation;*
- 3. ensures the periodic and transparent monitoring and assessment of the fulfilment of these goals, exclusively by an external and independent entity;*
- 4. ensures that complaints are effectively handled and that its decisions are enforced, including the imposition of effective and proportionate sanctions in the event of breaches of the conduct guidelines;*
- 5. prepares a report concerning its activities, its established goals, and the measures and decisions taken in accordance with No. 3 and 4, and publishes this report in a suitable format.*

(3) Sanctions within the meaning of Par. 2 No. 4 include in particular:

- 1. the publication of a decision by the self-regulatory body;*
- 2. the publication of a recommendation for future conduct by the self-regulatory body;*
- 3. the revocation of a quality seal or positive designation granted in accordance with the body's guidelines;*
- 4. potential identification of a breach or warnings in accordance with the body's legal framework.*

(4) Every four years, the self-regulatory body shall provide the regulatory authority with a report on the body's structure and working practice that illustrates its contribution to the goal of achieving compliance with minimum standards on the part of content providers."

In co-regulation, regulatory functions are shared between interest groups and the national regulatory authorities. The remit of the competent public authorities includes officially recognising the co-regulation programme, auditing its procedures as well as programme funding. (Cf. explanatory notes to government bill 462, enclosure to stenographic record of National Council, 27th legislative period, on Art. 2 No. 19.) Consequently, by means of Art. 32b KOG, Austrian policymakers established a basis for funding a self-regulatory body for the protection of minors:

"Funding of self-regulation for the protection of minors"

Article 32b. (1) To provide financial support to the self-regulatory body in its activities relating to the classification of content that could impair the physical, psychological or moral development of minors (Art. 39 AMD-G), the federal government is to remit EUR 0.075 million to KommAustria by 31 January of each year, in addition to the amount to be paid pursuant to Art. 35 Par. 1; Art. 35 Par. 1 third and last sentence shall apply. Art. 33 Par. 1 last sentence, Par. 2, 3 and 4 shall apply.

(2) In addition to the formal requirements in Art. 32a Par. 2, in order to allow funds to be allocated for promoting a self-regulatory body in this area, the body's conduct guidelines must contain criteria defining a minimum level of information that allows viewers to assess the potential harmfulness of content for minors, based on a description of content type in easily understood terms.

(3) When drafting the conduct guidelines, the relevant interest groups in the field of audiovisual media services and youth welfare as well as the Federal Ministry of Education, Science and Research, the Federal Ministry of Labour, Family and Youth, the Federal Ministry of Social Affairs, Health, Care and Consumer Protection and the Federal Ministry of Justice shall be given the opportunity to submit statements.

(4) A report addressing the effectiveness of the provisions of the conduct guidelines, as well as the type, number and outcome of complaints, must be submitted to KommAustria by 31 March of the following year. KommAustria shall publish an activity report (Art. 19) presenting its assessment of and recommendations for effectiveness."

3.1.3 Association for the Protection of Minors through Self-Regulation of Audio-visual Media Products and Services

3.1.3.1 Establishment, articles of association and internal organisation

The conditions governing both the organisation and the specific activities of the association in its role as self-regulatory body for youth media protection in audiovisual media (TV and on-demand services) were finalised when the body was set up on 2021.

The Association for the Protection of Minors through Self-Regulation of Audiovisual Media Products and Services (Verein zur Selbstkontrolle audiovisueller Medienangebote zum Schutz von Minderjährigen; hereinafter: association) was established on 17 June 2021, thus in advance of the legal target date (30 June 2021). The association was entered under 1686796152 in the Central Register of Associations (ZVR). The association is based in Vienna.

In accordance with its articles of association, the association's primary objective is to ensure effective self-regulation so as to protect minors from content in audiovisual media services that could impair their physical, psychological or moral development and which falls within the remit of the Austrian regulatory authorities under applicable legal provisions.

In pursuit of this overarching goal, in accordance with provisions of law and its articles of association, the association acts as follows:

- Establishment of a legal entity that meets the requirements for a self-regulatory body as defined by Art. 32a KOG, first and foremost by ensuring a broad representation of media service providers who have committed to the protection of minors.
- Drafting and adoption of conduct guidelines and rules of procedure that are generally recognised by the primary stakeholders – and therefore the providers of audiovisual media services who have committed to the protection of minors – and which unambiguously define the goals of self-regulation.

- Ensuring the proper treatment of complaints and the enforcement of decisions, including the imposition of sanctions in the case of breaches of the conduct guidelines, by establishing an administrative office for handling complaints and by appointing an independent experts council to decide on such complaints.
- Guaranteeing full transparency in respect of decision-making criteria, procedures and the enforcement of decisions.
- Reporting fully on activities and the effectiveness of the measures taken, in accordance with legal requirements.
- Communicating with authorities, ministries and other state and non-state actors, as well as with international associations or organisations pursuing similar goals.

At the association's first general assembly, which was held in August 2021, the following organisations and companies were admitted as ordinary members:

- Fachverband der Telekommunikations- und Rundfunkunternehmen in der Wirtschaftskammer Österreich (Association for Telecommunications and Broadcasting Companies within the Austrian Federal Economic Chamber)
- Österreichischer Rundfunk (Austrian Broadcasting Corporation)
- Verband Österreichischer Privatsender (Austrian Association of Private Broadcasters)

Other members – both ordinary and extraordinary – may be admitted on the terms of the association's constitution. The association presents its articles on its website (www.jugendmedienschutz.at).

The articles of association assign leadership responsibilities to a management board. The board is tasked with managing the association's business and organisational operations as well as reporting duties, in particular the preparation of and the formal decision to adopt the conduct guidelines and rules of procedure as required by Art. 39 AMD-G. The board also handles the establishment of and appointments to the experts council as a complaints body, as well as the handling of objections to decisions that impose sanctions on media service providers as a result of breaches of the conduct guidelines.

Current members of the management board are Helga Tieben (President), Corinna Drumm (Treasurer) and Dr Klaus Kassai (Secretary).

Dr Alice Krieger-Schromm was appointed head of the administrative office in 2021. Key duties in this role include providing support to the management board in its association activities while managing the association's office and ongoing business activities, as well as handling specific tasks as delegated by the management committee, with one particular duty here being to ensure the effective management of procedures and complaints in accordance with the rules of procedure.

3.1.3.2 Experts council

In line with the association's rules of procedure, the experts council (cf. Article 14(2) of the articles of association) makes decisions on such complaints as may be filed as a result of alleged breaches of the conduct guidelines on the part of media service providers. The following individuals have been appointed to the expert council:

- Pia Bambuch, ProSiebenSat.1 PULS 4 GmbH, director of legal and regulatory affairs
- Frank Holderied, ServusTV, head of programming, purchasing and in-house fiction content productions
- Claudia Horvath-Polak, ORF, film and series youth protection/member of the Youth Media Commission
- Andreas Ney, Austrian Federal Economic Chamber/Association for Telecoms/Broadcasting, deputy managing director
- Lisa Zuckerstätter, ORF, access services – youth protection officer

In 2024, the experts council completed another training course, which was organised by the German self-regulation organisation FSF (voluntary television industry self-regulatory body). Focused on knowledge-sharing with international colleagues, this course offered an opportunity to address specific issues, discuss best-practice examples and examine studies on youth media protection law in greater depth.

3.1.4 Conduct guidelines

To give the relevant youth protection institutions in Austria the opportunity to contribute to the process of drafting the conduct guidelines and designing the information system, the self-regulatory body was required to submit the conduct guidelines to a consultation with interest groups working in the field of youth protection and those federal ministries that the act designates to oversee youth protection programmes. This consultation was completed by the association in 2021. Some of the comments submitted led to modifications of the conduct guidelines as presented in the following.

The conduct guidelines as of August 2021 can be viewed on the association's website (www.jugendmedienschutz.at/verhaltensrichtlinien).

In accordance with the provisions of EU law and Austrian legislation, the conduct guidelines aims to establish an effective and uniform nationwide system for the protection of minors from content in audiovisual services (broadcasting and on-demand services) that has the potential to impair their development. This system should be easily understood by viewers – especially by minors and their legal guardians – and should be recognised and implemented by as many providers as possible.

The guidelines specify (minimum) requirements for the protection of minors in the context of audiovisual services. In cases where providers wish to offer a higher level of protection on a voluntary basis, the guidelines make recommendations for ensuring such initiatives are as uniform as possible.

Content potentially impairing the development of minors must be offered by providers in such a way as to prevent it from being generally viewable or consumable by minors. As part of meeting this requirement, television broadcasters must choose appropriate broadcasting times. Providers of on-demand services must use suitable measures to achieve a level of protection comparable to that offered by broadcasting time slots, either by also restricting the daily accessibility of content potentially impairing development, or through other appropriate measures.

Certain content potentially impairing development is not prohibited by law but is to be classified as particularly harmful, such as the casual depiction of sexual acts (hardcore pornography and other pornographic material that does not meet the criteria for being considered content prohibited by law). Such content may be provided only if measures such as age verification systems or comparable access control measures are in place to ensure that minors are not generally able to use it. News broadcasts and party political broadcasts are exempted from these obligations.

If broadcasts that should typically not be viewed by minors are made freely accessible by television broadcasters during broadcasting times that are less suitable for scheduling such broadcasts from a youth protection perspective, such broadcasts must be identified accordingly (announcement by means of an acoustic signal or the application of a visual identifier throughout the entire broadcast; the ORF must comply with stricter standards that require identification with acoustic signals and visual identifiers throughout the entire broadcast).

In addition to the identification requirement, all media service providers are also required to present viewers with sufficient information for assessing the potential harm posed to minors by the content. Media service providers must describe the nature of the potentially harmful content using references that are easily understood by viewers. Details of these new duties to present information ('information system') are given in the conduct guidelines.

To ensure that programme content potentially impairing development cannot generally be viewed by the minors who are to be protected, television broadcasters undertake to comply with the following broadcasting time slots (depending on the age classification of the programme in question):

- Daytime television, 6 am to 8 pm: Content in programmes broadcast during the day must be suitable for (young and older) children. Accordingly, all programmes broadcast must have content suitable for children in the 12 and under range or, in isolated cases (and if this does not impair the well-being of younger minors), 12 and over (but not 16 and over). All daytime programmes with an age classification of 12 and over must comply with labelling requirements.
- Evening television, 8 to 10 pm: During the evening television slot, programmes are broadcast that fall under the 12 and over category or a lower category or, in isolated cases (and if this does not impair the well-being of younger minors), the 16 and over (but not 18 and over) category. All programmes with an age classification of 16 and over must comply with labelling requirements.
- Late evening television, 10 to 11 pm: During the late evening television slot, programmes are broadcast that fall under the 16 and over category (with labelling) or a lower category.
- Night-time television, 11 pm to 6 am: Programmes falling under any age category can be broadcast during the night-time slot. All programmes falling under the 16 and over or 18 and over age category must comply with labelling requirements.

The self-regulatory body has stated that the guidelines are modelled (and expand) on accepted practice in youth protection in the industry to date, especially as regards questions of selecting broadcasting times or time periods in which content potentially causing harm should be shown or made available, and established practice regarding acoustic and/or visual labelling.

The conduct guidelines also recommend the voluntary provision of additional information (supplementing the recommended age classification and notes on the potential harm) on the part of television broadcasters, which is to be included in information sources accompanying their programming such as EPGs, teletext or specialised online services. However, broadcasters are not required to present such information.

Rules for television programming

As mentioned above, the information system for television broadcasters pursues the goal of presenting viewers – and parents and minors in particular – with sufficient information, in a simple and easily comprehensible format, that allows them to assess the potential harm posed to minors by content.

Specifically, the submitted conduct guidelines require television broadcasters who broadcast freely accessible programmes outside the recommended broadcasting time slots – thus potentially impairing the development of minors – to offer at the start of the programme simple and easily understood references to the recommended age classification (age reference) and the nature of the potential harm posed by the programme that follows (harm reference or label).

The age references use the international age limits (which have also been applied in Austria for many years) and are oriented towards the classifications from the FSK (voluntary film industry self-regulatory body) and the FSF (voluntary television industry self-regulatory body). Five separate age categories are defined:

- Content is not suitable for minors: 18 and over
- Content is suitable for minors of at least age 16: 16 and over
- Content is suitable for minors of at least age 12: 12 and over
- Content is suitable for children/minors of at least age 6: 6 and over
- Content is suitable for children/minors of any age: 0 (no restrictions)

A classification system provides objective definitions of the type of content considered unsuitable for the individual age categories, since this content has the potential to impair the development of children and minors.

According to the conduct guidelines, content potentially impairing development is further subdivided into the four harm categories of 'violence', 'anxiety', 'inappropriate behaviour' and 'sex'. Harm guidance must further be presented so that, at the start of the programme and as an adjunct to the age warning, at least one of these harm categories is specifically indicated using a visual overlay with a text identifier ('violence', 'anxiety', 'inappropriate behaviour' and/or 'sex').

Before the start of each programme subject to a labelling requirement, the age and harm reference are shown in easily legible lettering of an appropriate size along the top edge of the screen for at least three seconds.

In line with the conduct guidelines, broadcasters are free to supplement the harm reference with more detailed descriptions of the potential harm, but must ensure that these details do not compromise the easy comprehensibility of the reference. It is recommended that broadcasters include easily accessible age/harm references in the information sources that accompany their programming (such as the EPG, teletext or website).

To ensure that the youth media protection system in Austria is as uniform as possible, a set of assessment standards is required. Accordingly, the conduct guidelines define uniform standards and assessment criteria for each age category. These assessment standards and criteria have been developed while taking the greatest possible account of established assessment criteria recommended by recognised youth protection bodies.

Summing up, it can be stated that, according to the code of conduct, a relevant potential harm is always present in cases where the audiovisual content presents types of behaviour or value systems as positive or acceptable that are incompatible with generally shared social values or in breach of Austrian laws. Both in television programming and within audiovisual media services in general, youth protection does not pursue the objective of pigeonholing certain topics as taboo but instead aims to determine the core values or message conveyed by a particular service (in whole or in part) and to assess their potential impact on children or adolescents.

Rules for on-demand services

As is the case for television broadcasters, providers of on-demand services must also ensure that programmes potentially impairing the physical, psychological or moral development of minors are provided in a way that prevents them being generally viewable or consumable by minors.

Like television broadcasters, providers of on-demand services must also set up an appropriate information system that allows their users to make informed decisions about the content to be viewed. In line with the conduct guidelines, the age classification system and assessment standards apply mutatis mutandis to on-demand services.

The conduct guidelines states that on-demand services may provide the required level of protection for minors by deploying an effective control system secured by access codes. If a control system based on time of access (effectively modelled on the broadcasting time slots used in television) is used, then service providers must use age references and programme-specific harm labelling to designate programmes subject to labelling requirements (based on age category and access time). Additional information provided in support of programming is also recommended but is not mandatory.

3.1.5 Youth protection at the ORF

In accordance with Art. 10a ORF-G, the ORF summarised its youth protection activities in its television and internet divisions as well as ORF TELETEXT as part of its 2024 annual report.

In this report, the ORF as a public media company underlined the fact that youth protection has from the outset been a priority concern and integral part of day-to-day operations. Throughout its programming, the ORF makes the most of opportunities to protect minors, with the aim of avoiding any impairment to the physical, psychological or moral development of minors:

- As part of programme commissioning or production
- As part of programme editing
- By exercising due care in the design and scheduling of programme trailers
- By ensuring programming observes scheduling slots
- By employing labels and references

Each broadcast is checked by the responsible editorial team at the production and/or commissioning stage(s). When determining the suitability of a specific programme for a specific age category, the ORF may base such decisions on the recommendations of the Austrian Youth Media Commission (JMK) at the Federal Ministry of Education, Science and Research, and on age classifications used by the German FSK (voluntary film industry self-regulatory body) and German FSF (voluntary television industry self-regulatory body).

Cooperation with the JMK is a key aspect of the support provided to editorial decision-making. Since 2002, the ORF has used the option of submitting programmes to a review committee to obtain a recommended classification.

In accordance with the new legal provisions and the conduct guidelines adopted by the above-mentioned association, the ORF has evaluated and significantly expanded its existing youth protection activities. These include the following:

Scheduling by broadcasting time slots

For many years ORF has been ensuring that programme content potentially impairing development is scheduled to comply with strict time slots that are coordinated to the developmental stages of minors. Due attention to this scheduling ensures that any programme content potentially impairing development is broadcast only at times when this content cannot normally be viewed or consumed by minors.

To this end, the ORF applies broadcasting time slots as mentioned above:

- Before 8 pm: All programmes broadcast normally must have content suitable for children in the 12 and under range or, in isolated cases (and if this does not impair the well-being of younger minors), 12 and over (but not 16 and over).
- From 8 pm: From this time onwards, the ORF considers parents and legal guardians to share responsibility for the viewing habits of their young and adolescent children. During the evening television slot (8 to 10 pm), programmes with a higher age classification (12+ and 16+) may be broadcast but not programmes falling under the 18 and above category. Programmes falling under the 18+ age category may be broadcast only during the night-time slot (11 pm to 6 am).
- From 11 pm: Programmes falling under any age category can be broadcast during the night-time slot (11 pm to 6 am).

A new labelling and information system

The ORF's programme labelling for the protection of children and adolescents dates back to 1 January 1999. As a result of the ORF-G amendment and with the aim of achieving a uniform industry-wide solution, the existing labelling system was adapted and expanded to include reference to the nature of the harm involved.

While films and series had been identified as 'X – Not for children' and 'O – Adults only' (as appropriate) from 10 pm onwards, an age reference (12+, 16+ or 18+) is now displayed during the entire programme.

In linear television, programmes falling under the 16+ or 18+ age category are always labelled as such regardless of their broadcast time. Programmes falling under the age category of 12+ are labelled as such only during daytime television (6 am to 8 pm).

At the start of a labelled programme – this applies in most cases to feature films and series broadcast after 10 pm – the age reference is supplemented by an acoustic signal and a reference to the nature of the harm involved. These references and/or labels may signify 'violence', 'anxiety', 'inappropriate behaviour' or 'sex'. The information is shown for three seconds at the top edge of the screen.

News programmes and party political broadcasts are exempted from any requirement to display such labelling.

Youth protection in ORF online services and ORF TELETEXT

Programmes falling under the 12+, 16+ or 18+ age category are always labelled with the respective age reference in ORF ON (formerly ORF TVthek) and tv.ORF.at, and in ORF TELETEXT (regardless of their actual TV broadcasting time slot). A reference to the nature of the potential harm ('violence', 'anxiety', 'inappropriate behaviour' or 'sex') is also shown at all times, either below the player window or in the immediate vicinity of the media title.

Aside from the new activities, youth protection measures have been in place in the ORF ON since 2016: By agreement with the competent main ORF departments, certain series or productions are made available as video-on-demand items only between 8 pm and 6 am or 10 pm and 6 am.

Users of ORF ON are informed appropriately about these restricted viewing times when they click to select the corresponding programme. In addition to these arrangements, no advertising is permitted during children's programming.

Since mid-2024, age-restricted content on ORF ON can also be viewed in the daytime by using a voluntary login together with a corresponding age verification check. This approach is designed to improve service quality for adult viewers while strengthening the level of protection afforded to minors.

3.1.6 Complaints and sanctioning procedures (rules of procedure)

The conduct guidelines, formally designated the association's 'rules of procedure', defines the process for handling complaints and the adoption of decisions on complaints by the experts council. The conduct guidelines also address the possibility of objecting to the council's decisions, the enforcement of such decisions and the imposition of appropriate sanctions on media service providers. The rules of procedure can be accessed from the association's website (see www.jugendmedienschutz.at).

The self-regulatory body publishes an annual activity report that informs the general public about a number of topics, including the measures and decisions adopted by the body in the reporting year, as well as the sanctions imposed as a result of breaches of the conduct guidelines.

See [section 3.1.8.3](#) for a report on complaints received by the association in 2024.

3.1.7 Recognition of the conduct guidelines and rules of procedure

The provisions of Austrian youth protection legislation require the widest possible acceptance of the conduct guidelines and rules of procedure (*"rules of procedure that are generally recognised by the primary stakeholders"*; Art. 32a KOG). To achieve this level of acceptance, the association's founding members took care from the outset to ensure that industry representatives were involved as closely as possible in drafting procedures.

Beyond the practical involvement of industry representatives, formal recognition (in the form of a documented proof of recognition) of the conduct guidelines and rules of procedure was also required. With reference to their individual obligation as broadcasters or on-demand service providers to create and comply with specific conduct guidelines (cf. Art. 39 Par. 4 AMD-G), media service providers were advised to fulfil their legal duties by publishing a youth protection declaration on their website, in which they formally recognise and agree to be bound by the conduct guidelines and the rules of procedure set out by the self-regulatory body.

According to the association's reports for 2024, a large part of the work focused on extending acceptance of the conduct and procedural guidelines among the industry and supporting implementation of these in practice.

In 2024, efforts to obtain more youth protection declarations from industry representatives continued, with the aim of improving the industry's acceptance of the association. Following written and telephone contacts, acceptance has considerably increased, so that as of 31 December 2024 94 television broadcasters and 91 on-demand service providers had notified the association of their acceptance of the conduct guidelines and rules of procedure (compared with 75 broadcasters and 67 on-demand service providers at the end of 2023).

Following up these official announcements of recognition of the self-regulatory body's conduct guidelines and rules of procedure, the administrative support office visited the websites maintained by media service providers to confirm that these declarations had indeed been published. All of the 94 television broadcasters and 91 on-demand service providers who formally notified the association of their recognition of the code of conduct and rules of procedure have also published and/or linked to the youth protection declaration or the conduct guidelines from the self-regulatory body on their websites.

The individual providers are listed in the activity report published by the association:

<https://www.jugendmedienschutz.at/organisation>.

In 2024, many television broadcasters and on-demand service providers who had yet to publish a formal recognition of the association's code of conduct and rules of procedure duly submitted their consent. This result therefore vindicates the efforts made in previous years to persuade providers of the value of the self-regulation mechanism and the conduct guidelines.

3.1.8 Effectiveness of the conduct guidelines, and type, number and outcome of complaints

Pursuant to Art. 32b Par. 4 KOG, the self-regulatory body for the protection of minors is to submit an annual report addressing the effectiveness of conduct guidelines provisions, as well as the type, number and outcome of complaints, to KommAustria by 31 March of the following year.

The Association for the Protection of Minors through Self-Regulation of Audiovisual Media Products and Services complied with its reporting duties by the due date.

According to the report, the following effectiveness criteria are specified pursuant to Art. 32a Par. 2 KOG:

- Conduct guidelines have been drafted that unequivocally define the objectives of self-regulation in youth protection for media services.
- The conduct guidelines have been recognised by the primary stakeholders.
- The conduct guidelines have been implemented and observed.

The association's formation, the drafting of the conduct guidelines, their provisions and progress towards their recognition by the primary stakeholders are presented above in detail.

The following measures for auditing conduct guideline implementation and compliance were set out in 2024:

3.1.8.1 Effectiveness audit

The association reports having organised and carried out an effectiveness audit of the participating media services during 2024, seeking answers to the following:

- 1.) Has the association's administrative office received a signed youth protection declaration from each television broadcaster and on-demand service provider (dated and with stamp, address, etc.)?
- 2.) Is this declaration published on the website and/or have the conduct guidelines been published on the media service provider's website by means of a link to the association's youth protection guidelines?

According to the association, this audit was conducted as a rolling audit throughout 2024. The media services were informed of any compliance weaknesses and instructed correspondingly. At the end of 2024, a final analysis revealed a participation rate of almost 100%: of 94 television broadcasters and 91 on-demand service providers, almost all had successfully completed the effectiveness audit. Of the remaining few, all report having a youth protection declaration but have not published this online (or elsewhere).

3.1.8.2 Auditing media service providers for youth protection conformity

In 2024, the administrative support team then conducted a youth protection conformity audit of the television channels and on-demand services that had declared their intention to comply with the conduct guidelines and recognise the rules of procedure. According to the association, this audit consisted of random sampling of the audiovisual media service providers. The compliance review encompassed:

- a) Labelling requirements (announcement by means of an acoustic signal or the application of a visual identifier throughout the entire broadcast)
- b) Information requirements (age reference and harm reference)

An average of two audits were conducted each month. Smaller providers and on-demand services were increasingly prioritised in 2024.

These regular audits aim to strengthen cooperation with media service providers, where necessary notifying them of any failure to comply with labelling or information requirements.

Looking at the results of the effectiveness audit on the one hand and the youth protection compliance audits of media services on the other, the association found that the major providers and many smaller providers alike had acted to ensure adequate implementation of the conduct guidelines and the newly created information system in particular, including age and harm references, by the end of 2024. No major instances of non-conformity were identified. In the event of minor non-conformities, the media service was contacted and informed promptly, and the issues then resolved.

In all other respects, the association as self-regulatory body found no other evidence to suggest that media service providers who had formally recognised the conduct guidelines had not (or not adequately) implemented them in practice.

In its effectiveness report published at the end of 2024, the association accordingly concludes that the television broadcasters and on-demand service providers who have recognised the new rules also implement these rules in practice.

The association plans to continue the effectiveness audit and the youth protection conformity audits of media services in 2025, so as to monitor and provide evidence of the implementation of the conduct guidelines.

3.1.8.3 Type, number and outcome of complaints

The self-regulatory body publishes an annual activity report that informs the general public about a number of topics, including the measures and decisions adopted by the body in the reporting year, as well as the sanctions imposed in response to breaches of the conduct guidelines (Art. 32a Par. 2 No. 5 KOG).

Four formal complaints were submitted to the self-regulatory body in the 2024 calendar year in response to a breach of the conduct guidelines (2022: two; 2023: six). Another complaint was also processed that had been received by the association's administrative office at the end of 2023. This brings the total number of complaints processed in 2024 to five.

In one case, the experts council at the association found that labelling requirements had indeed been violated by the broadcast that was the subject of the complaint.

In two cases, the experts council at the association found that the broadcasts that were the subject of the complaint had not in fact violated the conduct guidelines.

One complaint was dismissed because it had been submitted too late and was also incomplete.

A summary of decisions taken to date by the experts council can be accessed here (in German):
<https://www.jugendmedienschutz.at/entscheidungen/>

It has been possible to ensure a smooth workflow to process complaints and thus a sound procedure thanks to regular evaluations and reviews of the complaints system.

3.1.8.4 Public relations and networking with stakeholders

One focus of activities in 2024 was to further raise awareness of the association to ensure that the organisation's monitoring function is recognised and utilised by the interested public. This meant more intensive networking with private and public stakeholders, with both sides getting to know each other, exchanging views on important youth media protection issues, identifying common ground and providing insights into each other's work; stakeholders here included fit4internet, Netzwerk Kinderrechte, political parties, federal ministries and UNESCO.

In 2024, the association also focused efforts on another topic area, namely social media influencers, and the impact of their activities on children and adolescents. On 29 February 2024, the association and the Austrian Advertising Council organised a joint event for Austrian bloggers and influencers entitled "Influencers—balancing rapid reach with responsible content". This event also served as an opportunity to highlight aspects of youth media protection law, with the aim of raising awareness of youth media protection issues among the event's target audience.

The Austrian Advertising Council subsequently formed the Academy for Advertising Ethics (#ethicalAD) in autumn 2024. From 2025, the Academy will offer a broad programme of training and certification aimed at helping advertisers, businesses and influencers achieve a greater level of responsibility, transparency and trust in their communication. The association sits on the Academy's management board as an ordinary member and is appropriately involved in the preparation of the relevant training materials on youth protection.

Media relations work was done primarily through contacts with journalists active in trade and consumer media. Press releases were issued using the OTS service offered by the Austria Press Agency (APA; e.g. APA-OTS on 29 February 2024: "Austrian Advertising Council and Youth Media Protection Association study: Self-image versus public image in Austrian influencers"; or APA-OTS on 19 March 2024: "Youth Media Protection Association presents 2023 Activity Report"), panel discussions were attended (e.g. as part of the event for Austrian influencers and bloggers), presentations given (e.g. as part of the Austrian Advertising Council's anniversary members' assembly) and interviews held with industry representatives. The association's social media presence on LinkedIn was also used for this purpose. The association also showcased the organisation and its activities as part of the "Kick-off event for the IAA Creator Hub – an out-and-out success".

3.1.8.5 Summary for 2024 and outlook for 2025

Looking at the reports submitted for 2024, the association offers the following conclusions about the past and upcoming calendar years.

In 2024, the association concentrated a portion of efforts on Austrian social media influencers. By planning and organising the first event aimed specifically at bloggers and influencers, the association not only improved its public profile but also helped to raise awareness about aspects of youth media protection legislation.

The association also focused on the practical application of conduct guidelines by providers as well as auditing compliance. Once again, this significantly increased the number of television broadcasters and on-demand service providers who recognise the conduct guidelines. According to the association, the spot checks it carried out in the reporting year show that most of the media services already comply with the media protection regulations for minors while also adhering to the recognised guidelines.

A total of four complaints were received in the 2024 calendar year (2023: six; 2022: two) and the complaints management procedure worked appropriately.

Another focus of the association's work in the past year was to ensure that the interested public is aware of the institution's monitoring function. This was achieved primarily by increasing cooperation with private and public stakeholders. With a large number of meetings, presentations and media work, it was possible to draw attention to the presentation and work of the association.

From this insight, the association recognises the need to focus in 2025 on strengthening activities in the context of ongoing public relations and media work. The primary aim here is to further expand and intensify networking activities with private and public stakeholders (especially organisations at regional level), as well as participating in conferences and organising in-house events to draw attention to the association's work.

Other essential aspects of the association's work in 2025 include processing incoming complaints, increasing the acceptance and awareness of the conduct guidelines and rules of procedure in the industry, and monitoring the implementation of these conduct guidelines by businesses in practice. Complaints management will continue to be evaluated as an ongoing process.

3.1.9 Evaluation, assessment and recommendations by KommAustria to improve effectiveness

Pursuant to Art. 39 Par. 5 AMD-G, a self-regulatory body for the protection of minors is to provide the regulatory authority with a report, describing the progress made towards achieving compliance with the obligation of media service providers to use references to inform the public (Art. 4 and Art. 32a Par. 2 No. 5 KOG). In its activity report, the regulatory authority is to present the current status in meeting the obligation described in Par. 4. The regulatory authority can attach to this report an evaluation suggesting improvements on how information is made available.

Pursuant to Art. 32b Par. 4 KOG, the self-regulatory body for the protection of minors is to additionally submit an annual report addressing the effectiveness of conduct guidelines provisions, as well as the type, number and outcome of complaints, to KommAustria by 31 March of the following year. The regulatory authority must publish an activity report presenting its assessment of and recommendations on effectiveness.

Firstly, successful efforts were made to further improve internal association processes as well as complaints management in 2024. The number of complaints, actually moderate, made it possible to further review and evaluate the functioning of the complaints system. While some additions and adjustments to the association's system in recent years proved useful, modifications were consolidated in 2024.

Beyond that, the association endeavoured to increase recognition of the self-regulation system among broadcasters and media service providers, with this process again proving effective in 2024. The number of television broadcasters and on-demand service providers who recognise the self-regulation system increased by around 30% year on year, a result that underlines the growing acceptance of the association in Austria, especially among smaller providers.

Another focus was on raising the association's public profile through increased public relations and media work. Particular attention was paid to social media influencers in Austria, with activities here including the organisation of a dedicated event for influencers that helped to raise awareness among this group about aspects of youth media protection law. While the significance of influencers as a topic should not be underestimated, we should nonetheless not lose sight of the association's core tasks and the primary reasons for its existence.

KommAustria welcomes the continued progress in the way of organisation and areas of activity, as presented in the reports, which the association has made since its year of formation in 2021. KommAustria also sees clear evidence that the self-regulation system established by the association is fundamentally effective and capable. This is seen in increasing professionalisation, a growing number of complaints and the routine auditing of effectiveness in the context of the system as presented in [section 3.1.8](#).

In consideration of the above, KommAustria welcomes the priorities as announced by the association for its future work, while adding the comments listed below.

In 2024, the association successfully pursued its primary objective of convincing providers of the merits of the self-regulation mechanism and the uniform conduct guidelines. Not least because, in the event of failing to publish a youth protection declaration, an Austrian media service is required by law to create and monitor specific conduct guidelines itself (cf. Art. 39 Par. 4 AMD-G). The association should nonetheless continue its efforts to obtain more youth protection declarations.

Looking to the future, several other practical tasks will be crucial to ensuring the success of industry self-regulation as promoted by the relevant legislation. These activities include increasing the visibility and awareness of the self-regulatory body as an industry regulator to the interested public (including public knowledge of the complaint mechanism), and strengthening the acceptance and understanding of the code of conduct and rules of procedure among the industry.

To ensure the self-regulation system can achieve its full potential, an increased focus on the association's tasks and objectives (as envisaged by its statutes) would appear appropriate. It is crucial in this context to audit media service providers to ensure compliance with their self-imposed guidelines. Conducted as a rolling audit by the self-regulatory body, this process should include proper application of age limits/categories, broadcasting time restrictions and harmful content labelling. In light of the public attention paid to certain broadcasting formats, efforts here are by all means to be reinforced.

3.2 Report on Accessibility

According to a survey conducted in 2024, roughly 1.9 million people in Austria – including many senior citizens – experience health-related limitations in their day-to-day lives.⁹ The Austrian federal administration also considers around 760,300 people as having disabilities or impairments. Such individuals receive a nursing allowance or are holders of a disabled person's pass, for example.¹⁰

Only a small percentage of such disabilities are congenital or are acquired as a result of an accident or an occupational illness. The vast majority are the result of a disease or disorder.¹¹ We need to remember that disabilities especially affect older people.

The following groups are most likely to experience restrictions to participation in society and democratic discourse:

- People with vision impairment or blindness
- People with hearing impairments
- People with physical or motor impairments affecting the upper limbs
- People with learning difficulties

The UN Convention on the Rights of Persons with Disabilities – and the subsequent EU Directive on Audiovisual Media Services – introduced 'accessibility' as one of its foundational principles.¹² Accessibility is a prerequisite for people with disabilities to be able to live independently, participate equally in society and exercise their rights.

Pursuant to Article 8 (1) of the UN Convention on the Rights of Persons with Disabilities (UN CPRD),¹³ the signatory countries are committed to taking immediate, effective and appropriate measures

- a) To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
- b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;
- c) To promote awareness of the capabilities and contributions of persons with disabilities.

Paragraph (2) sets out measures to promote awareness, with (c) specifying the measure of encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention.

Yet, in relation to media services, accessibility does not refer only to how the persons concerned are depicted. Rather, the issue here is to ensure that media are discoverable, accessible and usable by people with disabilities in a general and typical way, without undue difficulty or the aid of another person.

9 cf. People with disabilities in Austria I (in German): https://broschuerenservice.sozialministerium.at/Home/Download?publicationId=809&attachmentName=Menschen_mit_Behinderungen_in_%C3%96sterreich_Teil_1.pdf (accessed on 25 March 2025)

10 cf. People with disabilities (in German): <https://www.sozialministerium.at/Themen/Soziales/Menschen-mit-Behinderungen.html> (accessed on 25 March 2025)

11 For figures, see the federal government's third report on the situation of people with disabilities, available (in German) at <https://www.sozialministerium.at/Themen/Soziales/Menschen-mit-Behinderungen/Bericht-der-Bundesregierung-ueber-die-Lage-der-Menschen-mit-Behinderung.html> (accessed 21 April 2022)

12 Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive), last amended by Directive (EU) 2018/1808

13 cf. <https://www.sozialministerium.at/Themen/Soziales/Menschen-mit-Behinderungen/UN-Behindertenrechtskonvention.html> (in German)

Guaranteeing accessibility of audiovisual content is a key requirement in the context of the obligations entered into by parties to the United Nations Convention on the Rights of Persons with Disabilities.

Accordingly, media service providers should “actively seek to make content accessible to persons with disabilities, in particular with a visual or hearing impairment”¹⁴. Accessible pathways to content should also be created for people with other disabilities such as learning difficulties. Accessibility requirements should be met through a progressive and continuous process, while taking into account the practical and unavoidable constraints that could prevent full accessibility, such as in the case of broadcasts of live programmes or events.

In the case of audiovisual media, two human senses are paramount here, namely hearing (audio) and sight (visual). Yet the consumption and impact of such media tends to be biased towards its purely visual content. Sight should not be the only sense allowing access to media, however. Instead, media should be designed to ensure that its imagery and emotions can be experienced by anyone – regardless of their sensory skills. Although the strong presence and significance of video viewing in our society constitutes a disadvantage for people with either vision impairments or hearing impairments, this disadvantage can be mitigated by the deployment of technical aids. These enable such consumers to participate in audiovisual media. Furthermore, advanced technologies also pave the way to technical solutions – such as incorporating media content in plain language – that allow people with learning difficulties to access audiovisual media content and therefore participate more inclusively in social and cultural life.

3.2.1 Legal basis

The legal basis for increasing percentage shares of accessible content and for preparing action plans and reports are, first, the Audiovisual Media Services Act (AMD-G), and, second, the ORF Act (ORF-G).

Pursuant to Art. 30b Par. 1 AMD-G, media service providers are to achieve a continuous and step-by-step annual increase in programmes that meet accessibility standards compared with programming as at 31 December 2020. This increase is to be achieved throughout all of their channels and programming in accordance with their economic capabilities while also accounting for the financing provided for such measures from public funds. In terms of live content, the greater degree of effort required to ensure accessibility to this content permits certain technically justifiable exemptions.

To achieve the goals of ensuring accessibility for audiovisual content, Art. 30b Par. 2 AMD-G stipulates that providers of audiovisual media services should take appropriate steps to ensure a continuous and progressive increase in the proportion of accessible audiovisual content they provide. Media service providers must provide details of how they intend to implement these measures by preparing an action plan in consultation with a representative organisation acting on behalf of people with vision or hearing impairments and on behalf of people with intellectual disabilities. This action plan must set out concrete details for a three-year time frame and build on the earlier action plan adopted for the prior period. The plan must also ensure an annual increase in the proportion of programmes meeting accessibility standards, within the categories of news and current affairs, entertainment, education, art and culture, and sports. In terms of live programming, justifiable technical exemptions from the requirement to pursue this proportional increase can be made, as make such content accessible requires additional effort. Media service providers must publish the action plan so as to be easily and immediately available, and accessible at all times. The action plan must also be submitted to KommAustria in a standardised format.

Exemptions to this requirement are granted to media service providers whose audiovisual media service generated no more than EUR 500,000 in revenues in the previous year. Media service providers whose programming is of an exclusively local or regional nature are also granted an exemption from this requirement for the audiovisual media services that they offer.

14 Cf. Directive (EU) 2018/1808, Recital 22

A failure to prepare or publish an action plan is liable to sanction by administrative penalty. Where an action plan is not made available, KommAustria may also initiate a supervisory procedure or take action in response to a public complaint.

Similar provisions are envisaged for the ORF in Art. 5 ORF-G.

Pursuant to Art. 5 Par. 2 ORF-G, news and current affairs television broadcasts (Art. 3 Par. 1) must be designed, as far as technical advances and economic feasibility permit, to simplify the consumption of such broadcasts by individuals with vision and/or hearing impairments and persons with intellectual disabilities, the latter requiring content in plain language. Beyond that, the ORF is required to offer at least one news broadcast in plain language during its daytime programming (9 am to 10 pm).

The ORF is also to ensure that appropriate measures are taken to ensure a continuous and progressive increase in the respective proportion of audiovisual content made accessible to individuals with intellectual disabilities (who require content in plain language) as well as to people with vision and/or hearing impairments, in comparison with programming as at 31 December 2020. The ORF may also be granted technically justifiable exemptions in the case of live content.

The ORF must provide details of the measures intended to increase the aforesaid proportion by preparing an annual action plan in consultation with the Audience Council and with the representative organisations for people with vision or hearing impairments and individuals with intellectual disabilities. This plan must include a detailed, three-year timetable for the annual increase in the proportion of ORF programming and online content that meets accessibility requirements (excepting live broadcasts), within the categories of news and current affairs, entertainment, education, arts and culture, and sport.

Art. 5 Par. 2 ORF-G also specifies an annual increase of at least 2.5% in the categories of news and current affairs, education, and arts and culture, and of at least 4% in the category of entertainment, compared with figures at the end of the prior calendar year. Here priority is to be given to ensuring accessibility for all television broadcasts in early evening and main evening programming (7 pm to 10 pm) as well as online services provided pursuant to Art. 4e Par. 1 No. 4 ORF-G and approved pursuant to Art. 4f Par. 1 ORF-G in conjunction with Art. 6b ORF-G. Additional priority is to be given to regional broadcasts in the news and current affairs category, press conferences and broadcasts reporting on elections or election results, and children's programming in the categories of news and current affairs, and entertainment.

As of 31 December 2024, 15 media service providers had submitted action plans for a total of 20 channels. Of these action plans, four apply to the period 2022–2024 and therefore end within the timeframe of the 2024 annual report. Yet the majority of action plans cover the 2024–2026 period. An annual report has been submitted for 19 channels.

KommAustria is tasked with reporting on the status quo and developments in relation to the duties as described in Art. 30b Par. 1 AMD-G and in Art. 5 Par. 2 ORF-G, together with a comparative presentation of intended target values and the actual values as achieved. Both provisions require, by 31 March of the year after the reporting period, the preparation of an annual report on implementation of the measures specified in the action plan and the proportional increase achieved. These reports are to be published in the same way as the action plans.

Several infringement procedures were conducted in 2024. Procedures were conducted against seven providers because of their late submission and publication of the 2023 annual report, and against a further three providers on account of their failure to publish this report. Another procedure targeted a provider who had ignored applicable guidelines in preparing the annual report and also failed to submit the report.

One provider failed to prepare an action plan and was subject to a procedure that ultimately resulted in two penal decisions.

Pursuant to Art. 30b Par. 4 AMD-G, the regulatory authority's annual report (Art. 19 KOG) must present for each media service provider the status quo and any changes in terms of the requirements described in Par. 1, in the form of a comparative presentation of intended target values and the actual values achieved by the provider. The regulatory authority can enclose with this report, supported by RTR as a service point pursuant to Art. 20b KOG, a statement about further improvements to accessibility.

Pursuant to Art. 20b KOG, RTR has the remit to act as a service point for complaints and information services relating to accessible audiovisual media services and to accordingly provide information for media service providers and for the general public. This information is presented under www.rtr.at/barrierefreiheit. Furthermore, RTR serves as a complaints board for accessibility issues in relation to the content of audiovisual media services. The complaints board received no complaints relating to accessibility issues in 2024.

3.2.2 Reports on action plans

In accordance with statements provided by media service providers, the preparation of all action plans was preceded by a consultation with a representative organisation acting on behalf of people with vision or hearing impairments and on behalf of people with learning difficulties. The action plans are subdivided into the categories of entertainment, news and current affairs, education, arts and culture, and sports.

Most of the action plans currently in force apply to the 2024–2026 period. For many providers, this is their second three-year action plan.

3.2.2.1 ATV Privat TV GmbH & Co KG

ATV Privat TV GmbH & Co KG submitted one report for all of its channels (ATV, ATV 2 and atv.at).

3.2.2.1.1 ATV

Table 22: Planned increase for the ATV channel according to action plan (in %)

ATV	Base year 2023	2024	2025	2026
Planned increase according to action plan	1.03%	3.00%	6.00%	9.01%
Actual increase according to annual reports	1.08%	3.78%	-	-

In the 2024 reporting period, a total of 19,851 minutes (3.78%) were subtitled in the 'Entertainment' category on the ATV channel.

The figure stated in the annual report thus exceeds the target in the action plan.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
525,600 min	19,851 minutes (3.78%)	Entertainment	Subtitling

3.2.2.1.2 ATV 2

Table 23: Planned increase for the ATV 2 channel according to action plan (in %)

ATV 2	Base year 2023	2024	2025	2026
Planned increase according to action plan	1.05%	3.00%	5.99%	8.99%
Actual increase according to annual reports	1.13%	3.40%	-	-

In the 2024 reporting period, a total of 17,879 minutes (3.40%) were subtitled in the 'Entertainment' category on the ATV 2 channel.

The figure stated in the annual report thus exceeds the target in the action plan.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
525,600 min	17,879 minutes (3.40%)	Entertainment	Subtitling

3.2.2.1.3 atv.at

Table 24: Planned increase for the atv.at channel according to action plan (in %)

atv.at	Base year 2022	2023	2024	2025
Planned increase according to action plan	0.00%	0.06%	0.08%	0.09%
Actual increase according to annual reports	-	0.12%	0.09%	-

A total of 292 minutes of overall channel programming met accessibility requirements in the 2024 reporting period.

The figure stated in the annual report thus exceeds the target in the action plan.

3.2.2.2 Krone Multimedia Gesellschaft m.b.H. & Co. KG

Krone Multimedia Gesellschaft m.b.H. & Co. KG submitted one report for all channels (KRONE TV, krone.tv).

3.2.2.2.1 KRONE TV

Table 25: Planned increase for the KRONE TV channel according to action plan (in %)

KRONE TV	Base year 2021	2022	2023	2024
Planned increase according to action plan	0.02%	0.20%	0.30%	50.14%
Actual increase according to annual reports	-	-	-	50.00%

In the 2024 reporting period, a total of 527,040 minutes (50.0%) of overall channel programming were subtitled.

In absolute minutes, this figure exactly corresponds to the action plan target. As a percentage, however, the figure is 0.14% below the planned increase stated in the action plan.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
1,054,080 min	527,040 minutes (50.0%)	News and current affairs and entertainment	Subtitling

3.2.2.2.2 krone.tv

Table 26: Planned increase for the krone.tv channel according to action plan (in %)

krone.tv	Base year 2022	2023	2024	2025
Planned increase according to action plan	0.00%	0.56%	1.50%	2.27%
Actual increase according to annual reports	-	-	1.50%	-

In the 2024 reporting period, 8,361 minutes (1.50%) were subtitled on the krone.tv channel.

This figure from the annual report therefore matches the target as stated in the action plan.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
557,381 min	8,361 minutes (1.50%)	Sports, news and current affairs, and entertainment	Subtitling

3.2.2.3 MediaShop GmbH

Table 27: Planned increase for the Mediashop Meine Einkaufswelt channel according to action plan (in %)

MediaShop	Base year 2023	2024	2025	2026
Planned increase according to action plan	1.12%	1.21%	1.30%	1.40%
Actual increase according to annual reports	-	1.21%	-	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

MediaShop GmbH submitted a report, stating that various measures had been implemented during the reporting period. A total of 3,920 minutes (0.75%) were subtitled, 545 minutes (0.10%) were sign-interpreted and 1,912 minutes (0.36%) were provided with an audio description. All of the content on this channel is provided in the 'Entertainment' category. The action plan targets were therefore met, both in minutes and as a percentage.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
525,600 min	6,377 minutes (1.21%)	Entertainment	Subtitling, sign interpreting, audio description

3.2.2.4 Melodie Express GmbH

Table 28: Planned increase for the Melodie TV channel according to action plan (in %)

Melodie TV	Base year 2021	2022	2023	2024
Planned increase according to action plan	0.10%	0.19%	0.29%	0.38%
Actual increase according to annual reports	0.10%	0.21%	0.34%	0.40%

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

Melodie Express GmbH submitted a report, stating that 2,100 minutes (0.40%) of channel programming in 'Entertainment' were subtitled in 2024. These figures therefore exceed the targets from the action plan.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
525,600 min	2,100 minutes (0.40%)	Entertainment	Subtitling

3.2.2.5 ProSiebenAustria GmbH

Table 29: Planned increase for the ProSieben Austria channel according to action plan (in %)

ProSieben Austria	Base year 2023	2024	2025	2026
Planned increase according to action plan	0.99%	1.29%	1.60%	1.90%
Actual increase according to annual reports	0.99%	1.03%	-	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

ProSieben Austria GmbH submitted a report.

In the 2024 reporting period, 526 minutes (1.03%) were subtitled on the ProSieben Austria channel.

The action plan target for absolute minutes was therefore exceeded. This is not reflected in the percentage values, however, because of differences in total broadcasting times between the action plan and annual report.

Changes to channel programming had resulted in subtitling being split between the news and current affairs and entertainment categories, and not – as had been planned originally – between the categories of news and current affairs, education, arts and culture, and sports.

Some 296 minutes of accessible programming were provided for wide-reach feature films. The targeted expansion of accessible programming to 519 minutes, stated in the ProSieben Austria action plan for 2024, was nonetheless achieved.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
51,175 min	526 minutes (1.03%)	News and current affairs and entertainment	Subtitling

3.2.2.6 ProSiebenSat.1 PULS4 GmbH

Table 30: Planned increase for the JOYN channel according to action plan (in %)

JOYN	Base year 2023	2024	2025	2026
Planned increase according to action plan	0.00%	0.01%	0.10%	0.20%
Actual increase according to annual reports	-	0.02%	-	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

ProSiebenSat.1 PULS4 GmbH submitted a report,

stating that the JOYN channel subtitled 242 minutes (0.02%) overall in the 2024 reporting period.

The figure stated in the annual report thus exceeds the target in the action plan.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
1,200,000 min	242 minutes (0.02%)	News and current affairs and entertainment	Subtitling

3.2.2.7 PULS 4 TV GmbH & Co KG

PULS 4 TV GmbH & Co KG submitted one report for all channels (Puls 4 and Puls 24).

3.2.2.7.1 Puls 4**Table 31: Planned increase for the PULS 4 channel according to action plan (in %)**

Puls 4	Base year 2023	2024	2025	2026
Planned increase according to action plan	1.00%	3.00%	5.99%	8.99%
Actual increase according to annual reports	1.02%	3.71%	-	-

In the 2024 reporting period, a total of 19,517 minutes (3.71%) were subtitled in the 'Entertainment' category on the Puls 4 channel.

The figure stated in the annual report thus exceeds the target in the action plan.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
525,600 min	19,517 minutes (3.71%)	Entertainment	Subtitling

3.2.2.7.2 Puls 24**Table 32: Planned increase for the Puls 24 channel according to action plan (in %)**

Puls 24	Base year 2023	2024	2025	2026
Planned increase according to action plan	0.30%	1.20%	2.40%	4.79%
Actual increase according to annual reports	0.38%	1.20%	-	-

In the 2024 reporting period, a total of 6,317 minutes (1.20%) were subtitled in the 'Entertainment' category on the Puls 24 channel.

The figure for minutes stated in the annual report thus exceeds the respective target in the action plan, although this is not reflected by the percentage values.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
525,600 min	6,317 minutes (1.20%)	Entertainment	Subtitling

3.2.2.8 Red Bull Media House GmbH

As Red Bull Media House GmbH has discontinued its Servus TV Deutschland channel, this channel is no longer included in the analysis.

Table 33: Planned increase for the Servus TV channel according to action plan (in %)

Servus TV	Base year 2023	2024	2025	2026
Planned increase according to action plan	6.17%	6.50%	6.95%	7.51%
Actual increase according to annual reports	5.89%	7.78%	-	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

Red Bull Media House GmbH submitted one report for both channels by the due date.

From a total of 27,720 minutes (7.78%) of accessible programmes within overall programming offered by the ServusTV service, 4,600 minutes (33.82%) were subtitled in the category of news and current affairs, 13,780 minutes (16.37%) in education, and 600 minutes (21.90%) in arts and culture. The channel also achieved 7,000 minutes (32.71%) in the sports category and 1,740 minutes (1%) in the entertainment category. The percentages specified in brackets for the categories each relate to the specified category. The figures given in the annual report therefore exceed the targets from the action plan in all categories except the category of entertainment, where the figure given equals the action plan target.

The 2024–2026 action plan and 2024 annual report have been published at https://richtlinien.servus.com/policies/1e96add-d376c-4204-8261-d466bae5faa2/202503281352/de_AT/imprint.html.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
356,130 min	27,720 minutes (7.78%)	all	Subtitling, audio description

3.2.2.9 Sa Fira Blue GmbH (Viktoria Sarina)

Table 34: Planned increase for the ViktoriaSarina YouTube channel according to action plan

ViktoriaSarina	Base year 2020	2021	2022	2023	2024
Planned increase according to action plan	0.00%	0.00%	4.00%	8.00%	12.00%
Actual increase according to annual reports	-	0.00%	4.3%	No details given for broadcast minutes	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

Sa Fira Blue GmbH did not submit a report for 2024.

3.2.2.10 Sascha Huber GmbH

Table 35: Planned increase for the Sascha Huber YouTube channel according to action plan (in %)

Sascha Huber	Base year 2021	2022	2023	2024
Planned increase according to action plan	1.00%	2.00%	3.00%	4.00%
Actual increase according to annual reports	-	4.00%	5.00%	5.00%

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

Sascha Huber GmbH submitted a report.

In the 2024 reporting period, Sascha Huber subtitled 50 minutes (5%) of overall channel programming in the sports category. Both the minute and percentage figures given in the annual report thus exceed the respective action plan targets.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
1,000 min	50 minutes (5.00%)	Sports	Subtitling

3.2.2.11 SAT.1 Privatrundfunk und Programmgesellschaft mbH

Table 36: Planned increase for the SAT.1 Österreich channel according to action plan (in %)

SAT.1 Österreich	Base year 2023	2024	2025	2026
Planned increase according to action plan	0.92%	1.20%	1.49%	1.79%
Actual increase according to annual reports	1.16%	1.02%	-	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

SAT.1 Privatrundfunk und Programmgesellschaft mbH have presented a report.

In the 2024 reporting period, a total of 541 minutes (1.02%) in the entertainment category were subtitled on the SAT.1 Österreich channel.

The action plan target for absolute minutes was therefore exceeded. This is not reflected in the percentage values, however, because of differences in total broadcasting times between the action plan and annual report.

Changes were made at SAT.1 Österreich in terms of both programming and content. As a result, subtitling was offered for wide-reach feature films, thus falling under the entertainment category. This contrasts with the original plans to offer subtitling for the news and current affairs, education, arts and culture, and sports categories. The targeted expansion of accessible programming to 527 minutes, stated in the SAT.1 Österreich action plan for 2024, was nonetheless achieved.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
52,920 min	541 minutes (1.02%)	Entertainment	Subtitling

3.2.2.12 schau Media Wien GesmbH

Table 37: Planned increase for the Schau TV channel according to action plan (in %)

Schau TV	Base year 2021	2022	2023	2024
Planned increase according to action plan	0.43%	0.91%	1.14%	1.26%
Actual increase according to annual reports	-	0.59%	0.10%	0.10%

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

schau Media Wien GesmbH submitted a report by the due date.

In relation to technical implementation, schau Media Wien GesmbH states that subtitles are in use. Within the action plan period of 2022–2025, accessible programmes are to be offered in the categories of news and current affairs and entertainment.

In the category of news and current affairs, 390 minutes (0.07%) of programming were subtitled, and 160 minutes (0.03%) in entertainment. Thus, the action plan targets in terms of minutes were met, even though this fact is not reflected in the percentage values because of varying overall broadcasting times. The action plan target was therefore achieved in terms of minutes but not percentages.

The action plan has been published (in German) at <https://kurier.tv/info/kurier-tv-barrierefreiheit/402135966>.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
525,600 min	550 minutes (0.10%)	News and current affairs and entertainment	Subtitling

3.2.2.13 Sky Österreich Fernsehen GmbH

Sky Österreich Fernsehen GmbH submitted one report for all of its channels (18+ App, Sky Sport Austria).

3.2.2.13.1 „18+“-App

Table 38: Planned increase for the „18+“-App channel according to action plan (in %)

„18+“ App	Base year 2023	2024	2025	2026
Planned increase according to action plan	2.04%	3.56%	3.70%	3.87%
Actual increase according to annual reports	3.77%	9.00%	-	-

In the 2024 reporting period, 23,535 minutes (9%) of all broadcasts in the entertainment category were subtitled on the 18+ App (Blue Movie) channel.

The figure stated in the annual report thus exceeds the target in the action plan.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
261,505 min	23,535 minutes (9.00%)	Entertainment	Subtitling

3.2.2.13.2 Sky Sport Austria

Table 39: Planned increase for the Sky Sport Austria channel according to action plan (in %)

Sky Sport Austria	Base year 2023	2024	2025	2026
Planned increase according to action plan	0.86%	1.25%	1.58%	1.80%
Actual increase according to annual reports	0.98%	1.32%	-	-

The 2024–2026 action plan and 2024 annual report have been published at <https://www.sky.at/barrierefreiheit>.

In the 2024 reporting period, a total of 6,930 minutes (1.32%) in the sports category were subtitled on the Sky Sport Austria channel. Sky Österreich Fernsehen GmbH therefore exceeded the target from the action plan for 2024.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
525,600 min	6,930 minutes (1.32%)	Sports	Subtitling

3.2.2.14 T-Mobile Austria GmbH

Table 40: Planned increase for the Magenta On Demand channel according to action plan (in %)

Magenta On Demand	Base year 2023	2024	2025	2026
Planned increase according to action plan	40.32%	41.2%	43%	44%
Actual increase according to annual reports	40.32%	41.2%	-	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

T-Mobile Austria GmbH submitted a report.

In its 2024–2026 action plan, T-Mobile Austria GmbH announced a significant decrease in the video minutes to be provided in 2024 when compared with the same figure for the 2023 reporting year. T-Mobile Austria GmbH cited structural changes in its content acquisition strategy as the reason, stating that the majority of films offered directly via OTT partnerships would not be licensed separately for Magenta on Demand from 2024 onwards. T-Mobile Austria GmbH also stated that audience demand – and therefore the programming offered – has shifted to much shorter broadcasts as measured in average minutes, while the planned rollout of EST (electronic sell-through) has also been further postponed. In 2024, EST rollout was accordingly unable to compensate for the impacts from the above-mentioned factors.

In the 2024 reporting period, 198,100 minutes (41.2%) of overall programming in the entertainment category were subtitled.

The figure from the annual report therefore corresponds exactly to the target given in the action plan.

In its 2024 annual report, T-Mobile Austria GmbH cited subtitling as a measure for ensuring an accessible proportion of its programming. The 2024–2026 action plan states that other measures envisaged – such as audio descriptions and optimisation modules – are in planning.

The 2024–2026 action plan and 2024 annual report have been published (in German) at <https://www.magenta.at/faq/entry/%7Etechnische-anfrage%7Efernsehen%7Eallgemein/%7EMagentaTV-Barrierefreiheit%7Emaster>.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
480,800 min	198,100 minutes (41.2%)	Entertainment	Subtitling

3.2.2.15 wedify GmbH

Table 41: Planned increase for the A1 Xplore TV video library according to action plan (in %)

A1 Xplore TV video library	Base year 2023	2024	2025	2026
Planned increase according to action plan	16.0%	21.0%	23.0%	25.0%
Actual increase according to annual reports	16.01%	31.36%	-	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

wedify GmbH submitted a report.

With reference to the A1 Xplore TV video library, the 2023 accessibility report had stated that the target envisaged by the action plan had not been achieved. To achieve this target in 2024, wedify GmbH planned to intensify its negotiations with content suppliers, with the aim of being able to purchase more films with subtitles. Another planned step had been to replace older films offered on its video platform by versions with subtitles and/or audio descriptions. As a result of implementing these plans, wedify GmbH was able to subtitle 301,440 minutes (31.36%) of overall programming in the entertainment category in the 2024 reporting period.

Accordingly, the figure stated in the annual report exceeds the target in the action plan.

The action plan for 2024–2026 has been published (in German) at https://cdn21.a1.net/documents/37417/790784/Aktionsplan+Barrierefreiheit+2024-2026_A1+Xplore+TV+Videothek.pdf.

Key data for 2024

Annual broadcasting time	Accessible percentage share	Category	Measures
961,080 min	301,440 minutes (31.36%)	Entertainment	Subtitling

3.2.3 Austrian Broadcasting Corporation (ORF)

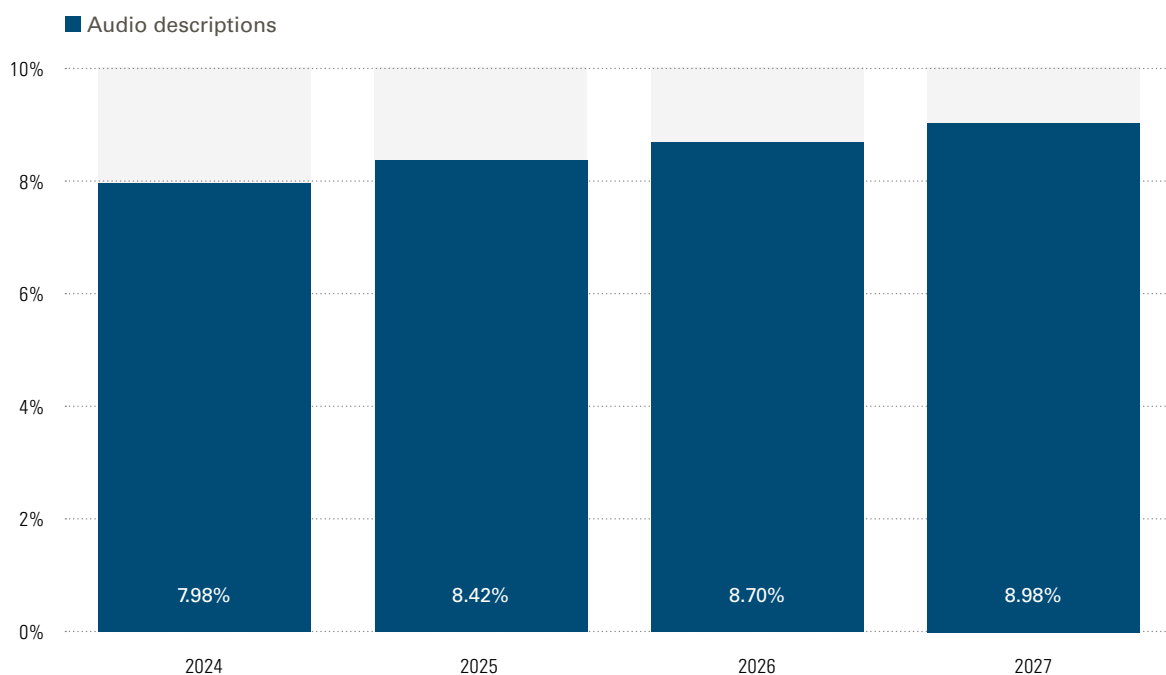
As noted above in section 2, the ORF is subject to the provisions of Art. 5 Par. 2 ORF-G.

Unlike other media service providers, the ORF is legally obliged to prepare an annual action plan that includes a detailed three-year timetable for achieving year-on-year increases in its proportion of accessible broadcasts (with the exception of live broadcasts) and online programming. Targets are stated separately for news and current affairs, entertainment, education, arts and culture and sports. This action plan must be published so as to be easily and immediately available and accessible at all times, and the regulatory authority must be notified of publication. In 2025, an action plan with 2024 as a reference year was subsequently published, which charts the planned increases for the years 2025 to 2027.

In the action plan, the ORF gives details of several new initiatives from 2024 as well as planned improvements.

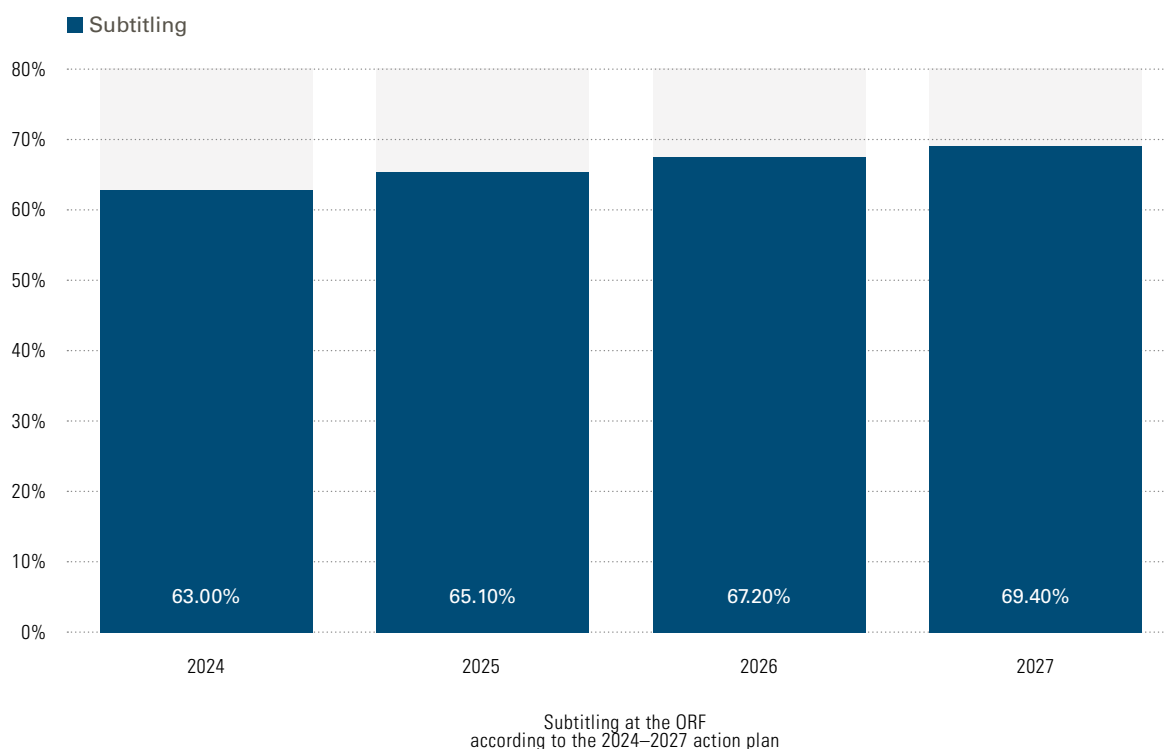
- The ORF KIDS children's channel was launched with a subtitling rate of 98.8%.
- Broadcasts of events surrounding the National Council election on 29 November 2024 put special emphasis on Austrian Sign Language (ÖGS) as well as interviews in plain language.
- For the Olympic Games in Paris, the ORF offered live subtitling and live audio descriptions. The ORF plans to focus more on automated live subtitling for its ORF SPORT+ channel in future.

Figure 03: Planned increase in audio descriptions across all ORF channels, according to action plan (in %)



Audio descriptions at the ORF
according to the 2024–2027 action plan

Figures for audio descriptions are influenced by the launch of ORF KIDS, as the proportion of content provided with audio descriptions is lower than that achieved by the other ORF channels. In absolute figures, there has been an increase in the broadcast minutes provided as accessible content with audio descriptions.

Figure 04: Planned increase in subtitling across all ORF channels, according to action plan (in %)

As can be seen from the 2024–2027 action plan, the aim is to increase subtitled content by just under 10%, compared with the same target as given in the 2023–2026 action plan. Reasons for this change include the introduction of the ORF KIDS channel as well as the fact that the previous target had already been exceeded in recent years. Launched in 2024, ORF KIDS achieved a 98.8% rate for subtitling, strongly skewing the figures for ORF programming as a whole. If ORF KIDS is excluded from the statistics, the proportion of subtitled programming is 55.0% and therefore slightly more than announced.

It should also be noted that the ORF expects to achieve a subtitling rate of 100% in each of its entertainment and education categories over the next few years. For 2024, the ORF significantly exceeded its planned increase, with only 53.70% being forecast in the previous year. The ORF plans to roll out automated live subtitling based on artificial intelligence (AI) and potential software is now being tested.

In 2024, the ORF started its ORF ON streaming platform, which features a separate overview page for channels with accessible programming. Steps have also been taken to ensure that broadcasts which are offered 'online first' are made accessible as soon as possible.

The action plan for 2024–2027 has been published (in German) at <https://der.orf.at/unternehmen/humanitarian/barrierefreiheit/aktionsplan-barrierefreiheit104.html>.

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

The ORF submitted reports for all channels with reporting requirements by the due date.

Table 42: Accessible share of TV programming for the ORF in 2024 (percentages)

Percentage shares of accessible content in the ORF (linear programming)	Subtitling	Audio description	Sign language (ÖGS)	Plain language	Total accessible percentage share
News and current affairs	74.0%	0.2%	7.6%	0.31%	74.0%
Entertainment	92.2%	18.7%	0.08%	0.0%	92.2%
Education	94.6%	4.8%	11.0%	0.0%	94.6%
Arts and culture	65.3%	5.7%	0.69%	0.0%	65.3%
Sports	9.3%	7.8%	0.1%	0.0%	9.3%
Channels overall	55.0%	8.9%	2.0%	0.05%	55%

Table 43: Accessible proportion on ORF ON in 2024 (percentages)

Accessible proportions on ORF ON	Subtitling	Audio description	Sign language (ÖGS)	Plain language	Total accessible percentage share
News and current affairs	70.2%	0.1%	12.0%	0.4%	70.2%
Entertainment	90.2%	20.4%	0.14%	0.0%	90.2%
Education	95.5%	3.8%	15.1%	0.0%	95.5%
Arts and culture	62.2%	6.6%	1.06%	0.0%	62.2%
Sports	13.6%	11.5%	0.2%	0.0%	13.6%
Channels overall	61.4%	10.6%	4.2%	0.1%	61.4%

Table 44: Accessible proportion on ORF KIDS in 2024 (percentages)

Percentage shares of accessible content in the ORF (FLIMMIT)	Subtitling	Audio description	Sign language (ÖGS)	Plain language	Total accessible percentage share
News and current affairs	97.4%	0.0%	32.4%	0.0%	97.4%
Entertainment	98.6%	6.6%	0.0%	0.0%	98.6%
Education	99.2%	0.0%	0.0%	0.0%	99.2%
Arts and culture	98.9%	0.0%	0.0%	0.0%	98.9%
Sports	100.0%	0.0%	0.0%	0.0%	100.0%
Channels overall	98.8%	3.9%	1.6%	0.0%	98.8%

3.2.4 Statement about further improvements to accessibility

For many media service providers, 2024 was the first year of their new action plan.

Alongside the ORF, which is required to produce an annual action plan as well as an annual report, another 19 annual reports were submitted for 2024. These 19 annual reports stem from 15 separate providers; one provider did not submit an annual report.

Figures from the annual reports submitted show that the targets stated in the action plan were achieved or exceeded in 17 cases. In two cases, an increase in broadcast minutes meant that while the minute target was achieved, this was not reflected in the percentage figure.

When looking at the various measures adopted by the providers, the figures from the 2024 annual reports show no substantial changes compared with previous years. Subtitling continues to be the option most commonly used, with other measures used much less often. Meanwhile, the comments in the action plans and annual reports point to a clear trend towards the increased testing or rollout of new technologies. This includes planned use of automated subtitling (even for live content) and AI as inexpensive techniques for making content accessible. At present, these systems are not yet refined enough to meet the requirements of media consumers. One provider of several channels reports of experience with testing AI-generated subtitles, concluding that the results are still not reliable enough for use.

The specific categories featuring a greater proportion of accessible content have also remained largely unchanged from previous years: most of this content is to be found in entertainment programming. It should also be noted that, among the channels subject to the provisions of Art. 30b of the Audiovisual Media Services Act (AMD-G), certain categories are still underrepresented. Accordingly, people with disabilities continue to be faced with a situation where they can access only a limited range of audiovisual content.

Unlike the provisions set out in the AMD-G, the obligations imposed on the ORF require not only specific percentages of accessible programming but also that such accessible content meets certain requirements. One such obligation requires the ORF to place special emphasis on accessibility in the context of election coverage. In 2024, the ORF duly complied by broadcasting a greater volume of content – such as election debates – featuring ÖGS sign interpretation. Interviews were also held with leading political figures in plain language. Another requirement states that the ORF must prioritise the inclusion of accessible content in children's broadcasts in the news and current affairs and entertainment categories. In response, ORF KIDS was launched with a subtitling rate of 98.8%.

Overall, while the figures submitted by providers are largely similar to those from previous years, a number of new trends can nonetheless be identified. The use of AI to improve accessibility is an approach now being trialled in many places. Although some issues have yet to be ironed out, a number of providers are planning to deploy similar systems in the near future. It is still too early to say whether these new technologies will indeed rapidly fulfil hopes of improving accessibility. To achieve further progress here, feedback from target groups is especially valuable.

The action plans and annual reports also clearly include measures that exceed the requirements as set out by the AMD-G and even address a number of additional aspects. One media service provider mentions using larger and more legible fonts for overlays, for example, while another emphasises the intent to portray the real-life experiences of people with disabilities in their programming. The Austrian Accessibility Act (BaFG), which will enter into force in the course of 2025, will establish an additional legal framework for improving accessibility in media usage. The scope of the act is in fact wider, covering devices and services that enable access to audiovisual media.

3.2.4.1 Plain language

The term plain language refers to the conscious avoidance of complex grammar or rarely used words. While there is no universal consensus on what constitutes plain language, a standard that sets out some governing principles and guidelines for authoring documents in plain language was published by Austrian Standards International in 2025. This standard can also be utilised for the preparation of other communications products, such as podcasts and videos.¹⁵

In contrast to plain language, easy language makes use of a predefined ruleset that governs the use of loanwords or the length of lines and paragraphs, for example.

Both approaches nonetheless have the same goal in mind: making content easier to understand.

When designing accessible programming, media service providers make very little use of plain or easy language: only one provider mentions the regular use of such language in their annual reports. By law, the ORF is required to broadcast at least one news programme in plain language between 9 a.m. and 10 p.m. The broadcaster has also stated the intention of expanding the use of plain language to other areas such as radio and online.

3.2.4.2 Subtitling

Subtitling provides a written version of spoken-word elements such as dialogue and (on-/off-camera) commentary, as well as music and sound effects. In this way, subtitles provide details of content that would otherwise be heard. Depending on the method used, subtitles can either be hardcoded directly into the video and therefore permanently visible or can be activated as required. Digital subtitling is an especially versatile approach and is becoming increasingly widespread.

It is interesting to see how subtitling is a measure focused on by all media service providers. Within programmes, subtitles are made available in various formats, including teletext subtitles, subtitles hardcoded into video material or live (real-time) subtitles.

A common set of subtitling guidelines that address teletext and DVB subtitling at the preproduction stage were published for the German market in 2013. These guidelines are recommended by the Austrian Association of the Deaf (ÖGLB) and the Austrian Council of Associations for Hearing Loss (ÖSB).¹⁶ In January 2015, public television broadcasters in Austria, Germany and Switzerland agreed on a set of uniform standards for subtitling.¹⁷ These encompass a series of basic principles for the presentation of subtitles in German-speaking countries, relating to aspects such as format, font size, colours and overlays.

15 Austrian Standards International "Plain language. Part 1: Governing principles and guidelines"
<https://www.austrian-standards.at/de/shop/onorm-iso-24495-1-2025-01-15~p4009154> (accessed on 8 April 2025)

16 Untertitelrichtlinien.de "Common subtitling guidelines for German-speaking countries" (in German)
<http://www.untertitelrichtlinien.de/index.html> (accessed on 21 April 2022)

17 P. Chojnacki et al.: "Subtitling standards at ARD, ORF, SRF, ZDF" (in German)
http://www.untertitelrichtlinien.de/pdf/Untertitel-Standards_ARD_ORF_SRF_ZDF_Version_1.3.pdf (accessed on 21 April 2022)

3.2.4.3 Sign language¹⁸

Sign language is an officially recognised language based on a visual-manual modality that is used by people with hearing impairments to communicate with one another. The language employs a combination of gestures, facial expressions and bodily posture. Many distinct sign languages exist as well as many dialects. For children who grow up signing, sign language is their native language.¹⁹

3.2.4.3.1 Sign language interpreters

Sign language interpreters, if used at all, are typically brought in to interpret for news programmes and press conferences.

The following points should be considered for their use:

- Camera positions should give a full view of the sign language interpreter, so that both hands are easily visible and are not cut off during the broadcast because of the camera angle.
- Ideally, a single camera will be used to cover the sign language interpreter and speaker so that they will stand next to one another. A bright background is also useful to make the interpreter's movements more easily visible.
- As an alternative, the interpreter can be shown in a box overlay, which should take up at least 25% of the screen area.
- Interpretation should also be simultaneous. If delayed, information is often lost.²⁰

An increased use of sign language interpreters would be very welcome since this would achieve a greater degree of inclusion.

3.2.4.3.2 Signing avatars

The Austrian Association of the Deaf has published a guideline for signing avatars on its website at <https://www.oeglb.at/leitfaden-fuer-gebaerdensprach-avatare/>.

Briefly summarised, it can be said that, while the association does not reject the use of such avatars, it does take a critical view. In particular, such avatars are not a substitute for human sign language interpreters.

More information about the research project and the guideline is available from <https://avatar-bestpractice.univie.ac.at/>.

¹⁸ Austrian Association of the Deaf (ÖGLB): "Welcome!" (in German) <https://www.oeglb.at/> (accessed on 21 April 2022)

¹⁹ ÖGSDV: "Deafness and sign language" (in German) <https://oegsdv.at/gebaerdensprache/gebaerdensprache/> (accessed on 2 May 2022)

²⁰ Presentation given on 30 June 2021 by Helene Jamer, accessible from <https://www.youtube.com/watch?v=K7di95kQTZA&t=3s> (accessed on 21 April 2022)

3.2.4.4 Audio description

Rather like an audiobook, audio description means audibly communicating imagery that makes visual material comprehensible for people with vision impairments.

Provided on an extra audio channel, an audio description helps people with vision impairments to follow visual content by describing visual aspects of the action that takes place and its setting, as well as the appearance of individuals, and their facial and bodily gestures.²¹

The basic principles to follow when preparing audio descriptions is set out in an understanding signed between the ARD, the ORF, the SRF, the ZDF, Deutsche Hörfilm GmbH, Hörfilm e.V. and audioskript. The various providers have supplemented this document with their own, more individual rules.²²

3.2.4.4.1 Dual-channel mode

Dual-channel mode is an audio transmission technique whereby two separate audio channels are broadcast simultaneously. One of the two audio channels can be used to provide an acoustic description of the broadcast image, allowing especially people with vision impairments to use audiovisual media content.

A number of apps have also been published that give users access to an audio description. The GRETA app provides access to audio descriptions and subtitling, as was mentioned in one of the action plans.

3.2.4.4.2 Synthetic voice audio description

With this type of audio description, the visual content is not described by a human voice but by a synthetic (artificial) voice instead.

21 Blindenverband.at: "Audio description. Still plenty needs to be done" (in German)
<https://www.blindenverband.at/de/aktuelles/865/Adiodeskription> (accessed on 21 April 2022)

22 der.orf.at: "Listening to images: video for the blind and partially sighted"
<https://der.orf.at/kundendienst/service/audiodeskription104.html> (accessed on 18 March 2025)

3.3 2024 survey of reach and market shares²³

3.3.1 Overview

To implement the provisions of the Audiovisual Media Services Act (AMD-G) as part of legal supervision, Art. 65 of the act requires a survey of the reach (market shares), coverage levels, and user and viewer figures.

Market research has been carried out annually in accordance with these provisions since 2020 and was duly completed in 2025 for the 2024 calendar year. As part of the survey, all providers were queried about reach (market shares), coverage levels and user and viewer numbers.

Survey method

A total of 447 providers were sent requests, including 147 television broadcasters, 151 providers of on-demand services, 80 radio broadcasters and 161 cable network operators. The survey considered all services that were listed in the KommAustria directory as of 7 January 2025 and active during the 2024 calendar year. This basic group surveyed was expanded by three television channels, three on-demand services and 38 radio stations during the 2024 calendar year. During the same period, four television channels and five on-demand services ceased operations, as did two radio stations and one cable network.

The survey entailed the questions listed below.

Television channels:

- What was the average daily reach of the television channel as a percentage of the 12+ target group (Monday to Sunday) in the previous calendar year?
- What was the average market share of the television channel as a percentage of the 12+ target group (Monday to Sunday) in the previous calendar year?

On-demand services:

- How many users (subscribers or individual customers) did the on-demand service have on average in the previous calendar year?
- How frequently was the on-demand service requested in the previous calendar year?

The data presented in this document are based on the information supplied directly by the service providers. The figures may thus reflect varying reference values (such as coverage areas), depending on the service. Correspondingly, the responses given by the service providers are as a whole comparable only to a limited extent.

Data validity

KommAustria cannot verify the validity of the raw data. When considering reach and market shares, it is important to note that in practice the survey was not carried out Austria-wide for media services with small regional or local coverage areas. This is because the case numbers (or respondents) in each small coverage area are too low to obtain any useful data. To achieve valid results that also include small coverage areas, much larger case numbers in Austria-wide surveys would be needed, or else usage reports would have to be commissioned for each and every regional or local coverage area. Neither variant is economically viable for media services providers.

²³ (as of 8 April 2025)

3.3.2 2024 market report

The data queried pursuant to Art. 65 AMD-G can be grouped under three categories:

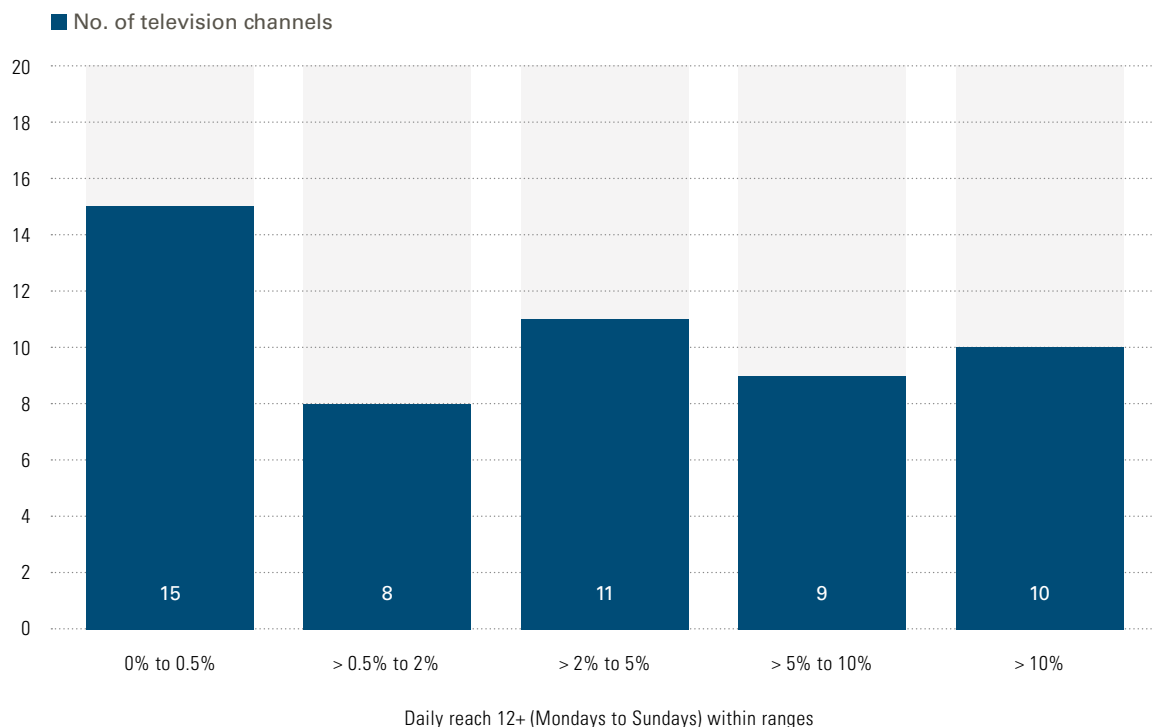
- Television channels
- On-demand services
- Cable networks

To represent the broadcasting market in its entirety, selected data relating to radio broadcasting are also provided. This is based on voluntary information provided by radio broadcasters.

3.3.2.1 Television channels

For television channels, the daily reach and the market share was queried in the 12+ target group for Mondays to Sundays. The diagrams included here display the reported information as a bar chart divided into ranges. The data encompass television channels with nationwide as well as local and regional coverage, while the specified reach and market shares refer to the particular television broadcaster's coverage area. As such, the data are comparable only to a limited extent.

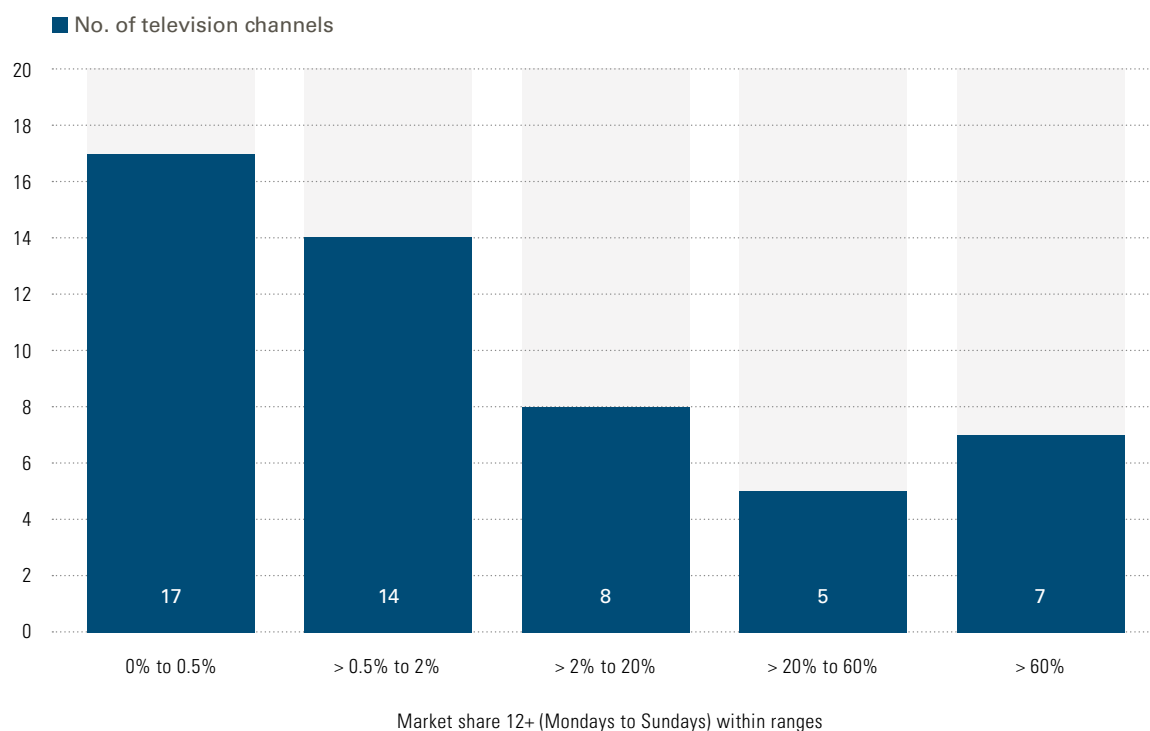
Figure 05: Number of television channels within specified daily reach ranges among viewers 12+ in 2024 (no data exist or are available for 183 providers)



Referring to the chart above, the numbers of television channels falling within specified ranges of daily reach among the 12+ target group (Monday to Sunday) in 2023 are as follows:

- 0% to 0.5%: 14
- Over 0.5% and up to 2%: 7
- Over 2% and up to 5%: 15
- Over 5% and up to 10%: 9
- Over 10%: 17
- No data existing/available 191

Figure 06: Number of television channels within specified market share ranges among viewers 12+ in 2024 (no data exist or are available for 185 providers)



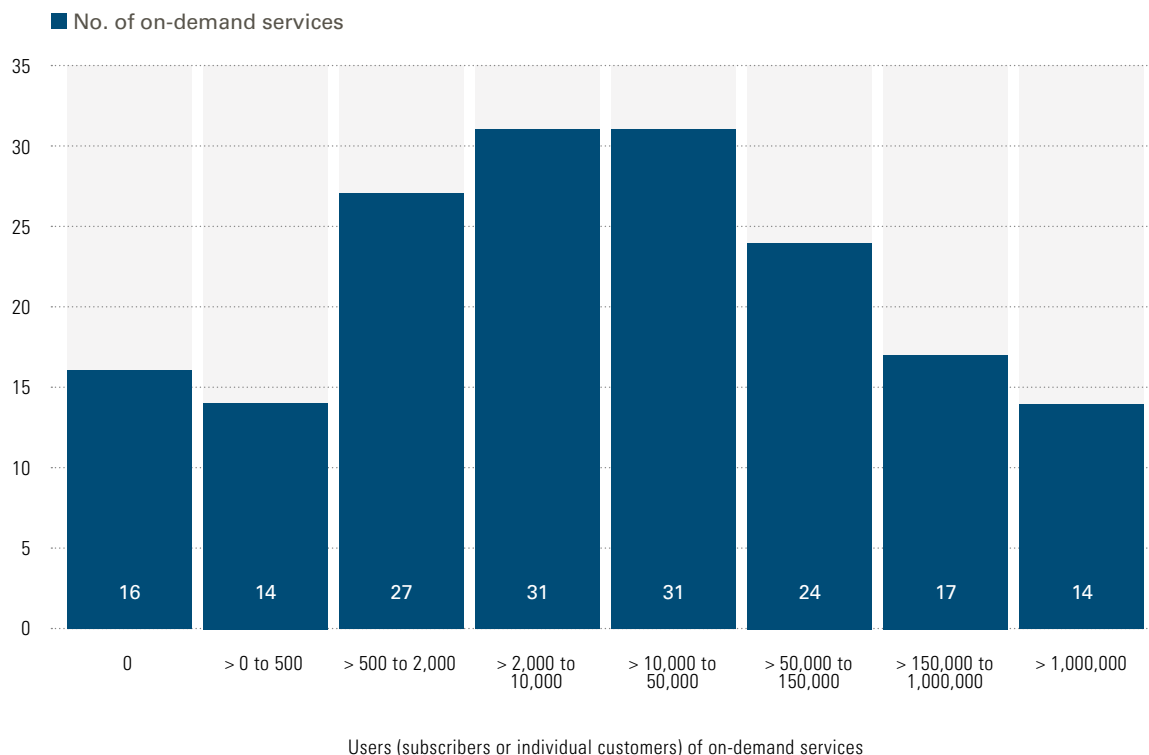
Referring to the chart above, the numbers of television channels falling within specified ranges of market share among the 12+ target group (Monday to Sunday) in 2023 are as follows:

- 0% to 0.5%: 18
- Over 0.5% and up to 2%: 14
- Over 2% and up to 20%: 20
- Over 20% and up to 60%: 5
- Over 60%: 3
- No data existing/available 193

3.3.2.2 On-demand services

The group of on-demand services were queried about the numbers of users (subscribers or individual customers) and service requests. As above for television channels, the figures that are reported here are also divided into ranges and displayed as a bar chart.

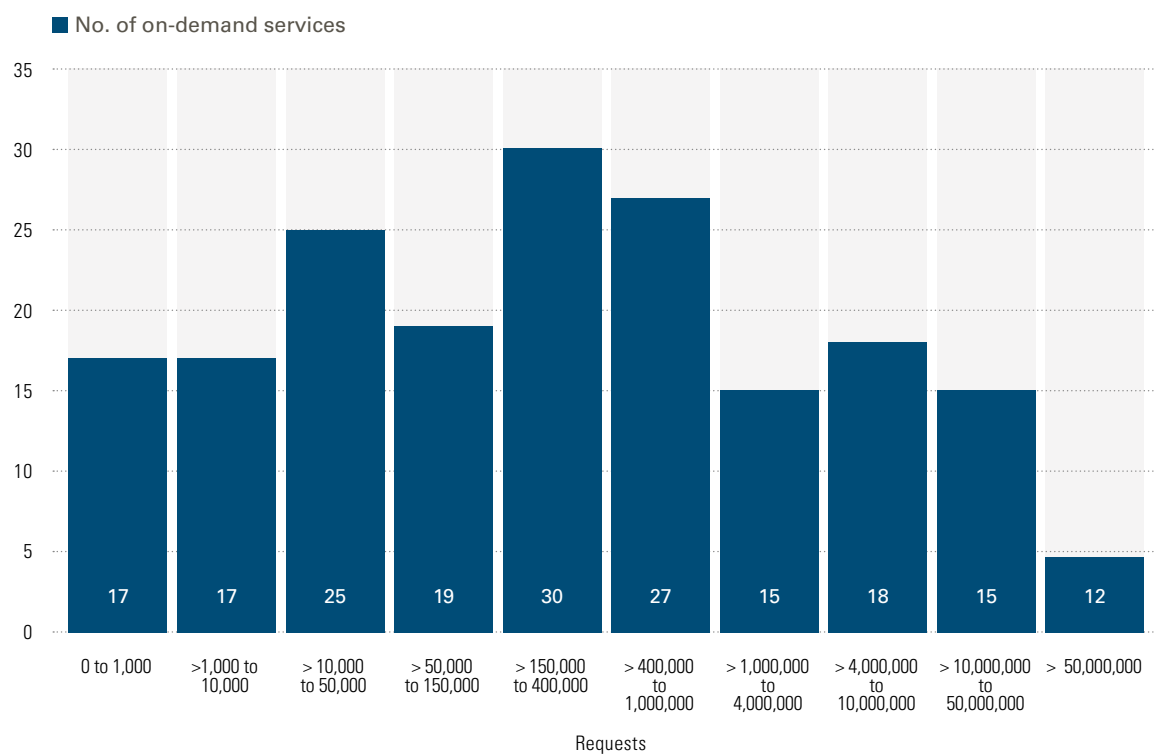
Figure 07: Number of users (subscribers or individual customers) of on-demand services in 2024 within specified ranges (no data exist or are available for 84 providers)



Referring to the chart above, the numbers of users (subscribers or individual customers) in 2023 were as follows:

- 0: 66
- Over 0 and up to 500: 19
- Over 500 and up to 2,000: 24
- Over 2,000 and up to 10,000: 32
- Over 10,000 and up to 50,000: 32
- Over 50,000 and up to 150,000: 24
- Over 150,000 and up to 1 million: 23
- Over 1 million: 12
- No data existing/available 66

Figure 08: Number of requests (2024) (grouped by range)
(no data exist or are available for 63 providers)



Referring to the chart above, the numbers of requests in 2023 were as follows:

- 0 to 1,000: 31
- Over 1,000 and up to 10,000: 23
- Over 10,000 and up to 50,000: 25
- Over 50,000 and up to 150,000: 23
- Over 150,000 and up to 400,000: 29
- Over 400,000 and up to 1 million: 26
- Over 1 million and up to 4 million: 22
- Over 4 million and up to 10 million: 17
- Over 10 million and up to 50 million: 12
- Over 50 million: 12
- No data existing/available 78

3.3.2.3 Radio stations

Daily reach and market shares were surveyed in the radio station category; for the bar chart presented, the daily reach and market shares were specifically queried among the 10+ target group for Mondays to Sundays. The information is also presented here as a diagram showing the reported data broken down into ranges. The data include radio stations with nationwide as well as local and regional coverage, while the reach and market share specified in each case refer to the particular radio broadcaster's coverage area.

Figure 09: Number of radio stations within specified daily reach ranges among listeners 10+ in 2024 (no data available for 68 providers)

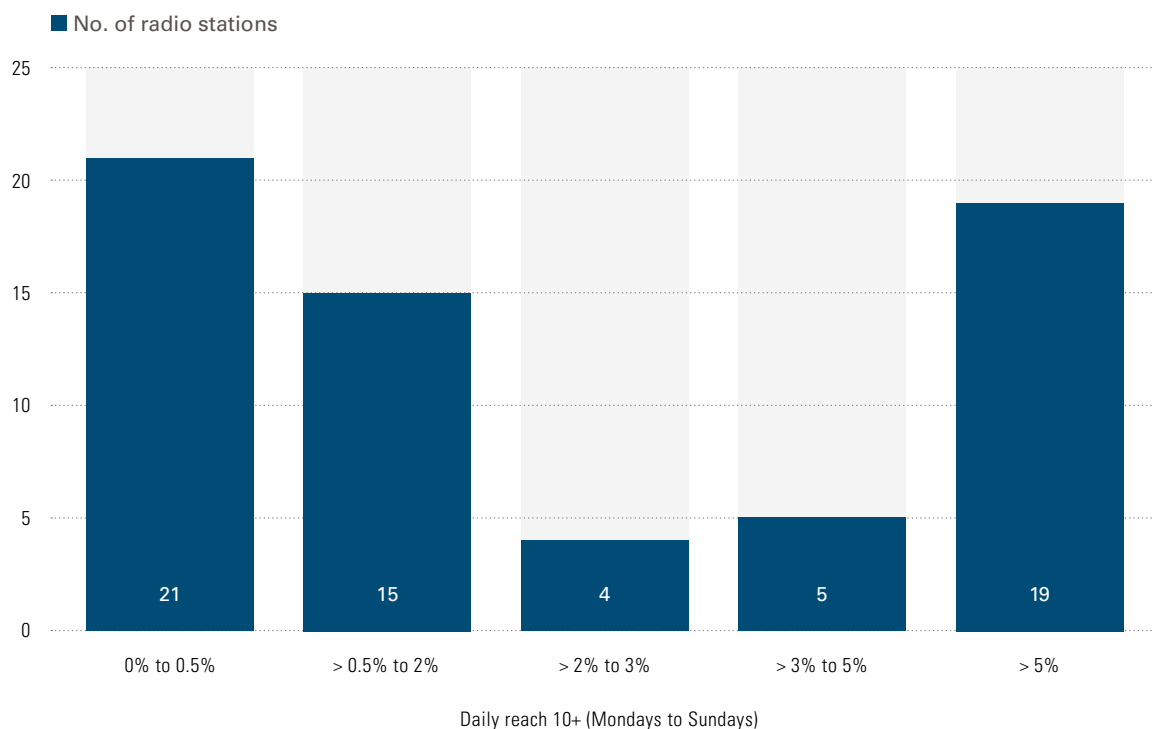
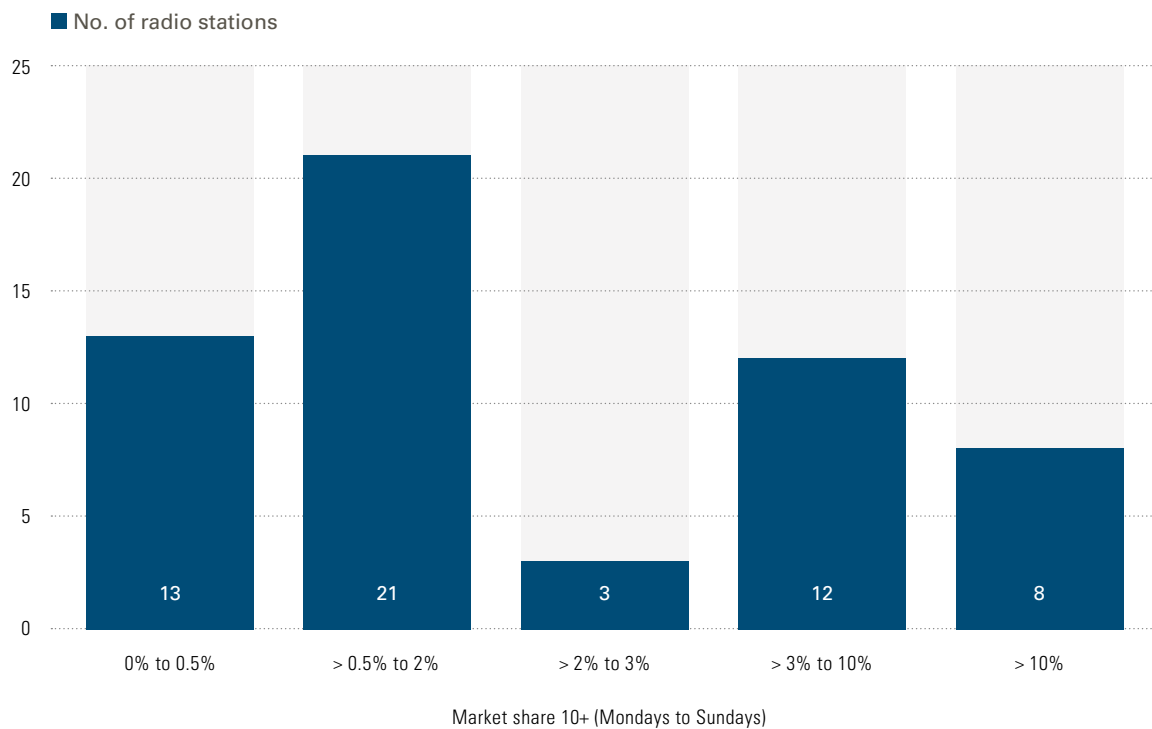


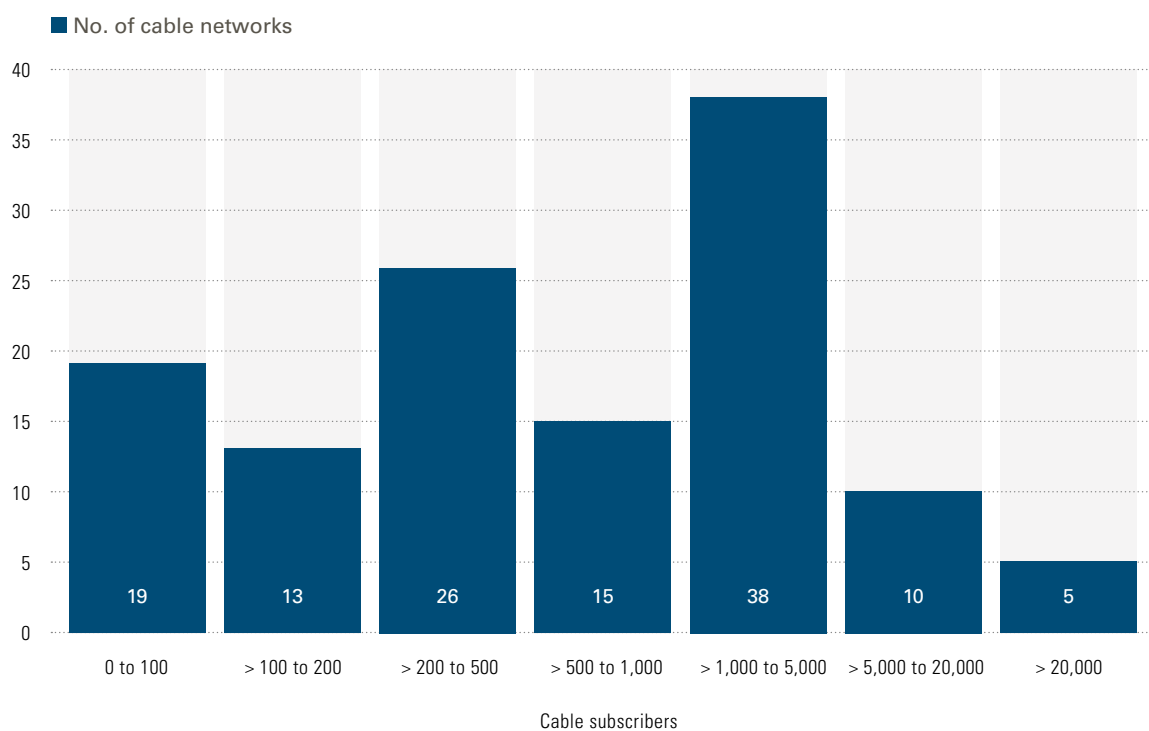
Figure 10: Number of radio stations within specified market share ranges among listeners 10+ in 2024 (no data available for 75 providers)



3.3.2.4 Cable networks

Cable network providers were queried about the number of subscriptions. The relevant figures were here also divided into ranges, with the bar chart included below created on this basis.

Figure 11: Number of cable networks within subscription ranges in 2024



3.3.3 Selected detailed results

In addition, survey results were singled out from the various areas by way of example. These are presented here for 2024 as a whole. Note that the information presented here is based on the figures provided directly by the service providers.

Figure 12: Top 10 nationwide television channels by daily reach as a percentage of viewers 12+ in 2024

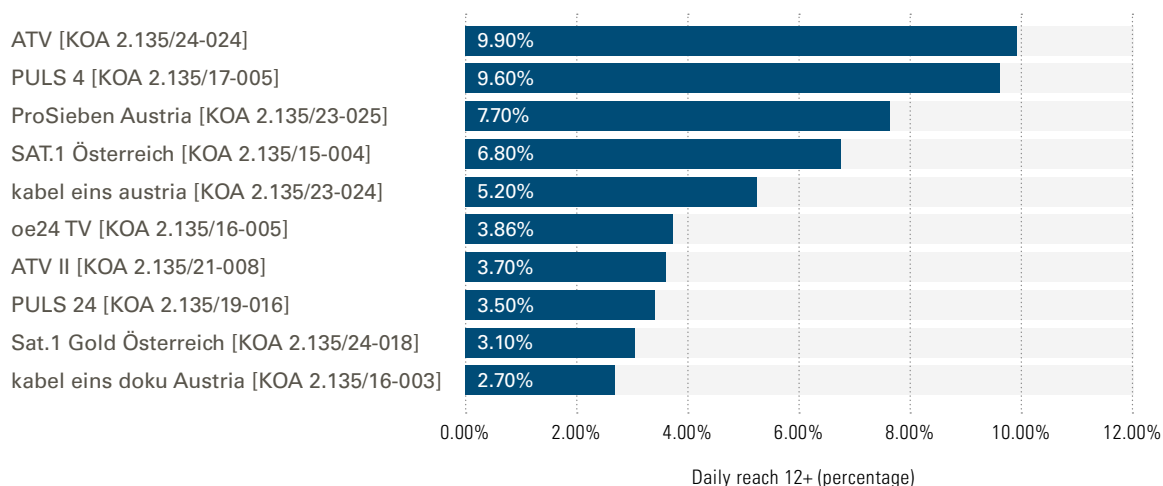


Figure 13: Top 10 on-demand services by number of users (subscribers or individual customers) in 2024

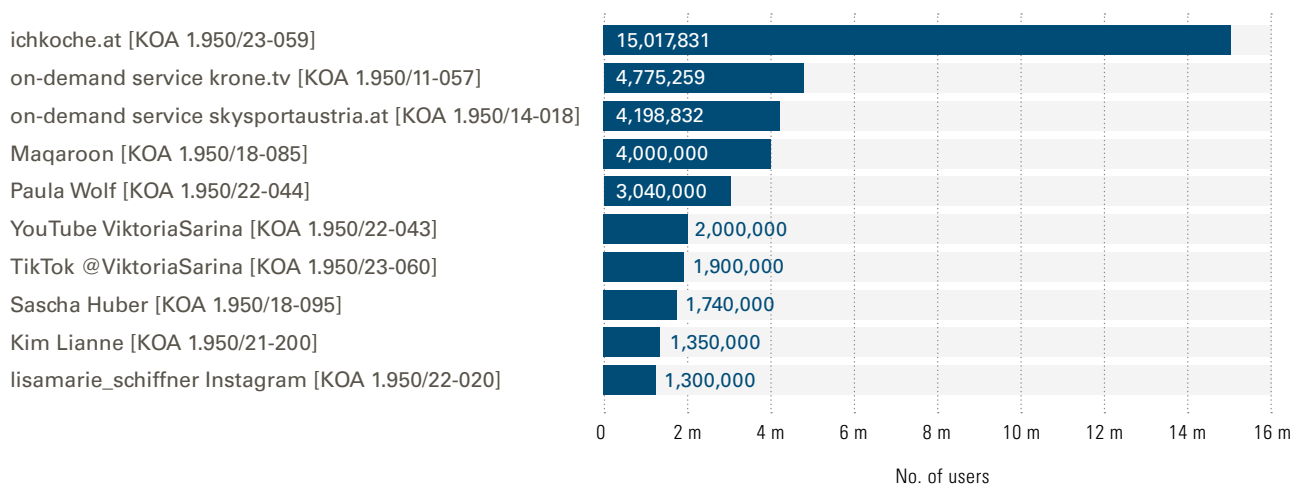


Figure 14: Top 10 on-demand services by service requests in 2024

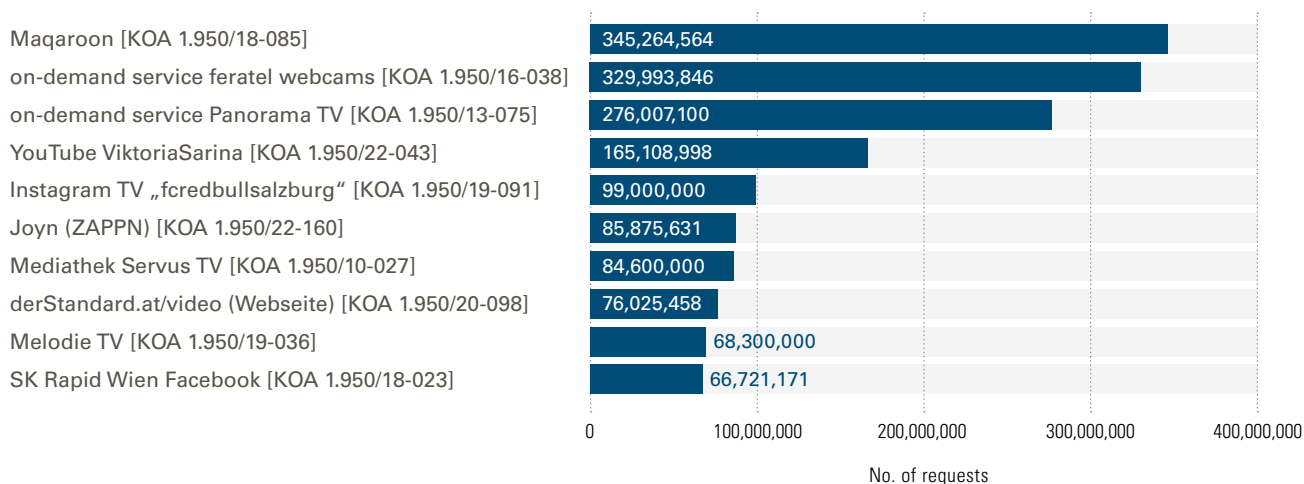


Figure 15: Percentage share of users (subscribers or individual customers) of the top 10 on-demand services as compared with the share of users (subscribers or individual customers) of other on-demand services in 2024

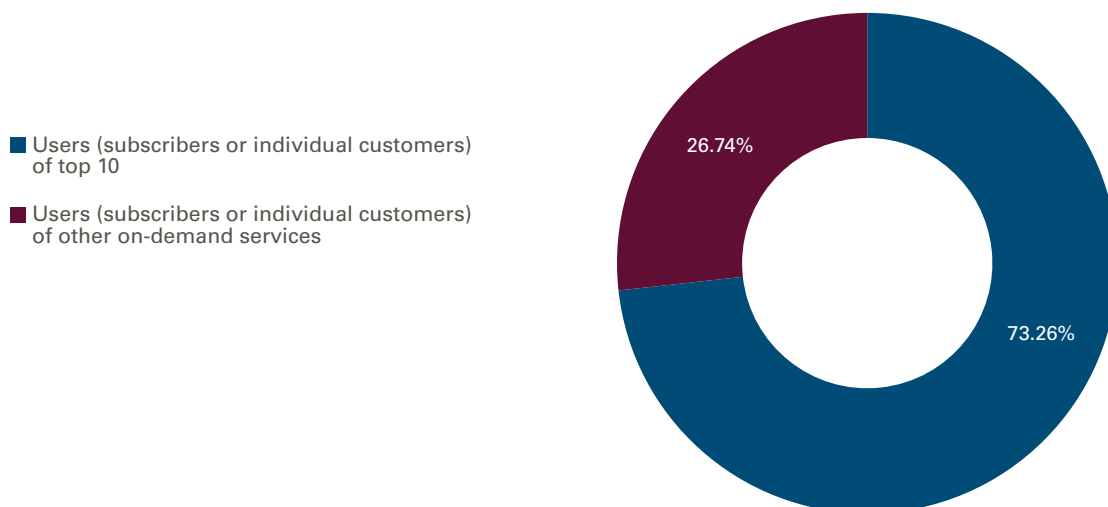
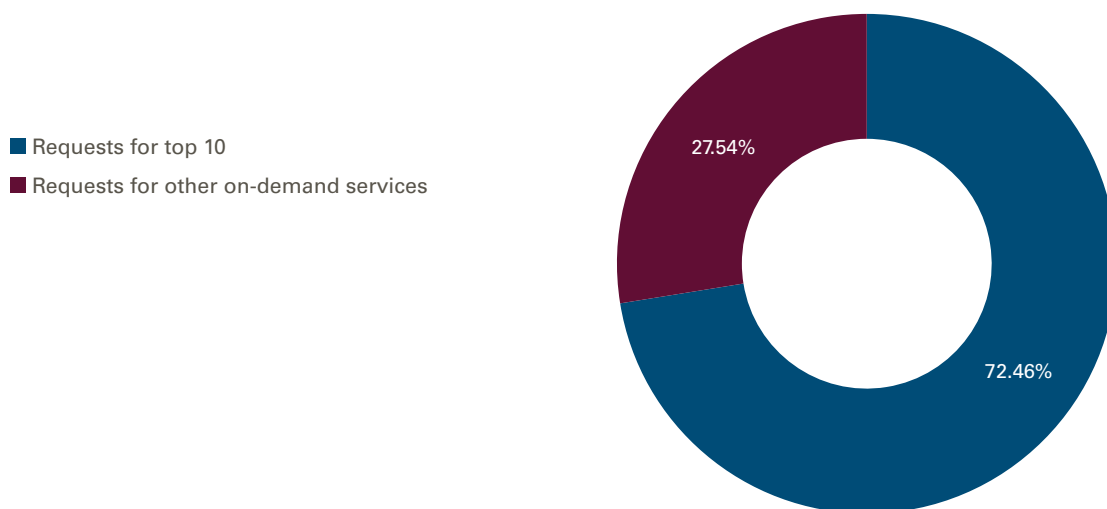


Figure 16: Percentage share of service requests to the top 10 on-demand services as compared with requests to other on-demand services in 2024



3.3.4 Link to full survey results

All survey results for the categories of television and on-demand services are available (in German) on the RTR website at www.rtr.at/Reichweiten-undMarktanteilerhebung2024

The following information is listed:

- **Television:** provider, service, period (from/to), daily reach 12+ (in %), market share 12+ (in %)
- **On-demand services:** provider, service, period (from/to), number of users (subscribers or individual customers), number of requests

Again, we need to point out that the figures presented are based on information directly provided by the service providers, while the data relating to reach and market shares in each case refer to the specified service provider's coverage area.

3.4 Digitisation in broadcasting: update

3.4.1 Digital linear television

In Austria, television transmission and television reception via satellite, antenna (terrestrial) and cable networks are solely via digital technologies. In contrast to previous years, this Communications Report no longer uses the number of TV households to show the extent to which different reception platforms or modes of reception are used in Austria; instead, it exclusively refers to the number of people who watch the television channels that are broadcast. In September 2024, TELETEST changed the method previously used for collecting linear and time-shifted television viewing data. This is the key reason for the change in the report.

The TELETEST survey, which has been commissioned by the TELETEST Working Group (AGTT) since 2007, provides viewing data for TV channels available in Austria. In September 2024, the name of the project was amended to TELETEST 2.0 in response to the aforementioned change. The AGTT is a collaboration between Austrian television broadcasters and their advertising slot marketers. The group commissioned market research institute GfK Austria (TV panel/data production/data integration) and TV-Insight GmbH (HbbTV measurement and projection) with the survey. GfK Austria's TELETEST panel derives data via TV-Insight (TVI) , in this case as of January 2025, from a representative sample of the Austrian population (with around 1,505 TV households and roughly 3,325 people aged three and over) using devices that are connected to receivers. These data are then merged with the feedback channel data from over 1.1 million online HbbTVs²⁴ in Austria.²⁵ As a result, TELETEST 2.0 provides personal viewing data – accurate to the second – for linear and time-shifted television viewing.

According to information from the AGTT, 7.546 million Austrians aged twelve and over were residing in Austrian television households in 2024.

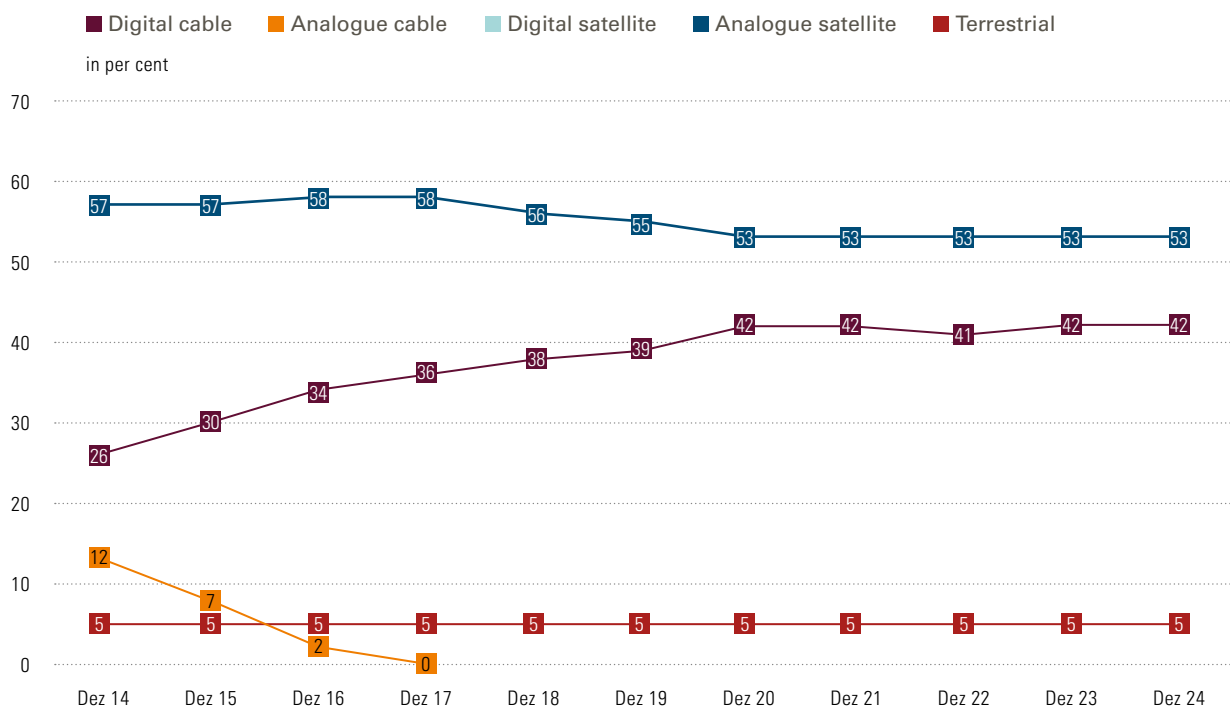
3.4.1.1 Distribution of conventional television reception modes among television users

Television reception via satellite gained more users in 2024 compared with the previous year, whereas cable reception lost users to the same extent. Terrestrial television (DVB-T/DVB-T2 or digital terrestrial television) enjoyed a slight increase in users, although this was only marginal. As a result, the percentage distribution of the TV-viewing population to the reception modes remained unchanged.

²⁴ HbbTV: Hybrid Broadcast Broadband TV, middleware platform, open, international standard

²⁵ Information available at <https://www.agtt.at/>

Figure 17: Use of TV reception modes (broadcasting), persons aged 12+ as a percentage, 2014–2024



Source: ATT TELETEST 2.0 (from 1 September 2024), AGTT / GfK TELETEST (up to 31 August 2024); Evogenius M³; 2014-12-01 to 2024-12-31; weighted by person; including VOSDAL/Timeshift; TV time interval

3.4.1.2 4.027 million people (53%) live in households with satellite reception

In 2024, around 4.027 million Austrians aged twelve and over were residing in television households with satellite reception (2023: 3.997). This corresponds to an increase of 30,000 people compared with the previous year. This did not affect the percentage of the TV viewing population living in satellite TV households, however, which remained at 53%.

3.4.1.3 3.164 million people (42%) watch cable TV (including IPTV)

The percentage of television viewers aged twelve and above with a cable connection as their TV reception platform also remained stable at 42% compared with the previous year, even though the absolute figure for cable viewers fell by 31,000 to 3.164 million people (2023: 3.195 million).

Households with cable TV include households that are supplied by their cable TV providers via the conventional digital transmission technology DVB-C, as well as those households that stream linear TV via their cable provider on the basis of the internet protocol, that is, IPTV households. In Austria, these are primarily supplied by A1 Telekom Austria (A1 Xplore TV).

3.4.1.4 355,000 people (5%) watch TV exclusively via DVB-T/T2

In 2024, around 355,000 people aged twelve and over lived in TV households where exclusively terrestrial television – reception via a room or roof antenna – was viewed (2023: 354,000, 2022: 379,000, 2021: 375,000). This corresponds to a slight increase of 1,000 people compared with the previous year. The percentage of the TV-viewing population living in terrestrial TV households remained at 4.7% (unrounded figure).

The number of users who exclusively viewed terrestrial TV had dropped significantly in 2023, by 25,000 to 354,000 (2022: 379,000, 2021: 375,000).

3.4.1.5 With second devices also counted, 562,000 people have access to DVB-T/T2

As of the end of 2024, there had been a slight increase in the number of people aged twelve and over who used digital terrestrial television as their primary or only form of TV reception. Yet the number of people in satellite and cable households who also have access to terrestrial television as a supplementary reception platform increased more significantly.

In most cases, DVB-T/T2 is mainly used in cable or satellite householders to view local television channels that are only transmitted in terrestrial mode, or as a simple solution to add a second device to another room. At the end of 2024, this applied to 159,000 people in satellite TV households (2023: 157,000, 2022: 139,000) and to 48,000 people in cable TV households (2023: 24,000, 2022: 44,000). If this figure is added to the number of people in terrestrial-only television households, this results in a total of 562,000 people (2023: 535,000, 2022: 562,000) with potential terrestrial TV reception. This translates to 7.4% (2023: 7.1%, 2022: 7.4%, 2021: 7.8%) of the 7.546 million TV viewers in Austria and is equivalent to the data from 2022.

However, the increase in the number of people with access to DVB-T/T2 – which is primarily due to doubling of the number of people in cable households using DVB-T – could also be explained by the different measurement method that is now being used by the new TELETEST 2.0.

3.4.1.6 Technical range of the various terrestrial multiplexes (DVB-T/T2)

Multiplexes A, B, D, E and F – nationwide programme portfolio

The technical range of the nationwide multiplex A was unchanged at 98% of the population in 2024. The technical range for the other nationwide multiplexes B, D, E and F was also constant, at roughly 92% of the population.

MUX A and MUX B are used for nationwide transmission of the channels 3sat, ATV, ORF 1, ORF 2 Regional (three editions in five regional reception areas), ORF III, ORF SPORT+ and ServusTV, free of charge²⁶ and in high definition (HD) resolution, as well as ATV2, PULS 4 and RTL Austria in SD resolution. ORF 1 and ORF 2 (regional addition for Vienna) are also available in standard definition (SD) resolution to ensure freedom of reception without registration. With Puls 24 (in SD), an additional channel of Austrian origin is being broadcast free of charge and nationwide within the MUX F station line-up, and this can be received following registration.

The D, E and F multiplexes encompass, as part of a payable overall package, an additional 39 TV channels, including most of the widely known public and private offerings from Germany (in HD or SD resolution) as well as a few pay TV channels.²⁷

²⁶ Registration with the multiplex operator required

²⁷ Separate surcharge

Multiplex C – regional programme portfolio

The percentage of the population also living in the multiplex C (MUX C) reception area (DVB-T/DVB-T2), with programming by various operators and varying from region to region, similarly remains unchanged at 64%.

The supra-regional and international programme portfolio carried nationwide by the A, B, D, E and F multiplexes is supplemented by the private regional channels that are transmitted via the 16 MUX C broadcasting locations in the provinces. With programmes largely dedicated to reporting from the respective regions, these channels make an important contribution to democratic discourse.

At some MUX C locations in larger agglomerations, additional supra-regional stations originating in Austria are broadcast alongside German and international stations.

Details on the party licensed to operate each of the regional multiplexes (MUX C) and the TV programmes broadcast via that platform are available (in German) at <https://www.rtr.at/medien/service/verzeichnisse/mux/MUXC.de.html>.

3.4.1.7 5G broadcasting trials

Towards further progress in digital broadcasting, and to test broadcasting applications based on the 5G transmission standard, KommAustria had approved in November 2019 an initial related pilot study, to be carried out in the Vienna area by Österreichische Rundfunksender GmbH & Co KG (ORS). After one extension, the trial ended in April 2021. A second phase was launched in 2021 and completed at the end of 2024. A final report will be presented in the first quarter of 2025. The broadcasting trial was funded by the Digitisation Fund set up by the RTR Media Division.

To receive linear radio and television programmes being transmitted via 5G broadcast, consumers require only the antenna integrated in their 5G-ready device, but not a SIM card or internet access.²⁸ The signals are transmitted within broadcasting frequency ranges and not mobile bands. Users' mobile data volumes are not affected through receiving such broadcasts and there is no added traffic within mobile cells. In this way, highly economical use is made of spectrum when broadcasting information services to mobile devices. 5G broadcast functionality is specified as part of the 5G mobile communications standard; it is supported by every terminal device that is manufactured in full compliance with the 5G specification standards.

In October 2021, project funding by the Digitisation Fund was renewed for '5G broadcast trial operation in Vienna phase 2'. The project was planned for the period 1 July 2021–31 March 2024. Phase 2 of the project focused on continuing to examine the suitability of further enhanced Multimedia Broadcast Multicast Service (feMBMS) and on further standardising LTE-based 5G Terrestrial Broadcast for future use as a potential standard for broadcasting terrestrial signals. feMBMS is a technology based on a specification by the 3rd Generation Partnership Project (3GPP).

By approving 5G broadcast trials, KommAustria recognises that mobile devices are basic tools for access to information on a daily basis and that 5G could play a role in this use case in future. While non-linear online media services provided on demand are gaining ground particularly in the entertainment industry, linear information services continue to dominate news reporting. Taken together, these two observations suggest that, on the one hand, unlimited reception of 5G broadcasts via mobile devices could be easily implemented at a technical level, without any restricting factors. It is also clear that implementation would entail a dimension relating to democratic policymaking in the information society, a factor considered by legislation, specifically Art. 21 of the Audiovisual Media Services Act (AMD-G). This provision calls for the rollout and advancement of digital broadcasting to be enabled and supported for all transmission platforms, while scenarios are to be detailed for the introduction, rollout and advancement of digital broadcasting and multimedia services.

28 Previous prototypes, developed only for professional purposes, are not yet available commercially.

3.4.2 Digital terrestrial radio

3.4.2.1 DAB+ digital radio

2024 was a milestone in the development of digital radio in Austria, with a DAB+ programme portfolio that had almost doubled in size.

Similarly to FM radio, DAB+ radio service can easily be received via antenna. It is noise-free and can additionally contain image and text information that is visible on receivers with a display. DAB+ receivers also support FM stations and are available as car radios, portable radio receivers or as components of hi-fi systems. With the ordinance entitled "Digitisation Plan 2013", KommAustria dedicated seven coverage areas in band III (174–216 MHz range) to the nationwide and regional rollout of digital radio via the DAB+ transmission standard.

Sixteen DAB+ radio channels with a technical range of 84% of the population have been broadcast using the nationwide MUX I platform since 2019. Since 2018, 14 DAB+ radio stations with a technical range of 2.3 million people have been available regionally in the greater Vienna region via the MUX II platform.

In March 2024, KommAustria granted a total of six licenses to Austrian broadcasting network operator ORS comm GmbH & Co KG (ORS) for the construction and operation of new multiplexes for the transmission of DAB+ digital radio stations: this comprised one licence for a nationwide multiplex (MUX III) and five licences for additional regional multiplexes (MUX II). Licenses followed from early June 2024 for the DAB+ digital radio stations broadcast throughout Austria as well as regionally via the new multiplexes. Broadcasting operations began at the end of June 2024. By the end of 2024, a total of 58 radio stations (2023: 30) were broadcast via the two nationwide multiplex platforms (MUX I and MUX III) as well as via the MUX II coverage that is divided across the six regional multiplexes. Of these, 31 were Austria-wide (2023:16 stations) and a total of 27 stations in the regional coverage areas.

When MUX III first aired in June 2024, some stations were switched from the Vienna multiplex the new nationwide multiplex. By the end of 2024, a total of 11 stations were broadcast via the Vienna MUX II.

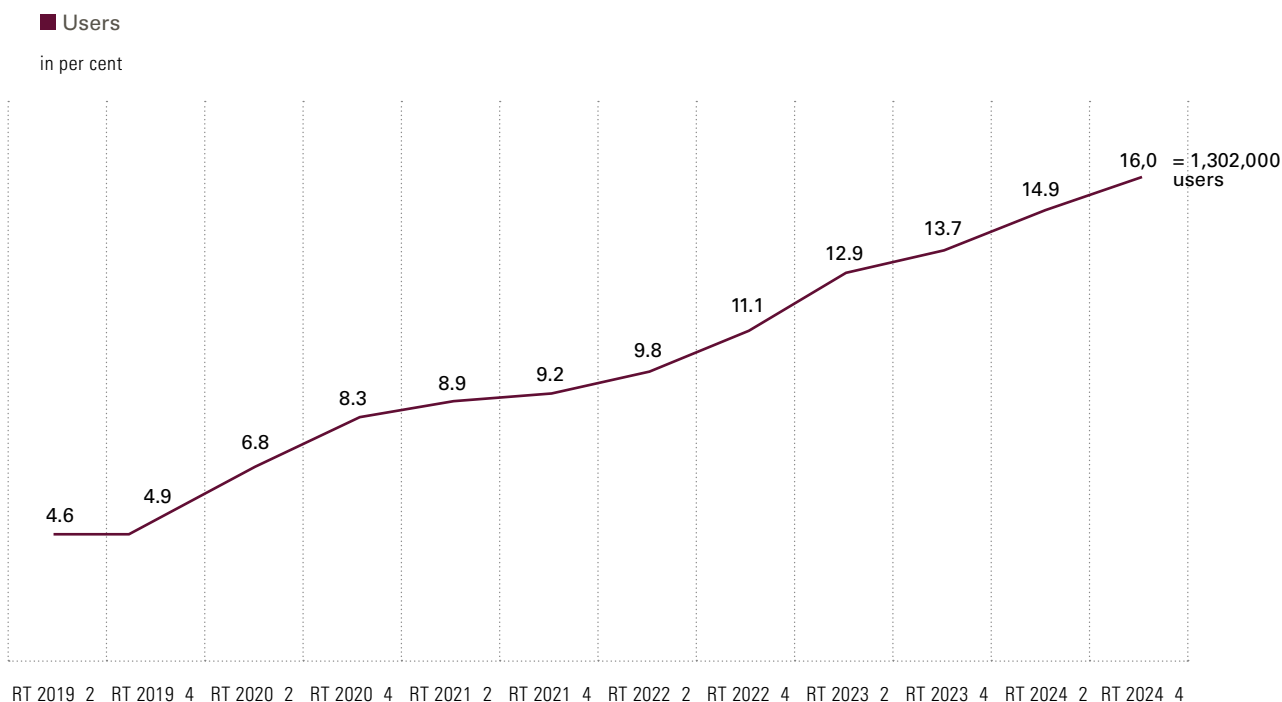
Alongside a number of completely new broadcasters, many of the well-known UKW private radio broadcasters previously established in Austria are broadcasting their programmes in parallel via DAB+ or have developed additional programmes separately for the DAB+ mode. The ORF is not yet using the DAB+ transmission mode.

3.4.2.2 Awareness and use of DAB+ digital radio

The DAB+ Digital Radio Awareness and Range Measurement report (DAB+ report), which is carried out annually by market research institute Ipsos on behalf of RTR Media, examines how digital DAB+ terrestrial radio is used in Austria, the extent to which the population is familiar with it, and the number of households in Austria with DAB+-enabled devices. The representative survey is traditionally held between mid-January and the end of February. In 2024, it took place four months before the 28 new DAB+ radio stations went on air.

According to the 2024 DAB+ Report, 51% of the Austrian population aged 15 and over are familiar with the term DAB+ digital radio, its logo, or even both. Some 26% of all Austrian households now own at least one device that is able to receive DAB+, while just under a quarter of the population has listened to radio programmes via digital terrestrial DAB+ at least once.

According to the DAB+ Report for 2024, 18% of the overall Austrian population (which equates to 960,000 people) listened to digital terrestrial radio at least several times a month, several times a week or almost on a daily basis, five years after it was rolled out nationally. The Radiotest (RT) survey, which is carried out on behalf of Austrian broadcasters by market research institutes GfK Austria and MindTake, shows a continuous increase in DAB+ usage since its nationwide launch in 2019.

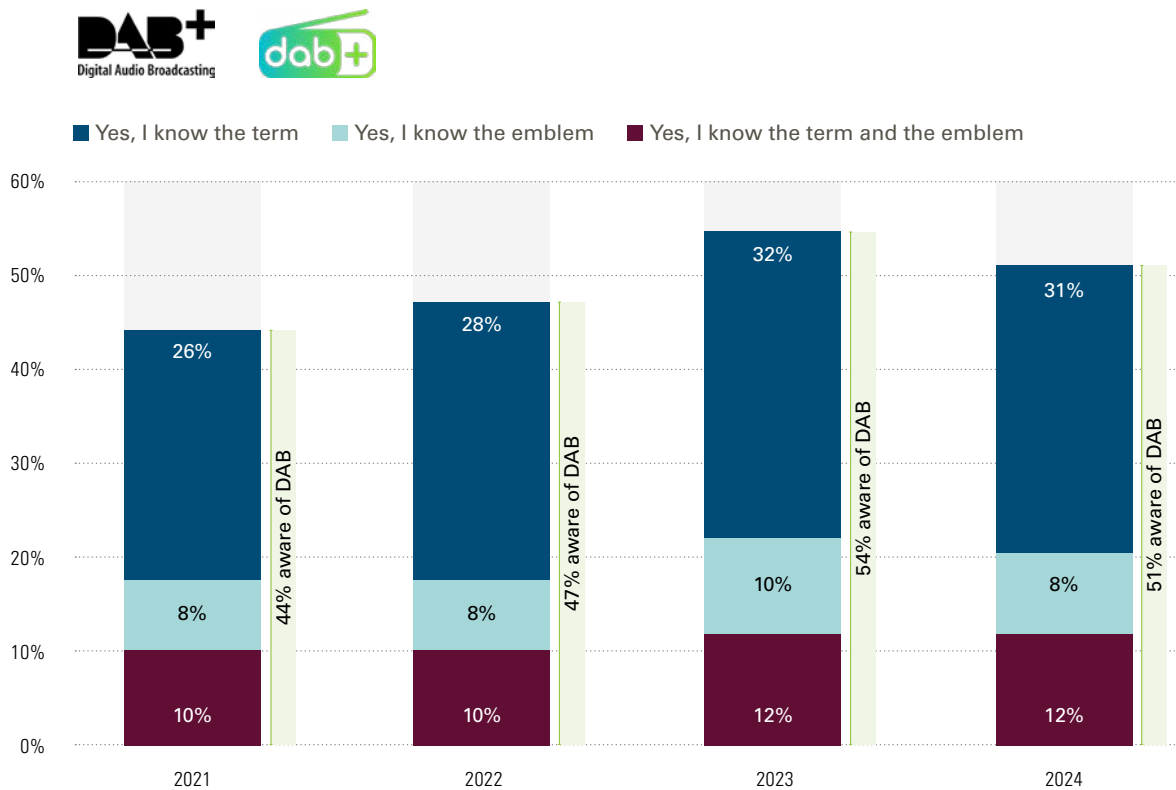
Figure 18: Radio reception via DAB+: at least once a month

Radiotest 2024_4, basis: all of Austria 10+, Mon to Sun, percentages

The basic groups surveyed in the Radiotest and DAB+ Report differed as follows. The Radiotest examines the usage behaviour of Austrians aged ten and over, whereas the DAB+ Report examines the age group from 15 to 70 years. This explains the slight discrepancy between the DAB+ Report (18%) and the Radiotest survey (16%) in the percentage rate of regular DAB+ listeners.

Whereas the use of digital radio stations has enjoyed constant growth, there was a downward trend for the already high level of awareness of DAB+ nationwide (51% of those surveyed had already heard of DAB+; 2023: 54%). This could be an indication that those persons surveyed perceive the technical transmission mode to be less important, focussing on the programme portfolio instead.

Figure 19: Awareness of DAB+, trend for 2021-2024

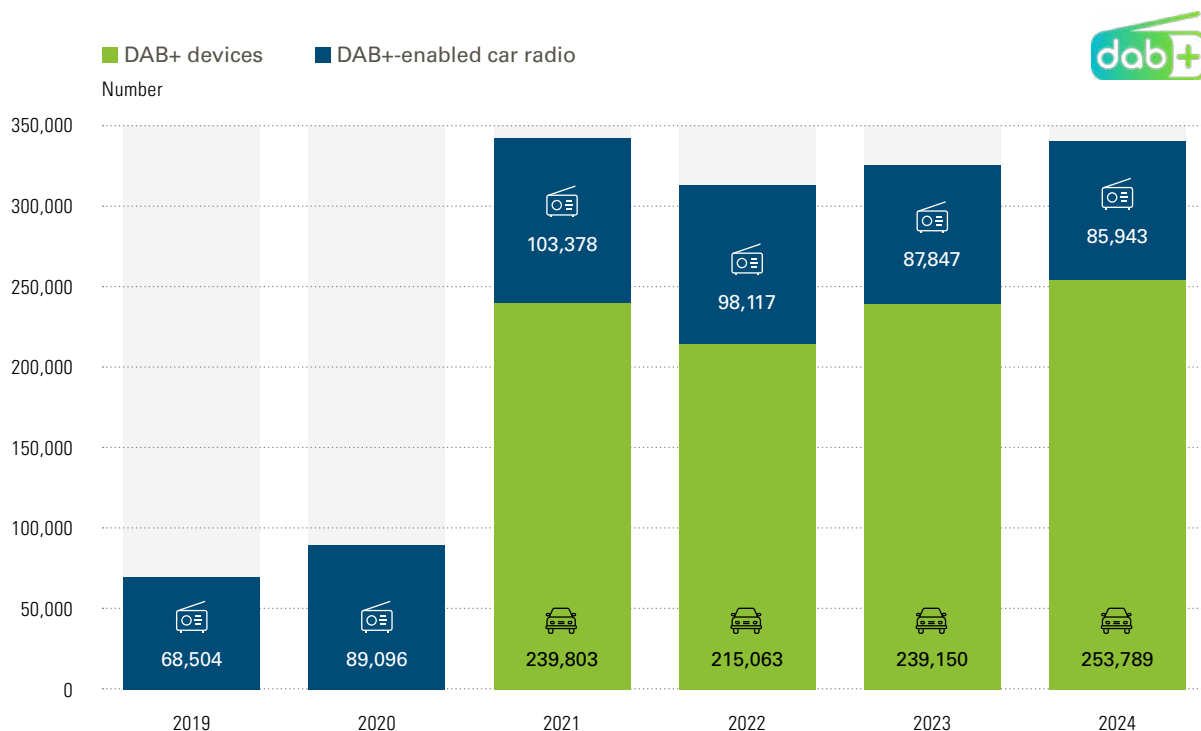


Bekanntheits- und Reichweitenmessung DAB+, Digitalradio Österreich 2024 (Awareness and Range Measurement of DAB+ and Digital Radio in Austria 2024), report by Ipsos on behalf of RTR Media

The change in perception of DAB+ may also be due to technical advances. The radio stations that are available within the reception area are clearly visible on the displays on modern car radios, irrespective of whether DAB+ or FM is used as the transmission technology. Users no longer need to manually select the type of transmission.

This may also explain the decline, in 2024, in the perception of those persons surveyed of owning DAB+-enabled radio devices in their own household; this contradicts the continued high retail sales figures for receivers and an increased number of new passenger vehicle registrations compared with the previous year. The increasing percentage of households with DAB+-enabled devices is mainly due to the EU Directive on the European Electronic Communications Code (EECC), which has required the installation of DAB+-enabled car radios in new vehicles since the beginning of 2021.

Figure 20: DAB+ device sales per year, home devices and car radios



Source: RTR/GfK Austria – Panelmarkt Radio/Statistics Austria – new vehicle registrations

According to the DAB+ Report, 26% of those surveyed claimed to own at least one DAB+ radio device at the start of 2024. The percentage of positive responses to this question fell by four points against 2023 (30%). Car radios continue to account for the highest share, although this dropped by three percentage points to 15% of responses. Respondents who confirmed ownership of a portable device remained unchanged at 9%, while 7% said they owned a DAB+-enabled hi-fi system (2023: 8%). The results of this survey contrast with a five-year record of almost 254,000 new passenger vehicle registrations in 2024, and around 239,000 new registrations in 2023.²⁹ Added to this are around 174,000 DAB+ receivers for domestic use which were sold in the Austrian retail sector in 2024 (86,000) and 2023 (88,000)³⁰ (2022: 98,000; 2021: 103,000 units; 2020: 89,000 units; numbers are rounded up and exclude international online retailers).

In contrast, retail sales figures for FM-only receivers (at most supporting internet radio) are consistently falling and have halved within a space of three years. In 2024, a mere 167,000 FM-only radios were sold in Austria as standalone devices or as part of hi-fi systems; in 2023, this figure was almost 206,000 whereas around 284,000 were sold in 2022, and around 318,000 FM-only radios were sold in 2021.

The DAB+ report is available (in German) for downloading from the RTR website at https://www.rtr.at/DAB-Studie_2024

²⁹ Statistics Austria

³⁰ Panelmarkt/GfK Austria

3.4.2.3 Crisis and disaster protection warnings via DAB+ (EWF, ASA)

In addition to 14 radio stations and one electronic programme guide, the emergency warning functionality (EWF) system that was developed for digital transmission routes is ready for service on the DAB+ MUX II in Vienna. The system, developed for digital transmission modes, immediately switches all of the multiplex programmes to an information channel in the event of a crisis or disaster. The information consists of an audible radio announcement and printed text information that is broadcast to DAB+ receivers with a display. At the same time, EWF-compatible radio receivers also power on automatically if they are in standby mode.

In 2021, RTR Media provided from its Digitisation Fund a grant for a project by RTG Radio Technikum GmbH to develop hardware and software enabling the EWF signals that are broadcast over DAB+ to also appear on electronic E-Ink information screens, such as those frequently available in Vienna's public transport for displaying timetables at bus and tram stops.

In 2024, in an event held by its Media Division and the Telecommunications and Postal Services Division, RTR initiated the nationwide introduction of digital warning messages using the more recent Automatic Safety Alert system (ASA) to be broadcast over DAB+ and as a potential convergent, hybrid development together with the AT alert system, which is based on mobile phone technology. ASA has the advantage over EWF in that it can address smaller-cell areas, thereby limiting the transmission of warnings much more closely to the areas that are actually affected. Talks regarding an initial test implementation are already under way in Vienna.

3.4.2.4 Digital radio via DVB-T2

Besides the digital radio transmission standard (DAB+), digital terrestrial radio stations can still be received via the DVB-T2 multiplexes A and F, which are used for terrestrial television. Such stations are thus also included in the digital terrestrial programme portfolios marketed in Austria under the name of 'simpliTV'. The three ORF nationwide radio stations have been broadcast without encryption via MUX A for several years.

The ORF has also been broadcasting its nine regional radio stations in the respective provinces via MUX A since January 2024.

A private radio station is also broadcast at no charge but with encryption by way of the nationwide MUX F. Initial registration at no cost is required in order to receive the station.

3.4.3 Expansion of digital broadcasting (Digitisation Plan)

By expanding the digital radio portfolio based on the DAB+ transmission standard, KommAustria took significant steps in 2024 towards implementing its ordinance regarding a digitisation plan for the introduction, deployment and advancement of digital broadcasting and other media services (2021 Digitisation Plan).

The 2021 Digitisation Plan is continuing along the path that was forged by previous digitisation plans while aligning itself with market requirements for the introduction, deployment and expansion of digital terrestrial radio based on the DAB+ standard. KommAustria had correspondingly included in the plan the option of conducting an additional survey to sound out demand for additional DAB+ station slots, so that tenders for additional multiplex platforms can subsequently be issued in the presence of demand for slots. A corresponding demand survey was carried out in the period between 30 September and 28 October 2021. The assessment and, therefore, the results of the survey were published on 28 February 2022. The report highlighted the need for additional DAB+ transmission capacities. On 1 February 2023, KommAustria started the four-week consultation period for an ordinance on the principles for selecting offers to set up and operate additional multiplex platforms for the transmission of digital terrestrial radio programmes, in preparation for putting corresponding licences out to tender. The authorities have the remit to issue such an ordinance to define the selection criteria to be used in tenders for digital terrestrial multiplex platforms, where more than one applicant exist.

On 21 April 2023, KommAustria published a 2023 ordinance on more detailed provisions of the selection criteria for issuing terrestrial multiplex licences for digital radio in the DAB+ standard (MUX-Auswahlgrundsätzeverordnung DAB+ 2023/MUXAGV DAB+ 2023). Between 30 June 2023 and 2 October 2023, KommAustria called for tenders for the planning, the technical set-up and operation of multiplex platforms for digital terrestrial radio based on the DAB+ standard. The subject of the invitation to tender was a nationwide multiplex platform (MUX III) able to be customised for regions, as well as local and regional multiplex platforms throughout Austria (with the exception of Vienna). These could be requested for the purpose of creating new and expand existing local and regional coverage areas where corresponding spectrum resources were available with nationwide coverage.

In March 2024, KommAustria granted Austrian broadcasting network operator ORS comm GmbH & Co KG (ORS) a total of six licences: one for the construction and operation of a nationwide multiplex platform and five licences for additional regional multiplexes for transmitting 28 DAB+ digital radio stations overall. The new regional broadcasting areas are 'Niederösterreich und Nordburgenland' with a range of around 3 million people, 'Steiermark, Kärnten und Südburgenland' (a range of approximately 1.4 million people), 'Salzburg und Oberösterreich' (approximately 1.5 million people), 'Tirol' (approximately 380,000 people) and 'Vorarlberg' (around 250,000 people).

In May and June 2024, KommAustria granted a total of 28 licences to various radio broadcasters, subsequently going on air via the new DAB+ multiplexes on 21 June 2024. The stations consist of a versatile mix of newcomers alongside some well-established FM stations that are using DAB+ to expand their digital terrestrial range. This brings the DAB+ service portfolio in Austria to a total of 58 radio stations.

3.5 2024 report on self-regulation of commercial communication

3.5.1 General information: legal framework for self-regulation

The Fund for the Promotion of Self-Regulation in Commercial Communication was established at the Austrian Communications Authority (KommAustria) in 2009. EUR 75,000 has been allocated to the fund each since 2021.

In the face of developments in the market for commercial communication in audiovisual media services, new rules were introduced based on Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive). The Directive also encourages the effective use of co- and self-regulation. In response, the requirements to be met by the self-regulation system for commercial communications were subsequently defined in more detail beginning in January 2021.

As defined in Art. 33 Par. 2 KommAustria Act (KOG), KommAustria is to grant, upon application, an annual allowance to a recognised self-regulatory body for commercial communication in media. The purpose is to safeguard the independence of that body and ensure its ability to perform its duties in accordance with its articles of association, and to help the body in effectively implementing its decisions and resolutions.

Art. 32a KOG provides for the following criteria as a prerequisite for recognising a self-regulatory body:

“Self-regulatory bodies

Article 32a. (1) The activities of recognised self-regulatory bodies may be granted funding in order to help achieve the goal of ensuring compliance with minimum European standards on the part of content providers.

(2) A recognised self-regulatory body is defined as a body with legal personality that:

- 1. guarantees a broad representation of the providers concerned, and comprehensive transparency in respect of decision-making criteria, procedures and the enforcement of decisions;*
- 2. defines conduct guidelines and rules of procedure that are generally recognised by the primary stakeholders and which clearly define the goals of self-regulation;*
- 3. ensures the periodic and transparent monitoring and assessment of the fulfilment of these goals, exclusively by an external and independent entity;*
- 4. ensures that complaints are effectively handled and that its decisions are enforced, including the imposition of effective and proportionate sanctions in the event of breaches of the conduct guidelines;*
- 5. prepares a report concerning its activities, its established goals, and the measures and decisions taken in accordance with No. 3 and 4, and publishes this report in a suitable format.*

(3) Sanctions within the meaning of Par. 2 No. 4 include in particular:

- 1. the publication of a decision by the self-regulatory body;*
- 2. the publication of a recommendation for future conduct by the self-regulatory body;*
- 3. the revocation of a quality seal or positive designation granted in accordance with the body's guidelines;*
- 4. potential identification of a breach or warnings in accordance with the body's legal framework.*

(4) Every four years, the self-regulatory body shall provide the regulatory authority with a report on the body's structure and working practice that illustrates its contribution to the goal of achieving compliance with minimum standards on the part of content providers.”

KommAustria has drawn up and published guidelines for awarding grants from the Fund for the Promotion of Self-Regulation in Commercial Communication.

The effectiveness of this self-regulatory system is then subjected to a subsequent audit by KommAustria. To facilitate such a follow-up audit, the legislation specifies the reporting requirements listed below.

Pursuant to Art. 32a Par. 2 No. 5 KOG, a self-regulatory body is to prepare an annual report on its activities, its established goals, and the measures and decisions taken in accordance with No. 3 and 4, and publish this report in a suitable format (activity report).

As defined in Art. 33 Par. 3c KOG, by 31 March of each following year, a recognised self-regulatory body for commercial communication is to submit to KommAustria a report addressing the effectiveness of the provisions of the conduct guidelines, as well as the type, number and outcome of complaints. The regulatory authority must publish an activity report presenting its assessment of and recommendations on effectiveness (effectiveness report).

In spring of 2025, the Austrian Society for the Self-Regulation of the Advertising Industry released the reports for the year 2024 in its role as legal entity for the Austrian Advertising Council.

3.5.2 Austrian Advertising Council

According to Art. 32a KOG, a recognised self-regulatory body is defined as a body with legal personality which ensures a broad representation of the providers concerned and fulfils the criteria of Art. 32a KOG.

Under the Society for the Self-Regulation of the Advertising Industry as its managing entity, the Austrian Advertising Council (ÖWR) represents such a recognised institution of self-regulation of commercial communication and has been receiving subsidies from KommAustria's fund earmarked for these goals since 2009.

According to the articles of association, the society's objective is to manage the self-regulation of the advertising industry in Austria, in order to ensure that the industry exceeds the statutory requirements for adherence to ethical and moral principles, in particular with the goals of protecting consumers from abuse in advertising and of promoting business ethics in general, while at the same time maintaining a commitment to competition and to the free expression of ideas. This overarching objective is supported by the society's wider goals, as described below.

- a. Strengthening the acceptance of self-regulation of the Austrian advertising industry, by means of a trustworthy self-regulation institution for the advertising industry in Austria that is accepted at the national and international levels.
- b. Establishing executive self-regulation in the form of the 'Austrian Advertising Council' as an independent assessment body and through a balanced membership structure for this body that reflects its purpose and a wide range of political interests.
- c. Establishing an avenue for consumers to lodge complaints.
- d. Further improvement of self-regulation based on ethical and moral criteria.
- e. Promoting the image of advertising in Austria.
- f. Protecting the freedom to engage in legally compliant, inoffensive and honest advertising.
- g. Promoting communication in times of economic and social change.
- h. Avoiding state-imposed advertising restrictions through close cooperation and coordination with the respective industry representatives and significant communication associations in Austria as well as through dialogue with stakeholders.

The members of the legal entity 'Society for the Self-Regulation of the Advertising Industry' of the Austrian Advertising Council are:

- Dialog Marketing Verband Österreich (Dialogue Marketing Association Austria, DMVÖ)
- Verband Österreichischer Zeitungen (Austrian Newspaper Association, VÖZ)
- Verband der Regionalmedien (Association of Regional Media, VRM)
- Austrian Broadcasting Corporation (ORF)
- Verband Österreichischer Privatsender (Association of Commercial Broadcasters in Austria, VÖP)
- Verband der Österreichischen Markenartikelindustrie (Austrian Association of the Branded Goods Industry, MAV)
- International Advertising Association, Austrian Chapter (IAA)
- Verein Interessensgemeinschaft der Media-Agenturen (Association of Interest Group of Media Agencies, IGMA)
- Österreichischer Zeitschriften- und Fachmedienverband (Austrian Magazine Association, ÖZV)
- Internet Advertising Bureau Austria (IAB)
- Fachverband Film- und Musikwirtschaft (Professional Association of the Film and Music Industry)
- Fachverband der Telekommunikations- und Rundfunkunternehmen (Professional Association of Telecommunications and Broadcasting Companies)
- Fachverband der Nahrungs- und Genussmittelindustrie – Lebensmittel (Professional Association of the Food and Beverage industry – Food sector)
- Fachverband Werbung und Marktkommunikation (Austrian Advertising Association)
- Weischer.Cinema Austria GmbH
- Österreichische Industriellenvereinigung (Federation of Austrian Industries, IV)
- Austrian Standards Institute

The management board of the legal entity comprises President Michael Straberger, Vice President Roswitha Hasslinger and Vice President Gerald Grünberger as well as 18 additional board members.

Additional bodies of the society are the general assembly, which serves as an assembly of members within the meaning of the Associations Act (Vereinsgesetz), the Austrian Advertising Council (ÖWR) as an independently acting body to carry out self-regulation of the Austrian advertising industry, the Ethics Senate as an independently appointed council for evaluating the decisions of the ÖWR, the auditors, and the society's internal arbitration tribunal for settlement of all disputes arising within the society.

The ÖWR itself consists of 242 experienced and representative individuals from the three core segments of the advertising industry (media, agencies, clients), as well as from other disciplines and specialist fields (such as lawyers, doctors and psychologists) who are elected for a term of three years each.

Managing Director Andrea Stoidl is responsible for overall management of the administrative office.

3.5.3 Conduct guidelines (Code of Ethics)

The ÖWR's conduct guidelines in the form of the [Code of Ethics](#) (as most recently amended in November 2023), including annexes, have been generally accepted as a basis for decision-making and procedures by the main stakeholders, in particular the members of the responsible association who represent media, agencies, clients and higher-level institutions. The members of the council decide on submitted complaints based on the Code of Ethics.

The Code of Ethics of the ÖWR includes Basic Rules of Conduct as well as Special Rules of Conduct for various areas.

Within the Code of Ethics, the Basic Rules of Conduct set out general advertising principles as listed below.

"Advertising thus bears social responsibility and must take into account the rights, interests and feelings of individuals and groups of people.

- 1.1.1. *Advertising should be marked by the principle of social responsibility, especially towards children and young people before the age of 18.*
- 1.1.2. *Advertising must be legally permissible and strictly observe legal standards.*
- 1.1.3. *Advertising must comply with the principles of fairness as generally recognised in economic activity.*
- 1.1.4. *Advertising must not be contrary to generally accepted public morals.*
- 1.1.5. *Advertising must not violate human dignity, especially through degrading or discriminatory depictions.*
- 1.1.6. *Advertising must not violate the principle of honesty and truthfulness.*
- 1.1.7. *Advertising must not mislead through depictions containing allusions or imitations.*
- 1.1.8. *Advertising must not violate the right to privacy.*
- 1.1.9. *Advertising must be clearly recognisable as such.*
- 1.1.10. *Advertising should not directly or indirectly place consumers under pressure to make purchases.*
- 1.1.11. *Advertising should not be placed on advertising media that obviously contradict Austrian legal provisions."*

Additional basic rules of conduct exist for the areas of ethics and morality, violence, health, safety, the environment, illegal advertising practices and influencer marketing.

Special rules of conduct relate to gender-discriminatory advertising (sexist advertising), children and young people, older people, alcohol, tobacco and motor vehicles.

In accordance with European and national regulations, the Code of Ethics was extensively revised and expanded in 2021, particularly with regard to health, alcoholic beverages, food and advertising in the environment of children and young people. Information relating to the environment was updated in 2023 and a voluntary self-regulation framework was defined for tobacco-free nicotine pouches.

To support the ÖWR, an Anti-Sexism Advisory Board (established in 2012) and a Food Review Board (2021) were set up and integrated into the complaint process.

3.5.4 Rules of procedure

The rules of procedure (as of 16 December 2025) define the responsibilities of the Advertising Council, the right to appeal and the course of the procedure as well as the possible sanctions in the event of failure to comply with the rules of conduct.

The [rules of procedure](#) were revised with participation of the sector and are generally accepted as a basis for decision-making and procedures by the main stakeholders, in particular the members of the responsible association working in media, as well as by agencies, clients and higher-level institutions.

In accordance with Article 13 of the rules of procedure, the ÖWR issues decisions that essentially fall into three categories:

1. No grounds for intervention
2. Raising awareness – request to proceed more sensitively in future when designing advertising measures or individual subjects
3. Request to immediately stop the campaign or immediately change the subject

Furthermore, Article 15 of the rules of procedure includes a graduated catalogue of sanctions with escalating levels in the event of failure to comply with the request to amend or discontinue the advertising measure (such as revoking the Advertising Council Quality Seal, informing interest groups, issuing a public warning in the form of a press release).

Pursuant to Article 16 of the rules of procedure, the Ethics Senate decides on any written objections to a 'stop request'.

3.5.5 2024 Annual Report

The annual report of the ÖWR, which is published (in German) on its website, discusses the activities, objectives and the complaints scorecard in detail.

3.5.5.1 2024 complaints scorecard

With regard to complaints procedures, the 2024 Annual Report shows that in 2024, 368 complaints were lodged with the ÖWR, resulting in 248 decisions (2023: 334 complaints, 235 decisions; 2022: 502/264; 2021: 413/258; 2020: 411/241).

In 16 cases, a request was made to stop the subject or campaign immediately in 2024 (2023: 15; 2022: 9; 2021: 11; 2020: 11). In eight cases, this request was complied with immediately or within the first extended deadline. The stop decisions that were issued cited infringements of the following items of the Code of Ethics: "gender-discriminatory advertising", "general advertising principles", "ethics and morals" and "endangerment of children and young people".

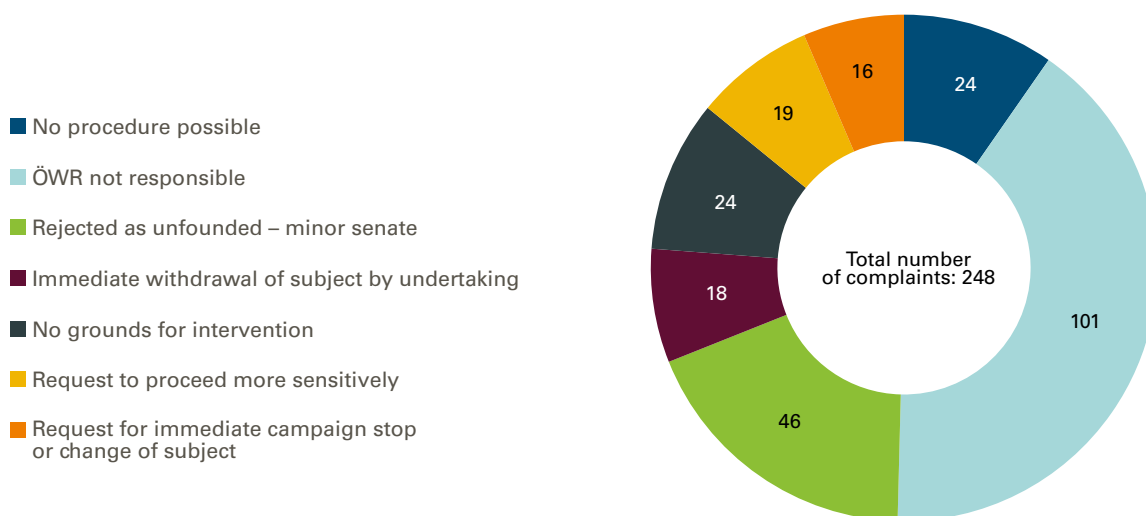
In 19 cases, the ÖWR handed down decisions involving "raising awareness – request to proceed more sensitively in future when designing advertising measures or individual subjects".

In 24 cases, the members of the council saw 'no grounds for intervention'.

As in previous years, the companies receiving these decisions showed a willingness to cooperate with the ÖWR, as was reflected in the high number of subjects that were withdrawn immediately. In the end, 18 companies withdrew or changed their advertising measures immediately after initially being contacted by the ÖWR business office.

The ÖWR determined that it was not responsible in 101 cases. These complaints were evaluated by the administrative office with regard to competence and some were forwarded, with the consent of the complainants, for further examination to the competent bodies (such as the Unfair Competition Supervisory Association, the Federal Office for Safety in Healthcare, the Federal Ministry of Health and the PR Ethics Council or Press Council).

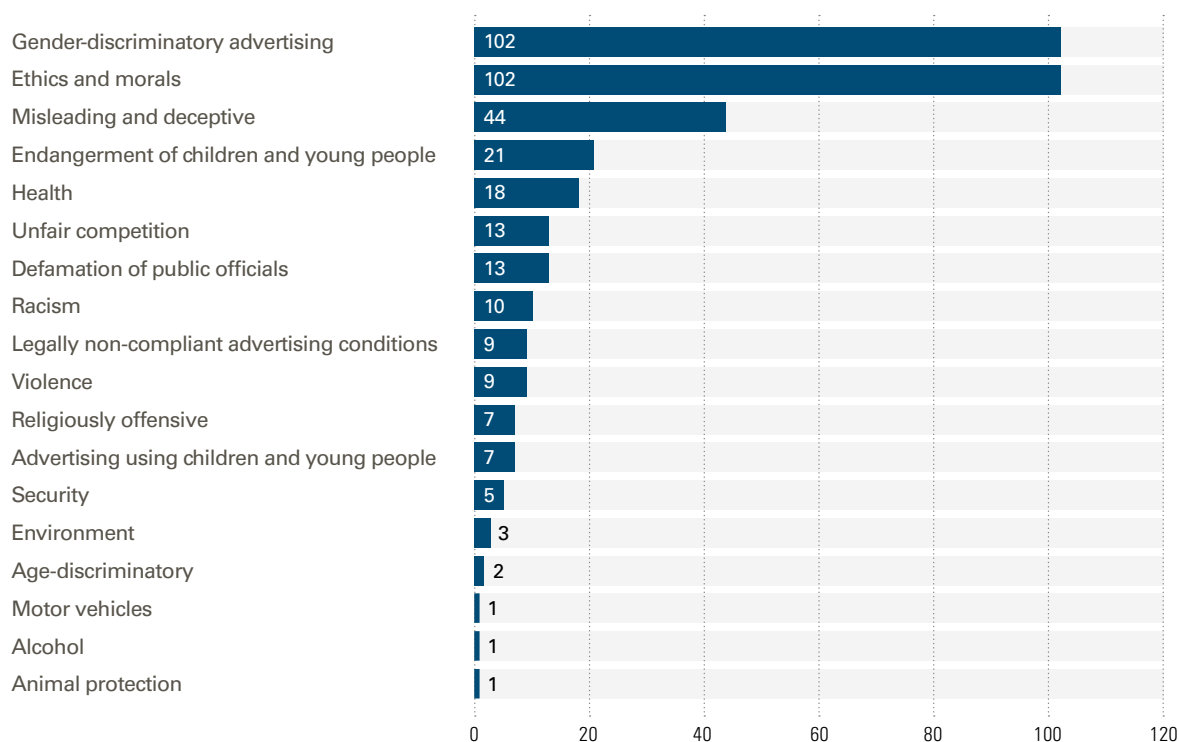
In 24 cases, the procedure could not be concluded because the required documents and information were not provided by the complainants even after multiple requests.

Figure 21: Summary of ÖWR decisions in 2024 (n=248 decisions)

Source: 2024 ÖWR Annual Report

The annual comparison reveals that more complaints were received in 2024 than in the previous year (+34) and that accordingly more decisions (+13) were also issued.

The following grounds for complaints were mentioned in 2024:

Figure 22: Grounds for complaints in 2024

Source: 2024 ÖWR Annual Report

This shows that the largest volumes of complaints received in 2024 fell into the categories of 'gender-discriminatory advertising' and 'ethics and morals', each responsible for 102 complaints (2023: 122/49). This was a significant increase in the number of complaints regarding 'ethics and morals' compared with the previous year. A total of 44 complaints were received in the category 'misleading and deceptive advertising' (2023: 45), while 'endangerment of children and young people' was the reason for 21 complaints (2023: 45).

A comparison over several years shows that the largest number of decisions were always issued in the categories of 'gender-discriminatory advertising', 'ethics and morals' and 'misleading and deceptive advertising'.

With regard to advertising media, the most decisions issued in 2024 concerned advertising measures in the media categories of 'TV' and 'poster/citylight'. Complaints were also frequently made in the 'website' and 'social media' categories.

3.5.5.2 Additional activities

3.5.5.2.1 Anniversary year – 50 years of the Austrian Advertising Council

2024 marked the anniversary of "50 years of self-regulation of Austria's advertising industry–50 years of the Austrian Advertising Council". An anniversary general meeting took place in November 2024 and included a review of the council's achievements over the past 50 years.

3.5.5.2.2 Online decision-making tool

The complaint and decision-making tool was relaunched to accelerate complaints processes and to make decision-making more efficient for all stakeholders. The online tool went live in September 2024 and is available to both the ÖWR and consumers. Alongside simplifying communications processes, the tool also enables AI-assisted decision-making. Comments from the members of the council are analysed and draft decisions are generated at the touch of a button. Statistics in graphic and numeric form can also be displayed in real-time and detailed statistical reports generated. The project received international recognition by winning Bronze in the EASA Best Practice Award 2024.

3.5.5.2.3 Influencer awareness initiative

As part of an extensive awareness initiative carried out by the ÖWR, the "Influencers in Austria between self- and external perception" report was prepared by the St. Pölten University of Applied Sciences on behalf of the Austrian Advertising Council and the Association for the Protection of Minors in Media (Jugendmedienschutzverein). The report was based on a qualitative survey of selected Austrian influencers, clients and digital marketing agencies on the regulatory conditions of influencer marketing and guiding principles. The results of the report shed light on current knowledge about ethical and legal professional guidelines, as well as the responsibility of influencers and clients towards Austrian society as a whole.

In February 2024, the ÖWR together with the Jugendmedienschutzverein organised a panel discussion on the topic of "Influencers – between fast reach and responsible action" which examined influencers and their ethical responsibility in advertising and youth protection.

Building on international role models (particularly France and Holland), workshops were held, a training program was developed and the #ethicalAD – Academy for Advertising Ethics was established together with the Jugendmedienschutzverein.

3.5.5.2.4 2024 ÖWR consumer study

The consumer survey on the attitudes of the Austrian population towards advertising, which has been running as a long-term comparison survey every three years since 2015, was carried out on behalf of the ÖWR for the fourth time in November 2024. The survey shows that advertising is an indispensable social and economic element that the population increasingly perceives as credible, informative and entertaining while also being effective. Around 70% of those surveyed believed that the economy would not function without advertising. Furthermore, the prompted awareness of the ÖWR increased by some 13% to reach 51% within the last nine years.

3.5.5.3 ÖWR's outlook for 2025

For 2025, there are plans to actively develop the Code of Ethics further to reflect social developments. Input is being collected and discussed within internal working groups and workshops, with a particular focus on environment and sustainability, cultural appropriation and even stereotypical representations.

It is also expected that the ÖWR parents survey, which was held for the first time in 2022 and provides valid figures on the cause of childhood obesity as well as nutritional behaviour and physical activity levels of children in Austria, will be carried out again in 2025.

In view of their responsibility towards children, young people and society as a whole, influencers and content creators will be a key concern in activities towards advancing the self-regulation concept in 2025. The main focus here will be placed on active cooperation in the newly founded Academy for Advertising Ethics (Akademie für Werbeethik). Alongside the expansion of influencer training, the work will also centre around setting up a monitoring system and, subsequently, certification. The aim will be to work with influencers, agencies and advertising businesses to ensure that dialogue remains open and to initiate developments in this area.

3.5.6 Evaluation, assessment and recommendations by KommAustria to improve effectiveness

In the "Expert opinion assessing the fulfilment of objectives of the ÖWR – Austrian Advertising Council in accordance with Art. 32a KOG" of 15 March 2025, external expert Prof. Dieter Scharitzer states that the ÖWR fulfils the requirements set out in Art. 32a KOG for a recognised self-regulatory body. KommAustria shares this assessment.

The objectives of self-regulation (in particular protecting consumers from abuse in advertising, preserving ethical and moral principles, promoting ethics in business in general) are reflected both in the articles of association (see Art. 2 Objectives of the Association) and in the Code of Ethics. Based on the membership of the professional associations and federations, the providers concerned are clearly represented for the most part. All relevant interest groups in the field of commercial communication in media are represented. Both the self-regulatory body and the Code of Ethics and rules of procedure of the ÖWR are generally recognised.

All information can be found on the ÖWR website in an easily accessible and easy-to-understand form. Full transparency in respect of decision-making criteria, procedures and the enforcement of decisions is guaranteed (<https://www.werberat.at/beschwerdeablauf.aspx>) (in German).

The rules of procedure available on the website provide a regulated framework for the effective handling of complaints (Articles 1 to 13 of the rules of procedure) and the enforcement of decisions based on these, including the above-mentioned sanctions as gradually imposed based on a catalogue (Articles 14 to 17 of the rules of procedure). The Code of Ethics and the rules of procedure thus ensure that the ÖWR is able to effectively handle complaints and enforce its decisions, including by imposing effective and proportionate sanctions in the event of breaches of the conduct guidelines as defined in Art. 32a Par. 2 No. 4 and Par. 3 KOG.

The complaints scorecard in the 2024 annual report also attests to the effective handling of complaints. The annual comparison reveals that more complaints were received in 2024 than in the previous year and that more decisions were also issued accordingly. The 368 complaints received (2023: 334) led to 248 decisions (2023: 235). This highlights not only the increased effort made by the administrative office but also rising awareness and increasing trust placed in the ÖWR as a reputable contact point over the past few years.

The Code of Ethics and the rules of procedure have generally proven themselves as practical tools and have been further improved as necessary. The Code of Ethics of the ÖWR in the field of environment was last updated in December 2023 and there are plans to revise it further in 2025.

At this point, it is especially worth mentioning the relaunch of the ÖWR online decision-making tool in September 2024. This – internationally award-winning – measure was one of the focal points of the quality offensive in 2024. Simplified processes for complaints entry and administration contributed significantly towards improving complaints management for both consumers and the members of the council.

With regard to the effectiveness of the conduct guidelines, further attention needs to be focused on preventive measures such as positive certification with the 'Pro-Ethics seal' and the 'Pre-Copy Advice' service (advance check of unreleased advertising based on the Code of Ethics) as well as awareness-raising measures at the level of consumers and throughout the advertising industry in general.

The ÖWR consumer survey was held once again in 2024 with the aim of discerning how the perception of advertising has changed and how it influences consumer buying habits. According to the survey, advertising proves to play an indispensable social and economic role in 2024 and is increasingly perceived as being credible, informative and entertaining. The survey confirms the high level of awareness of the ÖWR, the result of an extensive campaign to increase its recognition as well as ongoing public relations activities.

An influencer awareness initiative was also launched in 2024. This is in response to the role of influencers in promoting and disseminating advertising messages in social media and in the corporate marketing mix, as well as their responsibility towards society as a whole.

In summary, KommAustria is of the opinion that – based on the reports and documents submitted – the present system of self-monitoring by the ÖWR is generally an effective system within the meaning of the legal requirements. The fulfilment of the legal prerequisites of Art. 32a Par. 2 and Par. 3 KOG, the number of complaints brought before the ÖWR and the decisions taken, as well as the high level of awareness attributed to it warrant the conclusion that the ÖWR fulfils its duties effectively.

KommAustria generally welcomes the activities and focus topics that the ÖWR has planned for 2025 (expansion of the Code of Ethics, survey among parents for 2025, and the continuation of the influencer awareness initiative).

3.6 Digital Services Act imposes new responsibilities

3.6.1 Introduction

Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act, DSA) became applicable in full on 17 February 2024. In Art. 49 the DSA requires Member States to set up one or more competent authorities who will be tasked with supervising the providers of intermediary services as well as enforcing this regulation. With the aim of adopting national implementation measures, Austrian lawmakers passed the Digital Services Coordinator Act (KDD-G, FLG I No. 182/2023), which appoints KommAustria as the competent authority for assuming the duties of a Digital Services Coordinator as defined in Art. 49 Par. 1 and 2 DSA. KommAustria has therefore been the Austrian Digital Services Coordinator since the full application of the KDD-G on 17 February 2024. No other authorities have been designated pursuant to this provision.

The remit of a Digital Services Coordinator encompasses intermediary services that either have their main establishment in the Member State in question or, if lacking an establishment in the European Union, have appointed a legal representative who is established or located in that Member State. The national coordinator is responsible for coordinating matters covered by the DSA at national level. Art. 49 Par. 2 describes the role as follows:

"[...] The Digital Services Coordinator shall be responsible for all matters relating to supervision and enforcement of this Regulation in that Member State, unless the Member State concerned has assigned certain specific tasks or sectors to other competent authorities. The Digital Services Coordinator shall in any event be responsible for ensuring coordination at national level in respect of those matters and for contributing to the effective and consistent supervision and enforcement of this Regulation throughout the Union. For that purpose, Digital Services Coordinators shall cooperate with each other, other national competent authorities, the Board and the Commission, without prejudice to the possibility for Member States to provide for cooperation mechanisms and regular exchanges of views between the Digital Services Coordinator and other national authorities where relevant for the performance of their respective tasks."

Moreover, with regard to all matters related to the application of the Regulation, the Digital Services Coordinator is to serve as the single contact point for the Commission, the European Board for Digital Services ('the Board'), the Digital Services Coordinators of other Member States and other competent authorities of the Member State in question (Recital 110 DSA).

With regard to systemic risks (Art. 34 Par. 1 DSA), the European Commission has designated platforms and search engines that have more than 45 million active users within Europe as very large online platforms (VLOPs) and very large online search engines (VLOSEs). The Commission itself is solely responsible for monitoring and enforcing the obligations incumbent on the providers of these VLOPs and VLOSEs. Large portions of the DSA focus on the accountability that the Act imposes on VLOPs and VLOSEs with regard to systemic risks. In brief, these risks relate to the dissemination of illegal content, negative effects on the exercising of fundamental rights, public discourse and electoral processes, and hazards arising in the context of gender-based violence, public health and the protection of minors. In the event of these platforms failing to implement adequate risk mitigation measures, the European Commission has several means at its disposal – as do the Digital Services Coordinators, with regard to the service providers within their jurisdiction – to enforce appropriate codes of conduct. Such remedies include the imposition of severe financial penalties.

The European Board for Digital Services ('the Board', Art. 61 DSA) has been set up as an independent advisory group with general powers of oversight for DSA compliance. The Board is made up of the Digital Services Coordinators on a 'one member, one vote' basis. The European Commission chairs the Board but has no voting rights. The Board has three main objectives, namely: furthering the consistent application of the DSA and effective cooperation between the Digital Services Coordinators and the Commission in matters covered by the DSA; coordinating guidelines and analyses of the European Commission, the Digital Services Coordinators and other competent authorities on emerging issues across the internal market; and assisting the Digital Services Coordinators and the European Commission in the supervision of VLOPs and VLOSEs.

The adoption of the DSA has created a directly applicable legislative framework that will harmonise conditions for the provision of intermediary services throughout the single market. The aim is to create a safe, predictable and trusted online environment that addresses the dissemination of illegal content online and associated societal risks, effectively protects fundamental rights and facilitates innovation. Playing a key role in this process are the mandatory reporting systems and complaint systems to be established by providers and online platforms, respectively. These are to be supplemented by the certification of 'trusted flaggers' (Art. 22 DSA), the certification of out-of-court dispute settlement bodies (Art. 21 DSA), transparency obligations for service providers, and the provision of data access to researchers on request by providers of VLOPs and VLOSEs.

The scope of the DSA covers intermediary services as defined by Art. 3 DSA. These are services that facilitate access to information provided by service recipients as well as its transmission, storage and dissemination. Examples include mere conduit services, caching services and hosting services. The DSA extends the definition of hosting from the Electronic Commerce Directive (2000/31/EC) to include online platforms, online search engines and online marketplaces as a new hosting subcategory.

The due diligence obligations incumbent on an intermediary service are proportional to its functionality and size. These obligations therefore become progressively more onerous:

- Certain obligations – specifically the appointment of a single point of contact, obligations relating to general terms and conditions, and transparency reporting obligations – apply to all intermediary service providers.
- Provisions addressing notice and action mechanisms also apply to all providers of hosting services.
- Other due diligence obligations also apply to providers of online platforms. Such obligations include the establishment of an internal complaint-handling system, mandatory participation in out-of-court dispute settlement, the provision of prioritised reporting options for trusted flaggers, codes of practice for advertising, transparency obligations for recommender systems and additional transparency reporting regulations.
- For providers of online platforms that allow consumers to conclude distance contracts with traders ('online marketplaces'), other rules and principles apply, such as 'know your business customer' and 'compliance by design.'
- Lastly, the DSA imposes additional due diligence obligations on providers of VLOPs and VLOSEs, most importantly as regards the mitigation of systemic risks.

Although the DSA entered into force at the end of 2022, it first applied only to VLOPs and VLOSEs. The first (short) year of full applicability (from February 2024) was characterised by the establishment of the corresponding structures at both a national and European level. At national level in Austria, the first step was to inform relevant stakeholders from both civil society and the service provider sector. The legal department within RTR's Media Division also set up a new structure, dubbed the 'Digital Services Team.' At EU level, the process of establishing the European Board for Digital Services also saw the adoption of its rules of procedure as well as the creation of working groups.

The DSA envisages expanded options for exercising user rights. Seeing this as a high-priority task, KommAustria acted to fast-track the certification procedures for trusted flaggers and an out-of-court dispute settlement body.

It should be noted that Austria was one of the first two Member States to introduce the necessary accompanying legislation for the DSA, which most especially involved the appointment of its national Digital Services Coordinator. On the date the DSA became applicable in full – and in contrast to many other Member States – the Digital Services Coordinator (DSC) for Austria was thus able to assume formal responsibility for all intermediary services that are established in Austria or have appointed a legal representative in Austria. Moreover, the DSC was also able to exercise their voting right at the inaugural session of the European Board for Digital Services on 19 February 2024. In this context, it should also be stated that some Member States had not yet appointed their national Digital Services Coordinators within the reporting period. As a result, infringement procedures were therefore opened by the European Commission.

Pursuant to Art. 10 Par. 1 KDD-G, the entry into force of the KDD-G on 17 February 2024 repealed the Austrian Communications Platforms Act (KoPI-G, FLG I No.151/2020 as amended by No.112/2023), which has nationally applicable provisions on users rights that are similar to those newly set out in the DSA.

3.6.2 Supervision of national service providers

Article 4 of the Electronic Commerce Directive (2000/31/EC) establishes the regulatory principle of excluding prior authorisation for information society services. Accordingly, KommAustria was unable to survey such services for the purposes of the DSA. Moreover, neither the DSA nor the KDD-G mandate any such notification requirement for the services concerned. To fulfil the supervisory duties incumbent on a Digital Services Coordinator, desk research was therefore necessary, which involved consulting various directories in cases where the respective services were not subject to notification requirements pursuant to the Telecommunications Act (TKG).

As a provisional rough estimate, roughly 500 services are subject to the jurisdiction of KommAustria in Austria. Of these, 50 to 60 online platforms and online marketplaces are potentially subject to the corresponding codes of conduct set out by the DSA. The only exceptions would be micro and small enterprises, which are granted certain exemptions by Art. 19 and Art. 29 DSA, particularly as regards reporting obligations.

Before the full application of the DSA, KommAustria took action to inform companies about their obligations under the Act. This included circulating factsheets to Internet Service Providers Austria (ISPA) and the competent section of the Austrian Federal Economic Chamber (WKÖ), and maintaining active dialogue with their representatives.

In the last quarter of 2024, KommAustria also sent requests for information to potential online platforms established in Austria. This communication (once again) informed these platforms about their possible obligations, including the requirement to register with the European Commission's DSA Transparency Database (<https://transparency.dsa.ec.europa.eu/>) pursuant to Art. 24 Par. 5 DSA, a process also known as 'onboarding'. Providers of online platforms must submit moderation decisions and statements of reasons to the Transparency Database. The database, which can be accessed on demand by interested parties, enables various types of visualisations for these decisions, thereby additionally supporting the DSA's transparency principles.

During the 2024 reporting period, five online platforms established in Austria contacted KommAustria proactively regarding Transparency Database onboarding. Another three platforms completed onboarding for the European Commission's database during the reporting period and are now accessible there.

3.6.3 Complaints pursuant to Art. 53 DSA

Recipients of intermediary services have several options for filing complaints about such services: they may report content, use an online platform's complaint mechanism to object to decisions made by the platform or contact an out-of-court dispute settlement body (Art. 21 DSA). Service recipients may also complain about a suspected DSA infringement on the part of a service provider (Art. 53 DSA). If service providers are subject to Austrian jurisdiction, KommAustria is also required to issue a decision or – if not competent in the individual

case – to forward the complaint to the competent domestic authority pursuant to Art. 6 of the General Administrative Procedure Act (AVG).

Complaints pursuant to Art. 53 DSA are to be filed with the Digital Services Coordinator for the Member State in which the service recipient is located or established. However, a Digital Services Coordinator (DSC) is only competent to examine complaints about services where the main establishment is located or its legal representative resides in the DSC's Member State. Complaints about services mainly established in another Member State must be forwarded; an initial assessment by the DSC can be attached to this communication. Parties have a right to a hearing during the procedure.

In 2024, KommAustria received 34 complaints (the EU-wide figure was 314). In 16 cases, the service provider's main establishment was outside Austria: these cases were duly forwarded to the DSCs for other Member States, where their procedures are now pending. Most of the complaints were about VLOPs or VLOSEs. Typical (valid) reasons for complaints included inadequate statements of reasons for restrictions such as content moderation and service recipient account suspension (Art. 17 DSA), inadequate reviews of such restrictions (Art. 20 DSA, internal complaint-handling system), and the lack of single points of contact to provide a user-friendly channel for rapid and direct communication with the service provider (Art. 12 DSA). The frequency of complaints about service providers having their main establishment in another Member State is attributable to the fact that many of the online platforms with the greatest reach – i.e. social networks categorised as VLOPs or VLOSEs – are established in Ireland. KommAustria reviewed the complaints on receipt, requested any supporting information needed in the interests of efficiency and then forwarded the complaints to the competent DSC together with an initial assessment. The complainant was kept informed of the forwarded complaint at regular intervals, including the receipt of statements from the Digital Services Coordinator of establishment.

In one case during the reporting period, a complaint against an Austrian service provider led to the initiation of a procedure that resulted in legal compliance.

3.6.4 Certification of out-of-court dispute settlement bodies (Art. 21 DSA)

As mentioned in the previous section, the DSA envisages the use of out-of-court dispute settlement bodies as a means of supplementing the notification and complaint mechanisms offered by online platforms to service recipients who wish to resolve content moderation disputes with these platforms. Online platforms must inform their service recipients about the option of out-of-court dispute settlement and must further agree to participate in a procedure as initiated with a certified out-of-court dispute settlement body. Such bodies must request certification from a Digital Services Coordinator, with each Coordinator certifying the out-of-court dispute settlement bodies located in their own Member State. Out-of-court dispute settlement bodies must also fulfil a standard set of conditions: these are set out in Art. 21 DSA, and include an appropriate degree of (financial) independence as well as the breadth and depth of expertise needed by the bodies to perform their duties in a fair, swift and cost-effective manner. Bodies must also be capable of conducting dispute settlement in at least one of the EU's official languages. The procedure granting the official status of an out-of-court dispute settlement body follows national procedural rules: pursuant to Art. 2 Par. 3 No. 1 KDD-G, KommAustria must issue a corresponding decision and the procedure is subject to the AVG.

One application for certification as an out-of-court dispute settlement body was received by KommAustria in the reporting period. As a dispute settlement body established by law pursuant to Art. 21 Par. 6 DSA, RTR's Media Division submitted proof of meeting all requirements set by Art. 21 Par. 3 DSA and was duly certified by a decision dated 24 October 2024 for a period of five years. Service recipients can access the body at [The out-of-court dispute settlement body | RTR](#). The out-of-court dispute settlement body at RTR's Media Division is thus one of the six such bodies certified pursuant to Art. 21 DSA by the end of the reporting period. Details of these bodies, whose certification is valid throughout the EU, are published at <https://digital-strategy.ec.europa.eu/en/policies/dsa-out-court-dispute-settlement>.

3.6.5 Certification of trusted flaggers (Art. 22 DSA)

Within the scope of the DSA, trusted flaggers are responsible for taking swift and reliable action against illegal content on online platforms. Notices submitted by trusted flaggers must be given priority treatment by online platforms. Trusted flaggers always operate within their area of designated expertise, in which they possess the competence necessary to identify certain types of illegal content online, including hate speech, online bullying or unfair trading practices. Entities must meet certain requirements before being granted certified trusted flagger status. Such requirements include significant expertise and competence in handling certain types of illegal content, and the ability to perform their duties diligently, accurately and objectively. In Austria, this certified status was granted during the reporting period solely to entities who are known to have established decades of relevant expertise in relation to certain groups of users and the typical issues associated with these users.

The procedure for granting certified trusted flagger status is subject to procedural rules similar to those applicable to the certification of out-of-court dispute settlement bodies: pursuant to Art. 2 Par. 3 No. 3 KDD-G, KommAustria must issue a corresponding decision and the procedure is subject to the AVG.

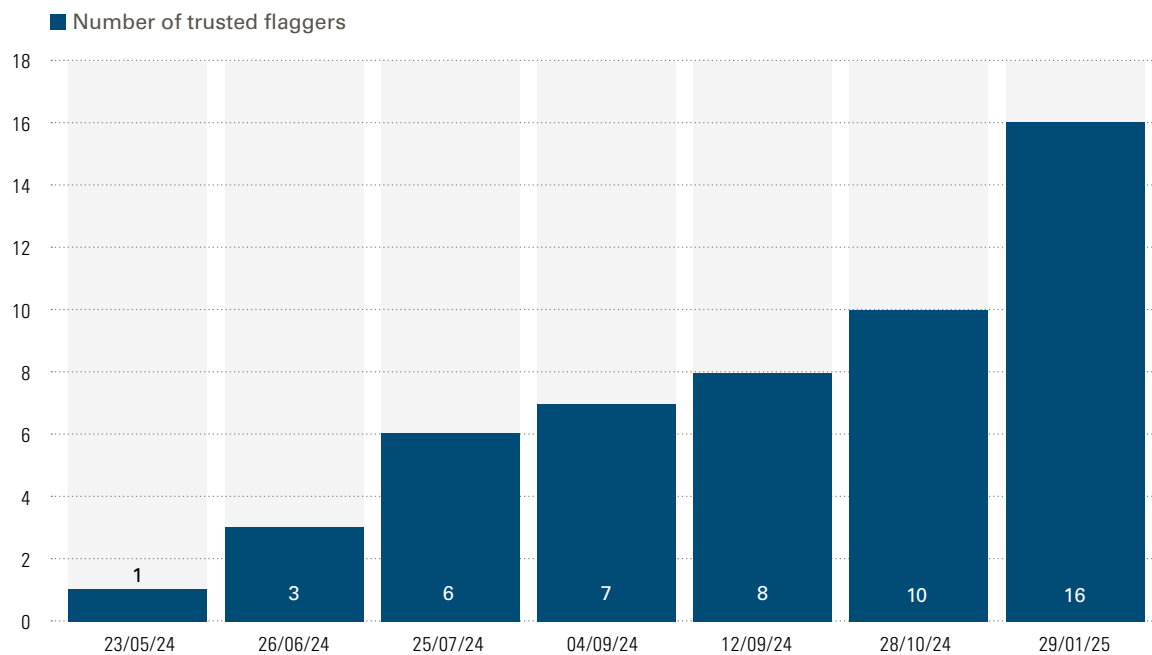
In the reporting period, a total of eight applications for certification were received.

During this period, KommAustria granted certified trusted flagger status to five entities:

- The Schutzverband gegen unlauteren Wettbewerb (Association Against Unfair Competition) was granted the status of a trusted flagger by a decision dated 23 May 2024 (KOA 16.400/24011) regarding the protection of fair competition and industrial property rights.
- Rat auf Draht gemeinnützige GmbH (a crisis line operator) was granted the status of a trusted flagger by a decision dated 7 June 2024 (KOA 16.400/24013). The operator received this status regarding the protection of the rights of the child pursuant to Art. 24 of the Charter of Fundamental Rights of the European Union, the protection of the mental and physical health of children, adolescents and young adults, the protection of adolescents, and protection against child sexual abuse images and other illegal actions perpetrated against minors online.
- The Österreichische Institut für angewandte Telekommunikation (Austrian Institute for Applied Telecommunications, ÖIAT) was granted the status of a trusted flagger by a decision dated 26 July 2024 (KOA 16.400/24017), relating to personality rights, copyright and internet fraud.
- LSG – Wahrnehmung von Leistungsschutzrechten GmbH (a licensing agency) was granted the status of a trusted flagger by a decision dated 4 October 2024 (KOA 16.400/24024), in relation to copyright and related rights.
- The Kammer für Arbeiter und Angestellte für Wien (Vienna Chamber of Labour) was granted the status of a trusted flagger by a decision dated 28 October 2024 (KOA 16.400/24023), relating to consumer protection, data protection and privacy, and personality rights.

During the reporting period, three other applications for certified trusted flagger status were received; the respective procedures have yet to be completed.

As a result of the above activities, the greatest proportion of all trusted flaggers in Member States (five of 16, see figure below) was therefore certified in Austria during the first year in which the DSA applied in full. This achievement was also facilitated by the Austria legislation to accompany the DSA entering into force early, on 17 February 2024, and the organisation of an informational event for potentially suitable organisations by the Austrian Digital Services Coordinator. The most important categories of illegal content are now already accounted for by the Austrian trusted flaggers as listed above.

Figure 23: Number of trusted flaggers at EU level

As with the certifications of out-of-court dispute settlement bodies, the certifications of trusted flaggers are also valid throughout the EU.

3.6.6. Orders pursuant to Art. 9 and 10 DSA

As with similar provisions in the Electronic Commerce Directive, the legal framework established by the DSA imposes key responsibilities on service providers for the removal of illegal content. A provider with knowledge of illegal content – notices from service recipients are now considered sufficient to provide such knowledge – may lose their liability exemptions; the DSA includes this provision largely unchanged from the Electronic Commerce Directive. In the case of VLOPs and VLOSEs, a cluster of incidents involving the dissemination of illegal content may also imply an infringement of due diligence obligations to mitigate systemic risks.

Providers of hosting services must establish notice and action mechanisms that allow service recipients to report illegal content or content that breaches the general terms and conditions of the respective provider. The DSA does not explicitly grant a right to have content deleted. Rights relating to the removal of content and their associated procedures are established elsewhere in national or EU law. In this context, it should further be noted that the DSA also includes a prohibition on imposing general monitoring obligations on providers of intermediary services.

While the DSA includes a clear set of procedural rules for orders to act against illegal content (Art. 9 DSA), this provision does not establish a substantive basis for the issuing of such orders.

On receiving an order, which must also meet the (formal) requirements of the aforementioned provision (cf. Art. 9 Par. 2 DSA), the provider of an intermediary service must notify the issuing court or the issuing authority (or other authority as designated in the order) about the implementation of the order, and state whether or when the order was implemented. Art. 9 DSA therefore works to harmonise the minimum standards (conditions) for these orders as issued by national courts or authorities.

The issuing court or issuing authority must share the order, together with all information from the provider about order implementation, with the Digital Services Coordinator of the Member State, of the issuing court or of the issuing authority. The coordinator in turn shares this information with all other Digital Services Coordinators.

Art. 10 DSA also includes procedural rules for orders to provide information. Such orders are those that require providers of intermediary services to disclose specific information about one or more specific, individual recipients of the service. Pursuant to Art. 10 DSA, providers of intermediary services who receive an order to provide information are to inform the court or authority issuing the order without undue delay about receipt and execution of the order.

As is the case for Art. 9 DSA, Art. 10 DSA also sets out (formal) conditions for orders to provide information but does not establish a substantive legal basis for such orders. The issuing court or issuing authority must also share the order itself, together with all information about its implementation, with the Digital Services Coordinator of the Member State, who then forwards this information to all other coordinators.

During the reporting period, the national procedures for forwarding orders to remove content and provide information were still in preparation. No such orders were therefore shared with KommAustria during this period. As will be discussed subsequently in this report, KommAustria has the role of vice-chair in the relevant working group of the Board. Talks held with other Digital Services Coordinators and the European Commission to share experience gained to date have also demonstrated a need to clarify many issues of a legal and practical nature.

3.6.7. Cooperation with authorities and stakeholder dialogue

The work of national coordination bodies also includes liaising with authorities who are involved with matters covered by the DSA. In particular, such authorities include the Federal Ministry of Justice (BMJ), the Federal Chancellery (BKA), the Federal Ministry of Social Affairs Health and Consumer Protection (BGSK), and the Federal Ministry of the Interior (BMI). Key points of contact also exist with the Austrian Data Protection Authority (DSB); in light of this fact, a memorandum of understanding on the DSA was signed between the DSB and the RTR's Media Division on 23 April 2024.

Alongside cooperation with authorities, the effective implementation of the DSA also relies on the inclusion of civil society organisations, first and foremost the representatives of groups who are more strongly impacted by the dissemination of illegal content. This topic was also discussed at length.

3.6.7.1 Dialogue with authorities (Art. 3 Par. 5 KDD-G)

In accordance with Art. 3 Par. 5 KDD-G, KommAustria has a legal obligation to engage in regular dialogue with other authorities that are also tasked with the monitoring and implementation of codes of conduct for providers of intermediary services.

The first such session was held on RTR's premises on 30 September 2024. The participants in attendance represented the following institutions: Federal Office for Consumer Health (BAVG), Federal Office of Metrology and Surveying (BEV), BMJ, BMI, Telekom-Control-Kommission (TKK), Federal Chancellery (BKA), Data Protection Authority (DSB), Austrian Agency for Health and Food Safety GmbH (AGES), City of Vienna, RTR's Telecommunications and Postal Services Division, Office of the Provincial Government of Upper Austria, BMSGK, Federal Competition Authority (BWB), E-Control GmbH, Office of the Provincial Government of Lower Austria, Federal Public Attorney for Cartel Matters, Office of the Provincial Government of Styria, Austrian Association of Municipalities, Austrian Institute for Structural Engineering (OIB), Austrian Institute for Applied Telecommunications (OIAT), Rat auf Draht gemeinnützige GmbH, Schutzverband Unlauterer Wettbewerb, and ZARA Verein für Zivilcourage. Reports detailing the rollout of structures for the DSA at both national and European level were presented at this session. Most questions raised by the authorities present concerned the procedure for removal orders and orders to provide information (Art. 9 and 10 DSA) as well as the corresponding requirements for authorities.

A written session update with details of interim developments was sent to the attendees of the authority dialogue session on 20 December 2024.

Another session is being planned in the reporting period; acknowledging the cross-sectoral scope of the DSA, there are also plans to invite additional participants.

3.6.7.2 Dialogue with stakeholders

Aiming to better understand the challenges created by the impacts on users from VLOPs and VLOSEs in particular, KommAustria contacted several institutions possessing significant expertise regarding violence against women, youth protection, antisemitism, victim protection and other forms of discrimination.

Data access for researchers plays a key role in enabling the assessment of systemic risks in the context of the DSA and KommAustria therefore also prioritised talks with members of the academic community.

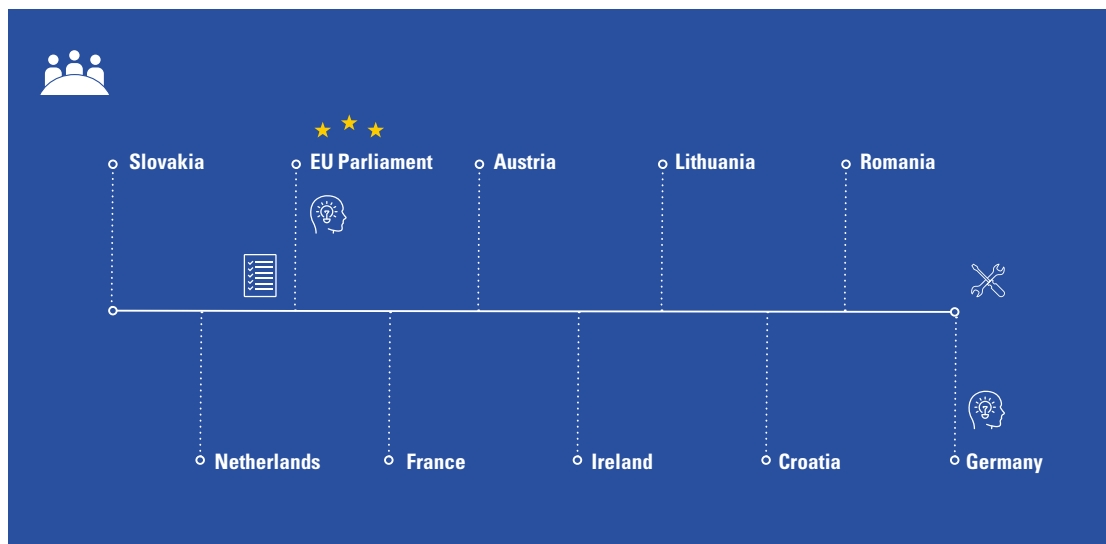
Noting the significance of data manipulation, KommAustria held regular meetings with both the German-Austrian Digital Media Observatory (GADMO) and the Austrian Institute of Technology (AIT). GADMO, the German-Austrian hub of the European Digital Media Observatory, is an independent institution with recognised expertise in the field of fact-checking, while AIT possesses considerable expertise in tackling the challenges posed by generative artificial intelligence with respect to disinformation.

3.6.7.3 Activities in relation to national elections

Pursuant to Art. 34 DSA, providers of VLOPs and VLOSEs must identify, analyse and assess any systemic risks stemming from their services. Part of that risk assessment addresses actual or foreseeable negative effects on civil discourse and electoral processes. In light of the increasing prevalence of such risks, the European Commission, in cooperation with the Digital Services Coordinators pursuant to Art. 35 Par. 3 DSA, published '*Commission Guidelines for providers of Very Large Online Platforms and Very Large Online Search Engines on the mitigation of systemic risks for electoral processes pursuant to Article 35(3) of Regulation (EU) 2022/2065*' (C/2024/3014). As a result, these guidelines were applied to electoral processes at EU and national level (cf. the table given below).

With no fewer than two national elections being held in Austria during 2024 – the European Parliament election on 9 June and the National Council election on 29 September – the risk mitigation measures described in the guidelines needed to be implemented accordingly.

Figure 24: Elections in 2024 following the full application of the DSA



Source: RTR

On 24 April 2024, in preparation for the European Parliament elections, the European Commission worked with representatives of VLOPs and VLOSEs, the Digital Services Coordinators and civil society representatives to organise a stress test in Brussels to simulate the various risk scenarios (cf. [Commission stress tests platforms' election readiness under the Digital Services Act](#)).

Prior to the European Parliament elections in Austria, KommAustria held talks with VLOPs and VLOSEs as well as the competent Austrian authorities, and launched a website about the manipulation of information in an election context. The European Board for Digital Services produced a report detailing the activities conducted by the Digital Services Coordinators and the European Commission (cf. [European Board for Digital Services publishes post-election report on the EU elections | Shaping Europe's digital future](#)).

The Austrian National Council election proceeded as scheduled on 29 September 2024. Although this was the first national parliamentary election to be held in an EU Member State since the full application of the DSA, KommAustria was able to draw on at least some of the insights gained during the European Parliament elections. On 30 August 2024, a roundtable was organised together with the European Commission. The event kicked off with a discussion between VLOPs and VLOSEs (Meta, TikTok, X, Google), KommAustria, the European Commission and the competent national authorities, which was followed by another session in which representatives of Austrian civil society took the place of the national authorities.

During an 'election training' event, KommAustria also presented the relevant provisions of the DSA to the ISPA (details in German at <https://www.ispa.at/news-events/alle-veranstaltungen/alle-veranstaltungen-detailansicht/ispa-election-training-nationalratswahl-2024/>). KommAustria once again launched its own website to inform the public about electoral integrity and the risks posed by the manipulation of information. The authority also used social networks to post a short video on the topic of data manipulation (produced by the European Regulators Group for Audiovisual Media Services, ERGA) and a factsheet about identifying deepfakes. KommAustria also participated for the first time in the monitoring process for the Code of Practice on Disinformation, with respect to the labelling of (political) advertising on Facebook. For a short period

of time before and after the election, the platforms, KommAustria, the competent national authorities and the European Commission were monitored to ensure that they remained available and unaffected by any coordinated attempts at manipulation during the election process.

3.6.8. Contributions to activities of the European Board for Digital Services and its working groups

In 2023, several prospective Digital Services Coordinators already designated as such by their Member States began to collaborate as part of an informal process. These activities helped to develop a common understanding of the requirements for trusted flaggers and out-of-court dispute settlement bodies as well as data access for researchers, and resulted in the adoption of informal guidelines to be used by the respective authorities. The guidelines flesh out the requirements as mentioned in these DSA provisions.

3.6.8.1 European Board for Digital Services

The Board pursues the goal set out in its mission statement, namely to contribute to a safe, predictable and trusted online environment that facilitates innovation and in which fundamental rights are effectively protected. Achieving this aim will ensure that digital services are made available for the benefit of all European citizens, and its society and economy. The Board, the European Commission and the Digital Services Coordinators cooperate as a cohesive team that constitutes an oversight structure for the Digital Services Act and takes an EU-wide approach to enforcement. The activities of the Board therefore play an important role in ensuring the consistent application of the DSA. Accordingly, the participation of KommAustria in the Board and its working groups is also a key requirement for the efficient enforcement of this legislation at national level in Austria.

The Board serves as a forum for discussing relevant legal issues and priorities in the context of applying the DSA. For the effective and coherent enforcement of the DSA, it is imperative to maintain a strong and successful working relationship, as well as a coordinated approach that simultaneously considers the specific impacts of intermediary services in individual Member States. The European Commission keeps the Board informed about procedures against VLOPs and VLOSEs. The Board also discusses strategic points of interest, with electoral integrity being a key priority during the reporting period.

During the reporting period, the Board held thirteen sessions in all (alternating between in-person and online). These included ad-hoc sessions that addressed elections in Romania as well as the Board's involvement in a European Commission procedure against a service provider. The sessions provided a common forum for exchanging information about the ongoing implementation and enforcement of the DSA at EU level and within Member States. During the reporting period, the members of the Board tackled complex issues such as elections, youth and consumer protection, as well as administrative matters that included pending appointments of coordinators in Member States and the allocation of duties (for further details, see [European Board for Digital Services | Shaping Europe's digital future](#)).

As the Digital Services Coordinator for Austria, KommAustria participated in all sessions of the Board.

3.6.8.2 Working groups of the Board

The Board has also established a number of working groups (see table below), which have the aim of addressing various aspects of the DSA in greater depth. All working groups are chaired by the European Commission. During the first meeting of the working group, each group also elects a coordinator to serve as its vice-chair for a period of one year. KommAustria was elected to serve as the vice-chair for Working Group 7, which focuses on orders and criminal issues.

Table 45: Working groups of the DSA Board

DSA Board							
WG 1 Horizontal and legal issues	WG 2 Working Together	WG 3 Content moderation and data access	WG 4 Integrity of the information space	WG 5 Consumers and online marketplace	WG 6 Protection of Minors	WG 7 Orders and criminal issues	WG 8 IT issues
<ul style="list-style-type: none"> Definitions/scope of DSA General legal issues Fees (levied by DSCs) Cooperation with civil society 	<ul style="list-style-type: none"> General working arrangements Cross-border cooperation Annual report and early systemic risks detection Rules of Procedure Capacity building Complaints Incident and threat response 	<ul style="list-style-type: none"> Trusted flaggers (support to COM guidance) Out-of-court dispute settlement Transparency IPR issues Data access/Article 40 	<ul style="list-style-type: none"> Electoral processes Foreign information manipulation and interference Mis- and disinformation Other civic discourse issues 	<ul style="list-style-type: none"> Articles 30-32 Interplay DSA and Consumer protection Cooperation with consumer protection, customs, market surveillance and other relevant authorities 	<ul style="list-style-type: none"> Article 28 Guidelines Task Force on Age Verification Adult content Media literacy 	<ul style="list-style-type: none"> Articles 9-10 (orders) Article 18 Cooperation with law enforcement authorities Illegal content 	<ul style="list-style-type: none"> Maintaining AGORA New functionalities in AGORA Future ICT developments

Source: RTR

KommAustria is represented in each working group and contributes actively to group activities.

Working Group 1 – Horizontal and legal issues

This working group focuses on questions of interpretation. Such activities include the legal definition of certain services within the DSA terminology (which builds on and expands that of the Electronic Commerce Directive) and the sometimes ambiguous question of a provider's main establishment.

Working Group 2 – Working together

This working group focuses on Board reporting, which includes the Digital Services Coordinator activity reports as required by Art. 55 DSA and the reports on systemic risks pursuant to Art. 35 Par. 2 DSA. The group also addresses the cross-border complaints process as set out in Art. 53 DSA as well as the corresponding coordination between the Member States.

Working Group 3 – Content moderation and data access

The European Commission's project to publish guidelines for the certification of trusted flaggers (as defined in Art. 22 Par. 8 DSA) was one point of focus for this group during the reporting period. The group also worked on preparations for a key achievement of the DSA, namely making available to certified research institutions inaccessible data from VLOPs and VLOSEs. Preparatory work also covered the respective delegated act governing the technical conditions (cf. Art. 40 Par. 13 DSA) and its adoption, so as to facilitate certification as set out in Art. 40 Par. 8 DSA.

Working Group 4 – Integrity of the information space

A key point of focus for this working group is the electoral process in the various Member States. The group also worked on converting the code of conduct on disinformation into a code of conduct as required by Art. 45 DSA and developed an evidence-based elections toolkit for use in Member States. The code of conduct and the toolkit were both adopted by the Board during the reporting period.

Working Group 5 – Consumers and online marketplaces

The activities of this group included surveying opinion among national actors in the context of a European Commission procedure conducted against the Temu online marketplace. Discussions here also focused on cooperation between the Consumer Protection Cooperation (CPC) Network and the Board as well as potential synergy effects.

Working Group 6 – Protection of minors

Pursuant to Art. 28 DSA, the European Commission may issue guidelines that specify more detailed requirements to ensure minors enjoy an optimal level of protection when using online platforms. A public consultation was held on these guidelines in 2024. In related discussions, an age verification app was proposed as an interim solution until the full implementation of the eIDAS Regulation.

Working Group 7 – Orders and criminal issues

As vice-chair of this working group (see above), KommAustria has a key role to play in determining this group's agenda, timetable and remit. During the reporting period, the group completed analyses of the provisions for removal orders and orders for information (Art. 9 and 10 DSA), and the notification of suspected criminal offences pursuant to Art. 18 DSA (together with Europol). In summer 2024, the group worked intensively on the Board's conclusions for the code of conduct on illegal hate speech. These efforts ensured the adoption of the code by the Board before the end of the reporting period. Seeking to obtain a uniform understanding of Art. 18 DSA, the members of the working group used a questionnaire as a starting-point to draft a list of the national (criminal) codes to be classified under the terminology of this provision. Another survey to be conducted within Member States addressing the legal basis for orders pursuant to Art. 9 and 10 DSA was pending at the end of the reporting period. Following the completion of these comprehensive survey activities, the aim is to develop practical guides to these key provisions for use by the authorities (Digital Services Coordinators, national authorities and courts). In particular, these guides will facilitate a rapid response to the acute dangers posed by illegal content online.

Working Group 8 – IT issues

Article 85 of the DSA codifies the requirements for an information sharing system that is intended to play a key role within the context of the DSA. This system must be especially secure and must be optimised on a continuous basis.

3.6.9. Bilateral affairs

Although the cooperation between Digital Services Coordinators is multilateral in nature, a need was identified for bilateral consultation with Digital Services Coordinators from other Member States to work on some matters in greater detail. During the reporting period, sessions were held with the German Federal Network Agency, the French Arcom, the Irish Coimisiún na Meán, the Czech Český telekomunikační úřad, the Slovakian Rada pre mediálne služby and the European Commission.

3.6.10 Public relations work for the DSA

Public relations work is important for the DSA, as a key part of its success necessarily involves raising awareness among users about their new opportunities and rights. Accordingly, an extensive set of articles about the DSA was prepared, which can be accessed at [Der Digital Services Act - DSA | RTR](#).

In 2024, KommAustria also organised a large programme of events with the aim of raising public awareness about the challenges that the DSA had been designed to meet while also engaging in dialogue with stakeholder groups and affected parties.

On 15 February 2024, KommAustria and the RTR's Media Division hosted a launch event. Dietmar Dokalik talked about the legal developments leading up to the legislation, and explained the aims of the new legal framework and expectations for the DSA. As senior public prosecutor and department head at the BMJ, Mr Dokalik is also Austria's chief negotiator in the EU's Council work group tasked with negotiating the DSA. This was followed by a panel to discuss expectations for the new regulatory scheme. Participants were lawyer Maria Windhager, consumer protection expert Daniela Zimmer (Austrian Chamber of Labour), Natalie Ségur-Cabanac (ISPA) and Dietmar Dokalik.

A very well-attended information event for potential trusted flaggers and out-of-court dispute settlement bodies was held on 28 February 2024. The aim of this event, which included a Q&A session, was to provide information about certification requirements and modalities to organisations interested in taking on these roles. This event was instrumental in securing early applications by interested parties in Austria, with trusted flaggers being duly certified by KommAustria only shortly afterwards.

Reflecting the current interest in discussions of electoral fraud, on 23 April 2024 an event was held to address "Democracy in the age of information: finding a balance between freedom of speech and disinformation". These issues were debated by Alexander Schindler (Data Science & Artificial Intelligence, Austrian Institute of Technology/AIT), Florian Schmidt (APA Fact Check for GADMO) and Prof. Christiane Wendehorst (Department of Innovation and Digitalisation in Law, University of Vienna).

An event entitled "Transparency about platform data: what drives the algorithm?" was held on 21 May 2024. This event focused on questions of research access to the relevant platform datasets and the practical obstacles that researchers face here in their day-to-day work. The panel discussion featured Julian Jaurisch (project lead for "Empowering the digital public", Stiftung Neue Verantwortung, now with the German Federal Network Agency), Ulrike Schiesser (Federal Office for Cult Affairs), Hannah Metzler (Institute of the Science of Complex Systems, Medical University of Vienna) and Rania Wazir (mathematician, co-founder and CTO of leiwand.ai).

On the eve of the National Council election, an event was organised on 21 September 2024 to focus on "Cyberviolence against women and female politicians – how can the Digital Services Act help?". Lawyer Maria Windhager reported on the difficulties encountered when enforcing cyberviolence legislation. In the panel discussion that followed, Josephine Ballon talked about the legal assistance that was provided by HateAid in the landmark case on hate speech online brought by German ex-minister Renate Künast, while Fiorentina Azizi-Hacker from ZARA presented her own insights from practice.

The last event of the year, addressing the complex issue of youth protection in the digital age, was held on 5 December 2024. Guests at this event included Barbara Buchegger (saferinternet.at), Dominik Eberle (KIJA) and Julia Dier (Sigmund Freud Private University).

On 13 March 2025, an event was held to present the study [Protecting Freedom of Speech in the Digital Services Act | RTR](#) (Prof. Matthias Kettemann et al.), which is the first in a series of publications planned by the Digital Services Coordinators. This study refutes the putative 'censorship' of social networks by the DSA, which has been a common theme in the heated debate on this topic that was fanned by the recent US elections. On the contrary, the study shows how the DSA includes provisos that reduce the problem of overblocking and – together with measures to protect users – help prevent illegal content from restricting users' freedom of expression.

3.6.11 Evaluation pursuant to Art. 7 KDD-G

On 17 February 2024, the Federal Act enacting legislation including the Digital Services Coordinator Act (KDD-G, FLG I No. 182/2023), as part of the DSA accompanying legislation, entered into force.

Article 7 of the KDD-G states:

"Every other year, as part of the activity report (Art. 19 Par. 2 of the KommAustria Act, KOG), KommAustria shall conduct an evaluation of the measures provided for in this Federal Act and the financing of such measures. The first evaluation must be carried out in the activity report covering the year 2024."

Accordingly, that 'first evaluation' must be completed as part of this communications report pursuant to Art. 19 Par. 2 KOG. Before turning to this evaluation, it should be noted that 2024 constitutes a short year, as the KDD-G entered into force on 17 February.

3.6.11.1 Outcome-oriented impact assessment (OIA) of the government bill concerning (inter alia) a Digital Services Coordinator Act dated 22 November 2023 (78/22)

The OIA to assess the impacts and the resources needed for the government bill dated 22 November 2023, with which the KDD-G as DSA accompanying legislation was submitted to the National Council, summarises the aims of the proposed legislation as described below.

1. Creation of a secure, predictable and trusted online environment

Regulation (EU) No 2022/2065 of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act, DSA) became applicable in full in every Member State of the EU on 17 February 2024. The act aims to ensure the smooth operation of the internal market for intermediary services. In particular, this overall aim will ensure a safer and more transparent online experience for users within the EU. As one example, the DSA requires very large online platforms (VLOPs) and very large online search engines (VLOSEs) to establish a notice and action mechanism, so as to tackle more effectively illegal content in the context of digital services.

The following measures are to be used to achieve these objectives:

- Measure 1: Designation of an authority as the Digital Services Coordinator
- Measure 2: Trusted flagging of illegal content
- Measure 3: Out-of-court dispute settlement
- Measure 4: Access to data from VLOPs and VLOSEs for researchers

2. Effective protection of fundamental rights

The DSA creates a legal framework that offers improved protection for users and their fundamental rights online. On the one hand, users should avail themselves of the notice and action mechanisms or complaint systems that providers must offer their service recipients by law. User rights are to be additionally strengthened by the establishment of out-of-court dispute settlement bodies.

Furthermore, research projects should also be able to use data supplied by VLOPs and VLOSEs to identify and assess any risks impacting the protection of fundamental rights.

3. Promotion of innovation

With the specific aim of avoiding systemic risks and contributing to a resilient risk management system, researchers should, as noted above, be given access to data from VLOPs and VLOSEs; this includes publicly accessible data and – under certain conditions – data not in the public domain. The DSA essentially defines four categories of systemic risks, namely: the dissemination of illegal content; negative effects on the exercising of fundamental rights; effects on civic discourse and electoral processes as well as public security; negative effects on gender-based violence, on public health, on the protection of minors, and serious negative consequences for a person's physical and mental well-being. Mitigating these risks as far as possible is a primary objective of the DSA, and is also to be achieved in particular by granting data access to researchers so that they can obtain the necessary insights. The latter approach also aims to ensure that VLOPs and VLOSEs meet their obligations in relation to the prevention and/or removal of illegal and harmful content.

The OIA makes the following statement about financing the tasks arising from the DSA, which the KDD-G delegates to KommAustria and the RTR's Media Division:

"In relation to the enforcement of the applicable provisions, additional expenditure has been incurred to the federal government as a result of assuming responsibility for these new tasks as delegated to the regulatory authority and its operative arm, in the amount of EUR 2,761,000 for 2024 (this figure includes a one-time loss coverage in the context of the KoPI-G of EUR 260,000). The value-adjustment rule stated in Art. 35 Par. 1 KOG shall be applied to the amount of EUR 2,501,000 from 2025 onwards.

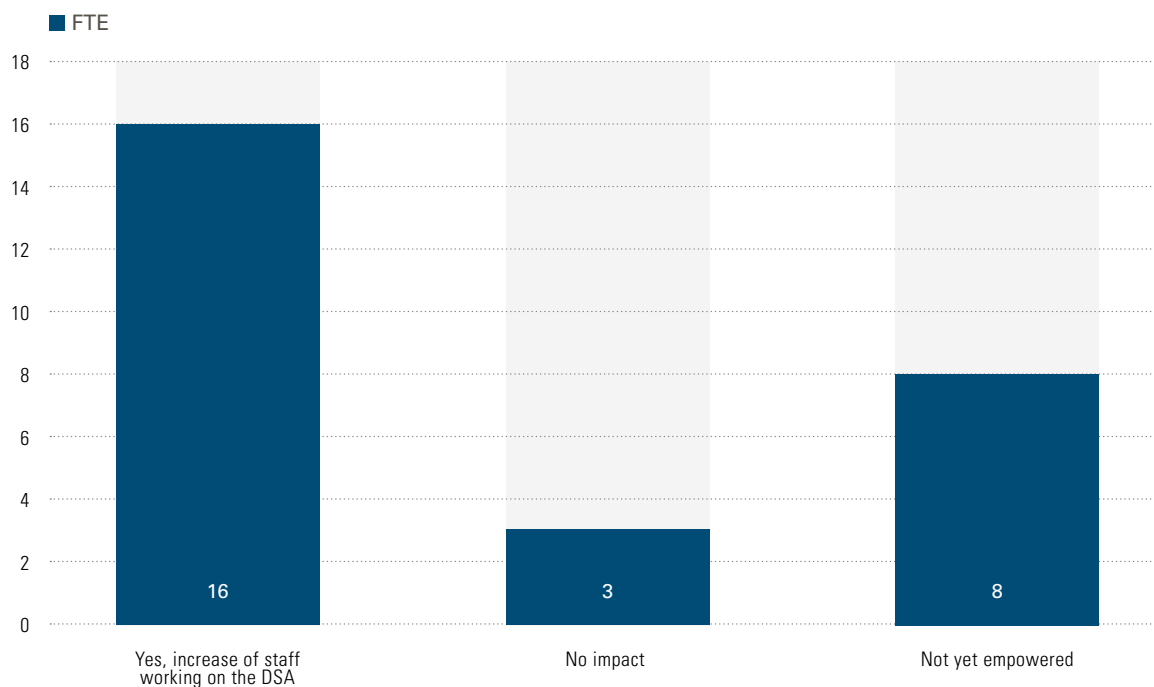
The draft envisages a total of 16.5 FTEs for the new tasks; those FTEs do not affect the planned operating expenses for posts within budget subgroup 10. The 16.5 FTEs will be recorded as administrative costs/expenses (settlement/transfer to RTR-GmbH)."

3.6.11.2 Implementation of the KDD-G during the first evaluation period

The work of the Austrian Digital Services Coordinator (DSC) is supported by the newly created Digital Services team, which forms part of the Legal Department Media within RTR's Media Division. The roles within this team could not, however, be completed as rapidly as originally planned in the short year of 2024. While this reflects the supply-side challenges currently faced in the Austrian labour market, we also need to bear in mind that DSA enforcement work in some cases requires individuals with highly specialised expertise in digital services: these specialists are currently in high demand in the labour market. Building a new team within an existing organisational structure, such as at RTR, has always been and continues to be a gradual process; other Member States have experienced similar problems here.

The OIA has provided a realistic estimate of the personnel resources needed by the Austrian Digital Services Coordinator. This can clearly be seen from the overview below, which compares the staff increases seen at these kinds of authorities in other Member States. In interpreting this chart, we should remember that no other Member State has created a new authority to handle the needs of the DSA. When comparing figures, we need to bear in mind that the costs/resources estimated by the legislation include those incurred by the out-of-court dispute settlement bodies established pursuant to Art. 2 Par. 4 KDD-G.

Figure 25: Comparison of support team sizes for Digital Services Coordinators in EU Member States (as of 31 January 2025)



To date, only eleven of the FTEs described above for the Digital Services team have been hired, for the above-mentioned reasons. Taking into account the positions yet to be filled, a total of five additional FTEs need to be recruited to ensure that the authority can properly carry out its duties. The respective skills profiles are now being prepared internally, with the aim of starting recruitment for the corresponding team vacancies as soon as possible. During the DSA ramp-up phase, the current members of the team were able to handle these tasks at least to some extent, however. Priority is now being given to filling these vacancies as soon as possible. On the one hand, this is necessary in order to complete the outstanding surveying, auditing and categorisation work for intermediary services falling under Austrian jurisdiction, and to facilitate the initiation of procedures relating to compliance with the DSA's due diligence obligations, including rules on online advertising, the protection of minors and consumer protection. Beyond that, a fully staffed team is also needed to handle the national coordination activities for certain categories of illegal content and the exercising of co-determination rights for the Austrian Digital Services Coordinator within the various matters addressed by the European Board for Digital Services ('the Board') pursuant to Art. 61 DSA (reports on systemic risks, assessment of codes of conduct, participation in procedures targeting VLOPs and VLOSEs, and cooperation on certain pieces of legislation). Here we also need to bear in mind the high public expectations for authorities to take (or coordinate) activities within the context of the broad scope of the DSA, be it to address the rise in online hate crimes, the sharp upward trend in financial losses incurred by internet fraud, or online radicalisation of youth.

In terms of specific measures, a significant proportion of those described in the OIA were implemented by KommAustria in the short year of 2024 (for details, see the section on the KDD-G). In particular, these include:

- Initial surveying of providers of intermediary services falling under Austrian jurisdiction, as well as provisional legal categorisation within the terminological system of the DSA
- Guide to the process of onboarding identified online platforms into the European Commission's DSA transparency database, for the purpose of obtaining data on the reasons for moderation decisions pursuant to Art. 24 Par. 5 DSA
- Review of eight applications for certification as trusted flaggers pursuant to Art. 22 DSA; decisions issued for the certification of five institutions
- Certification of the RTR Complaints Board as an out-of-court dispute settlement body pursuant to Art. 21 DSA
- Review of some 40 complaints against intermediary services located in Austria or forwarding of complaints falling under the jurisdiction of other Member States pursuant to Art. 53 DSA
- Organisation and hosting of informational events addressing DSA topics such as trusted flaggers, data access for researchers, youth protection and cyberviolence against women
- Regular meetings with members of groups representing the interests of intermediary services
- Regular meetings with representatives of civil society and the research community
- Coordination with regulatory authorities affected by DSA topics
- Participation in the Board and its eight working groups. As Digital Services Coordinator (DSC), KommAustria plays a leading role in the working group for removal orders and orders for information, notification of criminal acts and illegal content.

It should be noted that the OIA estimate of the resources needed does not yet encompass the task areas assigned to the DSC concerning DSA-specific risks, as these assignments first took shape during 2024. In that context, it is important to mention the identification of specific risks relating to the illegal manipulation of information by the European Commission and the competent national authorities, which threatened to materialise with the upcoming European elections. In response, the European Commission published a set of guidelines for electoral processes at EU and national level, the '*Commission Guidelines for providers of Very Large Online Platforms and Very Large Online Search Engines on the mitigation of systemic risks for electoral processes pursuant to Article 35(3) of Regulation (EU) 2022/2065*' (C/2024/3014). All in all, this decision had the effect of intensifying KommAustria's coordination activities as the Digital Services Coordinator together with the European Commission. In 2024, no fewer than two elections were held in Austria: the European Parliament election on 9 June and the National Council election on 29 September. The corresponding risk mitigation measures were therefore taken accordingly (cf. report section on KDD-G implementation).

Moreover, the workload for the Austrian Digital Services Coordinator in terms of activities for the Board proved to be significantly larger than the original estimate as given in the OIA. A key contributory factor was the sheer volume of questions of legal interpretation that needed clarification (such as the categorisation of services, data access, trusted flaggers, etc.) and the corresponding enforcement of the DSA, for which eight working groups were set up (cf. report section on KDD-G implementation). The results of these working groups had and continue to have a direct impact on the DSA enforcement activities of the Digital Services Coordinator in the respective Member State. As the Digital Services Coordinator for Austria, KommAustria also played a key role in the working group for removal orders and orders for information, notification of criminal acts and illegal content. As previously mentioned, KommAustria holds the position of Vice Chair for this group.

The legal categorisation of intermediary services under Austrian jurisdiction utilised provisional results from desk research as a starting-point to conduct case-by-case checks of candidate online platforms. This was a task that can rightly be described as complex, given the often hybrid and wide-ranging nature of these services, coupled with the lack of applicable case law. The situation is further complicated by the need to assess whether a specific service is eligible to claim exemption as a micro or small enterprise (cf. Art. 19 and Art. 29 DSA), with the aim of deriving the applicable legal obligations.

In a decision dated 24 October 2024 (KOA 16.400/24025), KommAustria certified RTR as a dispute settlement body pursuant to Art. 22 DSA. In light of the fact that 2024 was the first year in which RTR began to perform the duties associated with this role, an evaluation of the impact on resource usage from these activities

may therefore seem somewhat premature. However, we might legitimately compare these activities with experience gathered in the context of the Communications Platforms Act (KoPI-G), which was repealed with the entry into force of the KDD-G. Such a comparison reveals a significant uptick in the complaints received in the first months after assuming this new role. Staffing needs must therefore be re-evaluated as a matter of some urgency.

Turning to measure 4 as described in the OIA (data access for researchers), only partial implementation of this measure proved possible. This is attributable to the fact that the delegated act referred to in Art. 40 Par. 13 DSA had yet to be adopted by the European Commission, thus preventing the issuing of certification anywhere in the EU. For the sake of completeness, it should also be noted that the DSA legalises research data access only in the case of VLOPs and VLOSEs. Typically, these entities are established in Ireland (at least in the case of the platforms that attract the most attention from research projects). Accordingly, most of the effort for this measure arises in that country (cf. Art. 40 Par. 8 DSA). Although Art. 40 Par. 9 DSA makes provisions for an initial assessment to be carried out by the DSC in the research institution's country of establishment, such applications – whether in the place of establishment of the VLOP/VLOSE or in that of the research institutions themselves – could not be made in 2024 for the reasons stated above. Accordingly, no research proposals were approved nor was any researcher certified pursuant to Art. 40 Par. 8 and 9 DSA during 2024. That notwithstanding, Art. 40 Par. 12 DSA does grant the right of access to generally accessible data (in real time) to other eligible entities (including civil society organisations conducting research in the field of systemic risks). In reality, however, some platforms tie this right of access to highly restrictive conditions (of a financial nature or related to liability law). Accordingly, several procedures investigating putative infringements of these provisions were initiated with the coordinator in the country of establishment or the European Commission.

3.6.11.3 Evaluation summary

When assessing what expenses were incurred or funds not yet fully utilised, we need to remember – as stated above – that because of actual delays or legal gridlock many measures could not yet be undertaken.

In light of this fact, one may assume resource allocations are sufficient for the time being.



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Activities of RTR Media Division

04 Activities of RTR Media Division

4.1 Complaints board annual report

The complaints board was set up within RTR with the aim of protecting user interests. The board's remit, which is set out in several laws, requires it to act as a conciliation body (as defined in the Audiovisual Media Services Act, AMD-G), an out-of-court dispute settlement body (as defined in the Coordinator for Digital Services Act, KDD-G) and a complaints board (as defined in the Federal Act on Copyright in Literary and Artistic Works and Related Rights, UrhG). Pursuant to the KommAustria Act (KOG), the board also functions as a service point for initiatives and information regarding media literacy, as well as a service point for complaints and information regarding the accessibility of audiovisual media services. More detailed information is available on the RTR website at https://www.rtr.at/medien/was_wir_tun/Beschwerdestelle/Beschwerdeportal.en.html.

4.1.1 Summary for 2024 – the procedures

A total of 133 complaints were submitted in the reporting year. The complaints board was not competent to adjudicate on 21 of these complaints. Online platforms, as defined by the Digital Services Act (DSA), comprised the sole focus of the remaining 112 valid complaints.

Table 46: 2024 statistics on procedures

Subject of complaint	Number of complaints initiated by complaint subject
Communications platforms (KoPI-G)	0
Online platforms (DSA, KDD-G)	112
Video sharing platforms	0
Major online platforms (UrhG)	0
Accessibility problems (AMD-G)	0
TOTAL	112

4.1.1.1 Process flow for a conciliation procedure

Conciliation procedures are initiated at the request of users.

A written request must be submitted in German and, if feasible, using the e-government application. Procedures are handled using a digital process.

Users can apply to the complaints board in the cases listed below.

1. In the case of a complaint relating to one of the following:
 - a. A reporting and assessment system, the deployed parental control system, the tools used for marking commercial audiovisual communications or the complaints system utilised by a video sharing platform (disputes between a user and a service provider)
 - b. lack of accessibility to the content of an audiovisual media service

2. Requests for out-of-court dispute settlement concerning a decision made by the provider of an online platform service as defined by Art. 3 point i DSA. The user must have tried to resolve the dispute by means of the platform's internal complaints system. The dispute must fall into one of the following categories:
 - a. Disputes concerning decisions about whether to remove information or block access to that information, or to restrict the display of that information
 - b. Disputes concerning decisions about whether to suspend or terminate service provision to the user, whether in whole or in part
 - c. Disputes concerning the suspension or blocking of the user's account
 - d. Disputes concerning the suspension or termination of cash payments made as a result of information supplied by users, or concerning other restrictions placed on the ability of users to monetise such information
3. Appeals to the complaints board are also possible in the following cases:
 - a. Deficiencies in or the absence of
 - i. information about the measures applied by a large platform for sharing online content as defined in Art. 89a Par. 1 UrhG (obtaining consent, application of filtering and monitoring measures);
 - ii. the online form for furnishing proof of authorised use prior to or while uploading to such a platform;
 - iii. a complaints procedure as a remedy for the unlawful blocking or removal of content by such a platform.
 - b. In the event of disputes between rights holders, large platforms and their users or user organisations concerning the application of measures pursuant to Art. 89a Par. 1 (obtaining consent, application of filtering and monitoring measures)

If the conciliation request is unclear or inconsistent, or lacking important documents or statements, the complaints board has the option of granting the applicant a grace period of at least 14 working days to submit a revised application or to provide any such documents or statements that may have been omitted.

Both participation in the complaints procedure and acceptance of the proposed solution are optional. Providers of online platform services as defined by the DSA must agree to be bound by such a procedure.

The complaints board is tasked with mediating between the parties and identifying satisfactory solutions.

4.1.2 Procedural rules

The complaints board's procedural rules can be accessed from the following link on the RTR website (in German): https://www.rtr.at/medien/aktuelles/veroeffentlichungen/Veroeffentlichungen/Sonstiges/verfahrensrichtlinien_beschwerdestelle/Verfahrensrichtlinien.de.html

The procedural rules must be aligned with the basic principles of Art. 6 Par. 2 and Par. 6 No. 1, Art. 7 Par. 1, Art. 8 Par. 1 No. 1 and 2, and Par. 2 of the Alternative Dispute Resolution Act (AStG, Federal Law Gazette I No. 105/2015).

4.1.3 DSA dispute resolution

The entry into force of the KDD-G on 17 February 2024 established an out-of-court dispute settlement body, as defined in Art. 21 DSA, within RTR's Media Division. KommAustria certified this body by issuing decision KOA 16.400/24-025 on 24 October 2024.

The dispute resolution procedure is free of charge for users.

Platforms are subject to varying fees, whereby attention is given here to speedily processing requests.

Pursuant to Art. 21 Par. 4 DSA, the certified out-of-court dispute settlement bodies must submit an annual report of their activities to the Coordinator for Digital Services that issued their certification. In particular, this report is to include the number of dispute procedures handled, the outcomes of these disputes, the average time taken for dispute resolution and details of any shortcomings or difficulties encountered. Additional information must be provided as may be requested by the Coordinator for Digital Services.

4.1.3.1 Number of procedures and outcomes

In 2024, the complaints board received a total of 112 requests for out-of-court dispute settlement. Of these, 83 were submitted before the alternative dispute resolution body had been certified as such, and 29 afterward.

Table 47: Completed and pending procedures in 2024

	Completed procedures	Pending procedures
Submitted before certification	22	61
Submitted after certification	5	24
TOTAL	27	85

Of the 112 procedures, 27 were completed in the reporting period: 22 before and five after certification. The procedures involved a total of 20 online platforms, of which twelve had been designated as Very Large Online Platforms (VLOPs) by the European Commission (<https://digital-strategy.ec.europa.eu/en/library/designation-decisions-first-set-very-large-online-platforms-vlops-and-very-large-online-search>).

A total of 18 platforms were involved in the 85 procedures pending as of the reporting date of 31 December 2024. Although procedures had been conducted and completed with some of these platforms, contact had not been established with others.

Table 48: Status of pending procedures

	Number of pending procedures before certification	Number of pending procedures after certification	Total number of pending procedures
No contact established with online platform	4	0	4
Status of online platform unclear (identity as an online platform as defined by the DSA)	2	0	2
Existing cooperation with online platform/ ongoing procedures	13	6	19
No cooperation before certification/ onboarding process in progress	42	18	60
TOTAL	61	24	85

The complaints board must first establish contact with an online platform before dispute requests can be sent to this platform. The board had a caseload of 60 such requests at the end of 2024. These requests were addressed to six online platforms, all of which had been contacted previously. Of the 60 requests, 56 involved just two VLOPs, with the remaining four requests involving two other VLOPs and two online platforms based outside Austria.

Of the 85 requests still pending, four involved online platforms that could not be contacted or which had not responded to an attempt to contact them.

4.1.3.2 Procedure duration

Art. 21 Par. 4 DSA states that all out-of-court dispute settlement procedures must be completed within 90 days (normal cases) or 180 days (highly complex cases). The DSA establishes the start date for this period as the date the request was submitted. One problem with this approach, however, is that establishing contact with the individual online platforms (including onboarding processes) may take longer than the envisaged duration for the entire procedure.

Table 49: Average procedure duration 2024

	Average procedure duration in days
Submitted before certification	125.45
Submitted after certification	7.2
Total procedures completed	103.56

4.1.3.3 Weaknesses and challenges

One change encountered by out-of-court dispute settlement bodies is that many online platforms refuse to cooperate until the body has been properly certified. The European Commission website maintains a list of certified out-of-court dispute settlement bodies and is therefore often cited by these bodies as proof of actual certification. Some online platforms also require the completion of onboarding procedures for out-of-court dispute settlement, which prevents prompt cooperation on dispute requests and therefore extends the overall procedure duration.

4.1.4 Complaints procedures relating to communications platforms

Pursuant to Art. 3 Par. 1 of the Communications Platforms Act (KoPI-G), users can address the complaints board with alleged deficiencies in the reporting procedure as referred to in Art. 3 Par. 2 No. 1 to 3 KoPI-G, or in the review procedure referred to in Art. 3 Par. 4 KoPI-G.

The KoPI-G ceased to be in force on 16 February 2024. In the period 1 January 2024 to 16 February 2024, the board received no complaints pursuant to the KoPI-G.

4.1.5 Complaints procedures relating to video sharing platforms

The provisions of Art. 54c ff. of the AMD-G apply to video sharing platforms run by providers domiciled in Austria as defined in Art. 3 No. 3 of the E-Commerce Act (ECG).

In 2024, no complaints were received concerning video sharing platforms.

4.1.6 Complaints procedures relating to accessibility issues

During the reporting period, the complaints board received no complaints alleging a lack of accessibility of content provided by audiovisual media services.

4.1.7 Complaints procedures relating to major online platforms

No complaints were received in relation to major online platforms during the period under review.

4.1.8 Events

During the reporting period, an event entitled "Media literacy in journalistic practice – what role should journalism play?" was organised jointly with the Austrian Communications Authority and held on 7 November 2024 ([see also 9.1.2.5](#)).

Following a presentation of the findings of this year's Digital Skills Austria study by Dimitri Prandner, the topic was introduced and discussed in two separate formats: a keynote with a concluding fireside chat as well as a panel discussion. Some of the participating experts from the fields of research and journalism had already contributed to the media literacy report.

The invited experts were Florian Schmidt (APA Faktencheck), Christo Buschek (Der Spiegel/Paper Trail Media), Mirjana Tomić (FJUM), Barbara Eidenberger (ÖÖ Nachrichten), Johanna Grüblbauer (St. Pölten University of Applied Sciences (UAS)), Christina Ortner (Upper Austria UAS) und Wolfgang Renner (Social City Academy).

4.2 Management of funds and grants

4.2.1 Digitisation Fund

Since the increase in funding in 2024, the Digitisation Fund is now being allocated EUR 1.5 million annually (previously EUR 500,000). The purpose of the fund is to promote digital transmission technologies and digital applications based on European broadcasting standards. Funding is derived from those broadcasting fees which, while collected jointly with ORF programme fees, are primarily allocated to the federal budget.

4.2.1.1 DAB+ and other funding

In 2024, the Digitisation Fund continued to focus on subsidising the costs of transmission for broadcasters of DAB+ stations. Expansion of multiplex platforms continued in 2024, thereby creating space for additional nationwide and regional stations to be broadcast over DAB+.

The funding provided covers one-time planning, procurement and setup costs for technical infrastructure (technical broadcasting costs) and/or broadcasters' shares of the fees due for the technical costs of broadcasting DAB+ radio programmes. The latter portion refers to the fees that the multiplex operators charge to broadcasters of digital terrestrial radio for the technical part of broadcasting the respective radio programmes.

Previous funding of the rollout of regular DAB+ service, begun in 2018, was thus continued in the reporting period. Licensing of the new multiplexes in the summer of 2024 supported the broadcasting of 30 stations in total, with a volume of approximately EUR 557,058.57.

Moreover, since the existing guidelines were repealed on 31 December 2024, new funding guidelines had to be drawn up.

4.2.1.2 New funding guidelines for the awarding of grants from the Digitisation Fund to support the introduction of regular DAB+ service in 2024 (de minimis aid)

The new funding guidelines for the Digitisation Fund entered into force on 12 December 2024. One of the key points in the new guidelines provides for mandatory submission of future applications via the eRTR-Portal. Changes were also made with respect to the submission deadlines. Applications must now be submitted on specific dates during the year. Applications may only be submitted on 30 June and 31 December in any calendar year. Furthermore, the funding period is limited to a maximum of twelve months. The regulations regarding degressive funding have also changed. In contrast to the previous guidelines, the maximum funding period is now limited to five years.

In line with the intention of providing initial funding, only the first two years will be funded with the maximum funding rate of 50%. The maximum funding rate consistently falls thereafter, with no funding available after the fifth year.

The current guidelines can be viewed (in German) at https://www.rtr.at/medien/was_wir_tun/foerderungen/digitalisierungsfonds/Richtlinien/startseite.de.html.

4.2.1.3 Grant for a nationwide media and public relations project to promote the many facets of digital radio among the Austrian population

The Verein Digitalradio Österreich association applied for renewed funding for a project involving measures to raise public awareness about the digital transmission of radio broadcasts.

This project uses various marketing measures and information campaigns to inform the population about DAB+ and its advantages. A focus was placed on regional offerings resulting from the expansion of regional multiplex platforms in 2024, while car drivers were addressed directly. Funding was approved to cover 50% of the costs.

4.2.1.4 Notes on the 2024 annual accounts

Based on the statement for the trustee account as at 31 December 2023, and considering the credits and disbursements as well as the grants already approved but not yet disbursed, 1,317,641.61 was available in the fund as at 31 December 2024 (see the table below for details).

Table 50: Digitisation Fund – excerpt from the 2024 annual accounts

Austrian Digitisation Fund	(EUR)	(EUR)
Trustee account balance as at 31 December 2023		1,609,894.36
Credits		
Revenues received in 2024	1,500,000.00	
Interest/fees	30,496.16	
Deferred payment/repayment of administrative expenses from 2023	74,133.65	1,604,629.81
Debits		
Administrative expenses	-146,000.00	
Grant disbursements in 2024	-207,222.78	-353,222.78
Balance resulting from initial amount, credits and debits in 2024		
= Trustee account balance as at 31 December 2024		2,861,301.39
Outstanding administrative expenses from 2024 for deferred payment in 2024		-24,765.76
Balance of trustee obligations as at 31 December 2024		2,836,535.63
Approved grants pending disbursement		
Committed funds from 2020	-4,287.12	
Committed funds from 2021	-449,577.25	
Committed funds from 2022	-646,267.93	
Committed funds from 2023	-129,097.07	
Committed funds from 2024	-289,664.65	-1,518,894.02
Funds available in 2025		1,317,641.61

4.2.2 Austrian Television Fund

The Austrian Television Fund provides funding for Austrian television productions. Funding supports the production and commercial exploitation of television films, series and documentaries. It was set up at RTR in 2004 by the Austrian federal government to provide support to the Austrian film industry and promote Austria's attractiveness for the media industry. RTR manages the available budget which amounts to EUR 13.5 million each year. Grants are awarded from this fund based on guidelines, along with Articles 26 to 28 and Articles 23 to 25 of the KommAustria Act (KOG), which together constitute the legal basis for the activities of the Austrian Television Fund. A new set of guidelines was published on 21 January 2024.

The Austrian Television Fund's statutory remit includes financial support for independent Austrian producers, thereby stimulating the productivity of the domestic production sector and creating long-term employment in the film industry. Another objective is to improve the quality of television productions, thereby preserving Austria's rich cultural landscape and making a vital contribution towards strengthening the audiovisual sector in Europe. Key criteria considered in the grant award process include value creation and spending in Austria.

4.2.2.2 Projects funded in 2024

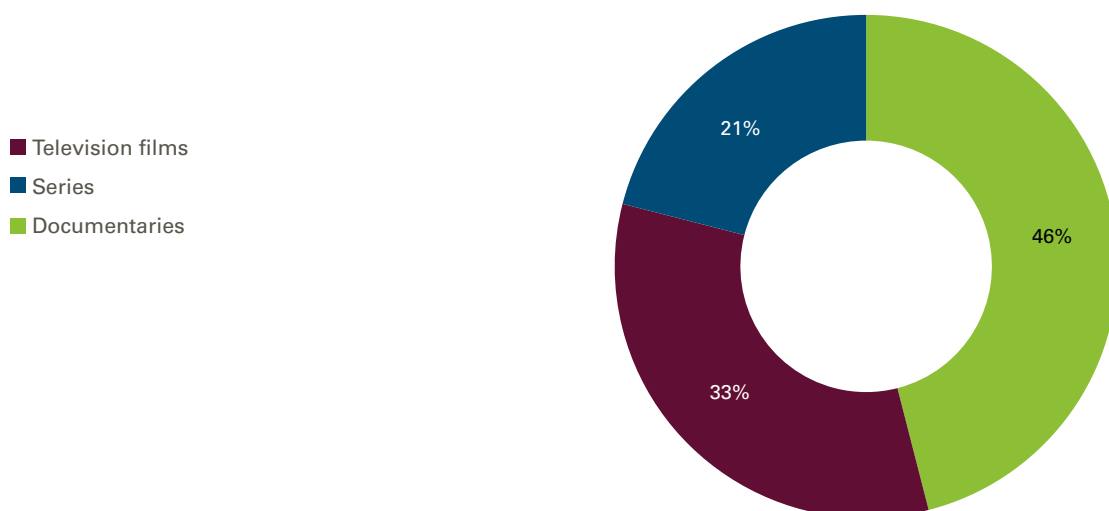
Of the 117 applications that were submitted in 2024, 95 productions were approved for funding amounting to EUR 12,694,679.

Funding was approved to cover roughly EUR 112.16 million of planned total production costs. Spending in Austria in connection with these television productions is expected to amount to EUR 88.69 million. The latter figure represents 7.2 times the amount of total funding awarded by the Austrian Television Fund.

Details of submitted projects

The 95 grants approved provided support to 15 television films (excellence bonus), five series (four excellence bonus grants and a production grant for one series) and 75 documentaries (production grants). The figure below gives details on how the funding shares were distributed.

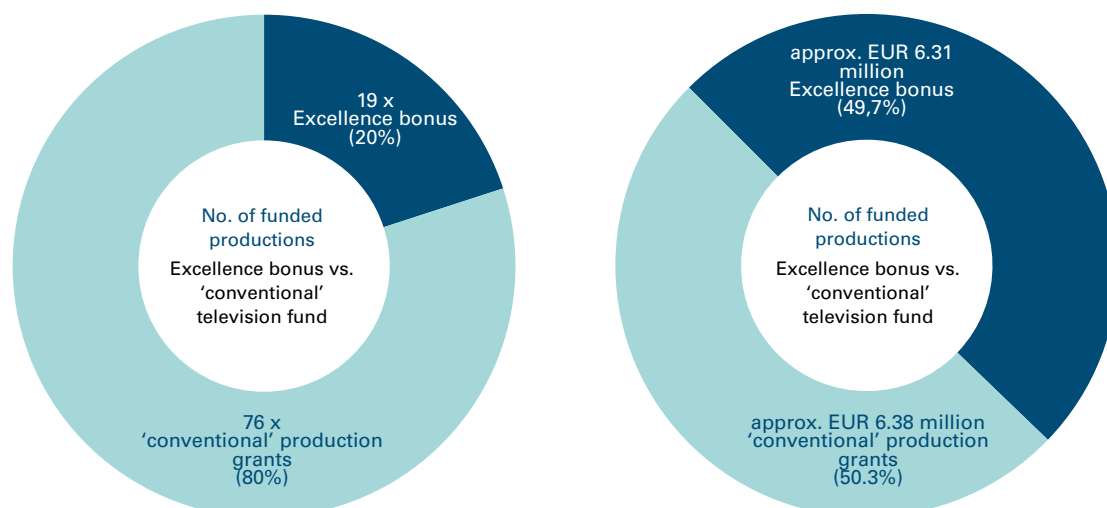
Figure 26: Austrian Television Fund – grants approved in 2024



The proportion of funding awarded to the television films and series rose from 27% to 33% compared with the previous year. This contrasts with the increase in grant share for series, which fell from 27% to 21%. At 46%, the proportion of funding awarded to documentaries remained unchanged from the previous year.

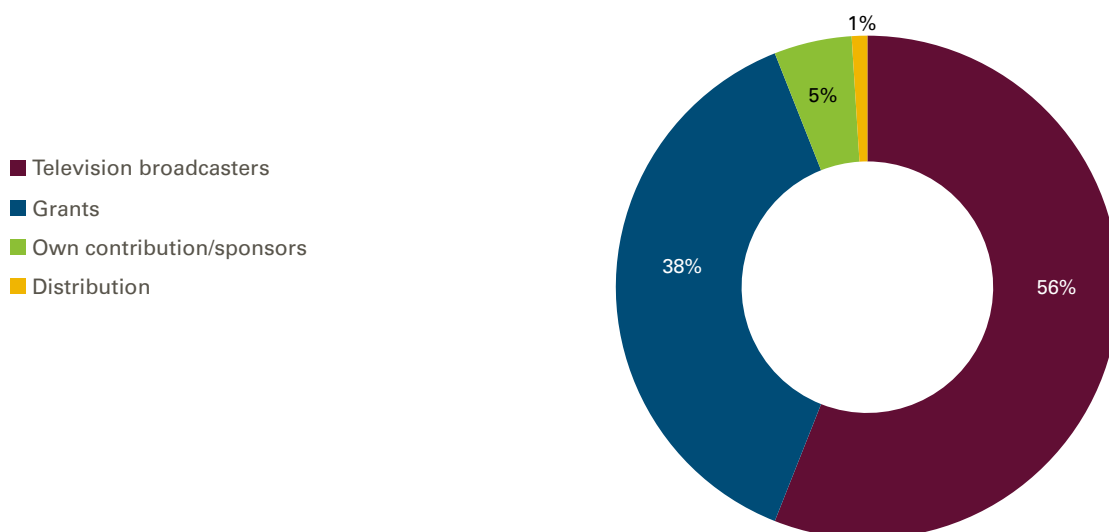
Figure 27: Austrian Television Fund – excellence bonus/production grants

- Productions with total budget under EUR 1.8 million
- Productions with total budget over EUR 1.8 million



Of the submissions made during 2024, 19 projects received funding from the excellence bonus (20%), with 76 projects receiving production grants (80%). The funds disbursed for excellence bonus grants amounted to around EUR 6.31 million (49.7%), with 'conventional' production grants totalling around EUR 6.38 million (50.3%).

Figure 28: Austrian Television Fund – share of financing contributed to projects funded in 2024



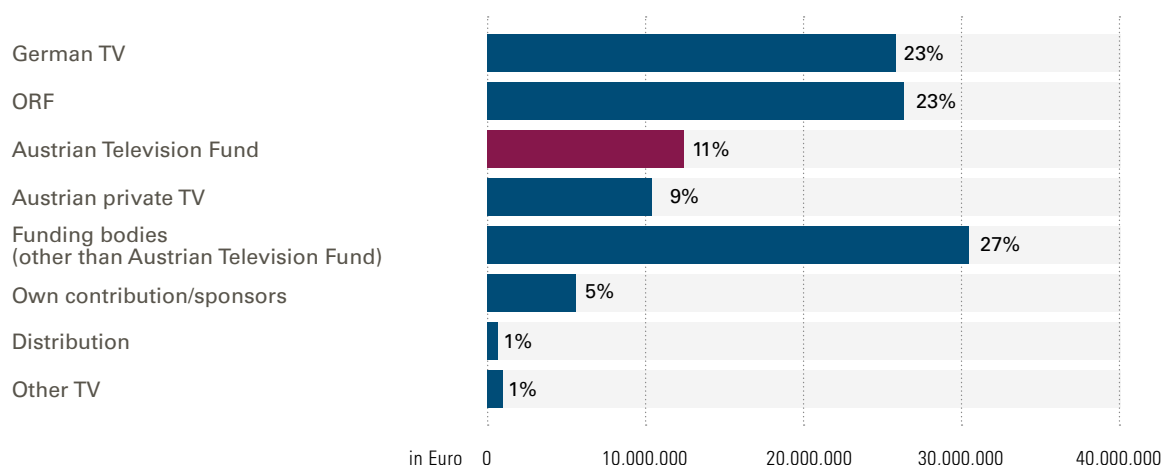
The productions supported in 2024 sourced 56% of their funding from television broadcasters, 38% from grants, 5% from own funds and sponsoring, and 1% via distribution agreements.

Compared with the previous year, the proportion of television broadcasters increased slightly from 54% to 56%, but their share of funding remained unchanged at 38%.

Co-financing provided by funding bodies other than the Austrian Television Fund accounted for 27% of the total in 2024. Of a total of 95 funded television productions, Austrian funding bodies were exclusively involved in the financing of 48 productions. Eleven projects were also supported by European funding bodies and an international TV broadcaster participated in one project.

The chart below gives a breakdown of the funding in detail:

Figure 29: Austrian Television Fund – share of financing contributed to projects funded in 2024



Participation by television broadcasters

From the total number of 95 funded projects, 76 television productions were co-financed by the ORF. The number of productions receiving funding from Austrian private television broadcasters increased marginally from 15 to 16 compared with the year before, with the share of production costs covered falling from 4% to 9%.

German television broadcasters participated in a total of 25 projects. Eleven productions reported participation by European broadcasters (excluding Germany) in their financing operations, coming from Belgium, Czechia, France, Greece, Italy, Switzerland, Sweden and Slovenia.

As in previous years, the majority of productions co-financed by European broadcasters were documentaries. Germany was the main European country whose broadcasters contributed to funding films or series.

Participation from broadcasters based outside Europe was observed in the case of one documentary in 2024, with one Canadian broadcaster involved in production.

Women’s share in the funded projects

In terms of appointments to senior management positions – production, direction and screenplay – patterns shifted compared with the previous year. The percentage of women among producers increased from 18 to 29%. The share of female directors grew from 52% to 46%. The share of female screenwriters also fell from 50% to 41%.

Table 51: Austrian Television Fund – gender statistics for funded projects

2024	Women		Men	
	Number	Percentage	Number	Percentage
Executive producers/producers	27	29%	67	71%
Directors	70	46%	81	54%
Screenwriters	59	41%	84	59%

4.2.2.3 Exploitation grants

To support the broader distribution of their film projects, producers received Austrian Television Fund grants to produce versions for the hearing and visually impaired, as well as versions in other languages and for submission to film festivals. Grants totalling EUR 148,960 were approved in 17 cases in 2024.

Full details of the projects supported and the grant award guidelines are published on the website of the Austrian Television Fund (www.fernsehfonds.at).

4.2.2.4 Notes on the 2024 annual accounts

Based on the statement for the trustee account as at 31 December 2023, and considering the credits and disbursements as well as the grants already approved but not yet disbursed, 295,148.05 was available in the fund as at 31 December 2024 (see the table below for details).

Table 52: Austrian Television Fund – excerpt from the 2024 annual accounts

Austrian Television Fund	(EUR)	(EUR)
Trustee account balance as at 31 December 2023		6,674,154.78
Credits		
Revenues received in 2024	13,500,000.00	
Interest/fees	159,531.64	
Administrative expenses carried over from 2023	73,203.80	
Grant repayments	17,000.00	13,749,735.44
Debits		
Administrative expenses in 2024	-937,000.00	
Grant disbursements	-13,453,384.99	-14,390,384.99
Balance resulting from initial amount, credits and Debits in 2024		
= Trustee account balance as at 31 December 2024		6,033,505.23
Outstanding administrative expenses from 2024 for repayment in 2025		91,666.99
Balance of trustee obligations as at 31.12.2024		6,125,172.22
Approved grants pending disbursement Grants		
Committed funds from 2020	- 2,739.00	
Committed funds from 2021	- 16,666.67	
Committed funds from 2022	- 83,960.54	
Committed funds from 2023	- 2,023,192.79	
Committed funds from 2024	- 3,703,465.17	- 5,830,024.17
Funds available in 2025		295,148.05

4.2.3 Broadcasting funds

The Fund for the Promotion of Private Broadcasting (Private Broadcasting Fund) and the Fund for the Promotion of Non-Commercial Broadcasting (Non-Commercial Broadcasting Fund) were set up in 2009 with the amendment of the KommAustria Act (KOG). The two funds were originally allocated a total of EUR 6 million, and this amount has consistently been increased. Due to high demand, with the number of projects submitted increasing year by year, both funds were topped up by law as of 18 July 2024. The Non-Commercial Broadcasting Fund was stocked up by EUR 1.25 million to EUR 6.25 million, while the Private Broadcasting Fund was increased by EUR 5 million to EUR 25 million.

All grants serve to promote the Austrian broadcasting system and help broadcasters deliver a diverse portfolio of high-quality programming. Broadcasters can apply for grants if their programmes require a licence or notification as defined in the Audiovisual Media Services Act (AMD-G) or the Private Radio Act (PrR-G).

Funding is awarded on the basis of applicable legislation and approved guidelines.

4.2.3.1 Non-Commercial Broadcasting Fund

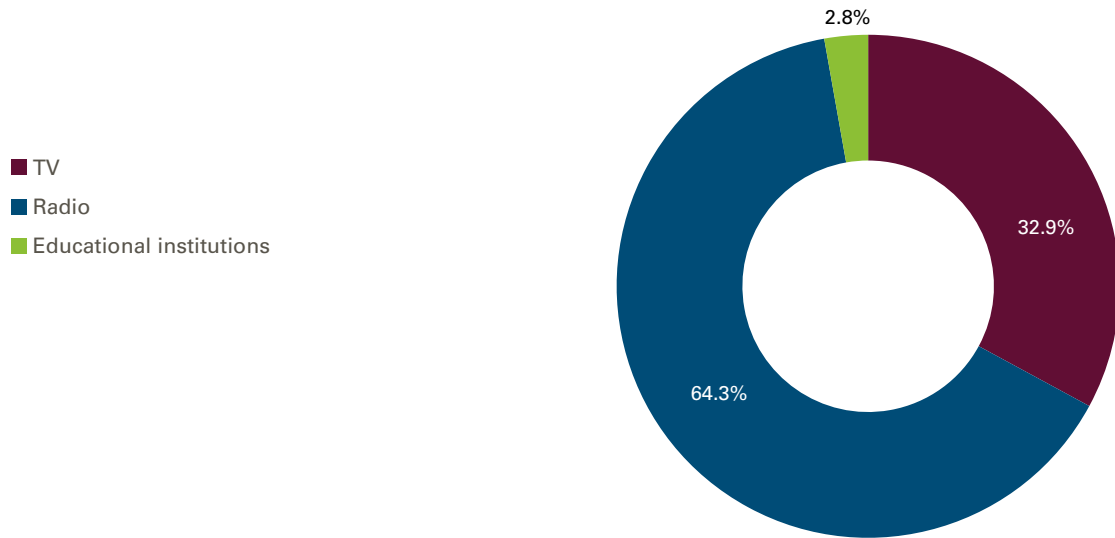
In 2024, a total of about EUR 6.25 million was available in the Non-Commercial Broadcasting Fund.

4.2.3.1.1 Submission deadlines in 2024

During the first round and second rounds of submissions for 2024 (13 October–6 November 2023 and 1 May–31 May 2024 respectively), a total of 92 applications were submitted by radio broadcasters, twelve by television broadcasters and two by education and training initiatives.

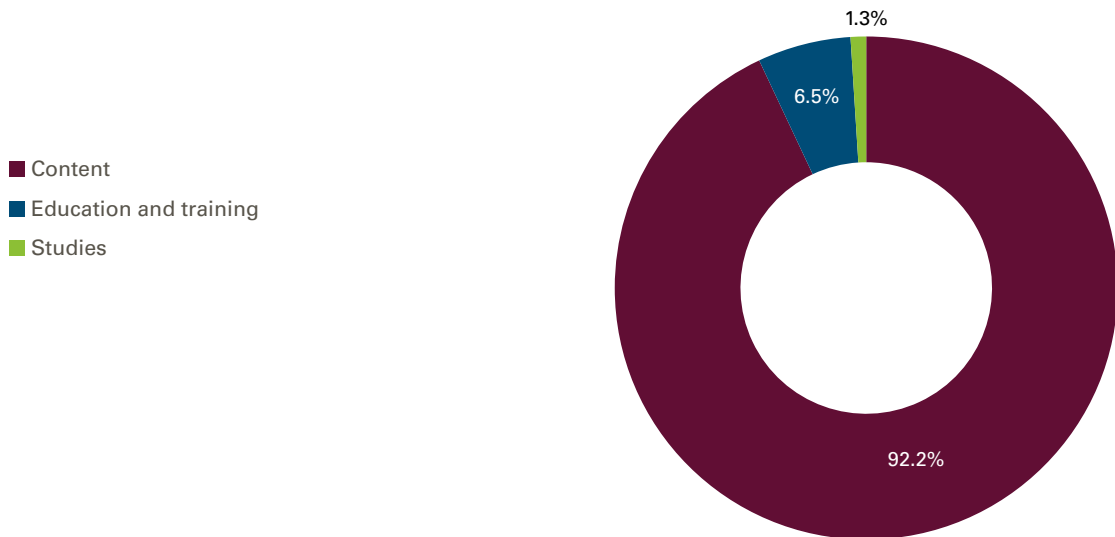
The fund awarded grants to 90 projects from non-commercial radio stations, twelve from community television stations and two from educational institutions in radio broadcasting.

Figure 30: Non-Commercial Broadcasting Fund – grants approved in 2024



Funds totalling EUR 5,043,227 were awarded in 2024. Of the funding, 32.9% (EUR 1,661,187) went to television, 64.3% (EUR 3,242,540) went to radio and 2.8% (EUR 139,500) was allocated to educational institutions.

Figure 31: Non-Commercial Broadcasting Fund – breakdown of grants by funding category 2024



Of the total funding awarded, EUR 4,650,031 (92.2%) were awarded for content creation, EUR 328,926 (6.5%) for education and training and EUR 64,270 (1.3%) went to reach surveys and quality studies.

Full details of the projects supported and the grant award guidelines are published on the RTR website at www.rtr.at/rundfunkfonds-nichtkommerziell.

4.2.3.2 Notes on the 2024 annual accounts

Based on the statement for the trustee account as at 31 December 2023, and considering the credits and disbursements as well as the grants already approved but not yet disbursed, EUR 1,193,647 was available in the fund as at 31 December 2024; see the table below for details.

Table 53: Non-Commercial Broadcasting Fund – excerpt from the 2024 annual accounts

Non-Commercial Broadcasting Fund	(EUR)	(EUR)
Trustee account balance as at 31 December 2023		696,615.00
Credits		
Allocation of revenues received in 2024	6,250,000.00	
Administrative expenses carried over from 2023	13,918.71	
Grant repayments	27,724.82	
Interest on grand repayments	99.80	6,291,743.33
Debits		
Interest/fees	-1,135.30	
Administrative expenses in 2024	-198,000.00	
Grant disbursements in 2024	-4,781,865.31	-4,981,000.61
Balance resulting after initial amount, credits and debits in 2024		
= Trustee account balance as at 31 December 2024		2,007,357.72
Outstanding repayment in 2025 of administrative expenses from 2024		34,418.28
Balance of trustee obligations as at 31 December 2024		2,041,776.00
Approved grants pending disbursement Grants		
Committed funds from 2023	-130,320.00	
Committed funds from 2024	-717,809.00	-848,129.00
Funds available in 2025		1,193,647.00

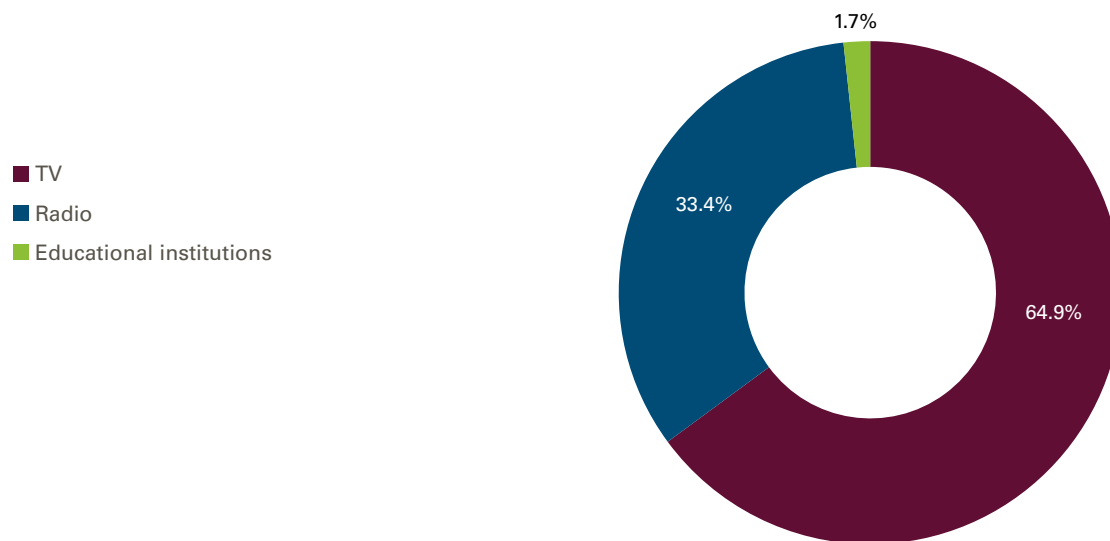
4.2.3.3 Private Broadcasting Fund

4.2.3.3.1 Submission deadlines in 2024

During the first and second rounds of submissions for 2024 (13 October–6 November 2023 and 01 May–31 May 2024 respectively), a total of 382 requests were submitted by radio broadcasters, 231 by television broadcasters and three by educational institutions.

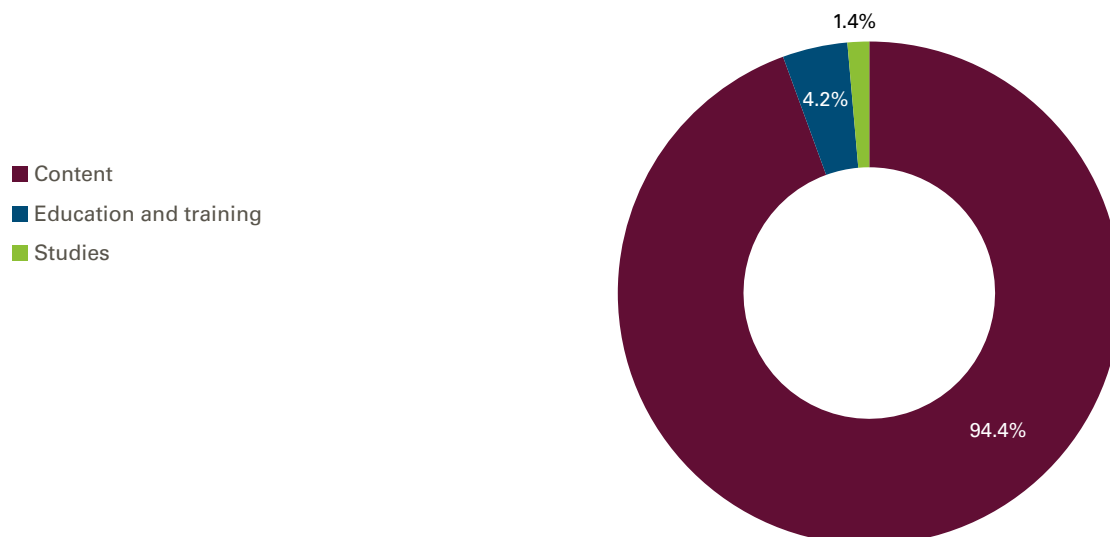
The fund awarded grants to 308 private radio broadcasters, 150 private television broadcasters and three educational institutions in radio broadcasting.

Figure 32: Private Broadcasting Fund – grants approved in 2024



Funds totalling EUR 22,050,474 were awarded in 2024. Of the funding, 64.9% (EUR 14,309,947) went to television, 33.4% (EUR 7,355,808) went to radio and 1.7% (EUR 384,719) was allocated to educational institutions.

Figure 33: Private Broadcasting Fund – breakdown of grants by funding category 2024



Of the total funding awarded, EUR 20,817,410 (94.4%) were awarded for content creation, EUR 935,533 (4.2%) for education and training and EUR 297,531 (1.4%) went to reach surveys and quality studies.

Full details of the projects supported and the grant award guidelines are published on the RTR website at www.rtr.at/privatrundfunkfonds.

4.2.3.3.2 Notes on the 2024 annual accounts

Based on the statement for the trustee account as at 31 December 2023, and considering the credits and disbursements as well as the grants already approved but not yet disbursed, EUR 4,689,032.97 was available in the fund as at 31 December 2024; see the table below for details.

Table 54: Private Broadcasting Fund – excerpt from 2024 annual accounts

Private Broadcasting Fund	(EUR)	(EUR)
Trustee account balance as at 31 December 2023		13,746,570.71
Credits		
Revenues received in 2024	25,000,000.00	
Interest/fees	161,609.11	
Grant repayments	89,327.72	
Administrative expenses carried over from 2023	68,402.32	25,319,339.15
Debits		
Grant disbursements in 2024	-21,176,352.78	
Administrative expenses in 2024	-891,000.00	
Erroneous transfers in 2024	-13,247.40	-22,080,600.18
Balance resulting after initial amount, credits and debits in 2023		
= Trustee account balance as at 31 December 2024		16,985,309.68
Outstanding repayment in 2025 of administrative expenses from 2024		146,415.36
Balance of trustee obligations as at 31 December 2024		17,131,725.04
Approved grants pending disbursement		
Committed funds from 2022	-35,500.00	
Committed funds from 2023	-455,313.57	
Committed funds from 2024	-11,951,878.50	-12,442,692.07
Funds available in 2025		4,689,032.97

4.2.4 Fund for the Promotion of Digital Transformation

Established by law on 13 April 2022, the Fund for the Promotion of Digital Transformation provides the Austrian media market with new sources of funding that are aimed at maintaining the diversity of providers while promoting the establishment and expansion of digital services on the part of private media companies who orient their media content towards the Austrian public.

The available funding is intended to strengthen Austrian media companies and their digital portfolios while generally reinforcing the central role played by media in a modern, democratic society.

This programme helps maintain and promote the diversity and pluralism of the news media sector, as well as strengthen the professional journalism, a factor crucial to the long-term development of news media as a whole. Austrian media content – and regional content in particular – should continue to be made available to Austrian consumers.

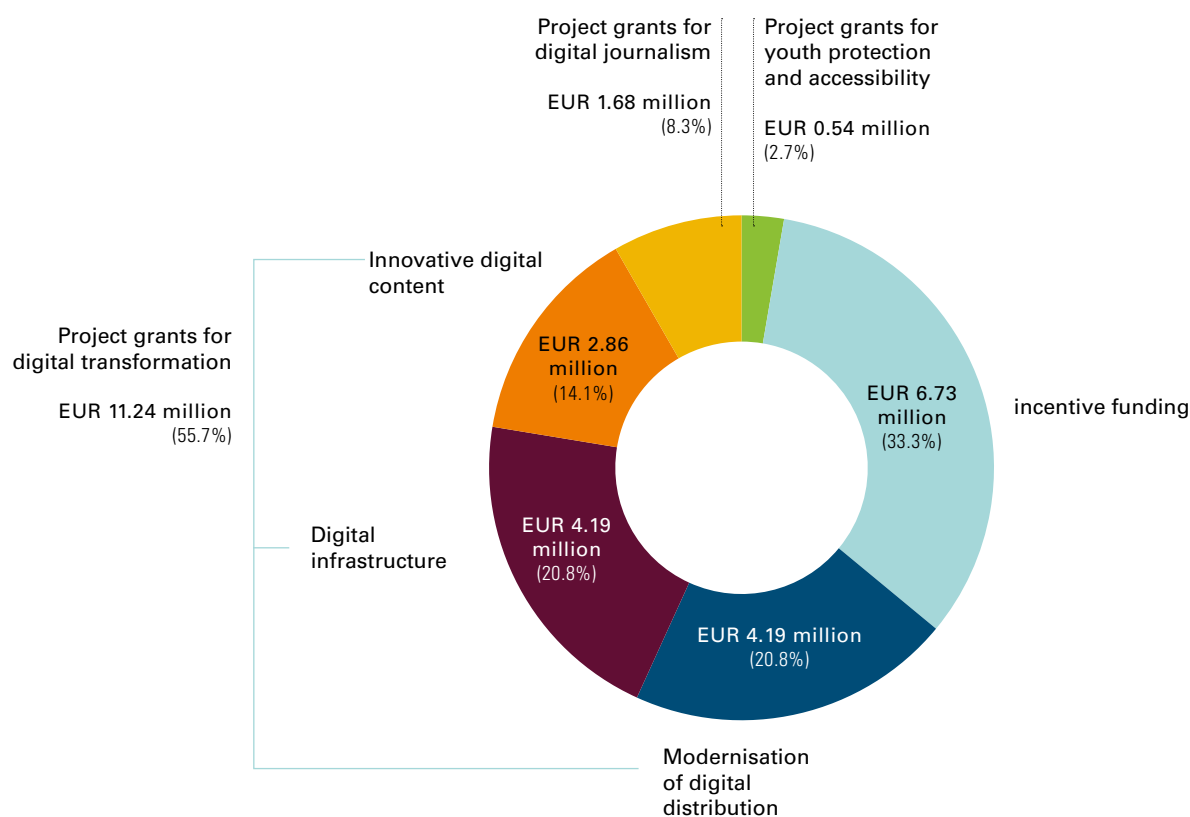
The Fund for the Promotion of Digital Transformation, having a budget of EUR 20 million, is managed by RTR. The fund offers two separate funding tracks. Incentive funding is aimed at project development, and applications for fund grants are accepted only from daily and weekly newspapers. The project funding track, allows applications to be submitted for digital transformation, digital journalism, or youth protection and accessibility.

4.2.4.1 Submission deadline for the 2025 calendar year

The volume of funding requested during the period of 1 June–30 June 2024 – the fourth since the fund's inception – of around EUR 34.1 million once again significantly exceeded the funds that were available. Grants were awarded to 117 requests from television broadcasters and print companies, of which 32 projects received incentive funding, while project funding was awarded to 24 digital journalism projects, 51 digital transformation projects, and ten youth protection and accessibility projects.

Funds totalling EUR 20,199,965 were awarded. Of this amount, 33.3% (EUR 6,733,331) was awarded to incentive funding projects, 8.3% (EUR 1,678,792) for digital journalism, 55.7% (EUR 11,244,409) to digital transformation projects, and 2.7% (EUR 543,433) to projects involving youth protection and accessibility.

The figure below details the distribution of the funds awarded:

Figure 34: Distribution of grant funding in 2025


Compared with the previous year, the number of funded projects fell by around 50% to 117 projects. This was due to the incentivising effect of the funding guidelines as amended this year. By contrast, the volume of larger-scale synergetic cooperation projects submitted for funding increased. The result of this was that the funding rates for projects from the areas of digital transformation, digital journalism, and youth protection and accessibility increased by around one third, while project implementation was ensured and available funding used more efficiently.

Full details of the projects supported and the grant award guidelines are published on the RTR website at www.rtr.at/fonds-digitale-transformation.

4.2.4.2 Notes on the 2024 annual accounts

Based on the statement for the trustee account as at 31 December 2023, and considering the credits and disbursements as well as the grants already approved but not yet disbursed, 2,145,544.24 was available in the fund as at 31 December 2024; see the table below for details.

Table 55: Fund for the Promotion of Digital Transformation – excerpt from the 2024 annual accounts

Fund for the Promotion of Digital Transformation	(EUR)	(EUR)
Trustee account balance as at 31 December 2023		12,788,160.12
Credits		
Allocation of revenues received in 2024	20,000,000.00	
Interest/fees	148,011.68	
Administrative expenses carried over from 2023	151,644.05	
Grant repayments	261,029.33	20,560,685.06
Debits		
Administrative expenses in 2024	-1,130,000.00	
Grant disbursements in 2024	-21,484,083.79	-22,614,083.79
Balance resulting after initial amount, credits and debits in 2024		
= Balance resulting after initial amount, credits and debits in 2024		10,734,761.39
Outstanding repayment in 2025 of administrative expenses from 2024		275,495.85
Balance of trustee obligations as at 31 December 2024		11,010,257.24
Approved grants pending disbursement Grants		
Committed funds from 2022	-10,359,009.50	
Committed funds from 2023	-4,988,631.50	
Committed funds from 2024	-6,531,782.50	
Funds allocated in 2025	20,000,000.00	
Committed funds from 2025	-6,985,289.50	-8,864,713.00
Funds available in 2025		2,145,544.24

4.2.5 Funding for the production of audio podcasts

In September 2024, the first applications were submitted for the new audio podcast funding pursuant to Art. 25a of the KommAustria Act (KOG).

This newly created funding track, allocated EUR 500,000, responds to the steadily growing importance of audio podcasts in the population's media consumption. It focuses on the expansion of high-quality productions in this segment and aims to significantly encourage public debate on social policy. To be eligible for funding, audio podcasts need to be published online on a regular basis and relate to issues surrounding information, culture, education, science, research or media and digital competence.

Support is provided for new episodes of previously existing podcasts that help strengthen understanding of democracy while contributing to a fact-based, responsible and respectful debate on social policy. Previous episodes will have demonstrated success in the market, based on a minimum number of downloads as set out in the funding guidelines. Funding supports productions in the areas of media and digital competence, information, culture, education, science and research.

4.2.5.1 Initial submission deadline

Applications could be submitted during the period between 1 September and 30 September 2024. Within the submission deadline for 2024, a total of 19 productions from the field of daily, weekly and feature podcasts were submitted with an overall funding volume of EUR 703,554. Of this number, nine projects fulfilled the criteria and received funding. Of these, two projects were for a daily podcast, six projects were for a weekly podcast and one project was for a feature podcast.

Funds totalling EUR 346,717 were awarded. Of this amount, 20% (EUR 70,000) was awarded to daily podcasts, 73% (EUR 251,717) to weekly podcasts and 7% (EUR 25,000) to feature podcasts.

Ten of the submitted projects did not meet the requirements of the guidelines, with the result that no funding was awarded. Funds that have not been fully utilised are therefore available for the next submission deadline in September 2025.

4.2.1.2 Notes on the 2024 annual accounts

Considering the credits and disbursements as well as the grants already approved but not yet disbursed, EUR 153.150 was available in the fund as at 31 December 2024; see the table below for details.

Table 56: Audio podcast funding – excerpt from the 2024 annual accounts

Audio podcast funding	(EUR)	(EUR)
Trustee account balance as at 31 December 2023		0.00
Credits		
Revenues received in 2024	500,000.00	500,000.00
Debits		
Interest/fees	-133.00	
Administrative expenses	-20,000.00	
Grant disbursements in 2024	-81,416.61	-101,549.61
Balance resulting from initial amount, credits and Debits in 2024		
= Trustee account balance as at 31 December 2024		398,450.39
Repayment of administrative expenses from 2024 by RTR		20,000.00
Balance of trustee obligations as at 31 December 2024		418,450.39
Approved grants pending disbursement		
Committed funds from 2024	-265,300.39	-265,300.39
Funds available in 2025		153,150.00



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Regulatory activities of the TKK

05 Regulatory activities of the TKK

The Telekom-Control-Kommission (TKK), has been responsible for regulating the telecommunications market in Austria since 1997. Its tasks and responsibilities are specified in detail by law. In accordance with the Signature and Trust Services Act ([SVG](#)), it is also acts as the supervisory body for trust services. An overview of the main areas of regulatory activity in the 2024 reporting year follows below.

5.1 Measures to ensure competition

5.1.1 Market analysis procedure

The last sub-procedures of the market analysis procedure initiated in 2020 were completed, with regard to the wholesale market for local and central access (formerly 'unbundling' and 'bitstreaming') in October 2022, and relating to the wholesale market for high-quality access (now 'Ethernet services with guaranteed bandwidth and dark fibre', formerly 'leased lines') in August 2023. Due to the private-law wholesale contracts offered by A1 for virtually unbundled lines and for access to high-speed broadband networks, no significant market power was identified on the former market. As a result, previous obligations specifically applying to A1 – in some cases with transitional periods of one year for wholesale services for local access and two years for wholesale services for centralised access – were lifted.

After the specific obligations owing on A1 were either lifted or expired, RTR continued in 2024 to closely monitor changes in the conditions for purchasing wholesale broadband services, maintaining contact with both wholesale customers and A1 as the largest provider of such wholesale services. Where differences of opinion existed between wholesale customers and A1, solutions were identified in several cases.

In the market for wholesale Ethernet services and dark fibre, A1 was recognised as having significant market power in an area comprising 1,010 municipalities ('area 2'). At the same time, specific obligations were imposed on A1 in the form of price controls (caps) and of mandatory publication of reference offers and key performance indicators, the latter on a quarterly basis. In one area with 1,087 municipalities ('area 2'), in each municipality A1 had a market share of less than 50%, at least one other infrastructure operator was active in addition to A1, and at least 25% of the buildings could be supplied by an alternative network operator with its own infrastructure. In these cases, existing specific obligations A1 had relating to lines within or between these municipalities were lifted.

In addition, the TKK decided in February 2022 to analyse competition in mobile communications with regard to the wholesale market for 'mobile access and origination' due to repeated complaints from mobile virtual network operators (MVNOs). The obligation Hutchison Drei Austria GmbH had originally entered into at the end of 2022 to grant wholesale access for potential MVNOs, the result of the procedure the European Commission held over HDA's merger with Orange, expired. A review was subsequently conducted as to whether future competition in the mobile wholesale market and thus ultimately in the mobile retail market would be ensured. In June 2024, after conducting the review, the TKK determined that the criteria for defining the aforementioned 'mobile access and origination' market as relevant for sector-specific regulation were not met and decided to discontinue the procedure.

5.1.2 Resolution of disputes between undertakings

Article 203 of the Austrian Telecommunications Act 2021 (TKG 2021) contains provisions for the resolution of disputes between undertakings. Where an operator or provider is subject to specific obligations under the TKG 2021, such as granting network access (based on a market analysis decision), or subject to obligations under other provisions of the TKG 2021, such as interconnection, and another operator, provider or undertaking is entitled to access obligations under this act, if despite genuine negotiations the two parties do not reach an agreement within a period of six weeks from receipt of the request, either party may appeal to the regulatory authority (Art. 203 Par. 1 TKG 2021).

In the TKG 2021, the provision governing resolution dispute between an operator and another operator or provider was extended to allow access to the first operator's network even without a specific obligation under the TKG 2021 (Art. 203 Par. 3 TKG 2021). In such cases as well, dispute resolution can be requested from the TKK.

If such a request for a dispute resolution procedure is received, RTR is to conduct a (six-week) dispute resolution procedure and endeavour to reach a mutually agreeable solution. If no agreement is reached, the TKK must continue the procedure and issue a decision in lieu of an agreement under private law.

During the reporting period, five procedures were brought before the TKK, all of which were still pending at the end of the reporting period.

5.2 Net neutrality

5.2.1 General information

Net neutrality refers to the equal treatment of all data transmitted via the internet. Equal treatment is independent of the sender, recipient, location, content, service or application. Net neutrality is important because it allows every internet user to retrieve and share information, content as well as services and applications. This helps ensure freedom of expression, economic growth and innovation through the internet. Working to protect net neutrality, the Telecoms Single Market (NN) Regulation has been in force at EU level since November 2015. The associated BEREC guidelines, which were adopted in August 2016 and most recently amended in June 2022, aim to ensure uniform implementation of the Regulation across Europe.

Work in the field of net neutrality was once again strongly informed in 2024 by international cooperation in the BEREC Open Internet Expert Working Group and by national procedures and advisory activities conducted in order to ensure the fulfilment of net neutrality standards. As in previous years, market developments were observed and internet access products reviewed. At the end of June 2024, the regulatory authority published its Net Neutrality Report covering the period May 2023–April 2024. With the aid of the aforementioned measures, the results are intended to ensure the continued availability of internet access services at a level of quality that properly reflects advances in technology. In keeping with this aim, dialogue has been maintained with all market participants. Providers regularly sought the advice of experts from RTR before the introduction of new products or services that could affect aspects of net neutrality. This approach often allowed any related concerns to be resolved in advance.

5.2.2 Fair share

One long-standing issue in this context is how to ensure (fair) participation of all actors in the internet ecosystem. Even prior to 2015, while the Net Neutrality Regulation was being drafted, demands were raised to commit over-the-top players (OTTs) to contribute towards the cost of expanding infrastructure. Back then, arguments such as 'more fairness' and ensuring a 'level playing field' in relations between access networks (internet service providers or ISPs) and OTTs were discussed intensively, as is still the case today. In the previous reporting periods, one of the potentially key issues emerging at EU level was whether to require content providers to share in the costs of using the networks operated by ISPs (i.e. 'fair share' or 'sending party network pays' models). RTR has actively participated in addressing this concern. RTR is rather critical of the introduction of traffic-linked charges, as proposed by operators, but is nonetheless keen on continuing the discussion of alternative incentives to support infrastructure expansion goals, and is continuing to play an active role here.

5.2.3 War in Ukraine: Internet blocking

The war in Ukraine and the EU's response, namely to adopt new sanctions against state-affiliated Russian media, preoccupied national and EU regulatory authorities in 2024 as well, specifically due to mandatory internet blocks of the websites run by various Russian media.

Internet blocking has in general become an ongoing concern in recent years. The mechanism is being applied in a growing number of areas: copyright law, consumer protection law, as a wartime sanctions measure or even as a market surveillance tool for products offered in the EU. As a result, ISPs are being held accountable with increasing frequency for enforcing legislation relating to online activities. The current legislative framework faces national regulatory authorities, providers and internet users with a dilemma, raising the question of how to strike a balance between legal certainty, legal protection and the fundamental rights of all stakeholders concerned.

5.2.4 Copyright law: internet blocking

Internet blocks were also a frequent issue for the regulatory authority in 2024, not least because any such block – regardless of its basis – touches on the core principle of net neutrality, and forces providers into the unwelcome role of judges. The aim here must be to identify ways and means of maximising the legal protection and certainty enjoyed by all stakeholders. To this end, legislative activities at national and European level were carefully monitored, with any changes actively applied where necessary when transposing EU-level provisions into national law. These activities included the analysis of directly applicable European legal acts, insofar as they affected the legal position of access providers.

The numerous supervisory procedures initiated in late 2022 by the regulatory authority against providers of internet access services were fully concluded in the course of 2023. This occurred after warning several rights owners and subsequently blocking a number of domains and IP addresses in Austria. However, some of the IP addresses were assigned to CloudFlare, which meant that various third-party services were only partially accessible at times. The review of the legitimacy of the internet blocking measures revealed the following insights. Internet blocking based on the domain name system (DNS) is appropriate and generally sufficient for protecting the rights of third parties. Blocking based on IP addresses that go beyond DNS blocks are not necessary and are hence inappropriate. The regulatory authority correspondingly identified violations of net neutrality due to IP blocking and ordered the removal of these IP blocks where they were still in place. The procedures concerning the lifting of IP blocks were at the appeal stage in 2024; towards the end of the year, the Federal Administrative Court referred certain legal questions from three of these procedures to the ECJ for interpretation. The procedures before the ECJ are still pending.

5.2.5 Responsibilities as part of cooperation with consumer protection authorities

In the area of consumer protection, the Consumer Protection Cooperation Regulation (CPC Regulation) specifies various measures to block, remove or restrict content. These can be imposed towards the cross-border enforcement of consumer rights where no other effective means are available to prevent the risk of serious harm to the collective interests of consumers. The consumer rights to be protected derive from the guidelines listed in the Annex to the CPC Regulation.

In accordance with the national Consumer Protection Cooperation Act (VBKG), the TTK is responsible for ordering the providers of internet access services, hosting services, caching services, search engines or registration offices to take measures as cited above in the event of a breach of the CPC Regulation. To this end, the authority responsible for enforcing the VBKG can submit a request to the TTK. If a breach falls within the scope of responsibility of multiple authorities, they must mutually coordinate their further course of action. When ordering measures, the TTK must take into account the principle of proportionality. While there were no related formal procedures during the reporting period, the authorities concerned exchange information regularly, specifically also with the Federal Ministry of Social Affairs, Health, Care and Consumer Protection.

5.2.6 Responsibilities relating to EU market surveillance

At the end of 2022, the TTK was given new competence in relation to EU market surveillance. The new EU Market Surveillance Regulation intends to provide a better response to new economic developments, especially in international trade, and to close existing loopholes through which goods from third countries that do not comply with EU laws and cannot be traced back to a tangible responsible economic operator are brought into the EU market via online platforms. To effectively remedy such breaches in the digital environment, the EU Market Surveillance Regulation envisages various online access restrictions by providers of information society services, provided no other option exists for eliminating a serious risk. Requests can be made by the market surveillance authority to have incriminated online content restricted. These restriction measures must then be taken by access providers and other intermediaries. The regulatory authority acts in such cases as an enforcement body if the immediate offenders cannot be identified. No procedures were conducted in this area in 2024.

5.3 Spectrum issues – mobile and broadband

5.3.1 Completion of the spectrum auction in the 3600 MHz and 26 GHz ranges

With regard to the preparatory work for awarding frequencies in the 3600 MHz and 26 GHz ranges, please refer to last year's Communications Report. The public tender for the frequency award, which was also subject to a public consultation, took place in December 2023.

The TTK concluded the third auction of 5G frequencies on 26 March 2024. As part of the two-stage award procedure, frequencies in the 26 GHz (seven blocks) and 3600 MHz (seven blocks) ranges were put up for auction. The auction revenues for the frequency packages awarded in the 26 GHz range totalled around EUR 16.2 million, while revenues for the frequency packages awarded in the 3600 MHz range totalled around EUR 8.5 million. The focus of the award was on efficient frequency utilisation, ensuring effective competition and promoting innovative business models. As with all frequency award procedures carried out by the telecommunications regulatory authority, profit maximisation was not an objective.

Table 57: Overview of the third 5G auction

Total auction revenue		
Frequency spectrum	Total minimum bids	Total auction revenue
26 GHz	EUR 13,300,000	EUR 16,203,000
3600 MHz (remaining spectrum)	EUR 2,330,500	EUR 8,490,600
Total	EUR 15,630,500	EUR 24,693,600

A total of seven blocks of 200 MHz each were awarded from the 26 GHz range. The minimum bid per block was EUR 1,900,000. The frequencies can be used until 31 December 2046. The successful bidders were A1 Telekom, T-Mobile and Hutchison. A1 acquired two blocks for a total of around EUR 4.6 million. T-Mobile acquired two blocks for a total of around EUR 4.6 million. Hutchison acquired three blocks for a total of around EUR 6.9 million.

Table 58: Frequency blocks (26 GHz) awarded in the third 5G auction and auction revenues

Awarded frequency blocks from the 26 GHz range		
Bidder	Bandwidth (MHz)	Total auction revenue
A1 Telekom	400 MHz	EUR 4,628,000
T-Mobile	400 MHz	EUR 4,628,000
Hutchison	600 MHz	EUR 6,947,000
Total	1400 MHz	EUR 16,203,000

Typical for the 26 GHz band are very high bandwidths but rather limited range for mobile telecommunications use. Therefore, frequencies within this spectrum are particularly suitable for (temporary) coverage of areas with a high user density and thus very high capacity requirements (hot spots) but not for wide-area coverage. Other areas of use include industrial applications and campus networks as well as the connection of households with wireless broadband systems (fixed wireless access).

For the first time, the regulatory authority is changing coverage obligations to allow such frequencies to be deactivated between 00:00 and 05:00, provided performance is not reduced in comparison with daytime service. The spectrum in the 3600 MHz range are frequencies remaining from the 5G pioneer band award in 2019. Back then, these were not awarded in some regions because of a lack of demand on the part of regional providers.

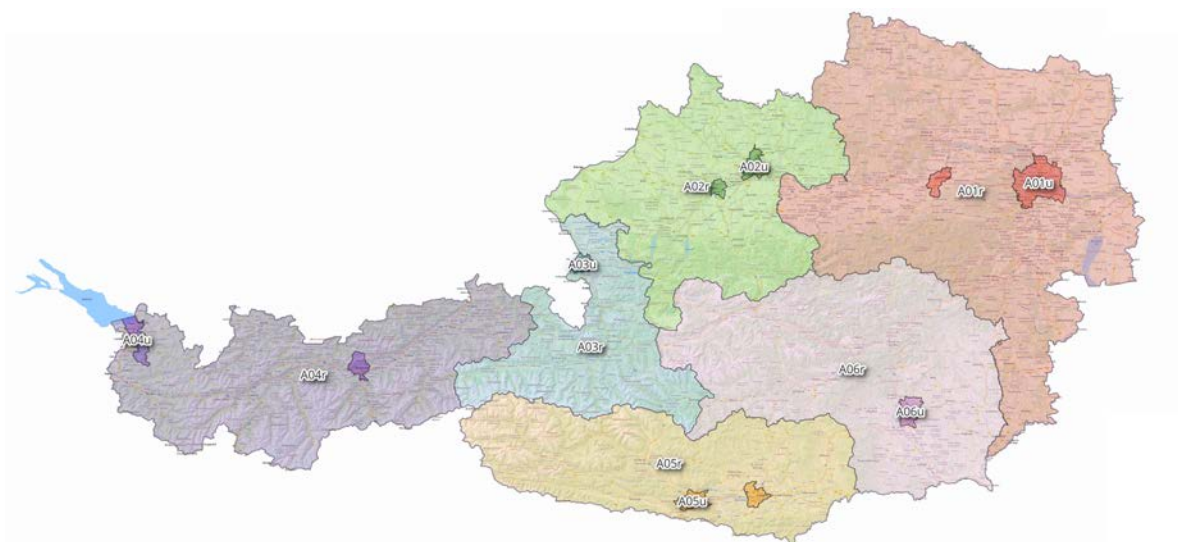
Seven blocks were available to be awarded in the 3600 MHz range, with varying amounts of spectrum for each of the seven different regions. The minimum bids for the seven blocks totalled EUR 2,330,500. The winning bidders were A1 Telekom and T-Mobile. A1 Telekom acquired spectrum in four regions for a total of around EUR 2.6 million. T-Mobile acquired frequencies in three regions for a total of around EUR 5.9 million. The spectrum can be used until 31 December 2039.

Table 59: Frequency blocks (3600 GHz) awarded in the third 5G auction and auction revenues

Awarded frequency blocks from the 3600 MHz range					
Winning bidder	Block	Location	Bandwidth	Minimum bid	Auction revenue
T-Mobile	1	Region A01u	40 MHz	EUR 1,357,500	EUR 4,986,000
A1 Telekom	1	Region A01r	10 MHz	EUR 98,000	EUR 108,000
A1 Telekom	1	Region A04u	60 MHz	EUR 247,000	EUR 1,109,000
A1 Telekom	1	Region A04r	60 MHz	EUR 290,500	EUR 1,297,000
T-Mobile	1	Region A05u	60 MHz	EUR 161,000	EUR 570,300
T-Mobile	1	Region A05r	60 MHz	EUR 126,500	EUR 370,300
A1 Telekom	1	Region A06u	10 MHz	EUR 50,000	EUR 50,000
Total	7			EUR 2,330,500	EUR 8,490,600

The figure below shows the regions covered by the awarded frequency blocks. All frequencies for regions A02 (u+r), region A03 (u+r) and region A06r had been awarded in an earlier frequency award procedure.

Figure 35: Awarded frequency blocks from the 3600 MHz range
(© RTR)



All documents relating to the frequency award procedure in question are published on the RTR website.³¹

31 [https://www.rtr.at/TKP/was_wir_tun/telekommunikation/spectrum/procedures/26G_3600M_2024/Frequenzvergabe_26GHz-3600MHz_\(2024\).en.html](https://www.rtr.at/TKP/was_wir_tun/telekommunikation/spectrum/procedures/26G_3600M_2024/Frequenzvergabe_26GHz-3600MHz_(2024).en.html)

5.3.2 Initial preparations for the 2.6 GHz and 2.3 GHz awards

The usage rights for frequencies in the 2.6 GHz range, first awarded in 2010, expire at the end of 2026. In accordance with the current Spectrum Release Plan, this range is to be awarded together with the 2.3 GHz spectrum band well in time before the usage rights expire. The regulatory authority began preparatory work in 2024 and published a comprehensive consultation on the key points of the award in December 2024. Operators have until 14 February 2025 to submit their statements.

5.3.3 Review of level of coverage of poorly served cadastral municipalities

As part of the coverage obligations imposed in the second 5G auction in 2020 (700, 1500 and 2100 MHz), A1 Telekom, Hutchison and T-Mobile must provide coverage to a total of 1,702 cadastral municipalities starting in 2022. A cadastral municipality is considered to have coverage within the meaning of the coverage obligation if, in this cadastral municipality:

- 95% of the population residing within the cadastral municipality is covered with a data transmission rate of 30 Mbps for downloads and 3 Mbps for uploads
- 90% of the settlement area of the cadastral municipality is covered with a data transmission rate of 30 Mbps for downloads and 3 Mbps for uploads
- 75% of the permanent settlement area of the cadastral municipality is supplied with a data transmission rate of 10 Mbps for downloads and 1 Mbps for uploads

The first phase of the coverage obligations, involving 185 cadastral municipalities in total, had to be met by A1 Telekom (113 cadastral municipalities) and Hutchison (72 cadastral municipalities) as of three deadlines in 2022. The review procedure revealed that the coverage obligations had not been met in a total of 46 cadastral municipalities³². This resulted in penalties totalling EUR 1,840,000 being imposed, payable to the Federal Ministry of Finance by the respective operator.

The penalty payments are due from the respective date when the coverage obligation became effective and until the spectrum holder has achieved the prescribed level of coverage in the particular cadastral municipality. A penalty payment also becomes due if the provider had met the minimum level of coverage in the past but subsequently failed to do so. If after 31 December 2027 fewer cadastral municipalities had coverage than the number the operator had originally committed to cover during the auction, the operator must pay back the discount on the spectrum licence fee in an amount proportional to the commitment to cover the underserved cadastral communities.

Further review procedures relating to the 2023 and 2024 reporting dates were still pending at the time of reporting.

5.3.4 Review of the additional coverage-level requirements to be fulfilled after 31 December 2023

In addition to the obligation to supply additional cadastral municipalities, the 'basic' coverage requirement also became effective on 31 December 2023. This obligation applies to those operators who have been allocated usage rights in the 700 MHz or 2100 MHz frequency range and depends on the acquired frequency spectrum. These obligations do not need to be met solely by using frequencies from the 2020 award.

32 https://www.rtr.at/TKP/aktuelles/entscheidungen/entscheidungen/f5_22-85-86.de.html; <https://www.rtr.at/TKP/aktuelles/entscheidungen/entscheidungen/f5-22-101.de.html>; <https://www.rtr.at/TKP/aktuelles/entscheidungen/entscheidungen/f5-22-113-114.de.html>; <https://www.rtr.at/TKP/aktuelles/entscheidungen/entscheidungen/f5-22-124.de.html> (all in German)

The basic coverage obligations include:

- Obligation to provide coverage to the general population
- Coverage of cities (population and area coverage)
- Coverage of federal and regional roads
- Coverage of motorways and other limited-access highways
- Coverage of selected railway lines

The latter two requirements are to be met on the basis of a cooperation model with the respective infrastructure operator (ÖBB or ASFINAG). This coverage obligation applies only to those track or road sections along which the company under obligation had operated mobile network infrastructure previous to the effective date of 31 December 2019, or in which the respective infrastructure operator makes locations (including power supply and fibre connection) available at no charge to fulfil the coverage obligation.

As of 31 December 2023, a further 450 underserved cadastral municipalities were also to be provided with blanket coverage and further sites were to be operated with frequencies in the 700 MHz range.

A detailed description of the specific coverage obligations³³ as well as chart maps of the coverage areas³⁴ can be found on the regulatory authority's website. The corresponding review procedures were initiated at the end of 2023 and the first step was taken with the request for the corresponding coverage data. The review of compliance with requirements began in the 2024 reporting year, and the review procedures relating to the 700 MHz site requirement, the coverage obligation for motorways and limited-access highways and the coverage obligation for selected railway lines have now been completed. The remaining review procedures were still ongoing as of the reporting date.

5.3.5 Amended assignment in the 3410–3800 MHz range to improve energy efficiency

On 25 November 2024, the TKK issued a decision modifying the frequency usages originally specified when rights to use the 3410 to 3800 MHz range were awarded. This decision benefits the spectrum holders A1 Telekom Austria AG, Hutchison Drei Austria GmbH, T-Mobile Austria GmbH, LIWEST Kabelmedien GmbH, Salzburg AG für Energie, Verkehr und Telekommunikation, Holding Graz - Kommunale Dienstleistungen GmbH and MASS Response Service GmbH. For reasons of energy efficiency, the following is now permitted:³⁵

“At a location relevant for the fulfilment of the coverage obligation, measures to reduce energy consumption during the period 00:00 to 05:00 (local time) can be implemented, if this does not result in a drop, for any individual user, in the downlink and uplink data transmission rates in this location's coverage area below the 95th percentile of data transmission rates during the period 08:00 to 22:00.”

The amendment takes into account the requirement for energy efficiency expressly mentioned in Art. 21 Par. 5 TKG 2021. The individual operators benefit from the amendment in that they receive more rights than before and at the same time do not face any restrictions or other disadvantages as a result.

33 https://www.rtr.at/TKP/was_wir_tun/telekommunikation/spectrum/procedures/Multibandauktion_700-1500-2100MHz_2020/cov_basic/Basic_coverage_obligations.de.html (in German)

34 <https://frq.rtr.at/de/>

35 <https://www.rtr.at/TKP/aktuelles/entscheidungen/entscheidungen/F-5-24.de.html> (in German)

5.3.6 Material changes in ownership structure

Material changes in the ownership structure of undertakings that have been assigned rights of use for radio spectrum in a procedure require prior approval by the regulatory authority. In making its decision on any transfer, the regulatory authority has to consider on a case-by-case basis the technical implications and the impact on competition in particular. The authorisation may include any ancillary provisions as are considered necessary in order to avoid adverse effects on competition. Authorisation is to be refused in all cases where, despite the imposition of ancillary provisions, an adverse effect on competition is likely as a result of the transfer. The regulatory authority is required to disclose both the transfer application and the decision authorising the transfer.

In July 2024, ArgoNET GmbH reported a material change in its ownership structure and submitted a corresponding application for approval of this material change. Based on the facts of the case, the change in ownership in question is to be regarded as material and therefore subject to authorisation, as all current shareholders are withdrawing while ten new ones are to join. In the present case, the change in the ownership structure has no technical or competitive impact, making any ancillary provisions unnecessary. The material change in the ownership structure of ArgoNET GmbH was approved³⁶.

5.4 Electronic signatures and trust services

As set out in the Signature and Trust Services Act (SVG), the TKK is the supervisory body for those trust service providers (TSPs), as defined in the eIDAS Regulation (910/2014), who are established in Austria.

5.4.1 Procedures before the TKK

All procedures initiated in 2023 or earlier were concluded in 2024. A total of 41 additional procedures were initiated in 2024, 34 of which could not be concluded by the end of 2024. In 2024, four qualified TSPs were active in Austria. Another TSP that had not yet commenced operations by the end of 2024 was granted qualification to issue qualified certificates for electronic signatures. All other qualified TSPs offered qualified certificates for electronic signatures or seals, three of them also offered qualified time stamps and two of them qualified certificates for website authentication. Qualified TSPs are required to undergo a conformity assessment by an accredited conformity assessment body every two years.

Three qualified TSPs submitted surveillance audit reports in 2024 (i.e. audits that qualified TSPs undergo between the conformity assessments to be carried out every two years). Seven procedures concerned renewed audits for components of qualified trust services (primarily for the identification of certificate applicants). Twelve procedures related to changes in qualified trust services. Seven of these concerned methods to identify certificate applicants or the integration of such methods into the software used or provided by the TSP. Three of the twelve procedures concerned minor changes to certificate policies, certification practice statements or other documents. In one case, a change in the infrastructure of a qualified TSP was reviewed, while in another, the focus was on a change in the ownership structure of a qualified TSP.

In six cases, the supervisory body took action on its own initiative in response to reported potential security breaches. Two of these procedures concerned identity theft during the issue of a qualified certificate, one concerned the creation of electronic signatures by an unauthorised person and another concerned the incorrect spelling of a name. One procedure concerned a technical error in a revocation list, potentially affecting the validation of certificates. In another procedure, the supervisory body dealt with a vulnerability issue affecting specific authentication tokens.

36 https://www.rtr.at/TKP/aktuelles/entscheidungen/entscheidungen/f6_24_18.de.html (in German)

In accordance with a new provision of the eIDAS Regulation under Regulation (EU) 2024/1183, providers of web browsers must recognise qualified certificates for website authentication. The supervisory body conducted three related procedures, only one of which could be completed in 2024.

5.4.2 Infrastructure

In supervisory operations, the TKK works through RTR, with the latter separately responsible for specified tasks. This applies especially to the infrastructure required to verify certificates, electronic signatures, electronic seals and electronic timestamps, all of which is operated by RTR. This includes:

- The 'trusted list' made available at www.signatur.rtr.at/currenttl.xml (a list of information related to TSPs and the trust services they provide, which is required to be made available in a standardised format by each Member State)
- The signature verification service made available at www.signaturpruefung.gv.at, which allows verification of electronic signatures, electronic seals and electronic certificates from other EU and EEA countries, where these items are listed in the trusted list for the particular country
- A 'trust infrastructure', enabling the supervisory body to adopt the certificate database of a TSP that discontinues service

As formats for electronic signatures and seals that integrate information to ensure long-term validation are becoming increasingly important, an extension of the verification service has accordingly been commissioned, which is expected to be available as of March 2025.



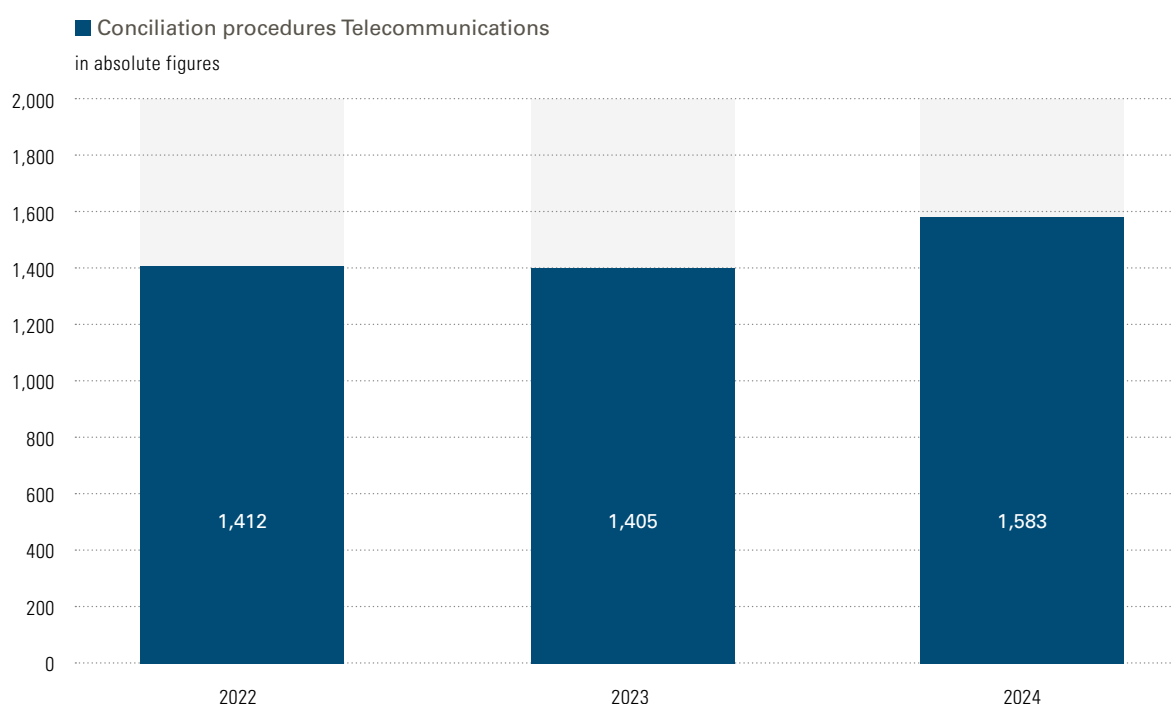
Activities of RTR Telecommunications and Postal Services Division

06 Activities of RTR Telecommunications and Postal Services Division

6.1 Conciliation procedures in telecommunications services

Although a decline in conciliation procedures had been recorded in both 2022 and 2023, a trend reversal was seen in 2024, with procedure numbers rising again sharply by nearly 13%. A series of complaints relating to telecommunications contracts was one of the key drivers for this development. As in previous years, the 'contractual issues' category attracted a large volume of complaints. Notable in this context are the 135 conciliation requests concerning the settlement of service charges, which together formed the main reason for the sudden uptrend.

Figure 36: Conciliation procedures in telecommunications services 2022–2024



Source: RTR

The annual report by the conciliation bodies presents detailed information and statistics on conciliation activities in 2024, along with a description of selected topics relating to user protection. The report is available (in German) from the RTR website at www.rtr.at/schlichtungsbericht-2024.

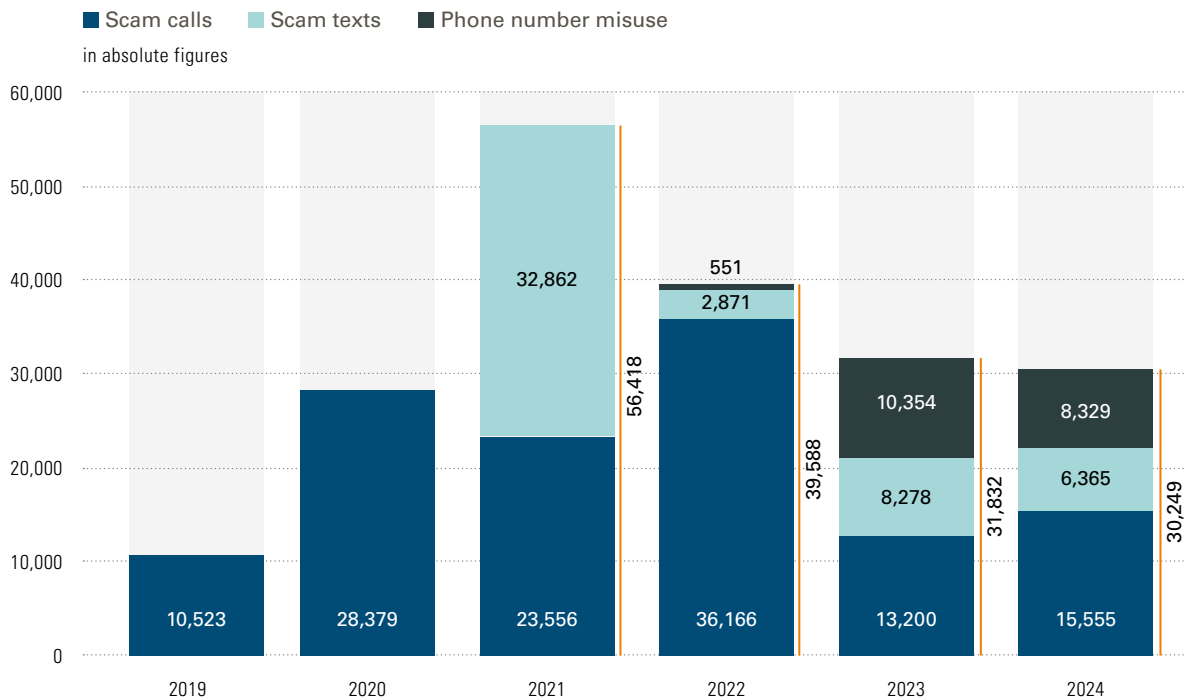
6.2 Reporting phone number misuse

Compared with 2023, the total number of reports relating to phone number misuse remained essentially stable. Considered month by month, however, a positive trend can be seen in at least one subset of these cases: spoofing in the specific case of malicious calls to numbers in Austria from phone numbers with fake Austrian caller IDs was rendered effectively impossible in September 2024.

The issue of spoofing is closely related to the misuse of a service user's own phone number. More than 10,000 reports were received about this issue by the contact point for reporting phone number misuse in 2023. This figure fell only slightly to 8,000 reports in 2024. These complaints concern attempts at fraud that misuse phone numbers from uninvolved private individuals. Those affected only become aware of this when they receive calls from complete strangers who ring them back using the caller ID number to express their anger at receiving the original call. Accordingly, the reports mentioned above were made by people who had discovered their own phone numbers were being misused. This development was instrumental in triggering regulatory intervention in the form of an ordinance, which mobile service providers were required to implement for their service users by September 2024.

A decline was seen in relation to reports of scam texts in 2024, even though the use of texts in security procedures such as banking TANs makes text messaging especially ripe for misuse.

Figure 37: Reports of scam calls (incl. one-ring calls) and scam texts, 2018–2024



6.3 Third-party services

An analysis of developments in complaints relating to third-party services forms an integral part of annual reporting. The underlying need is to toughen regulatory measures in the event of a negative trend – i.e. a significant increase in complaints – being identified. Accordingly, developments in complaints relating to number-independent third-party services – such as mobile payment services – have been monitored carefully for several years. Number-based services, i.e. traditional value-added services, fall under the Communications Parameters, Fees and Value-Added Services Ordinance (KEM-V 2009), which has ultimately resulted in a steady decline in complaints. At this time, there is no need for regulatory intervention in third-party services. Despite a significant rise in conciliation procedure volume, the figure for complaints fell slightly in 2024. Although Austrian providers have created an acceptable situation by means of self-regulation, in many cases the openness could be greater for achieving a straightforward solution in such conciliation procedures.

Table 60: Conciliation procedures involving third-party services, 2022-2024

	2022	2023	2024
Total number of conciliation procedures	1,539	1,496	1,659
Procedures involving value-added text messaging	0	1	1
Procedures involving value-added voice services	11	4	3
Procedures involving number-independent third-party services	46	68	62

6.4 Ensuring legally compliant telecommunications contract terms

One of the consequences of the TKG 2021 was to transfer to the RTR Telecommunications and Postal Services Division the TKG's mandate to ensure legal compliance of the contractual terms and conditions of telecommunications service providers (including general terms of service, service descriptions and tariff provisions). Providers must draw up contract terms and notify them to RTR in advance for review. RTR can reject the application of these contract terms to business transactions if the terms infringe any provisions of telecommunications law or certain points of civil or consumer protection law. A number of requirements relating to net neutrality are also reviewed, in this way ensuring compliance with these transparency requirements and thus safeguarding free access to the open internet.

A total of 527 objection procedures were completed in 2024, the highest figure recorded to date. While the new TKG 2021 has made various adjustments necessary, at the same time providers of interpersonal communications services (NIICS) are now also subject to reporting requirements. Numerous enquiries from both end users and providers were also handled on the subject of notifying or reviewing contractual conditions. Content reviews of terms and conditions focus not only on compliance with provisions of telecommunications law but also civil and consumer protection legislation. In detail, it became apparent in 2024 that more and more European and international undertakings are becoming active as providers on the Austrian market. In ensuring that contract terms comply with the law, RTR has been facing a new set of challenges, since some of these providers have only limited knowledge of the relevant substantive and procedural provisions of Austrian and EU law, and may also not have an adequate command of German as Austria's official language.

RTR is primarily concerned with ensuring that telecoms make any necessary changes to contract terms already during procedures: this ensures that legal compliance is established as soon as possible. In every procedure in 2024, the TKG achieved this goal. For end users, checking through contract terms in advance reduces their risk of having to resort to the courts to clarify the legality of individual clauses once the contract has already been signed. Such legal proceedings are also associated with a very high cost risk. At the same time, end users are often unable to identify potentially unlawful clauses that are in fact unenforceable even

though they have been agreed and included in the general terms of service. This practice of vetting contract conditions terms also makes an important contribution to fair competition between telecommunications service providers while also preventing them from gaining a competitive edge by introducing unlawful terms. With a view to net neutrality breaches, the practice also enables monitoring and thus an early warning mechanism.

Alongside the advance checking of the general terms and conditions mentioned earlier, the regulatory authority also monitors activities of telecoms providers in the market and can initiate a supervisory procedure against a telecoms provider in the event of a breach of safeguard requirements, if the provider refuses to act to restore legal compliance in the matter. This offers a way of sanctioning those breaches that cannot be identified during advance checking of general terms and conditions or which first occur after contract conclusion. One supervisory procedure was pending in the reporting period.

Roaming regulations

In relation to legal obligations concerning roaming, monitoring and enforcement continued using tested methods. Specifically, the regulatory authority maintained regular dialogue with affected providers, so as to ensure that EU roaming regulations were made an integral part of contracts (general terms and conditions, fee provisions) and could be properly guaranteed. Any legal infringements were addressed with supervisory procedures, with responsibility here being assigned to the TKK, and the Telecommunications and Postal Services Division acting as its operative arm.

Tariff comparison tools

Tariff comparison tools make an important contribution to end user protection, helping consumers to make informed decisions about the tariff plan most suited to meeting their needs, based on the contract conditions as published by telecoms providers. To ensure that consumers can rely on tariff comparison portals to provide them with up to date, impartial and comprehensive information about the tariff plans on offer in Austria, the TKG 2021 envisages issuing certificates to tariff comparison portals that are able to meet the applicable statutory provisions. In recent years, the Austrian regulatory authority conducted extensive talks with several providers of tariff comparison tools in order to ascertain whether and under which circumstances their comparison tools could become certified. Securing compliance with the extensive legal requirements for this kind of certified tariff comparison was given the utmost priority here. To date, RTR has certified two such providers: tarife.at and the Federal Chamber of Labour.

6.5 Services subject to notification requirements

Pursuant to Art. 6 TKG 2021, the intent to provide a public communications network or to offer a public communications service as well as to modify or terminate such a network or service must be notified to the regulatory authority prior to the start of operation, modification or termination.³⁷

Table 61: Notified active services 2020–2024

Service category	2020-12-31	2021-12-31	2022-12-31	2023-12-31	2024-12-31
Public telephone services at fixed locations	443	531	544	553	548
Call shops	27	26	24	25	20
Internet cafés	35	32	28	25	21
Public internet communications services	419	419	413	419	409
Public communications networks	582	612	648	660	675
Public leased-line services	82	82	84	84	85
Other public communications services	42	43	49	55	59
TOTAL services notified	1,630	1,745	1,790	1,821	1,817

As of 31 December 2024, 1,817 active services had been notified by a total of 1,359 operators and providers. During 2024, a total of 85 operators and providers ceased operations, while 70 new operators and providers entered the market.

6.6 Communications parameters: administration of the Austrian number range

6.6.1 Implementation of the ‘Spoofing Amendment’ and preparatory work for the revision of the Communications Parameters, Fees and Value-Added Services Ordinance 2009 (KEM-V 2009)

With the cooperation of market participants, RTR used the ninth amendment to the KEM-V 2009 to introduce certain measures into this law at the end of 2023. By targeting the unlawful display of phone numbers (phone number manipulation, spoofing), these measures aim to preserve the trusted status of Austrian telephone numbers. This action was taken to put a stop to phone number spoofing, and its associated aspects of fraud and harassment.

The effects of the ordinance were already apparent during 2024, with providers needing to achieve compliance by the end of the year. An even earlier deadline of 1 September 2024 applied to mobile networks.

In the course of introducing this amended law, RTR worked with market participants to prepare a recommendation on the technical implementation of the ordinance (https://www.rtr.at/TKP/aktuelles/veroeffentlichungen/veroeffentlichungen/empfehlung_zur_tech_n_umsetzung_5a_kem-v_2009.de.html). This recommendation aims to provide a uniform and therefore reliable method for suppressing caller IDs or

³⁷ For further information on notification procedures, please refer to the Communications Reports of the previous years.

blocking calls from outside Austria. Despite some initial difficulties, the ordinance was able to achieve its full potential by the end of the year. A reduction was therefore seen in the number of calls from outside Austria with spoofed numbers, as registered by RTR via the contact point for reporting phone number misuse set up by RTR itself (see section 6.2).

Preparatory work for a full revision of the KEM-V 2009, which had become necessary as a result of the TKG 2021, was also completed in 2024. In particular, the ordinance envisages changing the usage requirements for geographic numbers to reflect the broader range of opportunities now offered by the widespread availability of new technologies (e.g. VoIP). A corresponding consultation will be launched in 2025.

6.6.2 Central number database (ZR-DB)

The database has been fully available to market participants since latter 2021, simplifying considerably regulatory activities in the areas of telephone number assignment and market supervision.

One notable achievement in 2024 was the resolution of performance problems with the ZR-DB, which had resulted from the steady growth of its database. A number of system upgrades for individual software components were also applied with the aim of fixing vulnerabilities present in outdated versions and bringing the database up to date.

The database will also facilitate the querying of location and subscriber data when responding to emergency calls. This work is planned for 2025.

Alongside the implementation of mandatory 'direct routing', other challenges for 2025 include the implementation of a feature requested by Austrian operators and providers: de facto porting for fixed-line network numbers (this porting process currently takes place outside of the ZR-DB and is then reported to the database once completed).

6.6.3 Reports detailing statistics on telephone number administration

In total, 545 applications for the assignment of phone numbers were submitted in the 2024 reporting year. A total of 514 decisions were issued. Applications were either withdrawn or refused in 34 cases. In the 2024 reporting year, 548 applications were processed and completed overall.

Table 62: Decisions on telephone number requests, 2020–2024

	2020	2021	2022	2023	2024
Number of decisions	667	741	563	479	514
Number of negative decisions	3	8	5	3	4

In 2024, RTR issued a total of four decisions, all of them positive, in the context of administrating special communications parameters, which include mobile network codes, a basic and essential addressing element for mobile networks.

6.6.4 Emergency communications

In relation to emergency communications, RTR again fielded enquiries from call handling centres, operators and ministries. This not insignificant aspect of RTR's work involves mediation between several parties and continues to be a challenging role. However, these challenges cannot be resolved by means of conventional regulatory activities. An intuitive approach combined with technical expertise is required instead to ensure that legal provisions are implemented appropriately.

One key activity in 2024 was the revision of the interface definition for retrieving location and subscriber data, which was tackled jointly by the Telecommunications Working Group (AK-TK) and market participants. Ultimately, a decentralised solution was proposed and an official vote of acceptance for market participants is now scheduled to be held in early 2025. Future queries will be handled using the HELD protocol, which is also deployed as part of an NG112 infrastructure. The same protocol is also utilised when querying device location (advanced mobile location, AML). This specification of a uniform protocol for both network- and device-based location queries also helps to minimise implementation effort on the part of call handling centres. With Android operating systems long since providing device-based location data, this data has also been available from devices running the iOS operating system since the end of 2024.

6.6.5 Public warning system (AT-Alert)

In Austria, the obligation to introduce a text-based public warning system has been implemented in Art. 125 TKG 2021 with the introduction of a cell broadcast service in all public mobile telecommunications networks. Warnings issued by the competent authorities are received by the IT systems of the regional warning centres and the federal alarm centre, routed via the federal agency network (GovIX) and an independent redundant network. The warnings are then forwarded to mobile network operators, who send these to all devices in the affected region in a way similar to a radio broadcast. In this context, RTR is required to publish the issued warnings on a publicly accessible internet page (<https://warnung.at-alert.at/de>) (see Art. 125 Par. 4 TKG 2021). RTR has also taken on additional administrative tasks relating to the networking of the participating organisations (federal alarm centre, nine regional warning centres, three mobile network operators and RTR). This includes issuing the certificates required for authorisation, with RTR thus acting as a certification authority. Regular planning and coordination meetings on this topic had been held with the participating organisations in 2023 and 2024. The new system was then brought online successfully on Austria's Public Warning Day (5 October 2024), with test warnings being sent at both regional and national level.

6.7 Network deployment and infrastructure use

To promote the deployment of communications networks, the seventh section of the TKG 2021 sets out various infrastructure rights (wayleave rights, co-use rights, location rights and civil works coordination).

When expanding communications networks, operators have to route their infrastructure across private and public property. Operators can claim wayleave rights under these circumstances. Yet another option is to co-use existing infrastructure (masts, ducts, maintenance holes or lines) owned by other businesses, thereby reducing the costs of expanding fixed and mobile networks (co-use rights). Co-installation can also result in cost savings for excavation work (see below). Since November 2021, the act also includes a location right that enables the establishment of mobile network locations ("antenna masts including all of the site facilities required, such as are necessary regardless of the specific technology deployed for technical operations").

Parties unable to agree on the contents of infrastructure rights can request the TKG to take a decision. Prior to any decision, RTR attempts to arbitrate (mediation). If conciliation is unsuccessful, RTR issues a decision if all preconditions are met (such as a timely and complete request, the applicant being a communications network provider as defined in Art. 4 No. 16 or No. 9 of the TKG 2021 and the unambiguous designation of the applicant opponent etc.) in lieu of an agreement.

In the reporting period, a total of 24 requests were made to RTR for infrastructure rights. Seven requests for civil works coordination and thirteen procedures affected wayleave rights. Co-use was requested in two procedures and location rights were requested in two procedures.

The decisions are available (in German) on the RTR website at <https://www.rtr.at/TKP/aktuelles/entscheidungen/Uebersichtseite.de.html>.

An additional 123 completed cases involving queries that did not lead to formal procedures additionally bear witness to the continued importance of infrastructure rights as set out in TKG 2021 Section 7.

The Telecommunications Reference Rate Ordinance 2024 (TRV 2024) was also issued in the reporting year and a revaluation of the amount applicable for the one-time payment was completed according to the 1996 consumer price index. The payment amount has now been set at EUR 3.47 (see also [6.8.1](#)).

In the 2024 reporting year, RTR also continued work on the Gigabit Infrastructure Act (Regulation (EU) 2024/1309). This law enters into force in full from 12 November 2025, and will introduce key changes in relation to civil works coordination and concurrent use. By the end of the year under review, RTR had completed a comprehensive review of the new legislation and its potential impact on infrastructure rollout.

6.8 Ordinances

The TKG 2021 mandates regulatory authorities RTR and TKK with over 30 competencies for issuing ordinances. Apart from the continuation of a widely known authority to issue ordinances stemming from the TKG 2003, other, new legal foundations were also laid.

The TKG 2021 also requires the regulatory authority to conduct reviews (at least every three years) of ordinances previously issued, with the aim of assessing whether still appropriate and requisite to achieve the regulatory objectives. The result of the review is to be published on the regulatory authority's website.

In 2024, RTR issued the following ordinances:

6.8.1 TRV 2024: reissuing of a Telecommunications Reference Rate Ordinance

If the owner of a line or system (such as a power mast) erected on a property and secured by right additionally uses the line or system for the installation, operation, expansion or replacement of communications lines, the property owner must generally tolerate such use, where the use does not permanently restrict the designated use of the property to a greater extent. For this right, the property owner is to be paid a one-time compensation unless such compensation has previously been paid for a use for the purposes of communications. Pursuant to Art. 57 Par. 2 of the TKG 2021, RTR is to issue an ordinance specifying a reference rate, applicable nationwide, for this one-time payment.

In 2019, RTR issued the TRV 2019 (FLG II No. 112/2019), which specifies the amount of EUR 2.74 per linear metre of cable as the uniform nationwide reference rate for the one-time payment of usage rights for lines or systems that are secured by right. This ordinance expired as of 31 July 2024. RTR therefore issued a successor regulation in the 2024 reporting year. With the issuing of the TRV 2024, the amount for the one-time payment that had been applicable until 31 July 2024 was revaluated according to the 1996 consumer price index. Since 1 August 2024, the payment amount has been EUR 3.47 per linear metre of cable.

6.8.2 Evaluation of Cost Limitation Ordinance: no changes proposed

In fulfilment of its legal duty to perform routine evaluations of its ordinances, RTR launched a public consultation for an evaluation report on the Cost Limitation Ordinance (KostbeV) in late 2024.

The KostbeV entered into force in May 2012 and sets out a number of cost limitation measures designed to protect end users from unexpectedly high service charges. As such, the law is a response to the problem of 'bill shock' as a result of users exceeding their contractually included units for mobile data services.

After completing the review and consultation for the ordinance, RTR came to the conclusion that the measures instigated by the KostbeV had been and continue to be effective with regard to the achievement of the desired regulatory objectives. As before, RTR considers it necessary to keep the corresponding legal provisions in place so as to maintain the previous level of user protection against unexpectedly high bills for mobile data volume consumed.

RTR therefore decided not to propose any amendments to the KostbeV.

6.8.3 RTR planning to issue new Itemised Bill Ordinance

RTR may issue an ordinance specifying the degree of detail and the form in which the itemised bill is to be provided. In doing so, the regulatory authority is to consider the type of user relationship and service, the technical options and the protection of personal data, while taking into account the need to enable end users to control their expenses, and to allow identification of providers of number-based third-party services.

After evaluating the current EEN-V 2011 and identifying the need for an amendment, RTR initiated a procedure for issuing a new Itemised Bill Ordinance ((EEN-V 2025)) in late 2024. The amendment consists largely of adjustments to the terminology used in the ordinance text and changes to citations to reference legal provisions currently in force.

In January 2025, RTR launched a public consultation on a draft of a new Itemised Bill Ordinance. The procedure for the new ordinance was therefore still pending at the end of the reporting period.

6.8.4 Review of Telecommunications Network Security Ordinance 2020

The above ordinance (TK-NSiV 2020) was issued by RTR to provide further provisions for the implementation of technical and organisational security measures pursuant to Art. 44 Par. 1 TKG 2021 as well as the circumstances, format and procedure for reporting requirements pursuant to Art. 44 Par. 5 TKG 2021. In early 2024, RTR initiated a procedure to review this ordinance.

This review of the existing Telecommunications Network Security Ordinance from 2020 was conducted with reference to two key documents. First, the EU NIS2 Directive, full title 'Directive (EU) 2022/2555 of the European Parliament and the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1792, and repealing Directive (EU) 2016/1148'. Second, the 'Consultation Draft of a Network and Information System Security Act 2024' ('Federal act to enact a federal act for guaranteeing a high level of cybersecurity for network and information systems (NISG 2024)').

As the transposition legislation had not yet been adopted, the review of the TK-NSiV 2020 was still pending at the end of the reporting period.

6.8.5 Introduction of an ordinance procedure for redundancy

A procedure for issuing a 'Telecommunications Redundancy Ordinance' (TK-AusfallsicherheitsV) was also initiated in 2024. This ordinance provides more detailed provisions for the design of technical facilities to ensure redundancy in the event of general technical faults, while observing the principle of proportionality and while taking into account the probability of occurrence.

Taking note of the need to ensure that the technical systems deployed are designed to guarantee connectivity to emergency numbers even in the event of a network failure, corresponding arrangements are to be made that guarantee this level of redundancy. This procedure was also pending at the end of the reporting period.

6.9 Security of networks and services

Since November 2011, operators of public communications networks or services have been required to report to RTR, according to a format specified by RTR, any security violation or impairment of integrity that has a considerable impact on network operations or the provision of services. RTR is in turn required to submit an annual report to the European Commission and to the European Union Agency for Cybersecurity (ENISA), describing the notifications received and the measures taken. RTR can also inform regulatory authorities in other Member States, ENISA or the public about certain notifications on an ad hoc basis. Here the goal of transparency nonetheless always needs to be seen in the context of requirements for protecting the privacy of provider data.

With the entry into force of the TKG 2021, regulations for network and service security also changed. The regulatory scope no longer extends merely to traditional communications services such as voice calls and internet access, but also covers number-based message services (e.g. SMS), number-independent interpersonal communications services (e.g. email, online chat) and signal transmission services (e.g. leased lines). The criteria for notifiable security incidents have also been expanded to include additional criteria.

6.9.1 Reports of network failures

In 2024, six notifications of security incidents affecting electronic communications networks or services were submitted to the RTR's reporting portal. Two notifications were submitted voluntarily, with notification thresholds being exceeded in the case of all other notifications.

A software error caused issues with phone connectivity for around 300,000 users of one fixed network for a period of two hours. Availability was assured for all emergency numbers during this period.

At one fixed network operator, an error in a system component caused issues with internet access for around 200,000 users for one-and-a-half hours, with some users having no internet access during this period.

Another fault caused issues for around 40,000 voice-over-broadband users, who lost service connectivity for more than three hours and were also unable to make calls during this period.

A system error prevented around 100 users of a mobile network from placing emergency calls as a result of certain contributory factors. This issue only affected users of devices with a specific type of chipset.

6.9.2 Security of 5G networks

Once again in 2024, ensuring the security of 5G networks was among RTR's activities in network security. The foundation is provided at European level through the EU Toolbox for 5G cybersecurity³⁸ published by the NIS Cooperation Group, the majority of whose measures are implemented in Austria by the Telecommunications Network Security Ordinance 2020 (TK-NSiV 2020). Alongside general regulations applicable to all communications networks and services, the Ordinance envisages specific security measures for operators of 5G networks with a mobile subscriber base of more than 100,000 customers. These include notification obligations, such as providing evidence of the existence of an information security management system (ISMS), submission of a declaration of conformity regarding the fulfilment of telecommunications-specific security standards, and regular submission of an overview in terms of function and manufacturer of the security-relevant components deployed to operate the 5G network. RTR received the required information from the affected network operators again in 2024.

At European level, RTR continues to assist the Federal Chancellery with its tasks in the NIS Cooperation Group, providing technical expertise on 5G networks in particular. RTR also participates in a working group on cybersecurity at BEREC, which communicates regularly with the European Commission, ENISA and the NIS Cooperation Group, while contributing to a shared understanding of the measures in the EU Toolbox and striving for the harmonised application of these standards throughout most EU Member States.

6.9.3 Cybersecurity in the context of the war in Ukraine

The acts of war in Ukraine have led to a re-evaluation of the general security situation in the EU Member States. In relation to telecommunications networks and digital services, this means an in-depth review of the cybersecurity situation and more careful risk assessment in the Member States. RTR is supporting the Austrian Federal Chancellery in this task, thereby assisting with the assessment of the national and European threat situation.

6.9.4 Sector risk analysis

In 2024, the regulatory authority completed the telecoms sector risk assessment begun in the previous year. This risk assessment, stipulated by the Austrian Programme for Critical Infrastructure Protection (APCIP) and based on the Austrian Cybersecurity Strategy (ÖSCS), is the third such assessment completed to date. The re-evaluation of the security landscape in the telecoms sector became necessary in order to update the risks, identified initially in 2017 and most recently in 2020, as well as the measures deployed to counter them, so as to maintain a high level of protection.

The 2023 telecoms sector risk assessment was again conducted as a public-private partnership process with security officers from the Federal Chancellery, Federal Ministry of the Interior, Federal Ministry of Defence and Sports, and the Federal Ministry of Finance, with operators and stakeholder representatives, and with internet community stakeholders.

Unless current developments make an earlier re-evaluation necessary, the next scheduled review of telecoms sector risk is planned for 2026.

38 Cybersecurity of 5G networks – EU Toolbox of risk mitigating measures, <https://ec.europa.eu/digital-single-market/news-redirect/667123>

6.9.5 Cross-sectoral activities

In 2024, cross-sectoral cooperation with the energy sector continued, building on the activities stemming from the sector risk analysis as described above. Hosted jointly by the two parties, a series of workshops again focused on mutual interdependencies and cascade effects that impact both sectors, which make a shared approach to the mitigation of these cross-sectoral risks both prudent and necessary.

6.9.6 5G certification

The certification of products, services and processes is generally a tried and tested means for increasing security. At the same time, consideration should be given to not hindering the flexibility and innovation of an industry with frequent product and update cycles. Again in 2024, RTR cooperated with a European working group, coordinated by ENISA, on the development of a 5G cybersecurity certification scheme.³⁹ The first part of the EU5G scheme, comprising the technical specifications for eUICC certification, was published for consultation in June 2024.⁴⁰ These are the certification specifications for the embedded Universal Integrated Circuit Card (eUICC), which is a SIM card that is integrated or built into devices (unlike a conventional removable SIM card), and which can be activated and updated remotely by a provider. The eUICC thus forms the hardware component that provides the functionality of an eSIM (embedded SIM) and enables multiple provider profiles to be managed securely by a remote service. Although eUICC forms the technical foundation for an eSIM, the two terms are often used interchangeably in practice. The results of the consultation were published in November 2024.⁴¹ Work on EU5G certification will now proceed in 2025 with the development of the scheme for 5G network equipment with reference to GSMA NESAS.⁴²

6.9.7 National transposition of NIS 2

In December 2022, the NIS 2 Directive⁴³ was published in the Official Journal of the European Commission. This directive brings communications networks and services (as well as trust services) under its purview and strives for a new European cybersecurity architecture. In 2024, RTR once again clearly expressed its willingness to actively participate in a newly designed Austrian cybersecurity landscape, also expressing its conviction that sufficient attention must continue to be paid to sector-specific security aspects and that, in RTR's opinion, this should therefore be reflected in the national transposition of NIS 2.

39 Ad-Hoc Working Group on 5G Cybersecurity Certification, https://www.enisa.europa.eu/topics/certification/copy_of_adhoc_wg_calls/ad-hoc-working-group-on-5g-cybersecurity-certification

40 https://certification.enisa.europa.eu/document/download/23686749-bb1a-46d1-bd7d-bee64f3e69ea_en?filename=EU5G-eUICC%20consultation-240626_0.pdf

41 https://certification.enisa.europa.eu/document/download/812ab8bd-ffff-4913-9140-c94267ca78bb_en?filename=Report-eUICC%20Specifications_Public%20consultation_0.pdf

42 <https://www.gsma.com/solutions-and-impact/industry-services/assurance-services/network-equipment-security-assurance-scheme-nesas/>

43 Directive (EU) 2022/2555 of the European Parliament and the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive)

6.9.8 Network security advisory board

As a result of the entry into force of the Telecommunications Act in November 2021, an advisory board for security in electronic communications networks was set up for the first time, thus simultaneously fulfilling a corresponding requirement set out in the EU 5G Toolbox of risk-mitigating measures in relation to the cybersecurity of 5G networks from 29 January 2020. The advisory board consists of twelve experts from ministries and social partners as well as the Computer Emergency Response Team (CERT) and the Austrian Institute of Technology (AIT) who are appointed by the federal government to serve for four years. The position of board chair is held by the Managing Director of RTR's Telecommunications and Postal Services Division, and RTR additionally provides operational support. The tasks of the advisory board include:

- Advising the Federal Ministry of Finance, responsible for the telecommunications agenda, on general aspects of the security of electronic communications networks
- Ongoing monitoring of the technological developments in the area of security components and services for such networks
- Publishing of an annual status report
- Drafting of expert opinions for procedures within the Federal Ministry for Finance relating to any classification of a manufacturer of network components or a provider of services for such networks as a high-risk supplier (this is a supplier considered very likely to be unable to comply, either at all or consistently, with applicable EU standards, especially with respect to information security and data protection)

In 2023, the advisory board convened three sessions to discuss developments in security technology and presented the first of its annual status reports (for 2023) to the Federal Minister for Finance in the first half of 2024.

During the second half of 2024, the advisory board met once again to address sectoral developments in security technology and also worked on the content of the annual status report for 2024. The annual status report for 2024 will be submitted to the competent federal minister as planned in the first half of 2025.

6.10 Single information points for infrastructure data and broadband coverage: Information hubs for telecommunications network operators

A package of legislative measures has been introduced to reduce the cost of deploying high-speed networks and enable documentation of broadband internet coverage. These measures include the establishment of the ZIS and ZIB single information points as well as the publication of information about approvals.

A full introduction to the information points is provided on the website under https://www.rtr.at/TKP/was_wir_tun/telekommunikation/zentrale_informationsstellen/ZIB_ZIS.en.html with further details given in the communications reports for previous years.

6.10.1 Single information point for infrastructure data (ZIS)

The Single Information Point for Infrastructure Data (ZIS) was established at RTR in 2016 and since manages a directory of all existing and planned infrastructure expansion that can be used for telecommunications purposes. The ZIS permits the simple exchange of information about existing infrastructure and planned construction work, and consequently facilitates the efficient co-use and installation of infrastructure.

ZIS as a data hub for the telecoms market

Austrian municipalities, other public bodies, providers of public communications networks, and companies operating physical infrastructure for oil, gas, electricity, district heating, water, funicular railways or transport must report existing infrastructure data and planned construction projects to ZIS in a digital format. To ensure both the quality and the completeness of the data reported, on uploading, data are manually reviewed and approved by RTR as part of the reporting process.

The ZIS is not a public directory. Only providers of public communications networks are entitled to query infrastructure data, being only parties entitled to co-use under the Telecommunications Act (TKG). Information about planned construction work can be queried by all companies who have reporting obligations.

Efforts in 2024 were focused on integrating the ZIS with similar systems, such as the Förder-WebGIS from federal funding body FFG (Österreichische Forschungsförderungsgesellschaft mbH). As a result of this work, information can now be imported from this funding portal into the ZIS, while the presentation of the ZIS data reported by each company in the funding portal has also been improved.

After the first two funding calls for the BBA2030: OpenNet funding programme in 2022 and 2023, a greater volume of queries was also observed during the third funding call, which was held from September 2024 to the end of January 2025. Despite the larger number of queries requested, the average processing time for these requests was just 8 hours and 9 minutes in 2024 (note: figure refers to entire request turnaround time).

More detailed information on the ZIS is published on the RTR website at https://www.rtr.at/TKP/was_wir_tun/telekommunikation/zentrale_informationsstellen/zis/ZIS.en.html.

6.10.2 Geographical surveys of broadband coverage levels

The geographical surveys of broadband coverage levels (ZIB) were introduced at RTR in July 2019. Since then, data has been collected on the current and planned coverage of broadband connections in telecommunications networks for both fixed and mobile networks. Based on these data, information on data transmission speeds, technologies, active connections and procured wholesale services is recorded. Besides supporting companies in making data available, RTR is tasked with data verification and organisation, with the goal of providing an up-to-date picture of broadband coverage in Austria.

Providers of public communications networks and providers of public communications services are required to supply data. Every year, the companies are requested by RTR to report their most recent data as well as planned rollout projects to the ZIB.

Efforts in 2024 focused on providing support in data preparation and reporting to the some 670 companies required to report, as well as ensuring the quality and comprehensiveness of these data. One particular focus here was on verifying the data reported by the company concerned. This involved the challenge of validating value chains, as enabled through data reported in the C10 category.

Unlike the data in the ZIS, information about broadband coverage is used for market analysis and published in the quarterly RTR Internet Monitor. These data are also made available to the Broadband Office within the Federal Ministry of Finance in order to generate the funding maps for publication in the broadband atlas.

In 2025, the focus will be on implementing a building and property register set up by RTR. In future, this register will constitute the dataset for A10 reports in the ZIB and supplant the 100 m grid. The building and property register is based on information from the address register and the digital cadastral map (DKM).

Parallel operation with basic grid and building data is scheduled for the second half of 2025, with the final switchover planned for the Q1/2026 data reports from April 2026.

Further information about the ZIB has been published on the RTR website at <https://www.rtr.at/zib> (in German).

6.11 International activities

6.11.1 RTR and BEREC

The Body of European Regulators for Electronic Communications (BEREC) is a driving force behind the further development and functional optimisation of the European single market for electronic communications networks and services. A primary focus of BEREC's work is ensuring the uniform implementation of the legislative framework for electronic communications within the European Union. This process promotes the interests of EU citizens by guaranteeing comprehensive connectivity as well as the broad availability and utilisation of networks.

BEREC also assists and advises the national regulatory authorities, the European Parliament, the Council of the European Union and the European Commission in drafting legislative proposals in the field of electronic communications and in addressing complex technical issues.

RTR is an especially active member of BEREC and engages with activities at all levels, including the Board of Regulators, the Contact Network, twelve thematic working groups and three expert networking groups.

RTR experts work to represent Austrian interests wherever necessary, contributing significantly to the preparation of statements, guidelines, reports, recommendations and joint opinion papers, while simultaneously benefiting from international best practice examples in regulation. In the International Roaming working group in particular, the RTR holds the position of Co-Chair and plays a leading role in the coordination of tasks for this group.

Major projects completed by BEREC in 2024

Day-to-day work at BEREC is essentially tasked to the twelve thematic working groups. In these groups, experts from participating regulatory authorities contribute their expertise and work on preliminary drafts. These drafts are then further developed within the Contact Network before submission to the Board of Regulators for final discussion and adoption.

The section below presents a compact overview of some of the most important activities at BEREC in 2024.

One major project was the publication of BEREC's input to the public consultation from the European Commission on its white paper "How to master Europe's digital infrastructure needs?". In this input, BEREC analysed the proposals made by the European Commission for the future of Europe's digital sector, and provided expert assessments of technological trends and market developments. Key topics covered by this analysis include the application scope and objectives of the regulatory framework, the general authorisation, the management of radio spectrum, copper network switch-off and access regulation. The analysis also emphasises the role of competition as the most effective means for stimulating operator investment and innovation. BEREC is also a staunch supporter of the European Commission's plans to promote communications networks that are more sustainable, more secure and more resilient. At the same time, however, BEREC foregrounds the open internet and the protection of end users as indispensable basic principles that must also be reflected in future developments.

Another important document was the "BEREC Opinion on the market and technological developments and on their impact on the application of rights of end-users in the EECC (Article 123)". BEREC's overall position here is that the relevant provisions in the European Electronic Communications Code (EECC) have been worded to ensure that they take future developments into account and that the rights of end users will continue to be guaranteed even as these developments impact the field of electronic communications. However, BEREC has identified a number of areas where additional measures could be considered, so as to guarantee end users additional protection, greater clarity and the comprehensive fulfilment of the objectives as set out in the EECC, both now and in the future. The working group also made extensive revisions and improvements to the existing guidance on service quality, publishing the results as a set of new guidelines. In particular, these new guidelines refine and update key aspects of quality parameters for interpersonal communications services and internet access services as well as specific parameters for end users with disabilities.

Major activities for the Remedies and Market Monitoring working group included the “BEREC Report on Connectivity Indicators for the Digital Decade Policy Programme”. The report investigates how national regulatory authorities and other competent bodies are translating into action the 2030 Digital Decade Policy Programme (DDPP) and the corresponding Commission implementing decision, with a particular focus on connectivity key performance indicators (KPIs). BEREC notes that these indicators should be designed to achieve precise measurement of the objectives of the DDPP while remaining both practicable and proportionate.

The International Roaming working group prepared some important benchmark and monitoring reports based on consolidated European data. These reports analyse developments in international roaming (mobile phone use outside the home country) and cross-border communications resulting from calls or texts that are made or sent from the home country to another EU or EEA Member State. This working group also prepared the “BEREC Report on M2M and permanent roaming”. This report analyses key developments and trends in the M2M (machine-to-machine) market, focusing in particular on the use of M2M devices in the context of permanent roaming, and providing a detailed examination of related challenges and opportunities. BEREC also launched a call for input and a public consultation to invite proposals from stakeholders for alterations to the legislative framework.

The “BEREC Report on Cloud and Edge Computing Services”, which was also published in 2024, describes from a number of perspectives how cloud technologies interact with electronic communications. After considering the degree of connectivity required by cloud and edge computing, the report then analyses the migration of electronic communications networks (ECN) into the cloud, along with various network components. Another point of focus is the provision of innovative communications services, one example being cloud-based ‘network-as-a-service’ solutions. A final section examines the integration of ECN/S with IT services and cloud technologies. The report also summarises regulatory considerations on ‘network cloudification’ that will be decisive for the further development of modern communications services.

BEREC provided some input to discussions surrounding the implementation of the DMA, with its “BEREC Report on the entry of large content and application providers into the markets for electronic communications networks and services”. This report analyses the growing importance of major content and application providers (CAPs), who are now making larger investments in their own infrastructure, while offering services that are closely related to electronic communications networks (ECN) and services (ECS) or essentially have the same functionality. Typical examples here include content delivery networks (CDNs), the deployment of extensive international networks utilising submarine cables and satellite clusters, virtualised networks, cloud computing services, and the provision of internet access services. The report summarises the impact of these major CAPs on the markets for ECN and ECS in Europe, through an evaluation of their strategies, business models and relationships to traditional ECN and ECS providers in terms of competition, cooperation and mutual interdependencies. Another of the core tasks assigned to this working group was the preparation of a statement from BEREC on the reference offer published by Meta in March 2024, which aims to facilitate the interoperability of WhatsApp pursuant to Art. 7 of the Digital Markets Act.

BEREC also published the “BEREC Report on ICT sustainability for end-users: Empowering end-users through environmental transparency on digital products”: this presents the findings from a comprehensive analysis of transparency measures regarding the environmental impacts of digital products and services. Potential strategies for empowering end users to make environmentally aware choices among these products and services are also investigated. This report, which targets challenges that are specific to digital services and end-user devices, builds on two earlier reports that examined the role of regulatory authorities and industry stakeholders in relation to the ecological sustainability of information and communication technologies (ICTs). A “Draft Report on Infrastructure Sharing as a lever for ECN/ECS Environmental Sustainability” was also published.

The “BEREC Report on the IP Interconnection ecosystem” investigates the use of various IP interconnection services, including bilateral peering, internet exchange points, transit and on-net content delivery networks (CDNs). Although data traffic volumes were found to have remained stable during the reporting period, the increasing popularity of ultra-high definition (UHD) video content could drive data traffic growth upwards again in the future. The proportion of live streaming content is also rising and could trigger peak loads in

data traffic. The report also looks at pricing and cost developments within IP interconnection markets. Noting that both pricing and cost trends continue to follow a clear downward trajectory, the report authors identify technological advances and persistent competitive pressure as key drivers of this decline. The report also includes the observation that developments in IP interconnection markets continue to be best described as 'evolution rather than revolution.' Competition and innovation enable successful adaptation to changes in the use of internet connections as well as a rising demand for digital content in the interconnection ecosystem.

A comprehensive summary of the current status of copper switch-off in Europe is provided by the "Draft BEREC Progress Report on managing copper network switch-off". Data collected since 2022 show significant progress in copper switch-off while clearly illustrating the deployment and growing usage of optical fibre networks at European level. The report also cites proposals made by the European Commission to impose target dates on member states for copper network switch-off. In this context, BEREC emphasises the need to protect end users as a top priority, also noting that uniform targets could be difficult to enforce as these would not adequately account for the specific circumstances present in individual Member States.

The Market and Economic Analysis working group prepared major reports on access to physical infrastructure in the context of market analyses, and on the design, enforcement and monitoring of remedies in subnational markets with multiple SMP operators.

BEREC also addressed cybersecurity and the resilience of electronic communications networks in 2024, and discussed these issues at length with partner bodies such as ENISA.

A full list of all of the documents published by BEREC in 2024 can be found on the official BEREC website and is also included in BEREC's Annual Report for the same year.

6.11.2 DMA High-Level Group

Klaus M. Steinmaurer, Managing Director of the Telecommunications and Postal Services Division at RTR, is one of six individuals who have represented BEREC in the DMA High-Level Group since 2023. The High-Level Group advises the European Commission on the coherent implementation of the Digital Markets Act and other sectoral regulations applicable to gatekeepers.

Sub-groups may be established ad hoc to address specific issues and three such sub-groups have been set up to date.

The Article 7 Digital Markets Act sub-group is certainly the most relevant sub-group for BEREC, not least because of the expertise that BEREC gained in 2024 with respect to messenger service interoperability (one example being its preparation of the statement on Meta's reference offer on the interoperability of WhatsApp pursuant to Art. 7 of the DMA). RTR has also made a significant contribution to discussions addressing messenger interoperability with the data obtained from its survey of the functionality provided by popular messengers such as WhatsApp, Signal and Telegram that was carried out in summer 2024.

A Digital Markets Act data related obligations sub-group was also set up in 2024. Initially, this sub-group aims to stimulate dialogue about the implementation of Art. 5 Par. 2 of the DMA in relation to 'pay or consent' models, for example, and on its interaction with other legislation, especially data protection law. Looking to the future, the sub-group will also host discussions about specific issues in the context of Art. 6(9) DMA on data portability, Art. 6(10) DMA on data access and Art. 6(11) DMA concerning access to search data. The overall aim here is to ensure coherence and effective complementarity between the provisions of the DMA and other sector-specific regulations.

An Artificial Intelligence sub-group was also established in autumn 2024. This sub-group has been tasked with tracking developments in the field of AI as well as investigating interactions between the DMA and other regulatory instruments.

Work in both the High-Level Group and the sub-groups focuses on sharing experience and regulatory expertise, with the aim of addressing the many and various issues raised by the DMA to provide an optimum level of support for its implementation and enforcement. As part of RTR's BEREC delegation, the experts working in its Telecommunications and Postal Services Division also contribute to these discussions.

6.11.3 RTR and OECD

The OECD is an international organisation that has set itself the goal of promoting economic prosperity, justice, opportunities and quality of life. The OECD serves as a clearing house for the exchange of knowledge, data and evaluations, as well as for sharing best practices. In 2024, RTR once again represented Austria in the Working Party on Connectivity Services and Infrastructures (WP CSI, formerly WP CISP), which focuses on communications infrastructures and services.

Work completed by the WP CSI in 2024 included the authoring of two chapters in Part 2 of the OECD's Digital Economy Outlook 2024 (DEO 2024), a regular publication that analyses trends in technological developments and digital policy in OECD countries and partner countries.⁴⁴

The first text (chapter 2, DEO 2024) examines trends in access and connectivity, covering aspects such as the pricing and quality of broadband services as well as the various access technologies used. Measures taken to close gaps in connectivity and reduce the digital divide are also identified. The second text, "Digital technologies and the environment" (chapter 3, DEO 2024), investigates how digital technologies affect the achievement of environmental targets. While these technologies and their underlying connectivity can massively accelerate the green transition in various economic sectors, their ecological footprint must nevertheless be taken into account. The text discusses the use of digital technologies in key sectors to help achieve environmental targets while highlighting methods designed to avoid the negative environmental impacts of such technologies.

In its report "Financing broadband networks of the future", the working party investigated suitable approaches to securing sustained, long-term investments in broadband infrastructure.⁴⁵ The report examines the various actors and highlights trends in broadband network financing. Five important groups that invest in and provide funding for broadband infrastructure are analysed: communications operators, tower companies, major technology companies, financial asset managers and the public sector. Although communications operators recorded revenue growth from 2008 to 2022, their future investment decisions will depend on future returns on investments and interest rates. Meanwhile, tower companies, major technology companies and financial asset managers are reshaping the connectivity landscape. The final section of the report looks at the public sector, which plays a key role in facilitating investments in communications infrastructure.

RTR contributed to this report by providing insights as well as data from the Austrian telecommunications market.

44 OECD (2024), OECD Digital Economy Outlook 2024 (Volume 2): Strengthening Connectivity, Innovation and Trust, OECD Publishing, Paris, <https://doi.org/10.1787/3adf705b-en>.

45 OECD (2024), "Financing broadband networks of the future", OECD Digital Economy Papers, No. 365, OECD Publishing, Paris, <https://doi.org/10.1787/ea4fc728b-en>.

6.11.4 RTR and ENISA – cybersecurity and trust services

Within ENISA, the European Union Agency for Cybersecurity, RTR participates in two working groups. The first of these is the ECATS Expert Group⁴⁶ (formerly Article 19 Expert Group), a working group comprising the European authorities responsible for trust services. The Telecommunications and Postal Services Division will hold the chair of this group until May 2025. The experts in this group work on the efficient and harmonised implementation of security requirements for trust services, exchange information about security incidents, weaknesses and proven practices, and provide feedback to ENISA on its activities in the area of trust services.

Regulation (EU) 2024/1183, which amends the eIDAS Regulation, was published on 30 April 2024. This piece of legislation not only introduces the European Digital Identity Wallet but also amends the legislative framework for trust services based on insights gained over the last few years. Several unresolved issues concerning the enforcement of the new provisions were clarified by the ECATS Expert Group.

As of 18 October 2024, the cybersecurity of trust services falls under the NIS 2 Directive, while other aspects of trust services will continue to be regulated by the eIDAS Regulation. In its role as Chair of ECATS, RTR became involved in the drafting of Commission Implementing Regulation (EU) 2024/2690, which further specifies aspects of risk management in relation to cybersecurity and notification duties for security incidents, particularly for TSPs.

The second ENISA working group that RTR is engaged with is called the ECASEC Expert Group.⁴⁷ This working group is primarily occupied with security measures and reporting obligations in accordance with Article 40 EEC.

Alongside ENISA, RTR also contributed to the Forum of European Supervisory Authorities for Trust Service Providers (FESA), which aims to achieve the harmonisation of supervisory practice and cooperation between the supervisory bodies on matters of common interest. As one example, the forum has agreed on proven procedures for ensuring end-to-end supervision even in the case of trust services provided across several Member States.

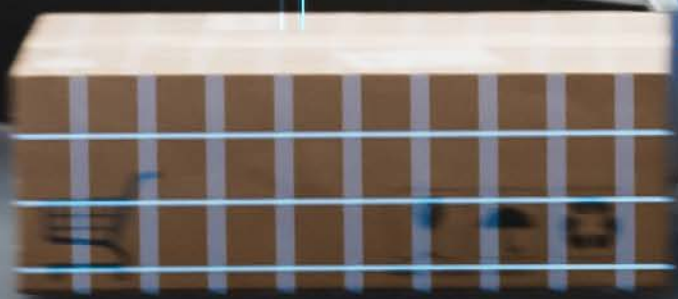
RTR also participates in other European activities at various levels. It contributes its expertise to the relevant working groups, whether at BEREC, ENISA or the NIS CG, in the latter case supporting the Federal Chancellery.

⁴⁶ ECATS stands for European Competent Authorities for Trust Services.

⁴⁷ ECASEC stands for European Competent Authorities for Secure Electronic Communications.

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RTR and PCK activities in the postal sector

07 RTR and PCK activities in the postal sector

The Post-Control-Kommission (PCK) and the Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR) are jointly responsible for safeguarding competition in the postal services market. In addition to providing operational support to the PCK, RTR has separate regulatory duties relating to the notification of services, conciliation and arbitration in end user disputes. We present in the following the most significant regulatory activities undertaken by the two authorities in 2024.

7.1 Procedures before the PCK

7.1.1 Closure and discontinuation of postal service points

When referring to closure or discontinuation, a distinction needs to be made between directly operated postal service points (PSPs) and PSPs operated by third parties.

Österreichische Post AG (Post AG) must directly report to the PCK any plans to close down a directly operated PSP, and may only proceed with closure once certain requirements set out in the Postal Market Act (PMG) have been met.

In such cases, the obligation to provide universal service can be alternatively met through other PSPs, such as PSPs currently operated by Post AG or a Post AG partner (a third-party-operated PSP). Where the preconditions for closure as set out in the PMG are not met, the PCK may conclude the procedure by prohibiting closure. The PCK may make authorisation of the closure contingent on another specified PSP providing replacement service. The PCK may also drop the procedure and allow closure to go ahead if the preconditions under the PMG have been met. More information on procedures relating to the closure of PSPs operated by Post AG can be found in communications reports for previous years. In the 2024 reporting year, Post AG did not notify the regulatory authority of any planned closure of a directly operated PSPs. While three directly operated PSPs were in fact closed in the 2024 reporting year, the decision approving the closures had already been issued before the year under review.

In addition to monitoring the planned closure of directly operated PSPs, the PCK also conducts supervisory procedures to review any discontinuation of third-party-operated PSPs, for instance after insolvency of postal service partners or the termination of contracts.

Under the PMG, Post AG is also required in such closure cases to ensure the supply of universal service as well as coverage with PSPs throughout the country. Under certain conditions, alternative supply solutions, including the deployment of rural delivery personnel, can be implemented in such situations.

Procedures conducted by the PCK in 2024 involved closures of both third-party-operated PSPs and of directly operated PSPs. Such procedures were initiated in a total of 100 cases. All of the supervisory procedures initiated were concluded without issuing a decision, since the provision of the universal service and blanket coverage with PSPs was ensured in each case.

Total PSPs in Austria declined during the reporting year, from 1,698 (as of 31 December 2023) to 1,679 (as of 31 December 2024). Rural delivery personnel had been additionally deployed in 20 cases as an alternative service supply solution as of 31 December 2024.

Table 63: Postal service points operated by Post AG and by third parties, 2020 to 2024

	2020	2021	2022	2023	2024
Post AG-operated PSPs	402	395	379	361	358
Third-party-operated PSPs	1,350	1,351	1,341	1,337	1,321
Total PSPs	1,752	1,746	1,720	1,698	1,679

Source: RTR

7.1.2 Payment orders for the financial contribution under Art. 34a KOG

To cover the cost of postal sector regulation, the provisions of the KommAustria Act (KOG) require the federal government to cover from its budget one portion of expenses and the postal service industry to contribute the remaining share.

Where postal service providers fail to meet their obligation to pay financial contributions, the PCK is obliged to issue an official decision ordering payment. In no case in 2024 was it necessary for the PCK to order payment of an outstanding financial contribution.

7.1.3 Licence issuing

Commercial activities for the purpose of conveying letters up to 50 g require a licence from the PCK. No new licences were issued in 2024. One company announced the intention to discontinue its licence.

This brought the number of licence holders to six by the end of 2024:

- feibra GmbH
- Medienvertrieb OÖ GmbH
- RS Zustellservice Rudolf Sommer
- noebote GmbH
- hpc DUAL Österreich GmbH
- Wien IT GmbH

7.1.4 General terms of service and tariffs

The universal service provider (Post AG) is required to issue general terms and conditions governing the provision of universal services along with a list of associated tariffs to be charged. These general terms and conditions are then to be notified to the PCK. Within two months, the PCK may object to any notified general terms and conditions not conforming to specific provisions of law. Two procedures involving modifications of Post AG's general terms and conditions were conducted in the 2024 reporting year.

Other postal service providers offering services in the universal service sector are also required to issue and to notify to the PCK the applicable general terms and conditions. The review is carried out to the same standards as those that apply to the universal service provider, although the PCK does not verify the tariffs.

7.1.5 Tariff adjustments and design changes applying to Post AG letter products

Post AG announced a change to the design of its products in the letter sector and accompanying tariff adjustments as of 18 September 2024.

Priority letters are being replaced by an added service known as "Premium". The change was enabled by a preceding amendment to the PMG, entering into force on 6 June 2024. Eco letters (Eco-Brief) continue to be the standard product.

The PCK commissioned RTR experts to review the tariffs and submit an evaluation report. Based on the report, the PCK did not object to the reported changes in the general terms and conditions (including tariffs).

7.1.6 Proceedings before the Federal Administrative Court

In its finding of 30 October 2024, the Federal Administrative Court (BVwG) confirmed a decision issued by the PCK that had objected to the tariff increases envisaged by Post AG in 2020. It was the first finding by the BVwG to examine the PCK's tariff audit procedures pursuant to PMG Art. 20 and 21, addressing in particular the issue of interpreting the criteria for general affordability and cost-related pricing. The BVwG affirmed the approach taken to date by the PCK, that is, to ascertain affordability on the basis of price changes in relation to rises in CPI.

7.2 Procedures before RTR

7.2.1 Notification of provision of postal services

Postal service providers are required to notify RTR in advance of the intended provision of a postal service as well as any change to or discontinuation of such a service. RTR is required to publish on the internet a list of notified postal services, including the name of the postal service provider in each case. In 2024, eleven business entities notified to RTR the provision of postal services. As a result, the list of postal service providers maintained by RTR comprised a total of 138 businesses as of the end of 2024.

7.2.2 Review of Post AG's cost accounting system

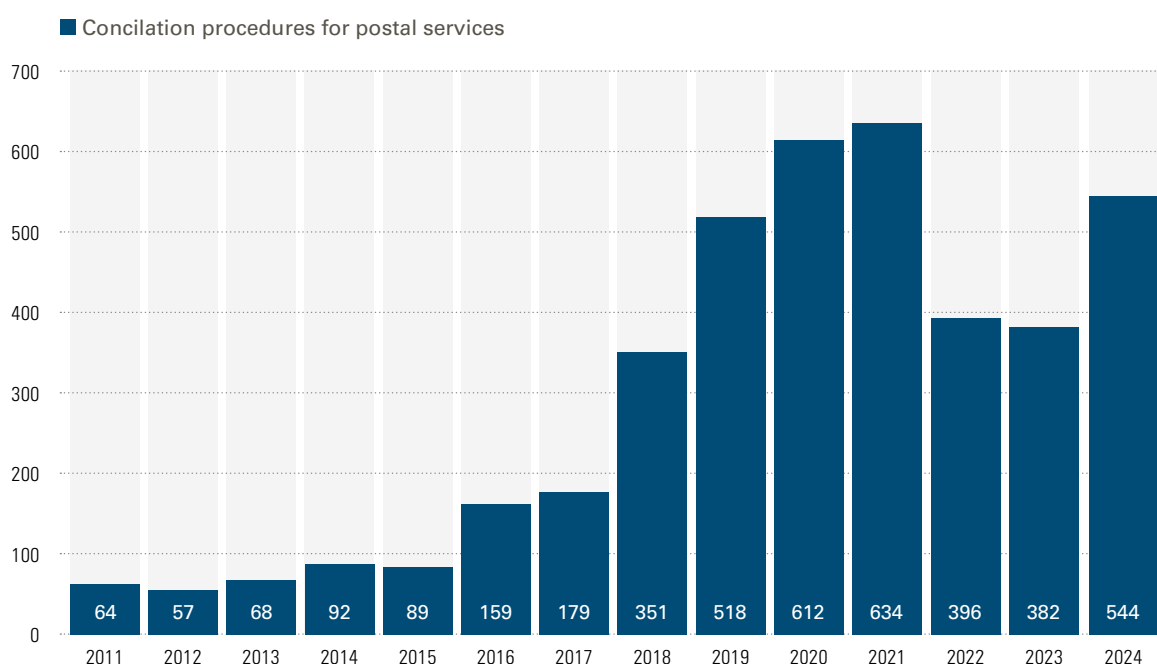
The regulatory authority's remits include periodically reviewing the cost accounting system used by universal service provider Post AG. Within its internal cost accounting systems, the universal service provider is obliged to maintain separate accounts for services classified as universal services and for those not falling under this category. The internal cost accounting systems must be based on uniformly applied and objectively justifiable principles of cost accounting. As in previous years, the review carried out in the reporting year revealed that the cost accounting system used in 2023 complied with the specified criteria.

7.3 Conciliation procedures in postal services

Following a decline in conciliation procedures involving postal services over the past two years, there was an increase to almost 43% in 2024. Especially given the parcel volumes that are sent within Austria, the additional 162 procedures do not constitute a significant increase in absolute terms compared with 2023, and are in fact less than the record figures for 2020 and 2021. The majority of postal complaints received by RTR were not related to conciliation procedures, however. Complaints are predominantly submitted via the portal that was set up by RTR for recipients of postal items (see next [section 7.4](#)).

In terms of content, most of the conciliation procedures were related to issues such as loss of or damage to parcels.

Figure 38: Conciliation procedures for postal services, 2011-2024

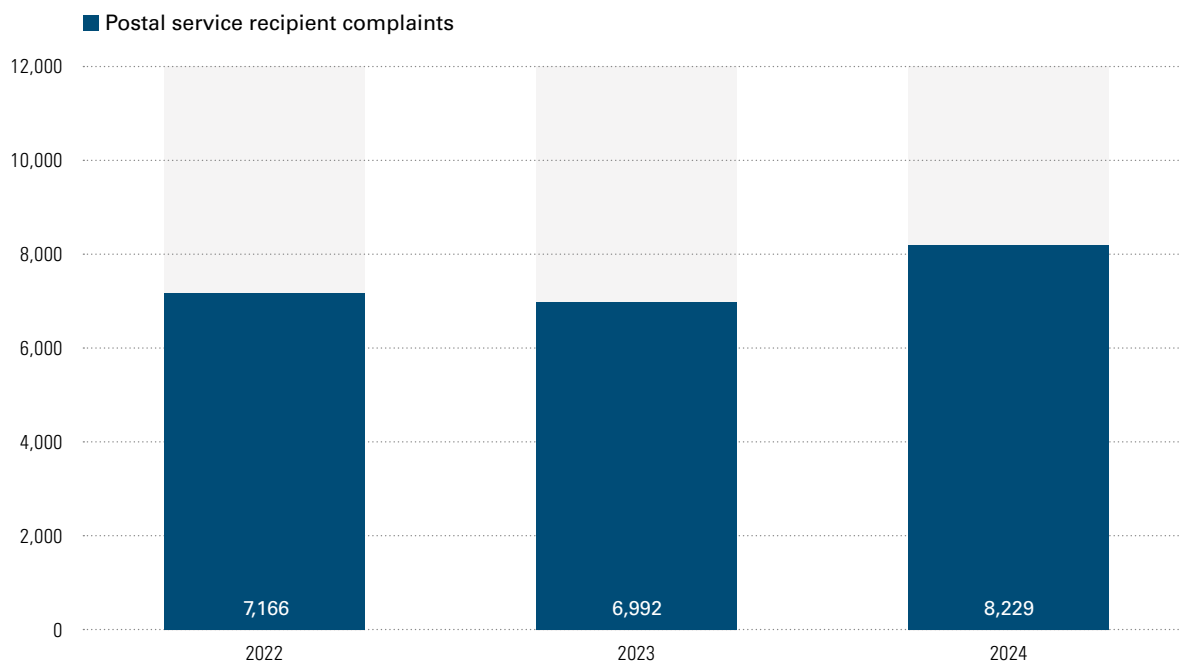


Source: RTR

7.4 Portal for postal service recipient complaints

The portal that was set up on the RTR website enables trends in complaints to be observed across the various postal service providers. If a pattern of irregularities is identified, supervisory measures can be taken against postal service providers. An additional advantage of such monitoring is that the postal service providers concerned can be approached informally in the event of any recognised problems. Anonymous reports are sent to the postal service providers on a regular basis. This gives them the opportunity to identify and focus on as well as accordingly resolve any problems. Yet, unlike a conciliation procedure, which by law is only available to senders of postal items, such procedures do not involve processing each individual complaint submitted.

The number of complaints submitted between 2023 and 2024 rose significantly. The reason for this increase is not entirely clear. It should be pointed out once again that, given the millions of parcels sent, caution is advised when assessing these developments. At the same time, the number of reports serves as an indicator, while the number of unreported delivery problems is probably much higher.

Figure 39: Postal service recipient complaints 2022-2024

Source: RTR

The 2024 activity report of the conciliation body presents in detail the activities undertaken in the postal service sector.

7.5 International activities: RTR and the ERGP

The European Regulators Group for Postal Services (ERGP), set up based on an EU Commission resolution passed on 10 August 2010, became operational in 2011. The ERGP is a body that provides technical support and advice to the European Commission on issues relating to postal service regulation within the EU. The group thus plays a key role in consultation, coordination and cooperation between Member States and the European Commission.

Now that the European legal framework has de facto remained unchanged since 2008 and has gradually proven inadequate for meeting the needs of the sector, the Council of the European Union adopted a resolution⁴⁸ in June 2022 calling on the European Commission to review the need for revising the legal framework and, if appropriate, to submit a proposal. The European Commission subsequently announced that a forecast study was planned for 2023 to look at requirements in the postal sector, at the same time requesting the ERGP's assistance with the study, which is to serve as an additional basis for the decision on whether to revise the postal regulatory framework. In 2024, the ERGP set up a separate task force for this purpose, which supported efforts through the necessary information.

The study published on 21 November 2024 by the European Commission⁴⁹ analysed five future scenarios for the EU postal sector up to 2040, with the aim of identifying central challenges and potential market failure. Commonly anticipated trends in all scenarios include a continued decline in letter volumes against further growth in the volume of parcels. An analytical framework including qualitative and quantitative factors

48 Council Regulation (EU) 2022/1327 of 26 July 2022, <https://eur-lex.europa.eu/legal-content/DE/TXT/HTML/?uri=CELEX:32022D1327&from=EN>

49 Publication Office of the European Union, Prospective study of the future of the postal sector, <https://data.europa.eu/doi/10.2873/0431952>

was used to examine the possible impact of such developments on the sector. The European Commission forwarded to the Council of the European Union the study, which is a key element in negotiations over the Postal Services Directive, a somewhat outdated framework urgently requiring modification.

RTR hosted the first meeting of the ERGP Consumer and Core Indicators Working Group on 1–2 February 2024. This event focused in particular on the discussion and further prospects for the ERGP report on the demand for postal services among vulnerable users. The working group also prepared the public workshop on the issue of “Vulnerable users in the postal sector: Who are they? What are their needs? What comes next?”, which also took place in Vienna on 26 June 2024.

On 27 June 2024, RTR hosted the twenty-sixth plenary meeting of the ERGP, chaired by Dan Sjöblom, Director General of the Swedish Post and Telecommunications Authority (PTS). During the meeting, the draft work programme for 2025 was discussed, approved and released for public consultation. The report on access to the parcel delivery infrastructure was also approved. Finally, the members re-elected Dan Sjöblom as Chairman of the ERGP for 2025.

Some 150 representatives of the main interest groups met at the fifth ERGP Stakeholder Forum in Brussels on 25 September 2024. Here, aided by initial findings from the Commission’s study, they discussed possible changes in the postal sector within the next two decades. Other topics included possible failure of the market and the potential need for regulation at EU level, as well as the issues of resilience and security.

The twenty-seventh plenary meeting took place in Stockholm on 27 and 28 November 2024, starting with an internal workshop to discuss key issues relating to the future regulatory framework. The discussion will be included in the ERGP report on the fundamental elements of the future postal regulatory framework, which will be subject to a public consultation in April 2025.

Items including the ERGP work programme for 2025 were discussed at the plenary meeting. The ERGP’s tasks for the coming year are aligned with the strategic pillars of the ERGP’s Medium-Term Strategy (MTS) 2023–2025, which was also adopted at this meeting. The ERGP will also draft a new medium-term strategy for 2026–2028.

The plenary assembly adopted the following reports from the ongoing 2024 work programme (https://single-market-economy.ec.europa.eu/sectors/postal-services/european-regulators-group-postal-services_en):

- ERGP PL II (24) 5 ERGP work programme for 2025
- ERGP PL II (24) 7 ERGP report on the demand for postal services for vulnerable users
- ERGP PL II (24) 8 ERGP report on core indicators for postal services
- ERGP PL II (24) 9 ERGP report on quality of service, protection and treatment of consumers
- ERGP PL II (24) 11 ERGP report on the regulation of retail prices
- ERGP PL II (24) 12 ERGP report on exploring opportunities to promote ecological sustainability within the postal regulatory framework

Sandra Maximiano (ANACOM, PT) was unanimously elected to chair the group in 2026.



www.rtr.at

Service Desk for Artificial Intelligence

08 Service Desk for Artificial Intelligence

The Service Desk for Artificial Intelligence (AI Service Desk) serves the general public as a point of contact and information centre for AI while also assisting with the implementation of the EU's AI Act. The department was set up within RTR in early 2024, concomitantly with Art. 20c of the KommAustria Act (KOG) and Art. 194a of the Telecommunications Act (TKG) (FLG. I No. 6/2024).

A broad portfolio of services is offered, including:

- Website
- Social media
- AI newsletter
- Events
- Studies
- Publications
- Consultancy services (via various avenues)
- Enquiry management

8.1 AI Service Desk website

The website can be accessed at ai.rtr.at (English version) and ki.rtr.at (German version). A wealth of information supported by plentiful infographics is available, covering subjects such as the AI Act, external projects and initiatives, international organisations and AI practice, recent news and curated links. The pages on the AI Act, which provide an illustrated guide to its key topics, form the centrepiece of the website. This information is supplemented with a time frame for the Act and an FAQ.

More information is added on a regular basis. The current scope covers the following areas:

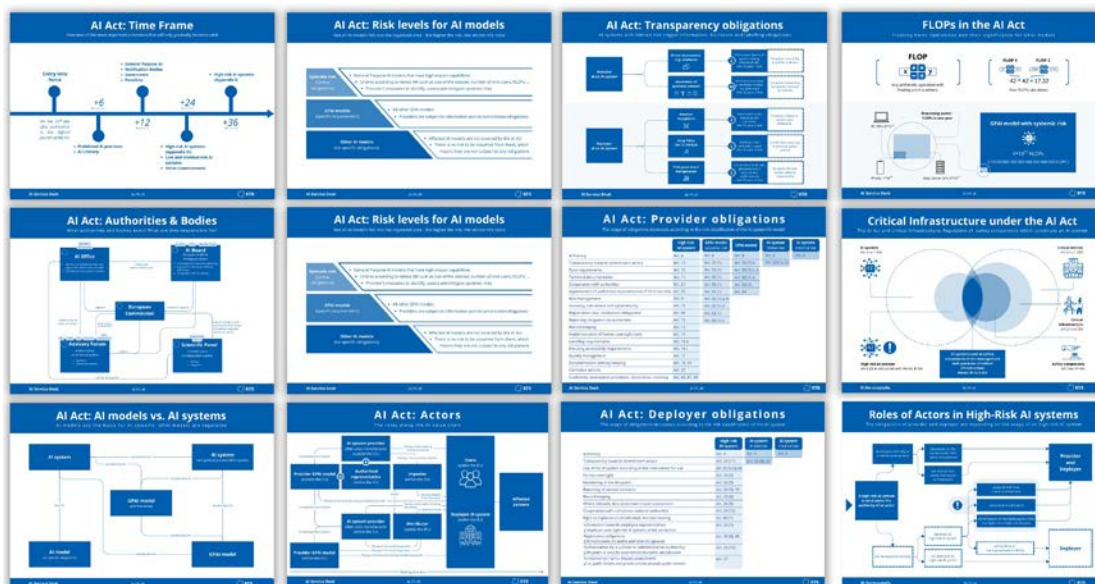
- Actors
- Background to the AI Act
- Provider obligations
- Authorities and bodies
- Deployer obligations
- FAQ
- Risk levels of AI models
- Risk levels of AI systems
- Sanctions
- Transparency obligation
- Time frame

A PDF of the infographics (in English and German) can be downloaded from https://www.rtr.at/rtr/service/ki-servicestelle/Overview_AI-Act.pdf.

Figure 40: German-language infographics for the AI Act



Figure 41: English-language infographics for the AI Act



The FAQ published on the website is mostly derived from questions submitted to the AI Service Desk by businesses, private citizens and other stakeholders. Making this knowledge available to a wider public is a founding principle of the AI Service Desk.

8.2 Social media

The infographics were shared on [X](#) (formerly Twitter) and [LinkedIn](#) to wide acclaim in the reporting year. All AI Service Desk information, including the infographics, is published under a CC BY 4.0 licence. Third parties can therefore use this information if they credit the AI Service Desk as its creator. External feedback indicates that the RTR infographics are indeed being further shared.

The social media presence is supplemented by an FAQ, whose question/answer pairs are posted regularly on LinkedIn. AI Service Desk events and the AI newsletter are also advertised on X and LinkedIn.

Figure 42: FAQ topics for sharing on social media



8.3 AI newsletter

The AI newsletter provides regular summaries of the information offered by the AI Service Desk as well as website links to the information provided and its events calendar. Several issues of the AI newsletter were sent out in the reporting year.

Registering for the newsletter is straightforward, and only requires users to enter their email address at the bottom of the AI Service Desk home page (ai.rtr.at).

8.4 Events

The regular events hosted by the AI Service Desk feature prestigious guest speakers, and therefore attract plenty of interest and large numbers of attendees. Two representative events, which included keynotes and similar presentations, panel discussions and Q&A sessions with the audience, are discussed below.

8.4.1 Artificial intelligence (AI) in high-risk settings

In June of the reporting year, the AI Service Desk at RTR hosted an event to examine the options for deploying AI in high-risk settings such as telecommunications, energy and health. Held in Austria, this event brought together experts from the private sector, authorities, testing organisations and public administration.

The use of AI within the country's telecommunications sector was therefore an important focus of the event, centred around the presentation of a study published by WIK-Consult, entitled [Current Use of AI in the Austrian Telecommunications Sector](#).

In the panel discussion that followed, Natalie Ségur-Cabanac (ISPA) highlighted the need to ensure compliance with standards when making use of AI, also noting that the collective impact of the various pieces of legislation could prove challenging for small and innovative providers in particular. Jeanette Gorzala (AI Advisory Board) addressed several aspects relevant for security. Here Klaus Steinmaurer (RTR) additionally underscored the importance of dialogue between businesses and authorities, arguing that successful regulation needs market support.

Laura Jugel (Directorate General for Communications Networks, Content and Technology at the European Commission) then presented the goals of the European AI Act for AI in high-risk contexts, addressing the ways in which regulation can help to make the use of AI more secure, more transparent and more ethical.

In the second panel, Anna Krishnan-Somos (Austrian Public Employment Service, AMS), Franz Rudinger (e-control), David Würflinger (Gesundheit Österreich GmbH) and Thomas Doms (TÜV, TRUSTIFAI) discussed the wide range of potential applications for AI in various high-risk settings. The AMS is now using an AI chatbot based on a large language model to provide career advice ('Berufsinformat'). Krishnan-Somos highlighted the new options offered by AI such as multi-language support, which significantly lowers barriers to accessing information. For Franz Rudinger, the challenge facing authorities wanting to deploy AI stems from the fact that their decision-making and information-gathering processes also need to establish legal certainty. Thomas Doms advocated an initial assessment of AI systems coupled with continuous monitoring, based on the use of checklists, standards, certification and compliance systems. This approach could effectively minimise the risks inherent in AI while also building trust in this new technology. David Würflinger emphasised the importance of a data-centric approach to the creation of innovative AI systems.

More details can be obtained from the RTR website at https://www.rtr.at/ki_im_hochrisikobereich (in German).

8.4.2 Artificial intelligence and consumer rights: balancing the needs of innovation and regulation

In October, the RTR held an industry event that looked at the topic of artificial intelligence from a user perspective. Participants included representatives of the Vienna Chamber of Labour and consumer protection groups as well as leading experts from business, administration and research. Discussions focused on the extent to which the AI Act was capable of meeting the various needs and requirements of European consumers.

In his keynote, Wolfgang Ebner (Federal Chancellery) stressed the importance of building a solid evidence base around the ways in which AI applications impact consumers.

Christiane Wendehorst (University of Vienna) looked at the consumer protection provisions set out in the AI Act, which primarily address fundamental rights and health, noting the Act's strengths and weaknesses here when considered in the context of related legislation.

Maria Reiffenstein (Federal Ministry of Labour, Social Affairs, Health, Care and Consumer Protection) introduced the multiple projects undertaken by the federal government to address and investigate the relationship between AI and consumers.

Miika Blinn (Federation of German Consumer Organisations) provided a perspective from neighbouring Germany on the new national market surveillance authority required by the AI Act. Underlining the need to ensure consumer-friendly access to this authority, Blinn called on national policymakers to make full use of available options in order to ensure that consumer issues are given equal consideration alongside business interests.

In the following Q&A session, Marco Blocher (noyb) reported on his experience of asserting privacy rights and consumer rights against hyperscalers such as Meta, while Daniela Zimmer (Vienna Chamber of Labour) provided insights into the difficulties frequently encountered when attempting even to verify the use of AI systems. Andreas Zavadil (Data Protection Authority) provided a regulator's perspective on the existing rights granted by the General Data Protection Regulation (GDPR), which now also apply to the use of AI systems.

Citing copious examples from practice, and covering topics as diverse as the pandemic, the rollout of renewable energy systems and improvements to local healthcare provision, Niki Popper (Vienna University of Technology) used his keynote to demonstrate how consumers can benefit from the use of data, highlighting the key significance of AI skills in this context.

That artificial intelligence can indeed be compatible with fundamental rights was the thesis proposed by David Reichel (European Union Agency for Fundamental Rights, FRA), who gave an overview of the protection extended to such rights by the AI Act as well as recent work undertaken by the FRA.

The ensuing panel discussion also focused strongly on practice. Philipp Nagel (Raiffeisen Bank International AG) noted how consumers are already benefiting from the use of AI in finance, which is not only helping to streamline banking processes but also driving improvements in the detection and prevention of attempted fraud. Stefan Perklin (PWC) introduced a number of case studies as evidence for the growing trend of AI systems in HR management. A final word of caution on the use of AI was voiced by Louise Beltzung (Austrian Institute for Applied Telecommunications, ÖIAT), who covered the various novel scams it enables and their increasing professionalism.

Materials from the event are available (in German) from the RTR website at https://www.rtr.at/ki_und_verbraucherschutz.

8.4.3 AI Impact Workshop: Labelling requirements for media

In May, the AI Service Desk held its first AI Impact Workshop within the Media Division with the aim of introducing the topic to the general interested public. The workshop focused on a key topic within the AI Act, namely the labelling requirements for the media sector and potential approaches to achieving compliance.

In the run-up to the event, a market survey was conducted among media market stakeholders to collect data on potential forms of labelling for the various media. The survey data were processed and structured, and then prioritised within the workshop programme. Insights from this process have been used as input for preparing a web guideline, with the aim of paving the way towards a common approach to labelling among Austrian media companies that assures compliance with the AI Act.

The web guideline is available from the AI Service Desk website (ai.rtr.at).

8.4.4 AI Impact Forum: mitigating AI risks with media literacy – the DACH region as a test case

During the 2024 Austrian Media Days, RTR's Media Division organised a breakout session to address the challenges faced by the Austrian, German and Swiss media sectors in relation to media literacy, as well as potential approaches to helping the public engage with AI-generated content.

Keen insights into the status quo in these three countries were offered by a prestigious panel of experts, comprising Kristian Kunow (Deputy Director, Medienanstalt Berlin-Brandenburg), Stefan Wabel (Managing Director of Schweizer Medien, the industry association for the Swiss private media sector) and host Wolfgang Struber (Managing Director of RTR's Media Division). Eva Weissenberger (Director of Communications, Marketing and Media Affairs at the Austrian Economic Chambers), chaired the discussion, coaxing both success stories and calls to action from her guests.

There was general agreement that the use of AI needs to be accompanied by efforts to improve media literacy. The responsible use of AI tools on the part of the media was also addressed in exchanges between panel guests and the audience. Last but not least, media companies also voiced their concerns about the exploitation of their editorial content by chatbots and large language models.

8.4.5 AI Impact Forum: The evolving media landscape

The second AI Impact Forum organised by RTR's Media Division saw AI experts and media professionals engaging in a lively discussion of the current trends, challenges and insights relating to the use of artificial intelligence within the media sector.

The forum also served to present the results of activities from last year's AI Media Roundtable, a working group composed of leading representatives from media industry institutions and associations. This roundtable, set up by the RTR's Media Division as part of establishing its AI Service Desk for Austria, aims to identify the high-priority issues that arise from the deployment of AI within the media sector. In the course of the year, the roundtable addressed the topics of content protection and monetisation as well as the technical and legal challenges posed by the use of AI in media.

The results of its work on these three topics can be accessed from the AI Service Desk website at ai.rtr.at.

8.5 Studies and publications

During the reporting year, RTR and the AI Service Desk published two studies commissioned on the subject of AI.

8.5.1 Current Use of AI in the Austrian Telecommunications Sector

A short introduction to this study is included in the section on the [Competence Centre](#).

The study has also been translated into English. This version can be downloaded from https://www.rtr.at/TKP/aktuelles/publikationen/publikationen/ai_in_austrian-telecomsector.en.html.

8.5.2 Artificial intelligence in cybersecurity

This study was completed in 2024 and subsequently published in early 2025. The study provides a comprehensive overview of the current state of the art in cybersecurity, and highlights both the opportunities and the challenges that result from the use of advanced AI systems and generative AI to secure the cyber domain.

The study asserts that AI has become an indispensable tool for modern cybersecurity practitioners. By applying pattern recognition analysis to large volumes of data, AI is capable of detecting anomalies and therefore warning of potential cyberattacks. Large language models (LLMs) also support some particularly promising applications in the field of security risk assessment and vulnerability analysis.

Real-time threat detection and response is another arena where AI offers some critical benefits, as the speed and scalability it achieves here enable cyberthreats and automated countermeasures to be managed much more effectively. For businesses, this translates into faster response times to new threats and continuous improvements to their security strategies.

Conversely, the study also highlights the risks associated with the use of AI. Errors made in code or training data can expose vulnerabilities in AI systems and these systems can also become the focus of targeted attacks. Cybercriminals may also use AI to further refine their attack vectors. These kinds of novel threats include deepfakes and convincingly authentic phishing attacks.

In conclusion, the study authors recommend developing innovative solutions and implementing robust data strategies, so as to fully exploit potential AI applications in cybersecurity while managing the associated risks. To maximise the benefits of AI while strengthening cybersecurity into the long term, a balanced approach is essential, one capable of integrating technological advances while complying with strict security requirements. The study is available (in German) on the RTR website at <https://www.rtr.at/TKP/aktuelles/publikationen/publikationen/kuenstliche-intelligenz-in-der-cybersicherheit.de.html>.

8.5.3 Other events

For the sake of completeness, we include details of a special report and a study from the RTR's Media Division on AI. Both items were published shortly before the creation of the AI Service Desk:

- Special report: "[Use of artificial intelligence in the media sector](#)" (published 19 June 2023)
- Study on "Artificial intelligence in the media industry" (published 22 February 2024)

8.6 Advisory services

Advice via email: Anyone is welcome to contact us at ki@rtr.at, with a prompt response guaranteed. This service has proven very popular. After obtaining the consent of the enquiring party, the question-and-answer pairs are published at ai.rtr.at/faq and also shared on LinkedIn.

Personal consultations: AI Service Desk staff responded to dozens of requests for face-to-face meetings in 2024. Apart from providing individual advice, these were also used to present the work of the Service Desk, including its current and planned activities. Acknowledging its responsibility to provide advice and assistance in the field of artificial intelligence, the AI Service Desk also used these advisory services to fulfil this duty to the benefit of a large number of domestic and international companies, public bodies and foreign diplomatic missions. The same approach was taken to phone or email enquiries placed to the AI Service Desk by the public, with comprehensive and detailed answers being provided for the just over 100 enquiries received by email during the 2024 reporting year.

8.7 Supporting the AI Advisory Board

The AI Service Desk also provides support to the AI Advisory Board. The AI Advisory Board, which is composed of eleven members with outstanding expertise in the fields of ethics, research, economics, law and technology, advises and assists the federal government in matters related to artificial intelligence. The council is chaired by Prof. Horst Bischof, Rector of Graz University of Technology. The vice-chair is Jeannette Gorzala, Legal Counsel and Chief Policy Officer at AI Austria. During the 2024 calendar year, the advisory board was convened for four regular sessions and one extraordinary session. Minutes of these meetings were taken by the AI Service Desk. RTR was also responsible for providing the physical conference facilities, including the technical infrastructure.



RTR's role as a competence centre and in public relations

09 RTR's role as a competence centre and in public relations

RTR is tasked with serving as a competence centre for matters relating to the broadcasting and telecommunications sector, in doing so complying with the general principles of economy, efficiency and expediency.⁵⁰

This competence centre role involves analysing issues relating to the activities of KommAustria, the TKK and RTR. Examples here include the commissioning of study reports, the preparation of expert reviews and organising professional events. The findings from such evaluations are to be appropriately prepared for public disclosure.

The following section presents activities performed in the competence centre role (cf. Art. 20 KommAustria Act, KOG) as well as activities pursuant to Art. 17 Par. 2 and Par. 3 KOG, and Art. 186 TKG 2021.

9.1 Activities within the Media Division

9.1.1 Studies and publications

9.1.1.1 Study on Artificial Intelligence in the Media Industry

The AI in the Media Industry study was commissioned by the Media Division from the Media Business research group at FH (University of Applied Sciences) St. Pölten and the Department of Information Technology at FH Burgenland. It examines in detail the challenges of integrating artificial intelligence in media production throughout the entire value chain, including challenges faced by media users, media professionals and media regulation bodies.

Building on an analysis of current approaches to media economics and ethics, the study investigates the strengths, weaknesses, opportunities and threats (SWOT) that follow from the use of AI in the media industry. This analysis methodology envisaged interviews with experts from the media industry at the various level of the value chain, from initial brainstorming sessions to final reception. The final part of the report discusses various options for regulation including self-regulation, co-regulation and statutory regulation.

The study is available (in German) on the RTR website at https://www.rtr.at/medien/aktuelles/publikationen/Publikationen/Studien_Publikationen_2024/Kuenstliche_Intelligenz_in_der_Medienwirtschaft.de.html.

9.1.1.2 Video Survey 2024

The Video Survey by the Media Division and the Teletest Working Group has been published each year since 2016. This survey describes how each and every video product is used, from linear television and broadcaster media libraries to alternative online services and the use of video in social media. Data are presented in the form of tables and charts, and free of interpretations.

As an annual comparison, the study offers insights into changes over time in video use for broadcasting and online products. It also tracks the market shares and reaches of the various products and collects information on preferred devices. The results are presented for the overall population aged 14 and over, and for numerous subgroups, including the target groups of 14 to 29-year-olds, 14 to 49-year-olds and 14 to 59-year-olds.

⁵⁰ RTR does not act as a competence centre for postal service regulation.

Market research institute GfK Austria carried out a representative survey on behalf of the Media Division and the Teletest Working Group, completing over 4,000 computer-assisted web interviews (CAWI) to investigate how people in Austria aged 14 and up consume video. The survey is traditionally held in February of each year.

The study is available in its entirety (in German) on the RTR website at <https://www.rtr.at/medien/aktuelles/publikationen/Publikationen/nin/Bewegtbildstudie2024.de.html>.

9.1.1.3 Online Audio Monitor Austria 2024

The annual Online Audio Monitor Austria market study was launched in 2023 by the Media Division at RTR to supplement the annual Video Survey and Study on DAB+ Digital Radio, thereby additionally reflecting the digital transformation of media services and their usage. The publication represents a logical and necessary addition to RTR's ongoing programme of research into key developments in the domestic media market.

The wealth of material offered in the Online Audio Monitor Austria details how the Austrian online population aged 15 and over is using audio media on the internet. Insights provided by the study cover the usage type and frequency of online audio services, preferred content and platforms, the devices used to access content, as well as usage scenarios, reasons for use and times of use for the various online services available. A special section is dedicated to questions surrounding radio broadcasts later available for streaming (recordings) and podcasts.

The Online Audio Monitor Austria is prepared by Ipsos. To produce the report, the market research institute conducts an annual online survey of 4,000 people aged 15 and over, around mid-year. This group of people is representative of 95% of Austrians with internet access (Statistics Austria 2023).

The 2024 version of the Online Audio Monitor Austria study is available (in German) on the RTR website at: https://www.rtr.at/medien/aktuelles/publikationen/Publikationen/nin/Online-Audio-Monitor_Austria_2024.de.html.

9.1.1.4 Media Literacy Report 2024

The Media Literacy Report 2024 focused on media literacy among journalists. Various contributions by experts as well as interviews analyze what makes a journalist media literate and the challenges posed by new forms of media. The accelerated inroads of AI technology is also discussed, including what challenges – and opportunities – this new phenomenon has to offer, especially to Austrian companies operating in the sensitive field of journalistic information services.

An integral part of the Media Literacy Report is once again the Digital Skills Austria study, which was repeated in 2024 and presented in the report in an extended format. The study was first commissioned in 2022 by RTR under the leadership of Prof. Thomas Steinmaurer (Paris Lodron University of Salzburg). Study data are based on interviews of Austrians aged 16 and over, asking them to self-assess their digital skills. The 2024 report also focuses on AI. Among other things, it includes a test of Austrians' AI knowledge, highlighting how present AI already is in everyday life.

It also showcases the projects and initiatives depicted in the RTR Media Literacy Atlas. The Media Literacy Atlas serves to gather and present data on projects and initiatives throughout Austria that are dedicated to improving media literacy.

A significant part of the Media Literacy Report is devoted to the issue of AI and its impact on journalistic practice. A large number of experts contribute their opinions and experience to the Media Literacy Report. These individuals are directly active in a wide variety of roles within journalism or media literacy education, or research the topic at academic level or are simply keen on sharing insights from specific projects. Statements from media policymakers add an additional perspective to the report.

The Media Literacy Report is available (in German) on the RTR website at https://www.rtr.at/TKP/aktuelles/publikationen/publikationen/ueberlegungen_zur_mitverlegung.de.html.

9.1.1.5 2024 Digital Skills study

The Digital Skills Austria study has been surveying the skillsets exhibited by Austrian citizens in navigating the digital realm since 2022. Monitoring of the four dimensions of digital skills is ongoing: technology and application, information navigation and processing, communication and interaction, as well as content production.

This year, an additional focus looked at the use of AI tools, as well as how well Austria's online population is able to recognise AI-supported systems.

The study is carried out by the Department of Communication Studies at the University of Salzburg under the aegis of Prof. Thomas Steinmaurer.

9.1.2 Events

9.1.2.1 Presentation of the AI in the Media Industry study

In February, the Media Division held its second public expert conference on the subject of media and artificial intelligence, where it presented the [AI in the Media Division](#) study ([the first event was held on 15 June 2023](#)). This study was carried out on behalf of RTR together with the universities of applied sciences at St. Pölten and in Burgenland ([see also 9.1.1.1](#)).

Following an introduction by Wolfgang Struber, Managing Director of the RTR Media Division, on the significance of artificial intelligence for the future and the versatility of the domestic media market, the most significant findings from the AI in the Media Industry study were presented by Yulia Belinskaya, Prof. Michael Roither and Robert Pinzoliths.

This was followed by a panel discussion focusing on practical experience with AI. Stefan Kollinger (Innovation Officer at the ORF) presented the ORF's AI initiatives. Uli Köppen (Head of AI at Bayerischer Rundfunk) presented insights into AI initiatives at Bayerischer Rundfunk. Andrea Heidrich (Managing Director of RIG Radio Innovations GmbH) addressed experience gathered specifically within Austria's radio sector. Nikolaus Koller (Managing Director of the Austrian Media Academy, österreichische Medienakademie) outlined in detail the needs for basic and advanced training in AI. Overall, it was apparent that the use of AI in media services is a highly current yet multifaceted topic, while there is no alternative to engaging intensively with the issue, in order to gain experience and forge ahead towards ideal utilisation of such technologies.

The second panel examined the question of regulation and AI. Jeannette Gorzala (lawyer and Vice President of the European AI Forum) summarised the key points of the AI Act and the next steps to be taken on the path towards implementation. Prof. Sabine Köszegi (Professor at the Vienna University of Technology and member of the AI Advisory Board), referring to the latest research results pertaining to use of generative language models, examined potential impact on the working world. Jan Krone (St. Pölten University of Applied Sciences) introduced the most significant results of the study in the regulatory domain. Michael Ogris (Chairman of KommAustria) addressed to what extent KommAustria is already dealing with AI within the current legal framework, and which issues the regulatory authority could face here in the foreseeable future.

9.1.2.2 Conference on the future of terrestrial television following the WRC-23

The ITU World Radiocommunication Conference 2023 (WRC-23), which took place in Dubai at the end of 2023, focused on the decision about the future allocation of the spectrum band used for the 'terrestrial' transmission of television via antenna.

The significance of the WRC decision for the future of terrestrial television was explained during a presentation event held by the Media Division and KommAustria on 29 February. This decision ensures television in Europe will continue to have a clear priority over other applications in the 470 to 694 MHz frequency range, especially mobile telecommunications services.

Michael Ogris, Chairman of KommAustria, highlighted the significance of digital terrestrial television for democratic policymaking in Austria. This mode offers a freely accessible low-threshold basic service, including programme package from domestic TV broadcasters.

Franz Ziegelwanger, department head of Technology-Telecommunications and Postal Services in the Federal Ministry of Finance and head of the Austrian delegation at WRC, spoke about the negotiations that took place during the World Radiocommunication Conference. The WRC was also attended by EU countries holding a common position in favour of secondary allocation of the aforementioned spectrum for the mobile network. Here he explained the opinions, highly diverging in part, held within Europe and neighbouring countries.

Peter Reindl, department head of Broadcasting Frequency Management at RTR and member of the Austrian delegation to Dubai, described the preparations and arguments that led to European countries agreeing on a common position prior to the WRC-23; this would have given mobile communications a better starting position for using the preferred frequency range than the WRC decision ultimately did.

Bertold Heil, Managing Director of the Convergent Media Consulting firm and expert for audiovisual media as well as broadcast and streaming transmission technologies, reported on the diverse use-cases for terrestrial television in Europe. He also discussed 5G broadcast as an advanced technology for terrestrial television, and DVB-I as a platform to aggregate all transmission routes.

The presentations (in German) have been published on the RTR website at https://www.rtr.at/medien/aktuelles/publikationen/Newsletter/Newsletter_2024/2024_01_RTR_Medien/NachDerWRC23.de.html.

9.1.2.3 Presentation of the 2024 Video Survey

In early June, the Media Division and the Teletest Working Group (AGTT) hosted the presentation of the [2024 Video Survey](#). For the ninth time in succession, this survey analyses video usage in Austria's general population aged 14 and over, but also offers in-depth information about usage behaviour in various age subgroups ([see section 9.1.1.2](#)).

9.1.2.4 Presentation of the 2024 Online Audio Monitor

In October, the RTR Media Division hosted attendees at the presentation of the 2024 Online Audio Monitor. The second edition of the study, which was first presented in 2023, was commissioned by the Media Division from market research institute Ipsos ([see section 9.1.1.3](#)).

9.1.2.5 Media literacy in journalistic practice – what role should journalism play?

The event held by the Media Division, during which the Media Literacy Report was presented, focused on media professionals in their role as facilitators of media literacy. The following questions were examined and discussed: What role does journalism play in facilitating media literacy? Which skills help journalists become media literate themselves? What are the tasks of journalism in the context of promoting media literacy?

To introduce the event, Wolfgang Struber, Managing Director of the Media Division and KommAustria Chair Michael Ogris stressed the special importance of media literacy and digital skills as the key factor for combating fake news and minimising the impact of disinformation.

Dimitri Prandner, social researcher at Johannes Kepler University Linz, presented the key results of the 2024 Digital Skills Austria study that was commissioned by RTR. The study examined the skillsets exhibited by Austrian citizens in navigating the digital realm and helping to shape it.

To kick off three panel discussions, Florian Schmidt, fact check expert at APA, and investigative data journalist Christo Buschek shared their insights into how highly visible media companies currently do journalism, and how journalism utilising data and artificial intelligence looks in practice.

In the second panel, communications consultant Mirjana Tomić, and Barbara Eidenberger, head of digital media at the daily *Oberösterreichische Nachrichten*, explained from the perspective of classic journalism the potential and risks associated with using the latest technologies to compete in the digital race to get news out the fastest.

The event concluded with a panel of researches, including Prof. Johanna Gröblbauer, head of the course of studies in media management at St. Pölten University of Applied Sciences (FH), Prof. Christina Ortner, expert in online communications at FH Hagenberg, and the head of the Vienna's Social City Academy, Wolfgang Renner.

Additional information has been published (in German) on the RTR website at https://www.rtr.at/medien/aktuelles/veranstaltungen/Veranstaltungen/2024/Medienkompetenz_und_Journalismus.de.html#pastevents.

9.1.2.6 AI media roundtables

To address highly current issues at the interface of artificial intelligence (AI), regulation and media, the RTR Media Division set up as part of its competence centre an AI Media Roundtable back in 2023, serving as a platform for regularly sharing information and insights.

Under the aegis of Rundfunk und Telekom Regulierungs-GmbH (RTR), the AI Media Roundtable examines the implications of AI for media production, information generation and processing, as well as for the shaping of public opinion forming and ultimately for democracy. Other topics relate to media regulation as well as social and ethical issues, as well as democratic policymaking. Participants include stakeholders from public broadcasting, the Austrian Newspaper Association (VÖZ), the Austrian Association of Regional Media, the Austrian Association of Private Broadcasters (VÖP), the Verein Digitalradio Österreich association and the Austrian Presse Agency (APA). The Austrian Communications Authority (KommAustria) takes part in the roundtable as media regulatory authority in an observer role. Activities are planned within the media competence centre of the Media Division of RTR in consultation with KommAustria. The special report on the use of artificial intelligence in the media sector was prepared back in 2023, with a study on artificial intelligence in the media industry following in 2024. The activities also result from cooperation with the AI Service Desk similarly established at RTR. This unit serves, among other things, as a point of contact for the use of AI in media services, providing information on AI to the interested professional public. It also provides support for the implementation of the European AI Act.

The AI Media Roundtable's efforts are aimed at presenting the issues and challenges to be resolved which arise from using artificial intelligence in the media sector. These papers do not represent or in any way prejudice the opinion of the Austrian Communications Authority.

9.1.2.7 Austrian Media Days

With the 2024 Austrian Media Days, the RTR Media Division again cooperated as a partner in the annual event, with representatives taking part in individual events on the main stage and in a breakout session.

"Media literacy to mitigate the risks of AI-scorecard for DACH region" was the title breakout session devoted to the question of how the media sector in Germany, Switzerland and Austria is preparing itself to deal with AI-generated content while helping improve media literacy within the population.

The Media Science Award, presented for the first time in 2024, is intended to recognise innovative ideas and findings in the media sector. At the awards ceremony, part of the main stage programme, the finalists briefly summed up key findings from their Bachelor and Master's theses as well as the conclusions to be drawn for the media sector.

The winners were nominated by a panel of experts consisting of: Mario Fruehauf (managing director of Kronehit and President of the VÖP), Julia Wippersberg (managing director of APA-OTS), Elisabeth Hödl (professor of law and IT at the University of Graz) and Matthias C. Kettemann (professor and head of the Department of Legal Theory and Future of Law at the University of Innsbruck).

9.2 Activities of the Telecommunications and Postal Services Division

9.2.1 Studies and publications

9.2.1.1 RTR Guidance on Co-installation

By establishing rules for civil works coordination (or co-installation; Art. 68 f. Telecommunications Act 2021, TKG 2021), policymakers are pursuing the goal of promoting the expansion of broadband by reducing associated costs.

At as much as 80%, excavation costs make up the major share of the costs of broadband expansion projects. The provisions on co-installation in the TKG 2021 are intended to implement Art. 5 of Directive 2014/61/EU (a directive aiming to reduce costs) in the case of funded construction work. The provisions for co-installation in the TKG 2021 apply, however, not only to funded construction work but also to non-subsidised construction work.

The booklet on construction coordination issues provides guidance for market participants by presenting (non-binding) legal standpoints and RTR's advice on issues that have not yet been decided.

The booklet is available (in German) on the RTR website at https://www.rtr.at/TKP/aktuelles/publikationen/publikationen/ueberlegungen_zur_mitverlegung.de.html.

9.2.1.2 Study on environmental aspects of smartphones

In early 2024, RTR published a study entitled "Environmental aspects of smartphones". In it we at RTR take an in-depth look at the environmental impact of smartphones from the user's perspective. Here it is clearly seen how the various labels and ratings lack of comparability. The study also shows how recycling and ecological criteria, i.e. points frequently emphasised to purchasers of new smartphones, are not the most important factors for reducing the environmental impact of smartphones. Rather, each additional year that a smartphone is used contributes to reduced resource consumption. This is a comparatively simple and increasingly popular measure to improve the sustainability scorecard for digital device use.

The study was done as a literature review drawing on both published research and information available on the internet.

The report is published (in German) on the RTR website at https://www.rtr.at/TKP/aktuelles/publikationen/publikationen/umweltaspekte_von_smartphones.de.html.

9.2.1.3 Brief report: More than just Text Messages – the Numerous Functionalities of Messengers

In response to the new obligations imposed by the European Digital Markets Act, RTR examined in detail the extent to which up to 50 features are available among 13 popular messenger services, presenting the findings in a brief report. WhatsApp was used as the benchmark service. In summary, many of the popular features can be found in almost all of the messengers examined, with these features an important consideration when choosing a service.

The information that was collected in the survey enables a clearer comparison among the various providers. At the same time, the report contributes to the discussion on the interoperability obligation for messengers.

The report is available on the RTR website at https://www.rtr.at/TKP/aktuelles/publikationen/publikationen/messenger_functionalities.en.html.

9.2.1.4 Report: Current Use of AI in the Austrian Telecommunications Sector

Tasked by RTR, WIK-Consult prepared a brief report on how AI is being used in the Austrian telecommunications sector. The telecommunications sector is taking the lead in digitalisation and data science applications. Telecoms operators have established data warehouses and collected enormous volumes of data from network operation. This represents an important foundation for effective AI applications.

Based on interviews, the study highlights the areas where Austrian telecoms operators are already using or are planning to use AI, as well as the challenges at national and international level envisaged by the sector. Here customer management, customer services, network operation, network planning and network configuration are featured in detail. Another finding is that, although operators welcome the European AI Act and accompanying risk classification, at the same time they wish for additional information and transparency measures to accelerate and simplify AI implementation. The study also devoted special attention to the roles of regulation and standardisation. Legal uncertainty may impede the use of AI and associated innovation. To remove potential barriers, it is therefore all the more important that regulation ensures transparency and clarity.

The brief report is published on the RTR website at https://www.rtr.at/TKP/aktuelles/publikationen/publikationen/ai_in_austrian-telecomsector.en.html

See also: <https://www.rtr.at/rtr/service/ki-servicestelle/KI-Servicestelle.en.html>

9.2.1.5 Report on the ecological impact of fibre deployment

In early 2024, RTR commissioned WIK-Consult GmbH to examine the ecological impact of fibre deployment. The resulting report highlights the environmental impact (measured in terms of CO₂ equivalents) of the various connection technologies, as well as the role that migrating to fibre optics plays in this context.

The report is published (in German) on the RTR website at <https://www.rtr.at/TKP/aktuelles/publikationen/publikationen/oekologische-effekte-des-glasfaserausbaus.de.html>.

9.2.1.6 Study on open access networks in Austria

The RTR study "Open access networks in Austria", originally published in December 2023, includes a comprehensive analysis of the products and prices for open access networks (OANs). In 2024, RTR updated the current pricing trends among OANs. The document provides an overview of the price levels of private customer products for open access networks. Price spreads can be seen across the various networks and bandwidth categories, and changes or developments are presented that occurred between 2023 and 2024.

The updated report is published (in German) on the RTR website at <https://www.rtr.at/TKP/aktuelles/publikationen/publikationen/update-studie-oan.de.html>.

9.2.2 Events

9.2.2.1 Artificial intelligence (AI) in high-risk settings

For detailed information about the professional event initiated by the AI Service Desk that took place at RTR in June 2024, see [8.4.1](#).

9.2.2.2 The 25th Salzburg Telecom Forum

Entitled "Secure electronic communications at the crossroads of technology and law", the 25th Salzburg Telecom Forum was held over the course of two days in August by RTR, the University of Salzburg and the European Commission. The conference was organised on both days as a hybrid in-person and online event.

The first day highlighted security in electronic communications, from a variety of perspectives. Presentations were held by Renate Nikolay, Deputy Director-General for CNECT at the European Commission, on the topic of "Secure electronic communications in the EU's policy programme", Tonko Obuljen, Croatian telecoms regulator and BEREC Chair, on the topic of "Secure electronic communications: the role of regulators" and Klaus Pilz (Swisscom) on "5G – basis for secure communications in the air space by integrating air-ground-air (AGA) networks".

The presentation by Manuel Erhard (Quantum Technology Laboratories) on "Current state of technology in encryption" was followed by a panel discussion entitled "What are the challenges faced by security in electronic communications?". Participants were Hans Peter Lehofer (president of the senate of the Austrian Administrative Court), Renate Nikolay, Florian Parnigoni (vice president of ISPA) and Georg Serentschy (Serentschy Advisory Services).

The second day of the Salzburg Telecom Forum was devoted to the legal aspects of secure electronic communications.

Richard Soyer (University of Linz, Institute for Criminal Law) spoke about the most advanced developments in monitoring electronic communications under criminal law. Elisabeth Wagner (Data Protection Authority) gave a talk on the "appropriate level of protection" as specified in Art. 32 GDPR. Arno Spiegel (Federal Chancellery) commented on the draft Network and Information System Security Act (Netz- und Informationssystemssicherheitsgesetz, NISG) 2024.

The final discussion, moderated by Clemens Thiele (University of Salzburg) and with Richard Soyer, Arno Spiegel and Elisabeth Wagner participating, addressed the question of "What should and should not secure electronic communications be able and allowed – or not allowed – to do?"

9.2.2.3 Artificial intelligence and consumer rights: balancing the needs of innovation and regulation

For detailed information about the professional event initiated by the AI Service Desk that took place at RTR in October 2024, see section [8.4.2](#).

9.2.2.4 Reference offers and charges under BBA 2030

In October, RTR together with the Broadband Office and the Austrian Research Promotion Agency (FFG) held an event on "Reference offers and charges under Broadband Austria (BBA) 2030". The objective of the broadband strategy for 2030 is to supply Austria with symmetrical gigabit-enabled access networks nationwide by 2030. The event, aimed at beneficiaries of the BBA 2030 funding programme and parties requesting active or passive access to funded networks, presented the requirements for reference offers and charges for active and passive access. There was an opportunity for questions and discussions afterwards.

Materials from the event are available (in German) from the RTR website at https://www.rtr.at/TKP/aktuelles/veranstaltungen/veranstaltungen/veranstaltungen_2024/standardangebote_und_entgelte_bei_bba_2030.de.html#pastevents.

9.2.2.5 The ecological impact of fibre deployment

The "[Ecological impact of fibre deployment](#)" study, prepared by WIK-Consult GmbH as tasked by RTR, shows that the fibre deployment in the telecommunications sector leads to a more positive CO₂ balance in the long term, despite the initial increase in CO₂ emissions during construction works. The findings were presented at a public event in December and discussed by a panel of experts.

The panel was moderated by Cornelia Ertl and consisted of Martin Beermann (Joanneum Research), Igor Brusic (Open Fiber Austria - OFAA), Werner Neubauer (Aconnic), Thomas Plückebaum (WIK-Consult) and Gregor Schönstein (Digitaloffensive Österreich - DOÖ). Among the issues discussed was the significance of the telecommunications sector for digitalisation. Another point discussed were the effects of an anticipated drastic increase in data volumes and ensuing impact on energy consumption, in particular by the cubes used for mobile connections. Other issues included the switch-off of copper networks and security of investments in fibre deployment.

In his role as host, Klaus Steinmaurer (RTR) emphasised the importance of sustainability as a driver for innovation, underlining the need to consider various network access technologies in the overall context of a sustainable telecommunications industry.

Materials from the event are available (in German) from the RTR website at https://www.rtr.at/TKP/aktuelles/veranstaltungen/veranstaltungen/veranstaltungen_2024/11122024/oekologische-effekte-des-glasfaserausbaus.de.html#pastevents.

9.3 Convergent activities

9.3.1 Expert conference: Radio and mobile network – a powerful duo for digital disaster control

Within the framework of the statutory competence centre for telecommunications and media established at RTR, a hybrid event was held where high-profile experts discussed digital disaster control. Participants included representatives of emergency response organisations, regional warning centres, ministries, mobile telecoms providers, VÖZ, VÖP, the Verein Digitalradio Österreich association, and the ORS.

Roman Bayer (Federal Minister for the Interior) provided insight into the development and complexity of state crisis and disaster management and the challenges faced during the implementation of AT-Alert, a population warning system that has meanwhile been successfully tested.

Herman Bühler outlined the technical aspects involved in implementing AT-Alert, while underscoring the challenges posed by the need for a multi-channel warning system that consistently and dependably provides reliable information. He went on to discuss potential reasons underlying successful implementation of the DAB+ public warning system.

The opportunities offered by the new WorldDAB EWS/ASA standard and its suitability for sending alerts to the population via digital radio DAB+ was the main topic of a talk delivered by Olaf Korte (Fraunhofer IIS). Important aspects here are geofencing, which prevents 'overwarning', as well as the option of sending alarm messages to radios in standby mode.

Following the presentations, Helwin Lesch, former head of distribution and controlling at Bayerischer Rundfunk, moderated a panel discussion including the speakers, as well as Reiner Müller, former technical director of the Bavarian Centre for New Media (Bayerische Landeszentrale für neue Medien). Audience questions addressed in particular the implementation of DAB+ warning systems in Austria. The discussion revealed the challenges, not only from a technical but also regulatory and organisational perspective, which all stakeholders will need to jointly overcome.

Presentation documents that were released for publication are available (in German) on the RTR website at https://www.rtr.at/TKP/aktuelles/veranstaltungen/veranstaltungen/veranstaltungen_2024/digitaler_katastrophenschutz.de.html.

9.4 Public relations: information and transparency

Numerous public relations activities each year are aimed at familiarising the general public with the specific work of regulatory bodies KommAustria, TKK, PCK and RTR, as well as promoting transparency.

Conventional and social media relations

'Conventional' PR activities such as press releases and conferences were used to provide information about matters such as regulatory decisions, issues relating to regulation and grant decisions. Most of the media interviews and television appearances focused on issues of relevance for consumers. Social media including LinkedIn and X were used as communication channels to supplement public relations work. Press releases and publications as well as information relating to events are usually announced in postings.

Enquiry management

RTR deals with a large number of enquiries daily, both by phone and in writing, with increasingly complex issues emerging. In 2024, a total of 3,146 enquiries were submitted to rtr@rtr.at. Most of these enquiries were answered within one working day. As in previous years, the majority of enquiries (66%) concerned end-user issues.

Table 64: Volume of enquiries, 2022 to 2024

	2022	2023	2024
Number of enquiries to rtr@rtr.at	3,004	2,897	3,146

Source: RTR

For initial enquiries relating to user protection and conciliation procedures, consumers can obtain advice from a team of experts by calling 01 58058 888 (weekdays only). A total of 3,985 over-the-phone consultations were conducted in the reporting year, an increase of 6% compared with 2023.

Information platform www.rtr.at

The www.rtr.at website comprehensively documents the entire spectrum of activities by the regulatory bodies KommAustria, the TKK, the PCK and RTR, while offering insights into developments within the regulated markets. RTR promptly publishes on the website decisions and information designated for disclosure from the scope of regulatory activities and grant administration. A series of e-government and online services is also offered, both for companies and for private citizens. The content of this service portfolio is continually being enriched and technical aspects improved.

Information events

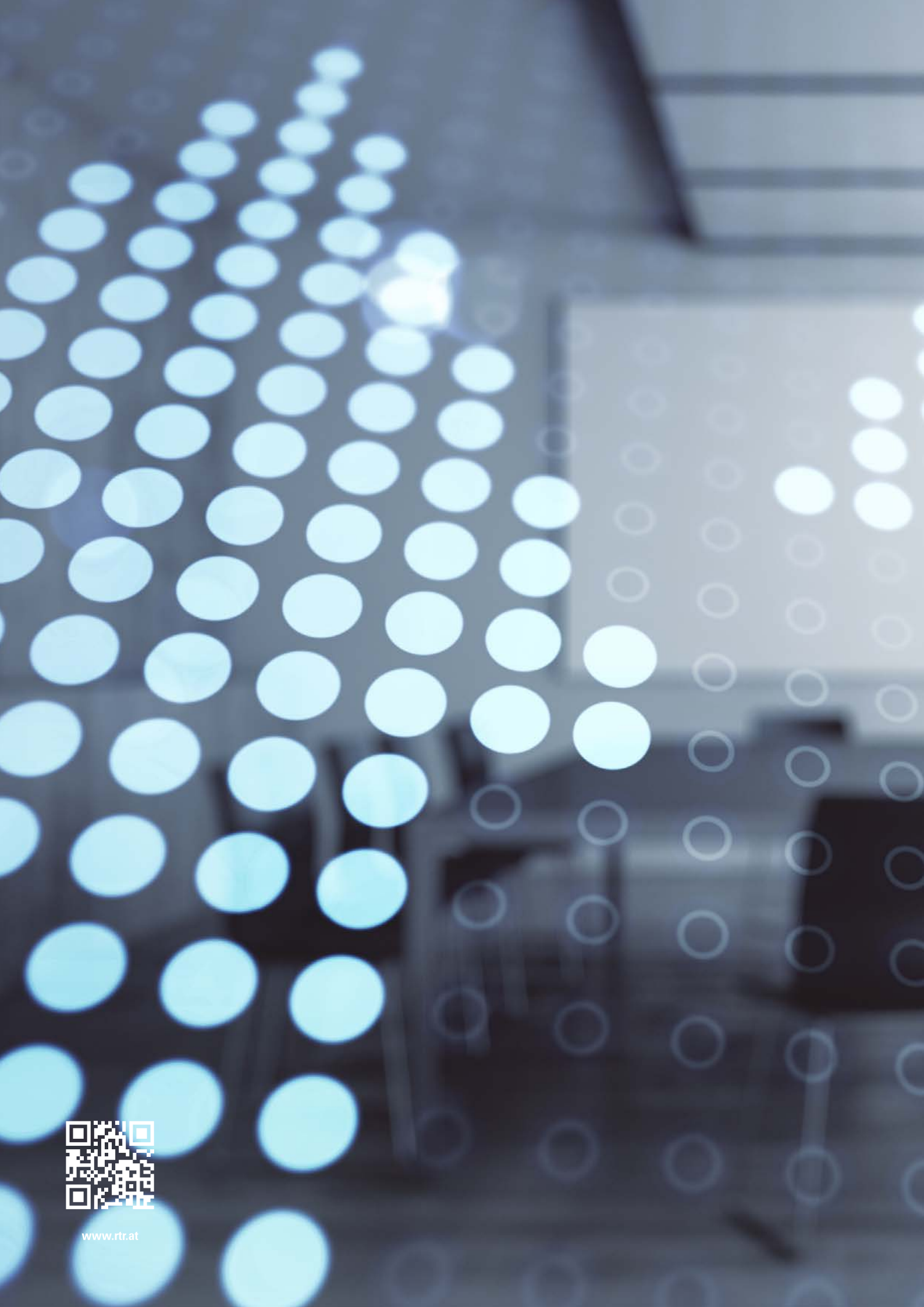
Numerous workshops and information events were held in the reporting year to disseminate information relevant for market participants and the interested public. Refer to section 9.1 and 9.2 for more details.

Publications

Another focus in public relations are the many publications and studies that are made available to the interested general public as downloads on the RTR website. During the 2024 reporting year, these publications included the Communications Report, which fulfils legal reporting requirements, the annual report of the conciliation bodies for telecommunications and postal services, the Net Neutrality Report, the Media Literacy Report, and a number of studies. Selected publications are presented in more detail in sections 9.1 and 9.2.

Several issues of the media and telecoms newsletter RTR AKTUELL provide timely information about regulatory decisions, events and topics of international interest.

The RTR Telekom Monitor, RTR Internet Monitor and RTR Post Monitor, which are published on a quarterly basis, provide summaries of data collected by RTR, and include data on the telecommunications and postal markets.



www.rtr.at

Market developments from a regulatory viewpoint

10 Market developments from a regulatory viewpoint

10.1 The Austrian communications markets in 2024

10.1.1 Developments in the advertising market

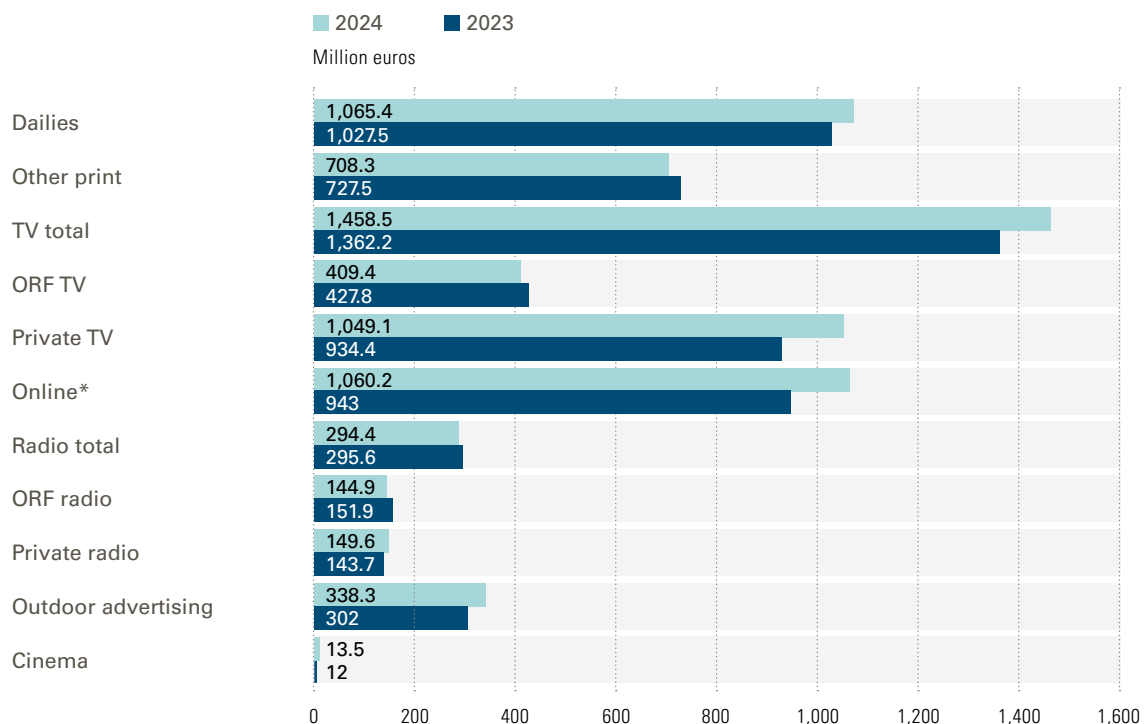
Changes in the advertising market are typically evaluated by media category. A uniform set of data collection methods is normally used for traditional media categories such as television, radio and print. Yet, for the definition of the online media category, various data sources use varying classifications. For this reason, the figures presented in this report for the online media category differ depending on the data source. The exact definition applicable in each case can be determined by consulting the original sources as stated in this report.

Advertising report for 2024: online, radio and cinema gain while print and television lose

Gross advertising figures for the individual media categories can be obtained from the 2024 advertising report by Focus Media Research.

In a month-on-month comparison with the previous year, with the exception of November each individual month in 2024 showed growth compared with the respective month in 2023.

Figure 43: Gross advertising expenditure in Austria by category in 2023 and 2024



Data: FOCUS Research 2024

* Online: Projection based on interviews (advertising businesses and media agency representatives)

The print category enjoyed an overall increase of 1.1% to reach EUR 1.755 billion. The category of daily newspapers rose by 3.7% to EUR 1.0654 billion, thereby offsetting the 2.6% losses incurred by other print media.

The television media category increased by 7.1% to EUR 1.4585 billion, allowing it to extend its lead further over the other media categories. This increase followed on from the strong growth of private TV (12.3%), which more than compensated for the downward trend of ORF TV by 4.3%.

With EUR 294.4 million, radio closed 2024 just under the previous year's figure of EUR 295.6 million, which translated to a loss of 0.4%. Private radio rose by 4.1% while ORF radio recorded a decline in its gross advertising figures of 4.6%.

Cinema advertising increased to EUR 13.5 million in 2024 after achieving some EUR 12 million in the previous year.

Online advertising maintained its steady growth trajectory. These data include the category titles: online, traditional, mobile, SEA, and social & video (as cited from the Focus Media Research report). In 2024, online advertising grew by 12.4%, increasing from EUR 943 million to EUR 1.0602 billion, which translates to an absolute growth of EUR 114.7 million. According to government figures for digital tax revenues, however, gross advertising sales for online advertising in Austria by companies subject to digital tax actually reached around EUR 2.49 billion in 2024. This makes online the best-performing media category for media sales in Austria by a wide margin.

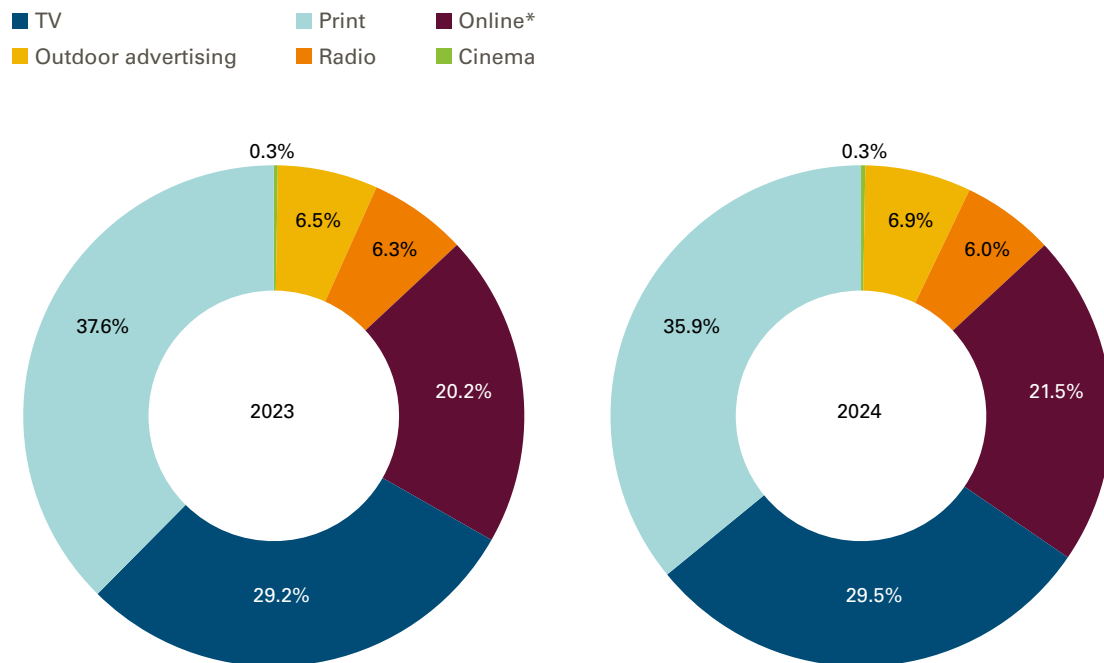
Within the online advertising category, FOCUS has consistently reported very strong growth for social media, which gained 10.3% (2023: 11.4%; 2022: 24.6%; 2021: 17.9%; 2020: 11.9%) to reach EUR 162.6 million. Gross advertising expenditure on search engine advertising also recorded strong gains, rising by 6.7% (2023: 12.4%; 2022: 19.1%; 2021: 12.3%; 2020: 8.2%) to EUR 259.2 million. Growing the most, online video rose by 24.7% to EUR 167.2 million (2023: 9.7%; 2022: 17.5%; 2021: 15.3%; 2020: 6.1%). While online mobile – online advertising tailored specifically to mobile user devices – achieved gross advertising income of EUR 83.6 million for a marginal 3.1% increase (2023: 3.1%; 2022: 4.8%; 2021: 4%; 2020: 3.8%). Traditional online advertising – such as banners on websites – posted significant growth of 14.9% in 2024 (2023: 8.5%; 2022: 1.5%; 2021: 10.6%; 2020: 7.3%).

Within outdoor advertising, with gross advertising income climbing by 11.9% from EUR 302.2 million to EUR 338.1 million in 2024, billboard gained by 12.2% to reach EUR 150.9 million. Increasing the most in 2024 was the digital out-of-home subcategory, which posted EUR 108.7 million and growth of 14.9%. Revenue from street furniture in 2024 was EUR 57.8 million, thereby rising by 10.5% when compared with 2023. Within outdoor advertising, the subcategory of transport took fourth to last place, posting gross income of around EUR 17.3 million and year-on-year growth of 2.2%. The smallest gross revenue figure was posted by ambient media, which earned EUR 3.2 million in 2023 and EUR 3.3 million in 2024. This corresponds to a growth loss of 11.5%.

Percentage distribution of gross advertising expenditure by category

Looking at the distribution of total gross advertising expenditure of EUR 4.94 billion across conventional media, cinema and online media in 2024 (2023: EUR 4.67 billion), the share taken by online advertising showed strongest growth, expanding by 1.2 percentage points to take a 21.4% slice of the advertising pie.

Figure 44: Percentage shares of gross advertising expenditure in Austria by category in 2023 and 2024



Source: FOCUS Research 2024, 2023 Advertising Report

*Projection based on expert interviews

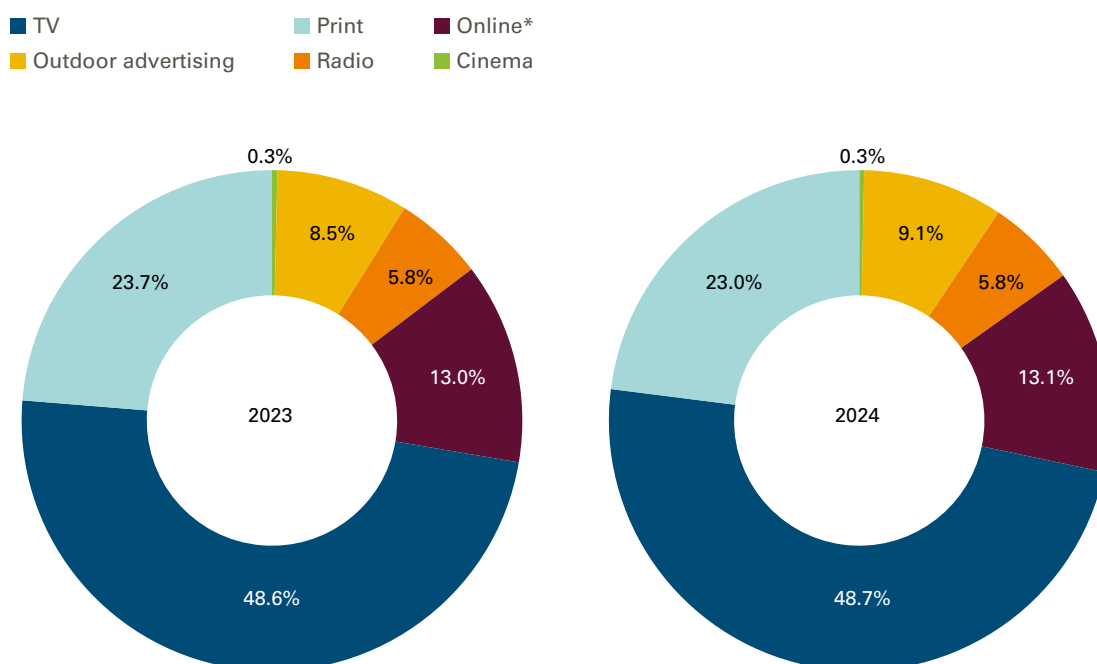
The gains made in online advertising came at the expense of print, which posted a loss of 1.7 percentage points (2023: -1.3 percentage points) to record the largest overall decline among media categories. Print media nevertheless once again took the largest share, accounting for 35.9% of gross advertising expenditure (2023: 37.6%). The share of gross advertising expenditure taken by television advertising marginally increased by 0.3 percentage point to 29.5% in 2024 (2023: 29.2%). Overall, radio fell slightly from 6.3% to 6.0% in 2024. Outdoor advertising increased its percentage share in 2024 to 6.9% after 6.5% in 2023, which represents a slight uptick of 0.4% when compared with the year before. With growth of just 0.3% in 2024, cinema remained virtually unchanged from the previous year.

Comparison with Germany

Nielsen surveys the gross advertising figures by media category as part of the its Ad Trends for Germany report for 2024. The gross figure increased by 4.9% in 2024 to around EUR 35.7 billion. Television took first place among the media categories with EUR 17.4 billion and a growth of some 5% in 2024. Within this segment, around 93% of revenues are generated in Germany by private television. Newspapers reached EUR 5.8 billion in Germany, meaning growth of 6% compared with the previous year. This increase for newspapers was offset by a 7.4% decline among general interest magazines to EUR 2.4 billion. Radio rose by 4.62% to some EUR 2 billion. The share held by private broadcasting in this category is around 78%. Online posted growth of 6% to reach EUR 4.7 billion. The highest percentage growth of 11.4% was recorded by outdoor advertising. This equates to an absolute value of EUR 3.2 billion for 2024. Cinema had the smallest share at EUR 0.1 billion, which equates to a decline of 4.5%.

Among the overall market share of media categories, the most significant change was the increase in outdoor advertising from 8.5% to 9.1%, while radio fell from 23.7% to 23%. In all other aspects, the distribution remained relatively unchanged. Compared with Austria, the share of TV in Germany is very high at 48.7%, compared with 29.5% in Austria.

Figure 45: Percentage shares of gross advertising expenditure in Germany by category in 2023 and 2024



Online market according to Momentum survey

As mentioned in the introduction to this section, in relation to market size, various surveys of the online media category exist.

For its 2024 spending study and 2025 forecast, Momentum used a methodology of 104 structured, in-person interviews with media agencies, publishers, marketing companies and advertising buyers, conducted during January to April 2025. The results presented are based on estimates from the market participants interviewed, figures from publicly available market data and calculations made on the basis of digital tax revenue.

For 2024, Momentum has arrived at a net online advertising market size of EUR 2.97 billion. Following a figure of EUR 2.54 billion net for 2023, this equates to a growth rate of 16.9%. The figures as stated include formats such as traditional online advertising (display, video, mobile), social media marketing, keyword marketing, affiliate marketing, classifieds and directories, integrated content, native advertising, email marketing, newsletter advertising, online auctions, long-term integration partnerships, sponsorships, in-game advertising, digital audio and connected TV. All format titles here are cited from the study itself.

The Momentum study identifies around 85.7% of online advertising spending as accruing to international providers, which corresponds to a value of some EUR 2.55 billion. Keyword marketing accounts for the largest share at 40.9%. The second-largest share at 37.8% is invested in social media marketing. This is followed by Amazon advertising with 10.4%, YouTube with 6.7%, and the Google Network with 2.5%. The remaining 1.6% is attributed to affiliate marketing. From the investments in social media marketing totalling around EUR 961.9 million, the largest shares belong to Facebook (EUR 424.6 million) and Instagram (EUR 335.5 million). TikTok follows in third place with some EUR 110 million.

The following table shows trends in online net advertising figures for Austria based on the Momentum survey.

Table 65: 2024 Austrian online net advertising volume according to Momentum survey

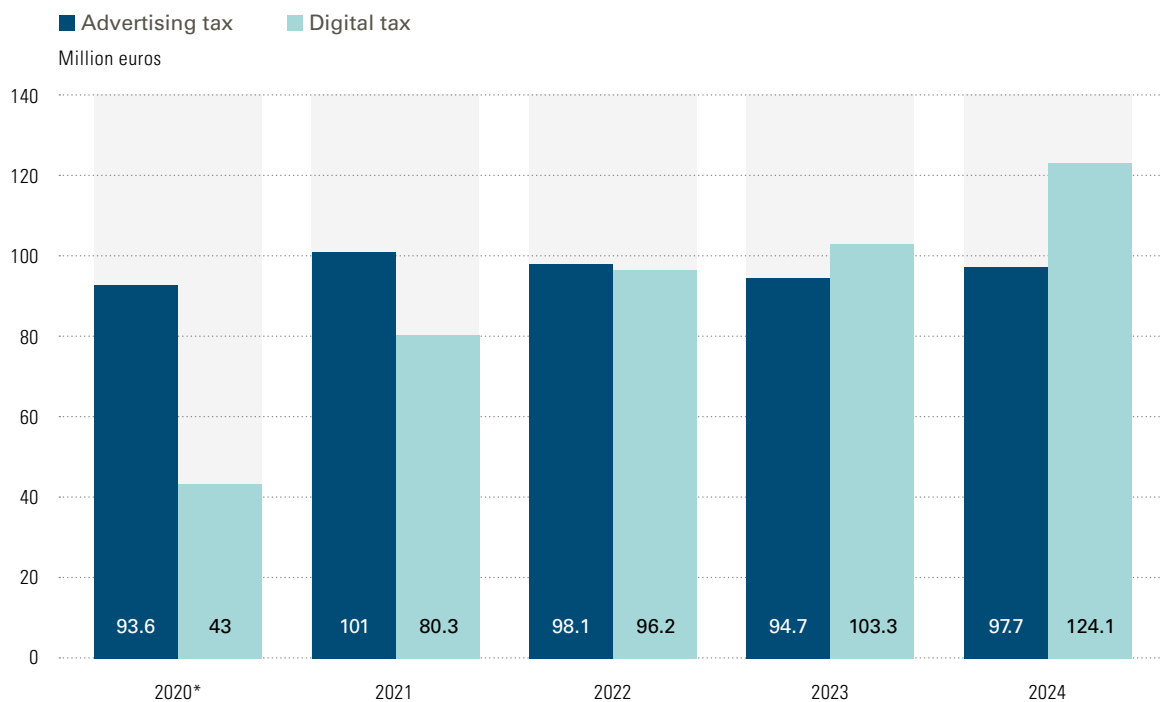
Online advertising revenues	Net advertising volume in 2023 (EUR millions)	Net advertising volume in 2024 (EUR millions)	Share for 2024 in %	Growth between 2023 and 2024 as a percentage compared with the Momentum report for the previous year
Conventional online advertising (display, video, mobile)	458.8	499.0	16.8%	8.8%
Social media marketing	754.7	959.5	32.3%	27.1%
Keyword marketing	887.5	1,042.8	35.1%	17.5%
Affiliate marketing	32.5	40.1	1.3%	23.4%
Amazon advertising	215.3	266.0	9.0%	23.5%
Classified markets	156.7	120.3	4.0%	-23.2%
Other	46.1	42.8	1.4%	-7.2%
Total	2,542.6	2,970.5	100%	16.8%

Digital tax revenues

Since the introduction of the digital tax in Austria in mid-2020, the income from this tax has enabled an indicator of the shares of online advertising spending in the Austrian market that are accounted for by major international platforms.

From revenue collected by the Federal Ministry of Finance (BMF) at a 5% digital tax rate on net income earned by major online platforms (2024: EUR 124.1 million), the outflow of ad revenue from the Austrian market was EUR 2.49 billion in 2024.

Figure 46: Revenues from advertising tax and digital tax (2020–2024)



*digital tax 2020: since march

10.1.2 The Austrian television market

10.1.2.1 Television viewing

Linear television reached an average of 66% of the population aged twelve and over in 2024. This corresponds to a marginal year-on-year increase of 1.6 percentage points (2023: 64.4%; 2022: 66.5%; 2021: 69.2%; 2020: 70.3%) and a return to growth following a three-year decline. While television reach grew significantly during the pandemic, posting record figures in 2020 and 2021, this trajectory then reversed, with its 2023 figure of 64.4% failing to reach pre-Covid levels (2019: 66.4%, 2018: 65.1%, 2017: 65.3%).

Despite the 'super election year', UEFA European Championship and the Olympics, average viewing time fell for the fourth year in a row in 2024, although the loss of six minutes to 170 minutes per day was less than in previous years (2023: loss of 10 minutes to 176 minutes; 2022: -17 minutes to 186 minutes). Until the pandemic year of 2020, TV viewing time had for years consistently increased by single-digit minute figures to peak at 209 minutes. This trend did not reverse until 2021 (2021: loss of six minutes to 203 minutes). At 170 minutes per day, viewing time in 2024 was one minute below the lowest value posted in the last ten years (2015: 171 minutes). The lowest value in the last 20 years was the figure of 153 minutes from 2009.

After a temporary high in 2023, the average time spent by viewers aged twelve and over in front of the television fell sharply again in 2024, losing 34 minutes to end on 246 minutes. In 2022, time spent viewing fell by 14 minutes to 271 minutes – a loss considered to be significantly above average at that time. In 2021, time spent viewing fell by six minutes – the first decline for many years (2023: 280 minutes; 2022: 271 minutes; 2021: 285 minutes; 2020: 291 minutes). Unlike viewing time, which considers the average time spent using the television by all persons in TV households – including household members who do not watch TV – the 'time spent viewing' is a metric calculated only from the average usage time of the proportion of the population that actively watches TV.

Unless otherwise indicated, the usage data presented here for television broadcasters able to be received in Austria are supplied by TELETEST, as commissioned by the TELETEST Working Group (AGTT) since 2007. In September 2024, the name of the project was amended to TELETEST 2.0 in response to the aforementioned change in methodology. The AGTT is a collaboration between Austrian television broadcasters and their advertising slot marketers. The group commissioned market research institute GfK Austria (TV panel/data production/data integration) and TV-Insight GmbH (HbbTV measurement and projection) with the survey. GfK Austria's TELETEST panel derives data via TV-Insight (TVI) , in this case as of January 2025, from a representative sample of the Austrian population (with around 1,505 TV households and roughly 3,325 people aged three and over) using devices that are connected to receivers. These data are then merged with the feedback channel data from over 1.1 million online HbbTVs⁵¹ in Austria.⁵² As a result, TELETEST 2.0 provides personal viewing data – accurate to the second – for linear and time-shifted television viewing.

Daily reach for television channels in 2024

Overall daily reach for linear television rose slightly among viewers aged twelve and over in 2024. When considered in light of the individual results from the various Austrian television channels, this slight increase represents the averaging out of gains and losses of less than a single percentage point, and is thus within the normal fluctuation margin. This general trend among Austrian private broadcasters is bucked only by ServusTV and ATV.

In 2024, ServusTV handily erased the loss of just under one percentage point it suffered in 2023 by gaining around two percentage points and rising to a daily reach of 16.6% (2023: 14.7%). As was the case for almost every channel, ServusTV also benefited from the greater public demand for information during the pandemic. In 2020, the channel expanded its daily reach from the 2019 figure of 13.8% to 15.8%, where it more or less stayed until the end of 2022. This recent and appreciable gain in reach makes ServusTV the only commercial Austrian

⁵¹ HbbTV: Hybrid Broadcast Broadband TV, middleware platform, open, international standard

⁵² Information available at <https://www.agtt.at/>

television channel able to write off the reach loss experienced in 2023 as a mere outlier. Otherwise ServusTV has easily maintained and indeed expanded the viewer popularity it acquired during the pandemic.

Improvements in daily reach were also achieved by PULS 24 (3.5%), oe24 TV (3.9%) and KURIER TV (broadcasting until February 2023 as schauTV) in 2024. At one tenth of a percentage point each, however, these gains were firmly within the margin of fluctuation. For PULS 24, this result reaffirms the modest upward trend maintained by the channel since the figure of 3.2% it achieved in 2020. In contrast, oe24 TV remains around one percentage point short of the record 4.8% daily reach the channel achieved in 2021. Although KURIER TV improved its daily reach to 0.8%,

ATV continued on the downward trajectory the channel embarked on in 2021, shedding six tenths of a percentage point and dropping to 9.9% average daily reach in 2024 (2023: 10.5%; 2022: 11.4%; 2021: 12.4%; 2020: 13.0%). Among Austrian private broadcasters, ATV thus experienced the greatest loss to reach in 2024, falling below 10% to a figure around three percentage points lower than its best result in recent years, namely the 13% daily reach it achieved in 2020. ATV 2 slipped one tenth of a percentage point to 3.7% daily reach – an unremarkable result but nonetheless continuing the negative trend also begun in 2021. ATV 2 achieved 5% daily reach in 2020.

Puls 4 also lost two tenths of a percentage point of its daily reach in 2024 to remain on the downward trend commenced in 2021. At 9.6% daily reach, this is the second year in succession that the channel has failed to rise above 10%. Puls 4 achieved its highest average daily reach to date in 2020, with a figure of 12.6%. In 2024, krone.tv (0.9%) and R9 (2%) both managed to maintain their daily reach figures from 2023.

In 2024, overall daily reach for the ORF TV channels fell among the viewing public aged twelve and over for the fourth successive year. However, the downtick by five tenths of a percentage point to 47.1% was not as pronounced as the loss of around three percentage points experienced in 2022 and 2023 (2023: 47.6%; 2022: 50.4%; 2021: 53.4%;, 2020: 53.8%). Now trailing pre-pandemic levels by a significant margin (2019: 49.7%; 2018: 49.4%), this overall daily reach figure for the ORF TV network is once again the lowest achieved during the last 30 years, for the second year in succession.

ORF 2 lost one percentage point and fell to 36.7% (2023: 37.7%; 2022: 40.2%), thereby equalling its previously weakest results from 2014 and 2015. In terms of daily reach, ORF eins had previously shrunk by 2.6 percentage points to 24.8% in 2022 and had shed another 1.5 percentage points in 2023 to end at 23.3% – its historically weakest reach figure. In 2024, it managed to reverse this downward trajectory, gaining four tenths of a percentage point to rise to 23.7% daily reach. ORF III saw a marked decline in daily reach in 2023 thanks to its year-on-year loss of one percentage point to 10.8%. It was more or less able to maintain this figure at 10.6% in 2024 (2022: 11.7%; 2021: 11.9%). Before the pandemic, ORF Sport+ had been on an upward trajectory that almost took it past the 4% milestone (2019: 3.9%). After a change in fortunes from 2020 onwards, it nonetheless managed a modest improvement on its 2023 figure (2.8%), with exactly 3% daily reach in 2024 (2022: 3.1%; 2021: 3.5%; 2020: 3.5%).

German private broadcasters represent the most-viewed foreign TV channels in Austria (with and without Austrian advertising slots). Their overall daily reach remained practically unchanged year on year in 2024 at 34.6% (2023: 34.8%), while still representing a significant decline from the record figure of 41.7% achieved in 2020.

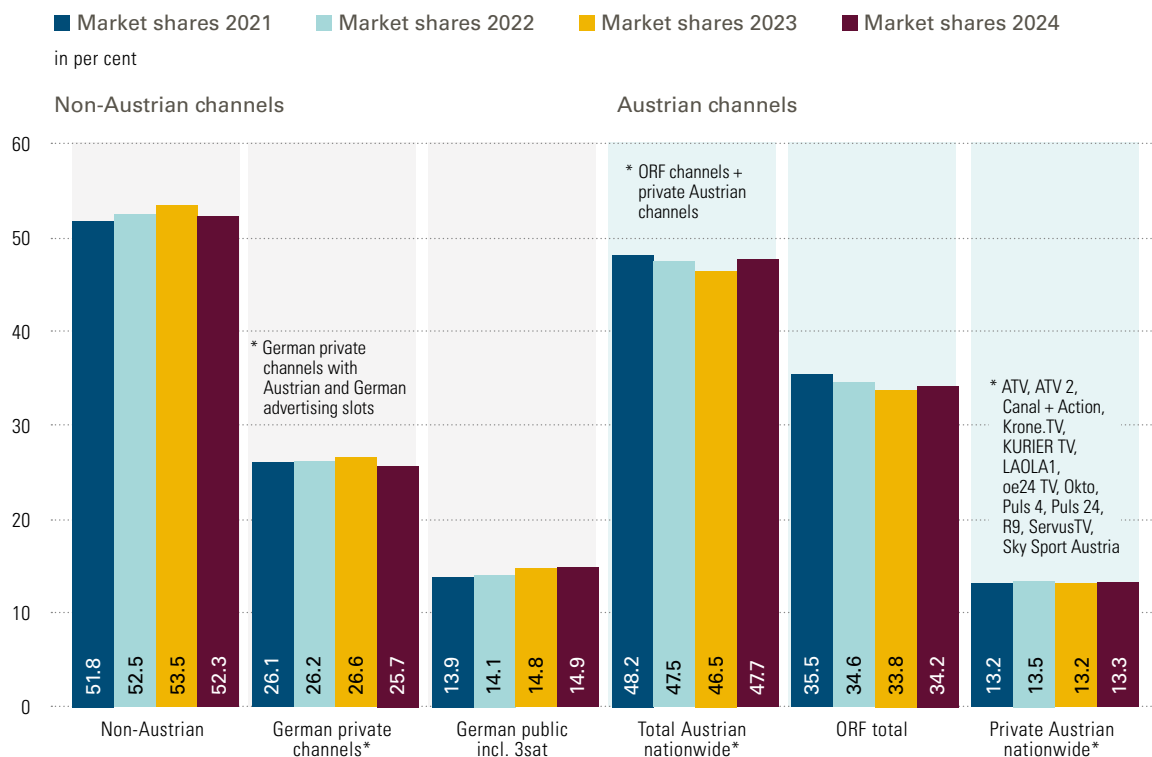
10.1.2.2 Market shares of Austrian and non-Austrian television channels

Following a two-year decline, the overall market share of Austrian TV channels among the viewing public aged twelve and over increased slightly in 2024, although remaining under 50% as before. Despite suffering minimal losses to market share in 2024, foreign TV channels continue to enjoy a greater share of viewing time than domestic channels.

A channel's market share depends on how long that channel was actually viewed, unlike daily reach, which merely represents how many more people even tuned into the channel once a day – possibly only for a few minutes. To increase market share, a channel must actually be used for a longer period of time than in the previous year and the rate of increase for this channel must also be greater than for its competitors in order to obtain a higher percentage of total television minutes viewed in Austria.

In 2024, domestic channels (the ORF and private broadcasters) acquired a little over one percentage point, rising to an annual market share of 47.7% and the second-best value over the last decade after 2021 (2023: 46.5%; 2022: 47.5%; 2021: 48.2%; 2020: 45.6%). Between 2013 and 2020, domestic channels collectively achieved annual market shares ranging from 44% to just under 46%. The ongoing pandemic combined with political upheavals in Austria continued to drive demand for domestic news and current affairs programming in 2021. This helped Austrian channels to achieve growth of 2.6 percentage points in market share, which rose to 48.2% and therefore the highest market share for domestic channels ever recorded.

Figure 47: Market shares of Austrian and non-Austrian TV channels among individuals aged 12+, 2021-2024



Source: From 1 September 2024: AGTT TELETEST 2.0; up to 31 August 2024: AGTT/GfK TELETEST; Evogenius M³; 1 January 2023 to 31 December 2024; weighted by person; including VOSDAL/timeshift; market share in %, individuals 12+

Following losses to overall market share in 2020 and 2021, foreign television channels returned to growth over the next two years, adding almost one percentage point in 2022 and another percentage point in 2023 to end on a 53.5% annual market share (2022: 52.5%; 2021: 51.8%; 2020: 54.4%; 2019: 56.6%). In 2024, however, foreign channels could not maintain this trajectory and suffered a year-on-year decline to 52.3%, a level last seen in 2022. This result also shifts foreign channels even further away from the annual shares of between 56% and 57% of the Austrian TV market that they had successfully maintained up to 2019.

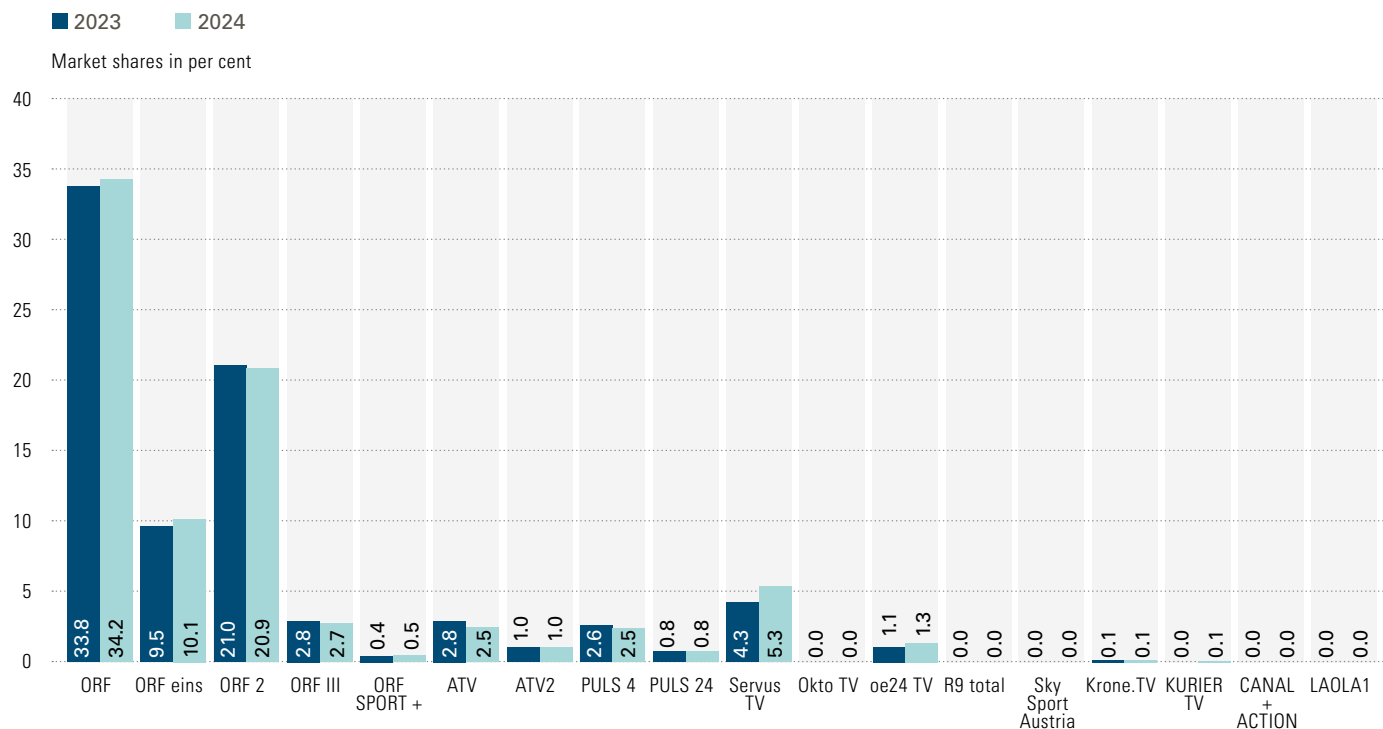
Among non-Austrian channels, those originating from Germany are naturally those that attract the largest domestic viewing public. Private German and public channels achieved a collective market share of 40.6% in Austria in 2024. This figure represents a loss of eight tenths of a percentage point when compared with the previous year (2023: 41.4%; 2022: 40.2%; 2021: 39.9%). In 2024, the German public channels – comprising ARD, the ARD regional channels, ZDF, ZDF neo and 3sat – achieved a market share of 14.9%, a result that was virtually unchanged from the previous year's figure (2023: 14.8%; 2022: 14%; 2021: 14%). Meanwhile, the overall market share for German private channels with Austrian advertising slots, with the addition of the market share of the same channels with German adverts (satellite reception), shrank by just under one percentage point to 25.7% (2023: 26.6%; 2022: 26.2%; 2021: 26.1%). The latter marks a historical nadir for these broadcasters and is some 4.5 percentage points lower than the highest figure recorded over the last ten years (2015: 30.1%).

Other foreign channels achieved a combined market share of 11.7% in Austria in 2024.

10.1.2.3 Market shares of Austrian television channels

Among domestic private broadcasters, ServusTV expanded its leading position considerably in 2024, continuing along its long-standing growth trajectory to improve its market share by a full percentage point to 5.3% (2023: 4.3%; 2022: 4.3%; 2021: 3.7%; ...; 2015: 1.6%). Other Austrian private broadcasters remained largely stable within the margin of fluctuation in 2024. ATV suffered the largest loss, losing three tenths of a percentage point to end on a market share of 2.5% and therefore pursuing the steady decline seen since 2020 (3.5% in 2019). Although Puls 4 slipped by only a single tenth of a percentage point to a 2.6% market share in 2024, the channel likewise remains significantly removed from the peak market share of 3.4% it achieved in 2019. In contrast, Puls 24 has experienced only the subtlest of declines since 2021, occasionally only observable by examining the second digit after the decimal point. In 2024, the channel even managed to maintain its market share year on year with a result of 0.8%.

Overall, the growth achieved by ServusTV was merely able to compensate for the marginal losses suffered by other Austrian private broadcasters and thus did not result in an increase to their overall market share. Considered together, ATV, ATV 2, Puls 4, Puls 24, ServusTV, Okto, oe24TV, R9, Sky Sport Austria, Krone.TV, KURIER TV, Canal+ Action and LAOLA1 achieved a market share of 13.3% in 2024 (2023: 13.2%; 2022: 13.5%; 2021: 13.2%).

Figure 48: Nationwide market shares of Austrian TV channels in 2023 and 2024

Source: From 1 September 2024: AGTT TELETTEST 2.0; up to 31 August 2024: AGTT/GfK TELETTEST; Evogenius M³; 1 January 2023 to 31 December 2024; weighted by person; including VOSDAL/timeshift; market share in %, individuals 12+

In 2024, the consolidated market share for the ORF channels improved by just under half a percentage point, rising to 34.2% (2023: 33.8%; 2022: 34.6%; 2021: 35.5%). While this result marks a slowing of the decline seen in previous years, it is largely thanks to the annual figure from ORF eins, which gained six tenths of a percentage point to once again clear the ten-percent mark and end on a 10.1% market share (2023: 9.5%; 2022: 9.8%; 2021: 10.2%). Although ORF 2 remained stable year on year in 2024, staying within the margin of fluctuation on 20.9% (2023: 21.0%; 2022: 21.4%; 2021: 22.1%), it nonetheless kept to its downward path. ORF III took a 2.7% market share. Although largely static year on year, this constitutes a slight negative trend from a multi-year perspective (2023: 2.8%; 2022: 2.9%; 2021: 2.8%). ORF SPORT+ has consistently achieved a long-term market share between 0.4% and 0.5%, and again posted a solid 0.5% result in 2024 (2023: 0.4%; 2022: 0.4%; 2021: 0.5%).

10.1.2.4 Market shares of German television channels

Over the last few years, increasing diversification among privately owned news and current affairs or special-interest channels from Germany has worked to further fragment the share of the market held by German private broadcasters, ultimately resulting in a net loss of their overall Austrian market share. During 2020 and 2021, the pandemic also stimulated demand among ordinary citizens for information about the state of affairs in Austria, and in turn produced a notable loss of overall market share for German television channels. From 2022 onwards, however, the situation in the Austrian market gradually started to improve for German private and public television channels. Given these circumstances, the setback experienced in 2024 by German private channels, whose market share shrank by around one percentage point to 25.7% and thus their historically worst result, came as something of a surprise. On closer examination, however, this loss is not attributable to any one channel but is instead the sum total of many minor adjustments.

Generally speaking over the past few years, market shares for all German private channels – and especially for smaller and special-interest channels – have been volatile, mostly in terms of fractional percentage values. Already beginning in 2022, these changes were observed to no longer involve gains and losses within a range of up to six tenths of a percentage point but to span a maximum of three tenths of a percentage point. As in the previous year, RTL and RTL up both recorded slight gains in 2024, acquiring two tenths of a percentage point each to top the leader board of positive changes. In contrast, SAT.1 and RTL 2 both suffered above-average losses to market share of four tenths of a percentage point and three tenths of a percentage point, respectively.

In 2024, RTL became the market leader among German private broadcasters with its 3.5% market share (2023: 3.3%; 2022: 3.0%; 2021: 3.1%; 2020: 3.7%), snatching back the crown from VOX and restoring its long-standing reign at the top that had ended in 2022. In 2022, VOX posted gains of three tenths of a percentage point to sail past RTL as the top-performing channel. Although VOX shed only a single tenth of a percentage point in 2024, this 3.4% market share placed it just behind RTL (2023: 3.5%; 2022: 3.5%; 2021: 3.2%; 2020: 3.4%). Together, RTL and VOX continue to lead the field of German private broadcasters by some margin, and this distance to third-placed SAT.1 widened considerably in 2024. Losing four tenths of a percentage point, SAT.1 fell to a market share of 2.2% (2023: 2.6%; 2022: 2.6%; 2021: 2.7%; 2020: 3.0%) and therefore the same share as posted by ProSieben, which shed two tenths of a percentage point to 2.2% (2023: 2.4%; 2022: 2.4%; 2021: 2.7%; 2020: 3.2%). By acquiring two tenths of a percentage point, RTL up managed to sustain its upward trajectory, passing the two-percent mark to achieve a market share of 2.1% (2023: 1.9%; 2022: 1.6%; 2021: 1.5%).

In the group of German private broadcasters with a market share of less than 2%, Sat.1 Gold led the pack with a 1.9% market share in 2024 (2023: 1.8%; 2022/2021: 1.7%; 2020: 1.8%). Close on its heels were Kabel 1 with 1.8% (2023: 1.8%; 2022: 1.7%; 2021: 1.8%; 2020: 2.2%) and RTL 2, which, despite having returned remarkably consistent results between 1.8% and 1.9% in recent years, fell by an above-average three tenths of a percentage point to a 1.6% market share. NITRO also gave ground, slipping to 1.2% (2020 to 2023: 1.4%). SUPER RTL retained the market share of 1.0% it has held since 2020.

Among channels with less than 1% market share, Kabel 1 Doku (0.9%) and Sport 1 (0.5%) both improved their position by a tenth of a percentage point in 2024. No change was seen in the market shares for ntv (0.7%), DMAX (0.6%), ProSieben Maxx (0.5%), Comedy Central (0.2%) and Nickelodeon (0.1%). As in the previous year, TLC shed two tenths of a percentage point to end on 0.4%, while sixx slipped back one tenth of a percentage point to 0.6%.

German public service channels accounted for around a third of the overall market share of German television channels in Austria. Retaining its unchanged market share of 4.6%, ZDF not only remained the most successful public channel from Germany in 2024 but also the most successful German channel overall in the Austrian market – a title it has held since taking the honours from RTL back in 2018. Since 2018, ZDF had also placed behind ORF 2 and ORF 1 every year as the third most popular German-language channel in Austria. In 2024, this situation changed, however, with the Austrian channel ServusTV (5.3%) now taking this spot.

The other public channels from Germany saw little to no change in their market shares in 2024: ARD (3.2%) and the ARD regional channels (3.8%) held on to their market shares from the previous year, while 3sat (1.5%) and ZDFneo (1.9%) each increased their share year on year by a single tenth of a percentage point. Considered together, the German public channels took a 14.9% share of the Austrian television market in 2024.

The group of non-Austrian channels claimed a collective market share of 52.3% in 2024 (2023: 53.5%; 2022: 52.5%; 2021: 51.8%; 2020: 54.9%). Besides the channels originating from Germany, this category comprises other German-language channels, including the one broadcast by Swiss public television, and shopping channels such as QVC or HSE 24, as well as of course channels broadcast in other languages.

10.1.2.5 2024 Video Survey: ratio of broadcast to online consumption

Decline in daily per capita video consumption continues in 2024

Combined video viewing time for linear television and streaming services decreased year on year in 2024 by the substantial sum of 23 minutes, and fell to 223 minutes per capita per day in the Austrian population aged 14 and over (2023: 246 minutes; 2022: 261 minutes; 2021: 281 minutes; 2020: 248 minutes). Compared with the loss of 15 minutes in 2023, this year's decline was therefore more pronounced, although video viewing time in 2024, at an average of 219 minutes per day, was still above the figure for the pre-pandemic year of 2019.

When considering the proportions of viewing time spent on linear television versus online services, the – at times rapid – uptake of video content supplied by online video platforms seen from 2016 onwards has just as clearly slowed since 2022. While a growth in online usage since then is still discernible, the gains made amount to only a few tenths of a percentage point in overall video viewing time per capita. In 2024, linear television channels were viewed as live broadcasts to the same extent as in 2023 but a little less often as time-shifted video, i.e. via recorders or the corresponding platforms from cable TV providers. Channels were also viewed slightly less often as online live streams. In contrast, an uptick was seen in viewing time for on-demand television content from the channels' media libraries.

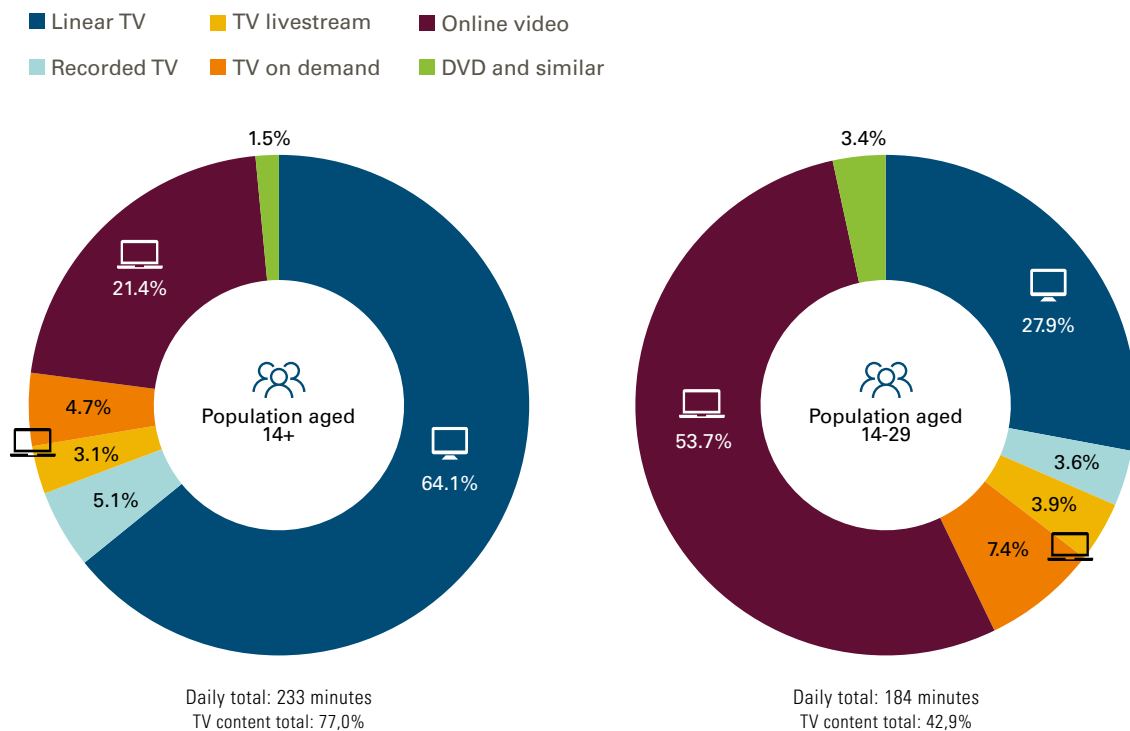
Traditional linear scheduled television remained the most-used video source in the Austrian population aged 14 and over by a large margin, and even managed a modest year-on-year increase in its share of the daily video mix, which rose to 64.1% from 63.8% in 2023 (2022: 65%; 2021: 69.1%). In light of the significant drop in overall video viewing time, average viewing time for linear live television also declined, falling by 14 minutes to 143 minutes per capita per day (2023: 157 minutes; 2022: 170 minutes; 2021: 194 minutes).

Time-shifted TV, such as 'home-made' TV recordings using a hard disk recorder, or from platforms offered by cable television providers, television usage took a total share of 69.2% (2023: 69.4%; 2022: 70%; 2021: 73.4%) or 154 minutes (2023: 171; 2022: 183; 2021: 206) of daily video viewing time.

Video consumption from purely online sources such as Netflix, Amazon Prime Video or YouTube, as well as video on social media such as Facebook, TikTok, Instagram and WhatsApp, contributed 21.4% or 48 minutes (2023: 21.1% or 52 minutes; 2022: 20.8% or 54 minutes; 2021: 18.5% or 52 minutes) towards average video viewing time per day by the general population in 2024. Including TV livestreams and access to television programmes hosted by media libraries, Austrians covered 29.2% of their daily video viewing needs online (2023: 28.7%; 2022: 28.1%; 2021: 25%; 2020: 24.6%) for a total of 65 minutes per day (2023: 70; 2022: 73; 2021: 70).

These are the findings of the 2024 Video Survey, research conducted annually since 2016 by the RTR Media and the Teletest Working Group (AGTT) at GfK Austria. This opinion research institute uses computer-assisted web interviews (CAWI) to survey, usually in February, 4,000 respondents as a representative sample of the Austrian population aged 14 and over.

Figure 49: Daily viewing of video broadcasts and online video in 2024, individuals aged 14+ and 14 to 29-year-olds



Source: RTR/AGTT 2024 Video Survey; shares as percentages; all of Austria

The Video Survey presents the use of all video services, from linear television and broadcaster media libraries to alternative online services, and includes video consumption in social media, both among the population as a whole and within many specific subgroups. The 2024 Video Survey is available in its entirety on the RTR website at <https://www.rtr.at/Bewegtbildstudie2024> (in German).

2024 sees sharp decline in video viewing time for young people (14 to 29-year-olds)

Among young people aged 14 to 29, the daily consumption of video dropped sharply in 2024 compared with the previous year. At just 184 minutes per day, daily video usage among this young target audience fell year on year by 45 minutes (2023: loss of 3 minutes to 229 minutes; 2022: loss of 8 minutes to 232 minutes; 2021: gain of 10 minutes to 250 minutes). This figure is not only 66 minutes below the highest figure of 250 minutes from the pandemic year of 2021, but also 12 minutes lower than the 196 minutes from the pre-pandemic year of 2019.

In contrast, traditional television reception via antenna, cable or satellite achieved a slightly higher share of overall consumption among young people year on year, rising by two percentage points to 27.9% (2023: 25.9%; 2022: 30.5%; 2021: 31.9%). In absolute terms, however, its share fell by 7 minutes to 52 minutes per day (2023: 59 minutes; 2022: 71 minutes; 2021: 80 minutes). As a proportion of overall video consumption among young people, broadcasts of linear television channels recorded to user devices or consumed via video platforms provided by cable network operators fell by 2.4 percentage points to 3.6% (2023: 6%; 2022: 4.2%; 2021: 4.3%). As a result, television's decline as a format viewed by this young target audience continued in 2024, slipping to 31.5% of daily video consumption (2023: 31.9%; 2022: 34.7%; 2021: 36.3%).

Young people also consumed less video from live television streaming in 2024. In 2023, this format had gained just under three percentage points year on year among young people, rising to 8%. In 2024, live television streaming's share of video viewing fell by just over four percentage points to 3.9% (2023: 8%; 2022: 5.2%; 2021: 4.8%). Only on-demand TV – and especially the use of online media libraries from broadcasters – saw its usage increase slightly, achieving an average share of 7.4% of daily video consumption among 14 to 29-year-olds in 2024 (2023: 6.9%; 2022: 6.9%; 2021: 7.3%). Taking linear television and online usage together; the consumption of this content by the young target audience was 42.9% and thus a markedly lower proportion of daily video consumption in a multi-year comparison (2023: 46.9%; 2022: 46.8%; 2021: 48.3%).

As a proportion of daily video viewing time, video consumption from all online sources combined – i.e. live streams and broadcaster media libraries, streaming services such as Netflix, Amazon Prime Video and YouTube, and video usage on social media platforms including Facebook, TikTok, Instagram and WhatsApp – rose by one percentage point in the 14 to 29-year-old age group to 65% in 2024 (2023: 64%; 2022: 61.1%; 2021: 60.1%; 2020: 59%). However, this result is significantly impacted by the lower viewing times for television live streams. Excluding this format and television media libraries, the consumption of online video rose by just under five percentage points to 53.7% in 2024 (2023: 48.9%; 2022: 49%; 2021: 48%).

When video consumption for young people is broken down by technical format, i.e. television or online (the latter including television live streams and on-demand television), 14 to 29-year-olds used online services to cover around two thirds of their average daily video consumption needs in 2024 (65%) with 31.5% covered by live television or recordings thereof (time-shifted television). DVDs still account for over 3% of daily video consumption among young people.

2024 online video service rankings

In 2024, media libraries from television channels (collectively) placed in front of Netflix and YouTube in online video source rankings for the first time, thanks to strong growth and a resultant 4.7% share of average daily video viewing time in the general population (14+). In 2023, the media libraries combined took a 3.8% share of video consumption (2022: 4.3%; 2021: 3.6%). Netflix also made gains, however, taking the second spot in the online rankings thanks to its 4.5% share of average daily video consumption (2023: 4.1%; 2022: 4.6%; 2021: 4.1%), closely followed by YouTube on 4.4% (2023: 4.3%; 2022: 4.6%; 2021: 3.9%). Despite their losses, live streams from television broadcasters took fourth place with a 3.1% share (2023: 3.8%; 2022: 3.0%; 2021: 2.7%). Amazon Prime Video continued its persistent downward trajectory to finish 2024 at 2.0% (2023: 2.1%; 2022: 2.3%; 2021: 2.6%). Other sources of online video followed at some distance, headed by Instagram at 1.3% (2023: 0.9%; 2022: 1%; 2021: 0.8%), which therefore prevented Disney+ from repeating its 2023 placing (2024: 1.0%; 2023: 1.3%; 2022: 0.7%; 2021: 0.4%), and then Twitch (2024: 1%; 2023: 0.8%; 2022: 0.7%; 2021: 0.6%), TikTok (2024: 0.9%; 2023: 0.7%; 2022: 0.7%; 2021: 0.4%), WhatsApp (2024: 0.4%; 2023: 0.5%; 2022: 0.6%; 2021: 0.5%) and Facebook (2024: 0.4%; 2023: 0.6%; 2022: 0.6%; 2021: 0.5%). Other online video offerings reached a total average of 5.5% of daily video viewing time among the overall population aged 14 and above (2023: 5.8%; 2022: 5.1%; 2021: 4.5%).

Among young people in the 14 to 29 age group, YouTube retained the crown among online video platforms in 2024, thanks to its 11.5% share – unchanged year on year – of average daily video per capita viewing time (2023: 11.5%; 2022: 13.4%; 2021: 11.4%). Second-placed Netflix, which had lost three percentage points in 2023, made up ground again in 2024 to end the year on a 10.6% share of daily video consumption among this young viewing population (2023: 8.1%; 2022: 11%; 2021: 12.3%). YouTube had taken the top spot from Netflix as the most popular streaming service among young people only as recently as 2022. The third place in online rankings among the 14 to 29 age group was taken for the first time by on-demand television (television channel media libraries), which rose by five tenths of a percentage point to 7.4% (2023: 6.9%; 2022: 6.9%; 2021: 7.3%). Instagram significantly improved its profile as a video source for young people, jumping three places from seven to four with 5.6% (2023: 2.8%; 2022: 3.7%; 2021: 3.3%). TikTok's 4.3% share also saw it move up one place from six to five (2023: 3.0%; 2022: 2.8%; 2021: 1.7%). While live television streaming had risen by just under three percentage points to 8% in 2023, and improved its ranking to third, it lost significant ground in 2024, falling four percentage points to 3.9% (2023: 8%; 2022: 5.2%; 2021: 4.8%) to place only sixth. Twitch again achieved modest gains to rise to 2.9% and become the leader of the group with less than three

percentage points of share (2023: 2.6%; 2022: 2.3%; 2021: 2.1%), followed by Disney+ on an unchanged 2.3% (2022: 1.7%; 2021: 0.7%). After its 2023 comeback, when it achieved a share of 3.6% among the young viewing population, Amazon Prime Video tumbled to 2.2% in 2024 (2022: 1.5%; 2021: 3.7%). Below the 2% mark, film and video downloads from various services collectively total 1.7% and therefore equal Snapchat, whose 1.7% is also the result of further gains (2023: 1.2%). In 2022, Snapchat was placed in the category of other online services used (2021: 1.4%). In 2024, the 'Others' category now includes WhatsApp, which is clearly less popular for video sharing among young people. In 2023, WhatsApp still managed 1.5% (2022: 1.5%; 2021: 1.6%). Although this category continues to offer a wide variety of video sources, it experienced its first loss in 2024, shrinking to 11.0% (2023: 12.2%; 2022: 10%; 2021: 9.8%).

10.1.3 The Austrian radio market

10.1.3.1 Nationwide listening figures in 2024

Following gains made in 2023, daily reach for radio stations as a whole experienced moderate losses in 2024, not only among the general population in Austria aged ten and over (10+) but also in the core target group of 14 to 49-year-olds, falling back to figures last seen in the Radiotest survey from the fourth quarter of 2022. However, the major upswing in average radio listening time per capita per day from 2023 was more or less maintained in 2024.

These insights on radio listening in Austria, together with all other results presented below, are sourced from Radiotest, a representative reach study for radio usage in the Austrian population aged ten and over. Radiotest uses a mixed-method format for the interviews conducted in its target group of 14 to 69-year-olds: one in five interviews is organised as an online interview (CAWI), with the remainder completed as voice call interviews (CATI). The total sample size (10+) is 24,000 interviews.

Radiotest is commissioned by the ORF and the Austrian private stations. Survey work was completed by two fieldwork agencies in 2024: GfK Austria (CATI) and Reppublika (CAWI). Fieldwork, weighting and the final analysis is monitored by the ISBA. Effective 1 January 2023, the online/CAWI proportion was increased from 10% to 20%, specifically to 15% in the 14 to 49-year-old target group and to 5% in the 50 to 69-year-old group. This extended online proportion first formed part of overall results in the 2023 annual results and has probably contributed to the gains in figures for listening time and daily reach.⁵³

The 2024_4 Radiotest survey does not yet provide individual figures for the DAB+ digital radio stations launched in June 2024 (15 nationwide, 16 in various regional coverage areas). However, their presence is inevitably reflected in the results from the general, nationwide parts of the Radiotest survey for listening time and for radio reach in the overall population.

In the overall population 10+, listening time fell slightly by three minutes to 199 minutes (2023: 202 minutes/+15 minutes per day; 2022: 187 minutes/+1 minute). In the core target group of 14 to 49-year-olds, average listening time rose by one minute to 201 minutes per day (2023: 200 minutes/+23 minutes; 2022: 177 minutes/+11 minutes). In 2024, domestic private broadcasters increased their collective market share once more in both age groups – achieving notable gains in the core target group – while the ORF radio stations again yielded ground correspondingly.

Survey figures show that, on average, 75% of the 10+ Austrian population listened to the radio "for at least 15 minutes yesterday"⁵⁴ in 2024 (2023: 76%; 2022: 74.9%; 2021: 75.2%). With this slight downtick year on year of a single percentage point, hopes that daily reach could perhaps climb back to the peak figure of 77.3% recorded in 2019 proved as fruitless as in 2023. Daily reach in the 10+ population declined every year from 2020 to 2022.

⁵³ Source: www.rms-austria.at

⁵⁴ Definition of daily reach in the context of radio:

Daily reach for radio also decreased in the core target group of 14 to 49-year-olds in 2024, falling back to 71.7% and therefore a figure last seen in 2022 (2023: 73.4%/gain of 1.7 percentage points; 2022: 71.7%/gain of two percentage points; 2021: 69.7%/gain of 0.2 percentage points).

In 2024, average listening time in the general population 10+ remained virtually unchanged year on year, ticking down 3 minutes to 199 minutes per capita per day. In 2023 the figure had risen by 15 minutes to 202 minutes per day, thus even managing to surpass the last record figure from 2019 by one minute. During the period 2020 to 2022, listening time decreased every year and fell by a total of 14 minutes. In 2019, however, there had been an atypical and significant rise in listening time in the general population 10+ of 18 minutes to 201 minutes (2018: 183 minutes; 2017: 179 minutes).

In the target group of 14 to 49-year-olds, listening time ticked up by a single minute in 2024 to an average of 201 minutes. In 2023, the sharp rise in listening time from 2022 (gain of 11 minutes) was itself beaten by another jump of 13 minutes to 200 minutes (2022: 177 minutes; 2021: 166 minutes), which has now decisively bucked the long-observed trend of a downward decline exhibiting high volatility. The year 2021 therefore marks the nadir for the period of the last five years. In 2020, listening time in the core target group decreased year on year by 15 minutes to 170 minutes, although it had posted an unprecedented gain of 14 minutes to 185 minutes in 2019.

Austria-wide market shares and daily reach for ORF and private radio

The daily reach of a radio station expresses the percentage of people within a target age group who tuned into that station 'yesterday' and listened for at least 15 minutes. When for example a listener tunes into three stations for at least 15 minutes each, the amount of positive impact that this listener has on daily reach is the same for all three stations, even if she perhaps listened to two of the stations for only 15 minutes each but to the third for a longer period.

This contrasts with market share, which tells us how many of the average radio minutes listened to each day can be allocated to the respective radio stations. If people spend more time listening to one radio station, this station has more market share than others and so increases the value of its airtime to advertisers.

Radiotest determines market share based on a survey of respondents' activities on each previous day. The day is divided up into quarter-hour periods, with listeners allowed to name up to three radio stations for each quarter of an hour. This, as well as rounding effects, can lead to overlapping among the results for the various radio stations, so that the total market share held by radio stations may turn out to be greater than the adjusted (net) figure for all stations in total, for example, for the ORF channel portfolio as a whole or private stations in total. This effect was observed again in 2024. Although the individual shares of the market for listeners aged 14 to 49, as held by ORF, national private radio broadcasters and other radio broadcasters (such as foreign broadcasters), should add up to 100%, these shares in fact total 104%.

The following information concentrates on the 14 to 49-year-old core target group which is especially key for marketing. Here, mean listening time is calculated for an entire week, that is, from Monday to Sunday.

Daily reach shrinks again for ORF radio stations, private stations gain ground once more

In 2024, the ORF radio network took 46.1% of daily reach in the target group of 14 to 49-year-olds – over two percentage points less than the previous year's figure and continuing a series of losses made in recent years (2023: 48.2%; 2022 and 2021: 48.9%; 2020: 51.2%; 2019: 54.6%)

Although domestic private stations were unable to fully exploit the loss of daily reach by the ORF radio network, they nonetheless improved their cumulative daily reach by one percentage point to 45.7%. This contrasts with the six-percentage-point jump to 44.7% daily reach achieved by private stations in 2023 and their gains of over three percentage points in 2022 and two percentage points in 2021 (2022: 39%; 2021: 36%; 2020: 34%; 2019: 36%).

Among individual ORF stations, there were both losses as well as a few gains within the range of a single percentage point.

In 2024, Ö1 reversed the slight downward trajectory it had followed for the past two years in the 14 to 49-year-old target group, gaining two tenths of a percentage point and rising to a daily reach of 5.2% (2023: 5.0%; 2022: 5.5%; 2021: 6.2%). During the pandemic, this current affairs and arts station had managed to expand its reach, first to 5.7% in 2020 and then to 6.2% in 2021.

After failing to make good on its 2022 gains to daily reach in 2023, Ö3 fell even further in 2024, shedding 2.1 percentage points to end the year on a daily reach of 32.6% and thus continuing its long-term decline in this metric (2023: 34.7%; 2022: 35.5%; 2021: 34.6%; 2020: 36%; 2019: 39%).

In contrast, the ORF regional radio network collectively maintained its overall daily reach in the 14 to 49-year-old listening public (nationwide) year on year at 13.8% in 2024 (2023: 13.8%; 2022: 13.5%; 2021: 12.8%). However, the 2024 result is still significantly short of the last record figure of 15.7% recorded by the ORF regional stations in 2019. In 2024, the ORF regional stations with the highest reach figures (each in their core broadcasting regions) were Radio Kärnten (18.2%/gain of 1.6 percentage points) and Radio Vorarlberg (17.7%/loss of 1.7 percentage points). The stations with the smallest reach were Radio Niederösterreich (8.9%/loss of 1.6 percentage points) and Radio Wien (7.0%/gain of 0.3 percentage points).

FM4 was also able to improve its daily reach in the core target group in 2024, gaining three tenths of a percentage point to 5.6% (2023: 5.5%; 2022: 5.2%; 2021: 4.7%).

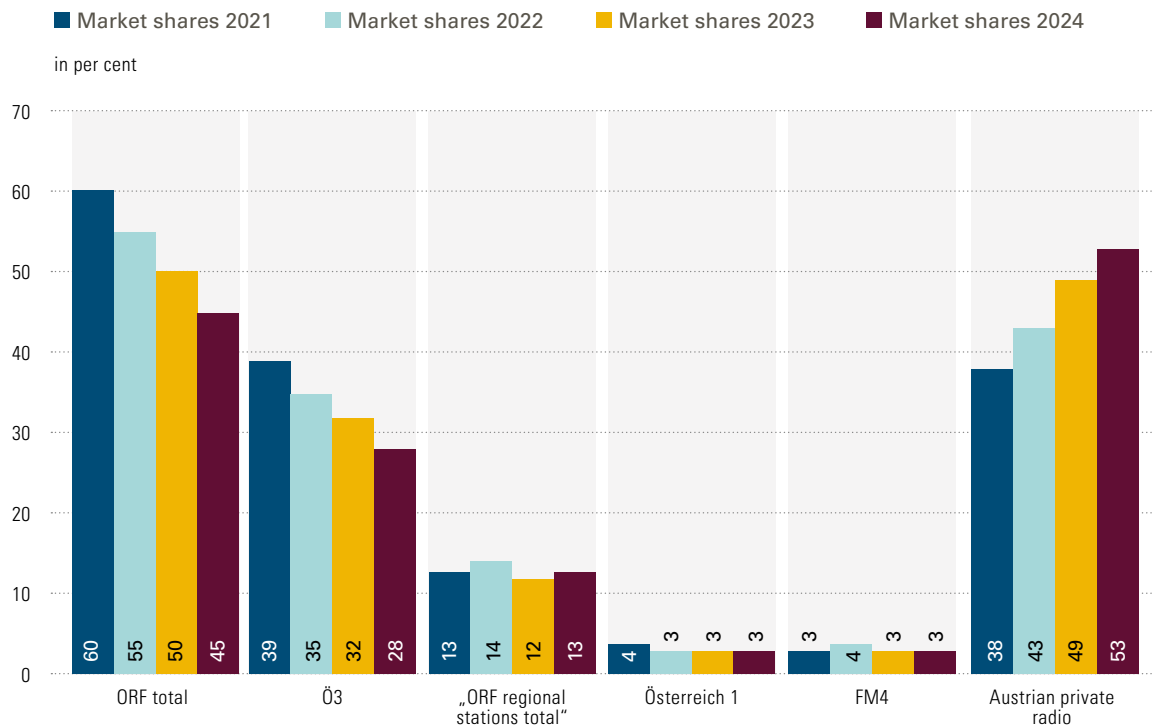
ORF market share shrinks notably again in 2024, private stations set new record

For the second year running, the overall market share for ORF stations nationwide fell in 2024 by five percentage points, to a new low of 45% in the 14 to 49-year-old listener group (2023: 50%; 2022: 55%; 2021: 60%; 2020: 63%; 2019: 65%). Including losses from 2019 to 2021, this means that in the space of five years the ORF radio network has given up 20 percentage points of market share among the most relevant target group for advertisers.

In 2023, mainstream station Ö3 compounded the four-percentage-point loss posted in 2022 by shedding three percentage points and largely accounting for the overall drop in market share for ORF stations in that year. In 2024, Ö3 saw its share shrink by another four percentage points to 28% and thus continued its long-term decline that started in 2020 (2023: 32%; 2022: 35%; 2021: 39%; 2020: 40%; 2019: 43%).

The nine ORF regional stations remained within their mid-term margin of fluctuation in 2024 and improved their market share by a single percentage point to 13% (2023: 12%; 2022: 14%; 2021: 13%). At 3% market share each, FM4 and Ö1 saw no change year on year in 2024 and thus continued on their stable long-term path (FM4: 2022: 4%; 2021: 3%; Ö1: 2022: 3%; 2021: 4%).

Figure 50: Shares of the nationwide radio market held by ORF and private stations among the 14–49 target group, 2021–2024



Source: Radiotest 2024_4; percentages; all of Austria.

The market share collectively held by private stations in the provinces, the national commercial stations kronehit and oe24 (formerly Radio Austria), and the DAB+ digital radio stations rose by four percentage points in 2024 to reach 53%, and thus another record market share figure for these stations. Private stations had already netted gains of five percentage points in 2022, rising to 43% and their highest share recorded to date, only to make another six-percentage-point jump to 49% market share in 2023. Only in 2021 had the private stations improved on the 36% market share they had held since 2015 (with the exception of 2018: 37%), gaining two percentage points to achieve a record market share of 38% in the core target group of 14 to 49-year-olds.

The collective increase in national market share for private radio stations in 2024 is attributable to several stations, which all use DAB+ as a possible or sole means of reception. Stations that gained one percentage point of market share include 88.6 – so rockt das Leben (overall; 11%, FM and DAB+), Antenne Österreich (1%, DAB+ nationwide), arabella MAGIC (1%, DAB+ nationwide), Rock Antenne Österreich (2%, FM Vienna and DAB+ nationwide), Klassik Radio (overall; 1%, DAB+ nationwide and FM Salzburg), Superfly (1%, DAB+ nationwide and FM Vienna) and Soundportal (1%, DAB+ Styria and Carinthia, FM Styria).

While kronehit retained its nationwide 13% market share year on year in 2024, the station made significant, four-percentage-point gains in both Lower Austria (to 18%) and Salzburg (to 11%). In contrast, kronehit saw its market share shrink significantly in Vorarlberg (loss of four percentage points to 5%) and Vienna (loss of two percentage points to 14%).

Also posting losses of one percentage point to their nationwide market share were: Energy (2% share, DAB+ nationwide and FM Vienna/Salzburg); oe24 (1%, FM and DAB+ nationwide, broadcasting as Radio Austria until April 2024); jö.live (0%, DAB+ nationwide); Radio U1 Tirol (1%, FM Tyrol and DAB+ Upper Austria, Salzburg, Tyrol); and Antenne Vorarlberg (1%, FM and DAB+ Vorarlberg), which also saw its share drop to 28% from 32% in Vorarlberg.

Foreign radio stations having audiences located in frontier areas take a roughly 2% market share in Austria.

10.1.3.2 Radio listening in Vienna in 2024

Vienna, a fiercely competitive market with a total of 43 radio stations licensed in Austria (FM, DAB+ regional and national), saw a slight downward trend in daily reach as well as virtually unchanged listening time in 2024, reflecting the figures for daily reach and market share seen at national level – both for radio overall as well as separately for the ORF radio network and for private stations. Yet in Vienna the trend was shaped in a way typical for the conditions predominating in this province, with the average percentage daily reach for radio in the national capital tending to be significantly lower than for any other province or indeed the national average. Daily listening time in Vienna is also much lower than the nationwide average and the lowest of any province.

In contrast to the national results, however, the ORF radio network collectively achieved a better result than the private stations in Vienna in 2024, not only preserving its network market share from the previous year in the overall population aged ten and over but also expanding its share in the core target group of 14 to 49-year-olds.

Although radio daily reach often experiences sizable fluctuations in Vienna, it achieved above-average growth of 3.5 percentage points in 2023, rising to 66% of the general Viennese population aged ten and over (2022: 62.5%; 2021: 62.4%; 2020: 64.5%). In 2024, the pendulum swung back, with radio daily reach in Vienna falling overall to 63.9% (national: 75%).

Among Viennese residents aged 14 to 49, radio had secured above-average gains of a little over five percentage points in 2023, to achieve a new, record reach figure of 61.8% (2022: 56.7%; 2021: 54.9%; 2020: 55.6%). In 2024, however, the tide turned and radio daily reach dropped back once again to 58.4% (national: 71.7%). This result marks an interruption to the upward trend in reach maintained among 14 to 49-year-olds during 2022 and 2023, and a potential return to the long-term decline previously observed for radio reach within this core target group for Vienna.

Vienna's core target group with slightly increased listening time again in 2024

In 2023, average daily listening time per capita and day in the overall population aged ten and over rose by an exceptional 23 minutes to 165 minutes per day (2022: 142 minutes; 2021: 134 minutes; 2020: 152 minutes). Equally surprising is the fact that this listening time was maintained virtually unchanged in 2024, which ticked down just two minutes to 163 minutes (nationwide: 199 minutes). Although the trend for 2023 in the 14 to 49-year-old age group had been even more positive, with listening time jumping 41 minutes to 158 minutes in that year (2022: 117 minutes; 2021: 101 minutes; 2020: 119 minutes), 2024 extended this by another two minutes to 160 minutes (nationwide: 201 minutes).

Despite these gains, listening time in Vienna was, as usual, well below the national average. In 2024, listening time in the general Viennese population 10+ was 36 minutes less than country-wide, and in the core target group 41 minutes less.

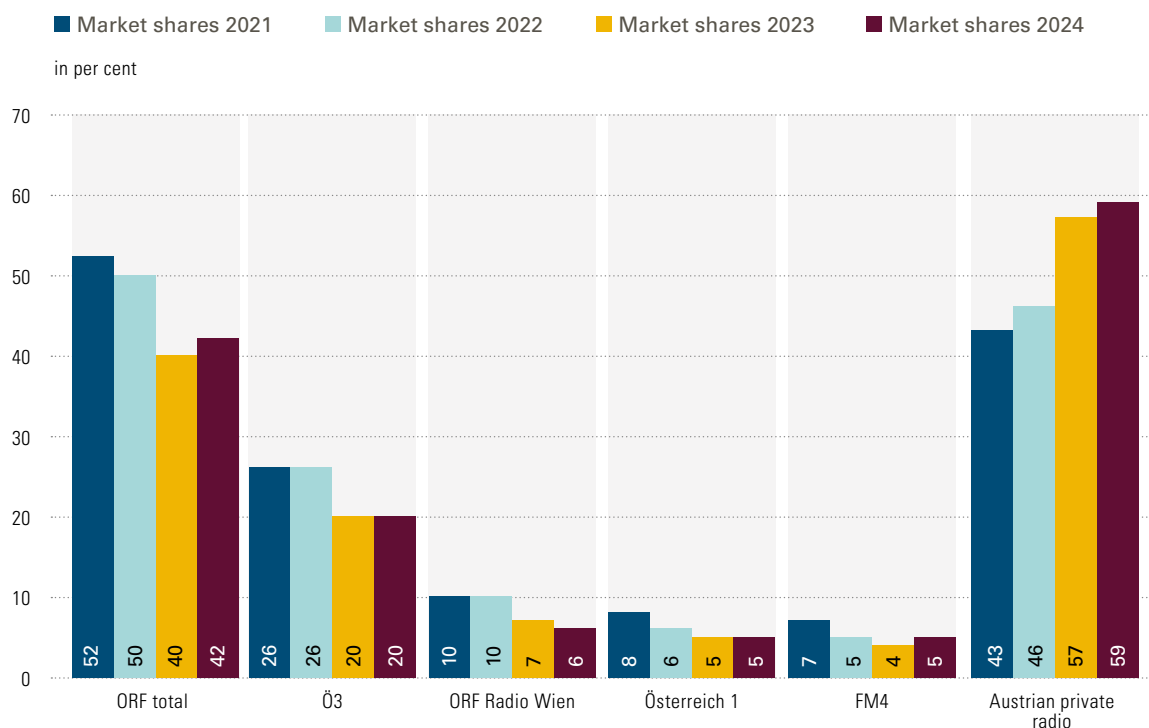
The ratio of total listening time to the time spent listening to the individual radio stations forms the basis for calculating the market shares for the individual stations. Total listening time corresponds to a 100% market share.

Market shares and daily reach among Vienna radio listeners aged 14–49

As in the nationwide analysis above, 14 to 49-year-old core target group highly relevant for marketing is the focus of the following information about the market success for ORF stations compared with stations from private broadcasters, as well as the performance of individual stations in the Viennese market. In this case, mean listening time is calculated for an entire week, that is, from Monday to Sunday.

Developments in the Viennese radio market in 2023 featured an uncharacteristically large loss of market share by the ORF radio network and an associated increase in collective market share as well as daily reach for private radio stations. In contrast, 2024 saw both the ORF radio stations and private broadcasters more or less maintaining their cumulative figures year on year, with the latter marginally increasing their market shares but experiencing a modest decline in daily reach.

Figure 51: Radio market shares in Vienna among the 14–49 target group, ORF vs. private stations, 2021–2024



Source: Radiotest 2024_4; percentages; Vienna market

ORF Radio stations in Vienna in 2024

Following the dramatic ten-percentage-point loss of market share among Viennese listeners aged between 14 and 49 in 2023, the ORF radio network managed to improve its collective market share by a respectable two percentage points to 42% in 2024 (2023: 40%; 2022: 50%; 2021: 52%).

Counter to the national trend, daily reach for ORF radio stations in Vienna also showed a slight increase, rising by six tenths of a percentage point to 36.6% (2023: 36%; 2022: 35.8%; 2021: 33.6%) and thus upholding a longer-term positive trajectory.

Ö3, whose six-percentage-point market share loss in the previous year was largely to blame for the ORF network's collective loss of share in Vienna, managed to maintain its 2023 share of 20% in 2024. Ö3 has experienced a general decline in Vienna since 2020 (2023: 20%; 2022: 26%; 2021: 26%; 2020: 28%; 2019: 33%).

While the regional ORF radio station Radio Wien had maintained a stable 10% market share until 2022, it gave up three percentage points in 2023 to end at a 7% share, and gave up another percentage point in 2024 for a 6% share. Ö1 preserved an unchanged 5% market share (2023: 5%; 2022: 6%; 2021/2020: 8%), while FM4 gained a single percentage point in the core target group in 2024, rising to 5% and thus the same market share as for 2022 (2023: 4%; 2022: 5%; 2021/2020: 7%). Radio Niederösterreich expanded its share of the

Vienna radio market by two percentage points to 3%, a figure last achieved by this station in the national capital in 2020. Radio Steiermark had for the time first achieved a measurable listenership in Vienna in 2023 by securing a 1% share of the market, which it retained in 2024.

Daily reach figures in Vienna for the various ORF stations saw very little movement in 2024. One of the more notable changes was the gain of just over one percentage point made by Ö3, which extended its reach among 14 to 49-year-olds to 20.8%. After the slight dip in reach seen in 2023, this saw the station once again on level pegging with its 2022 result (2023: 19.5%; 2022: 20.7%; 2021: 19.1%; 2020: 20.2%).

FM4 also enjoyed a successful year in 2024: by also acquiring more than a percentage point in the core target group, it improved its daily reach to 6.6% and recorded the best result in the station's history (2023: 5.4%; 2022: 4.8%; 2021: 5.5%).

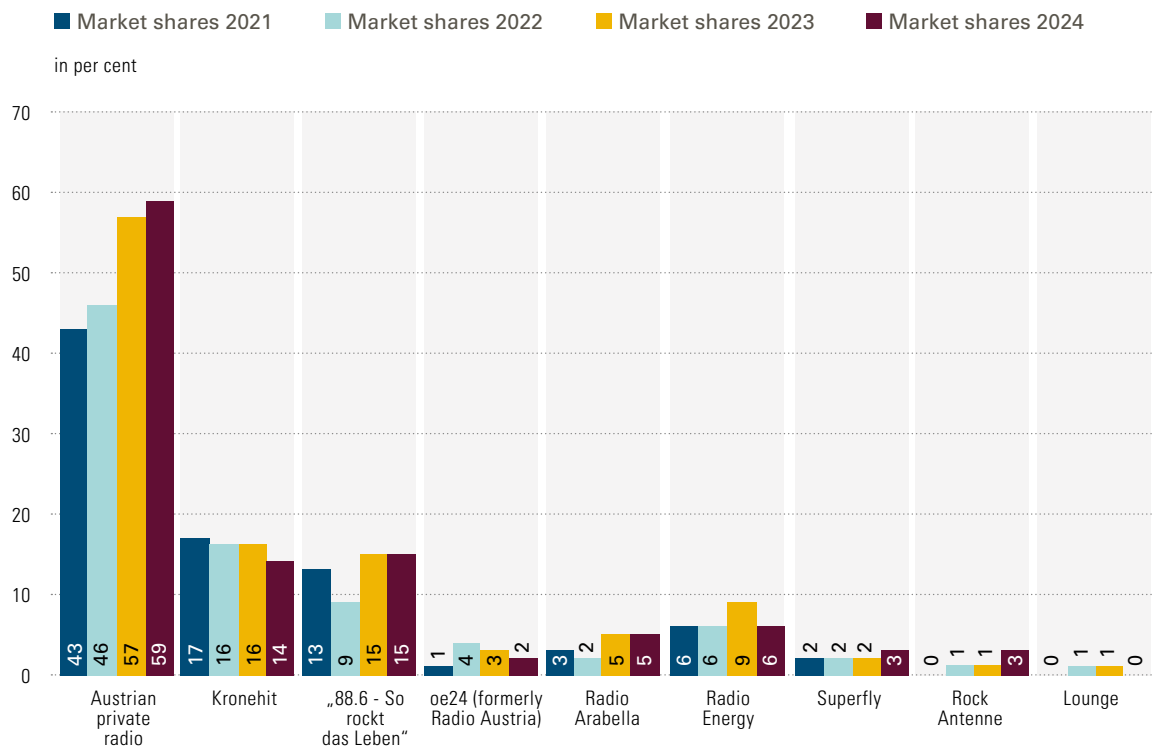
Daily reach for Ö1 remained stable year on year at 7.4% (2023: 7.4%; 2022: 7.7%; 2021: 8.4%). Radio Wien marginally improved its reach by three tenths of a percentage point to 7%, further confirming its positive trajectory (2023/2022: 6.7%; 2021: 5.9%).

The regional ORF stations heard in Vienna (Radio Wien plus other provincial stations) shed four tenths of a percentage point within their margins of fluctuation and saw their overall reach slip to 11.2% (2023: 11.6%; 2022: 10%; 2021: 6.9%). The biggest gains among the Viennese listenership were made by Radio Steiermark with a reach of 1.7% (2023: 0.8%; 2022: 0.3%) and Radio Niederösterreich on 2.4% (2023: 1.6%; 2022: 2.0%). Radio Burgenland saw a marked decline, falling to 1.7% (2023: 2.6%; 2022: 1.3%).

Private stations in Vienna in 2024

In the group of listeners aged 14 to 49 – the target group relevant for advertising – the market share for private stations in Vienna rose by two percentage points to 59% in 2024. In the previous year, their share had risen by eleven percentage points, a historical outlier that pushed this figure above the 50% mark for the first time – and comfortably so, at 57% (2022: 46%; 2021: 43%). In both 2022 and 2021, the private stations improved their overall market share among 14 to 49-year-olds in Vienna by three percentage points in each year, and had therefore markedly improved their performance beyond the average 40% to 41% share figure long achieved in this market. While Austrian private stations also expanded their daily reach by no fewer than nine percentage points to 38.3% in Vienna in 2023, they slipped back by almost two percentage points to 36.5% in 2024 (2022: 29.2%; 2021: 28.9%).

Although the long-standing Viennese market leader among private stations, kronehit ended 2024 at 14% (2023/2022: 16%; 2021: 17%) after losing two percentage points of market share. This saw the crown pass to 88.6 – so rockt das Leben in 2024, which held on to the 15% share of the 14 to 49-year-old listenership it had taken the previous year (2023: 15%; 2022: 9%; 2021: 13%). Even in 2023, kronehit had been just a single point ahead of 88.6 – so rockt das Leben in the 14 to 49-year-old age group, after the latter had seen its market share jump by six percentage points to 15%. In the daily reach metric, kronehit also lost around two percentage points in 2024, although the resulting 15.4% (2023: 17.3%; 2022: 13.3%; 2021: 14.2%) was still higher than its daily reach for 2022 or 2021. Similarly, fewer listeners tuned in to 88.6 in Vienna in 2024, although its reach of 10.3% was also higher than in 2022 or 2021 (2023: 11.9%; 2022: 7.9%; 2021: 8.5%).

Figure 52: Private radio shares in the Vienna market among the 14–49 target group, 2021–2024

Source: Radiotest 2024_4; percentages

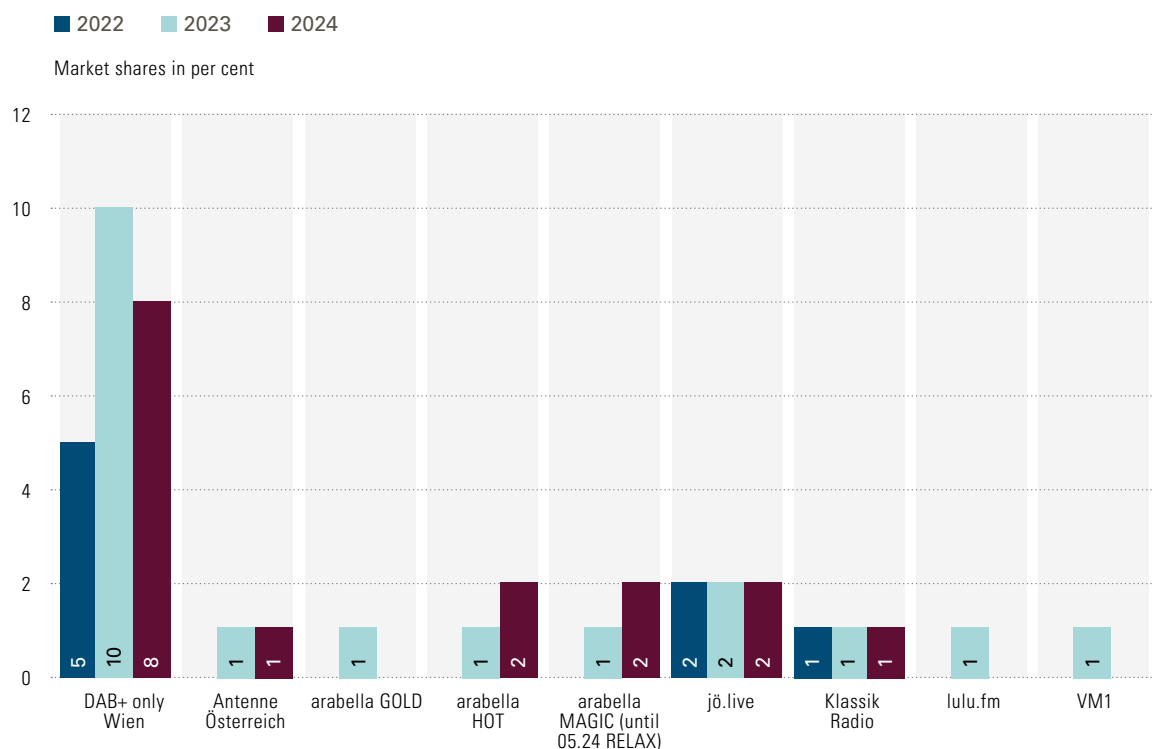
In 2024, Radio Arabella retained its large three-percentage-point increase in market share from 2023, holding steady at the 5% mark (2023: 5%; 2022: 2%; 2021/2020: 3%). While ENERGY also grew by three percentage points to a 9% market share in 2023, this was revealed as merely an interim high from the perspective of 2024, as the station ended the year at 6% (2023: 9%; 2022/2021: 6%; 2020: 7%). Radio Arabella improved its daily reach in Vienna once again by around one percentage point to 5.3% (2023: 4.2%; 2022: 3.2%; 2021: 2.8%; 2020: 2.7%) and thereby continued along its upward trajectory from the previous year. ENERGY lost 1.7 percentage points in 2024, falling back to a daily reach of 8.4% (2023: 10.1%; 2022: 7.6%; 2021: 6.8%; 2020: 6.7%).

Operated in Vienna as a DAB+-only station until the end of 2022, Rock Antenne added FM reception in the national capital in December 2022. This had no impact on its 2023 market share, however, with performance among 14 to 49-year-olds remaining static at 1%. In 2024, Rock Antenne finally saw its market share in the Austrian capital increase to an impressive 3%. Daily reach also rose for another year in succession to reach 2.4% (2023: 1.6%; 2022: 0.9%; 2021: 0.1%).

Broadcast via FM and DAB+ nationwide, oe24 (Radio Austria until April 2024) had seen its share of the Vienna market improve in 2022 by no fewer than three percentage points to 4%. In 2023, however, oe24 slipped a percentage point to 3% and then consolidated this downward trend with the loss of another percentage point in 2024, ending the year with a 2% market share of the 14 to 49-year-old age group. Daily reach for oe24 also fell in Vienna by just under one percentage point to 1.9% (2023: 2.8%; 2022: 2.4%). Superfly extended its market share by one percentage point to 3% in 2024 and therefore equalled a result last achieved in 2020 (2023/2022/2021: 2%). Also receivable over FM and DAB+ in Vienna, Lounge lost one percentage point and fell to a 0% market share.

Among radio stations broadcast solely via digital DAB+ terrestrial radio in Vienna, the Arabella special-interest stations arabella GOLD, arabella MAGIC (succeeded arabella RELAX in June 2024) and arabella HOT each achieved a measurable market share of 1% in 2023. In 2024, arabella MAGIC and arabella HOT each expanded their share of the Viennese market by another percentage point to 2% in the core target group, while arabella GOLD dropped back to a 0% market share in 2024. The jö.live station took a 2% market share for the third year running in 2024. At the end of 2024, arabella GOLD ceased transmission as a DAB+ station. Newcomers to DAB+ reception in Vienna in 2023 were lulu.fm and VM1. While both stations achieved a market share of 1% among listeners in the 14 to 49 age group in that year, neither station could prevent this falling to 0% in 2024. No change in market share was seen year on year for the DAB+ stations Antenne Österreich (1%), jö.live (2%), and Klassik Radio (1%).

Figure 53: DAB+ private radio shares in the Vienna market among the 14–49 target group, 2021–2024



Source: Radiotest 2024_4, DAB+ radio stations in Vienna with a market share of at least 1%, percentages (rounded)

Considered together, the stations transmitting solely via DAB+ in Vienna lost two percentage points and ended the year with an 8% market share.

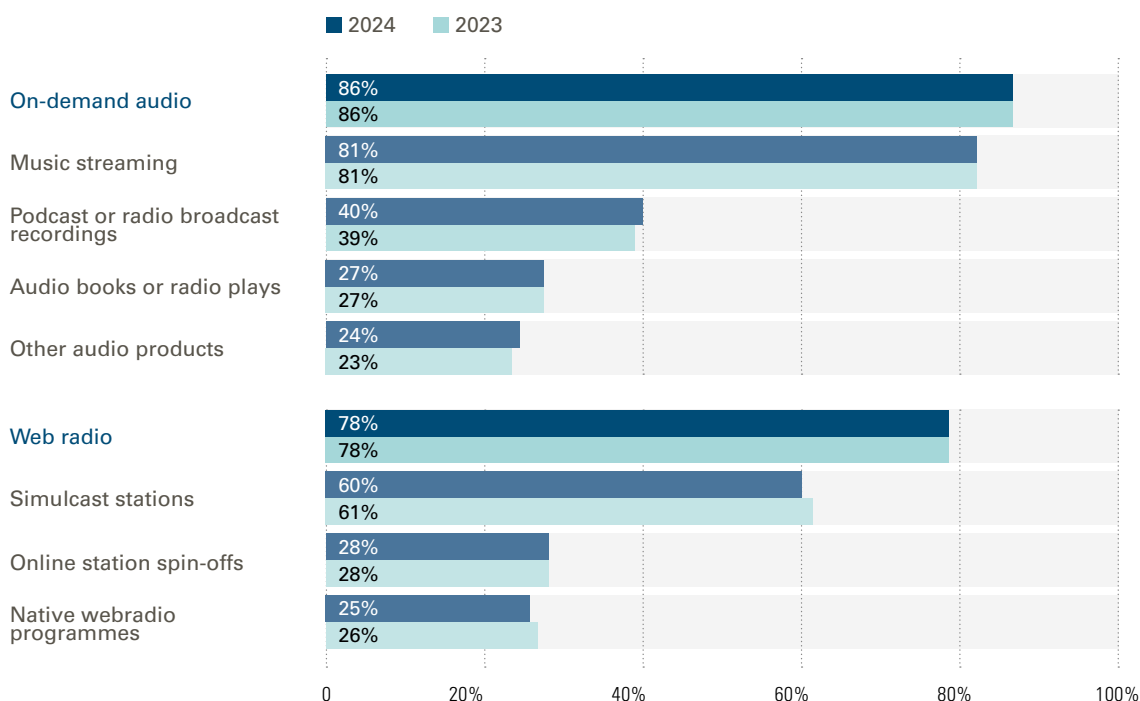
The new line-up of stations that started broadcasting via the national and regional DAB+ multiplexes in June 2024 were not reported on individually in Radiotest 2024_4.

10.1.3.3 Online audio usage 2024 (Online Audio Monitor Austria)

In autumn 2023, the Media Division introduced a new market study, Online Audio Monitor Austria, which recognises the increasing importance of the use of online audio services among the population. This study is commissioned from Ipsos by the Media Division. To produce the study, the market research institute conducted an online survey of 4,000 persons aged 15 and over in May and June 2024. This sample was representative of 95% of Austrians with internet access (Statistics Austria 2023).

As in 2023, around 91% of Austrian citizens aged 15 and over with internet access used online audio services such as music streaming, web radio, podcasts, audio books, radio plays, radio broadcast recordings and other forms of online audio 'at least rarely' in 2024. Some 81% used these services 'at least monthly' (2023: 80%), and 50% 'daily' or 'almost daily' (2023: 49%). The internet services seeing the greatest – and a virtually equal – level of use among online audio users in 2024 were on-demand music streaming (81% of listeners, same figure as in 2023) and linear web radio broadcasts (78% of listeners, as in 2023).

Figure 54: Use of on-demand audio and web radio, online population 15+



Source: RTR Online Audio Monitor Austria 2024, percentages, multiple responses possible, online population

Use of web radio in 2024

As can be seen, linear radio broadcasts also rank among the most appealing online audio services and are only slightly less popular than music streaming services such as YouTube, Spotify or Amazon Music. Among web radio users, 60% of respondents stated that they listen to simulcast broadcasts (2023: 61%), i.e. web radio stations that are also broadcast at the same time and with the same content for reception via FM and/or DAB+. In 2024, as in 2023, 28% of respondents listened to smaller stations, run by leading antenna-based radio stations, that provide niche or special-interest content. Radio stations exclusively available online and which cannot be (recognisably) associated with broadcasting organisations from the linear DAB+ or FM segments were used by 25% of web radio listeners (2023: 26%).

In most cases (51%), web radio users made use of the websites or apps provided by the operators of each web radio station (2023: 48%). These are followed at some distance by the station aggregation services Radio.at with 24% (2023: 25%), TuneIn with 13% (2023: 14%), Radioplayer.at with 7% (2023: 7%), myonlineradio.at with 5% (2023: 5%) and 'Others' with 4% (2023: 6%).

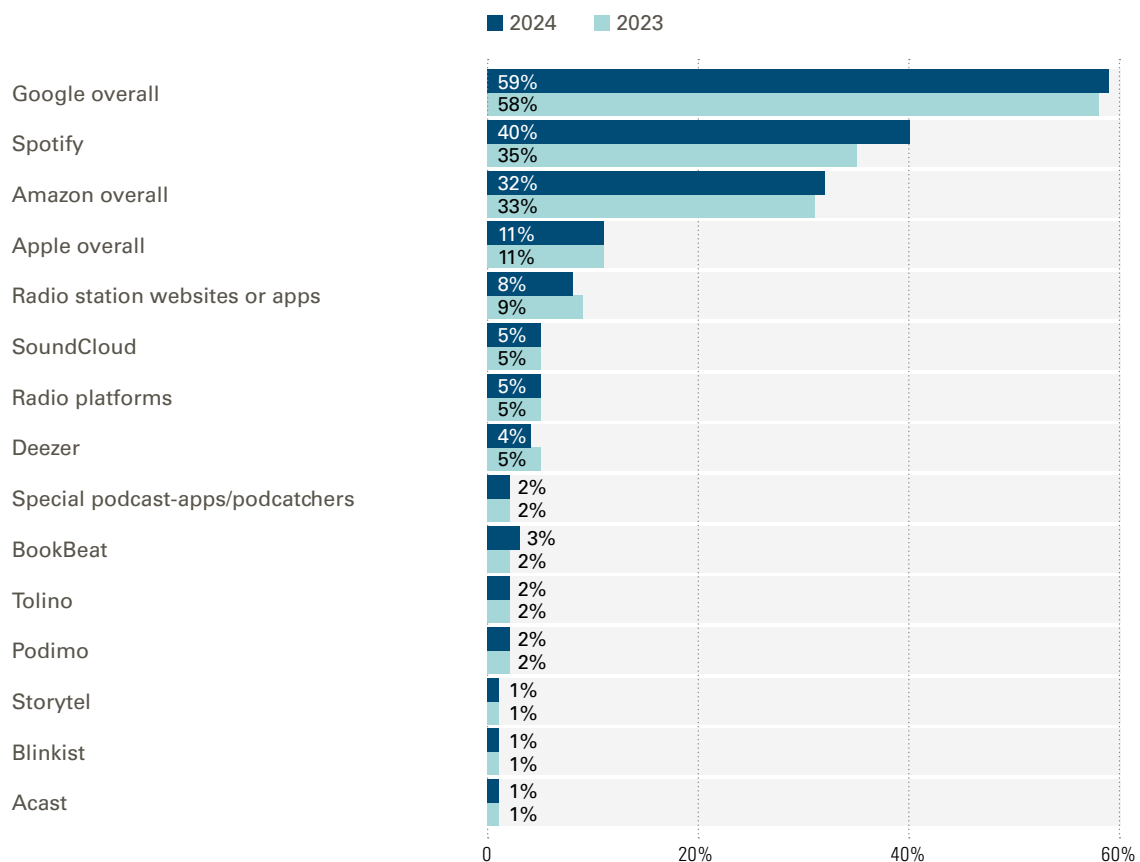
Use of on-demand audio in 2024

On-demand audio saw very little movement year on year in 2024. Audio services able to be heard at any time and according to personal interests were used by 86% of the online population. Some 81% of online audio listeners aged 15 and over streamed music on demand from platforms such as YouTube, Spotify, Amazon, Apple Music and others. Podcasts and radio broadcast recordings were used by 40% of online listeners (2023: 39%), while 27% listened to audio books or radio plays.

Among users of podcasts and radio broadcast recordings in 2024, the largest group of listeners was young people aged between 15 and 29. These services were used by 57% of online audio users aged 15 to 29, and by 45% of listeners aged 30 to 49 (2023: 44%). In the 50 and over age group, 31% of listeners consumed podcasts and radio broadcast recordings, a gain of two percentage points from 2023. Some 49% of the young group of listeners also stated that podcasts were an 'important' or 'very important' source of information about news and current events (30 to 49-year-olds: 45% (2023: 42%), 50+: 21%).

Among on-demand platforms seeing the heaviest use, the service portfolio from Google was mentioned most frequently (59%; 2023: 58%), with no less than 52% of responses citing Google's YouTube platform (2023: 55%). Specialised Google platforms (Play Music, Google Podcast, Play Books) garnered 3% to 6% of responses. Only the payable YouTube Music service achieved a significant increase, jumping 15 percentage points to 20% of responses (2023: 5%).

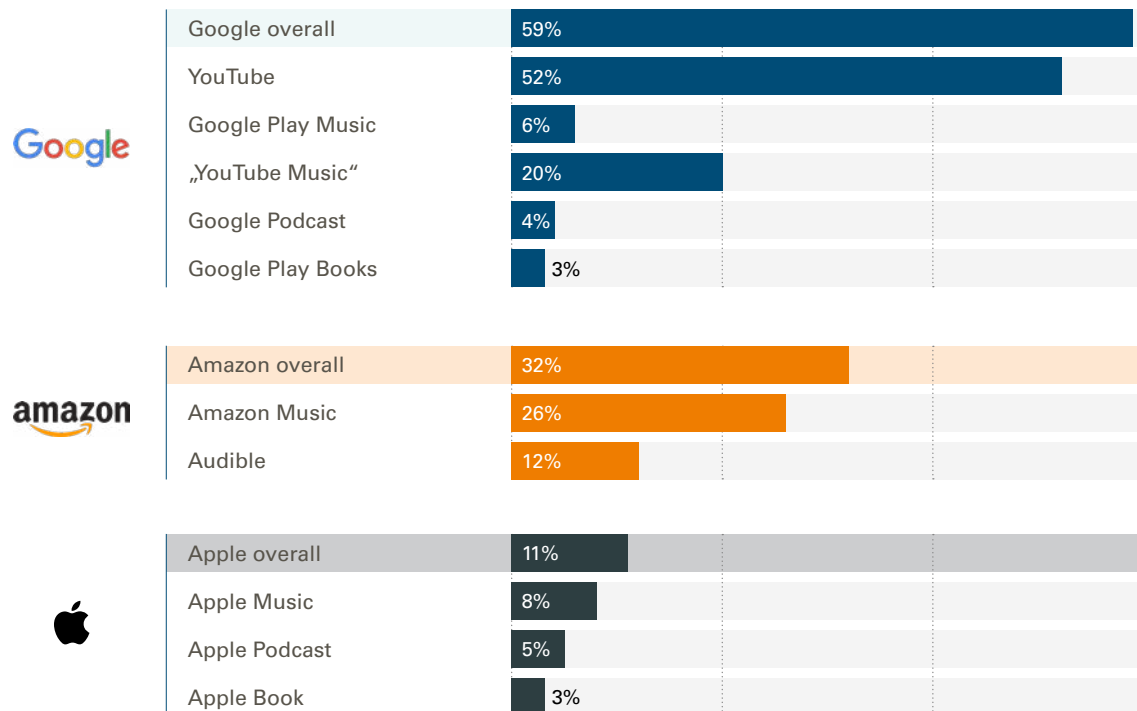
Figure 55: Use of platforms for on-demand audio, online population 15+



Source: RTR Online Audio Monitor Austria 2024, percentages, basis: users of on-demand audio

Second-placed among the most popular on-demand platforms was Swedish streaming provider Spotify with 40%, a figure that represents another five-percentage-point increase from 2023 (2023: 35%). Spotify was followed by Amazon on 32% (2023: 33%), and its 'Music' (2024: 26%, 2023: 28%) and 'Audible' (2024: 12%; 2023: 11%) services. The on-demand portfolio from Apple follows at some distance in fourth place in 2024 (11%), with Apple Music being mentioned by 8% of respondents (as in 2023), as well as Apple Podcast by 5% (2023: 4%) and Apple Books by 3% (2023: 2%).

Figure 56: Most popular on-demand audio platforms with services, online population 15+

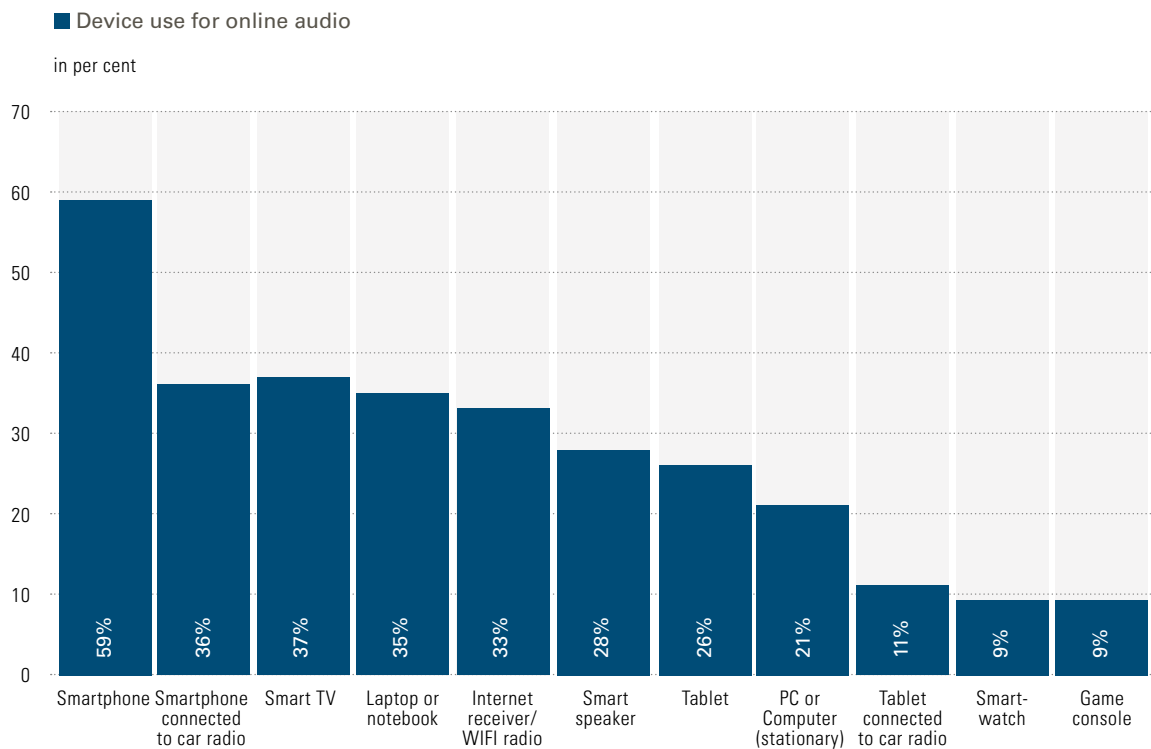


Source: RTR Online Audio Monitor Austria 2024, percentages, basis: users of on-demand audio

Among on-demand platforms with less than 10% of responses, websites and apps from radio stations (as a group) lead this field on 8% (2023: 9%), followed by SoundCloud and radio platforms (as a group), which earned an unchanged 5% of responses. Deezer saw its popularity wane in 2024 and achieved only 4% of responses (2023: 5%). Other on-demand platforms accounted for 1% to 2% of responses.

Device use for online audio – overall in 2024

Smartphones were once again the most popular device for online audio consumption by a wide margin in 2024.

Figure 57: Device use for online audio, online population 15+

Source: RTR Online Audio Monitor Austria 2024, devices named as percentages; basis: online audio users

Some 59% of respondents – who were allowed to make multiple responses for the devices they use to consume online audio content – stated that they use a smartphone. A further 36% also pair the phone with a car radio (2023: 35%). Overall, smartphones therefore have a usage rate for online audio content totalling 65% of respondents. The user base for smart TVs as devices for consuming online audio grew again in 2024. Accounting for 37% of responses (2023: 35%), smart TVs took the third spot in the rankings of most-used devices from laptops, which dropped to fourth place in 2024 with an unchanged 35% of responses. Next came Wi-Fi radio sets with an unchanged 33%, smart speakers (with a one-percentage-point gain) on 28% (2023: 27%) and tablets on an unchanged 26%. Bringing up the rear were desktop (stationary) PCs, also on an unchanged 21% of responses.

Reflecting the launch of the AI Service Desk at RTR in the same year, the 2024 study also included questions surveying the acceptance of audio content generated by artificial intelligence. Study results reveal that a majority (53%) of respondents find this acceptable, insofar as such content is also labelled as having been created with the help of AI tools. AI-generated music is seen as the most acceptable type of content (41%), with AI-generated information and news (23%) or celebrity voices (16%) finding much less favour among users.

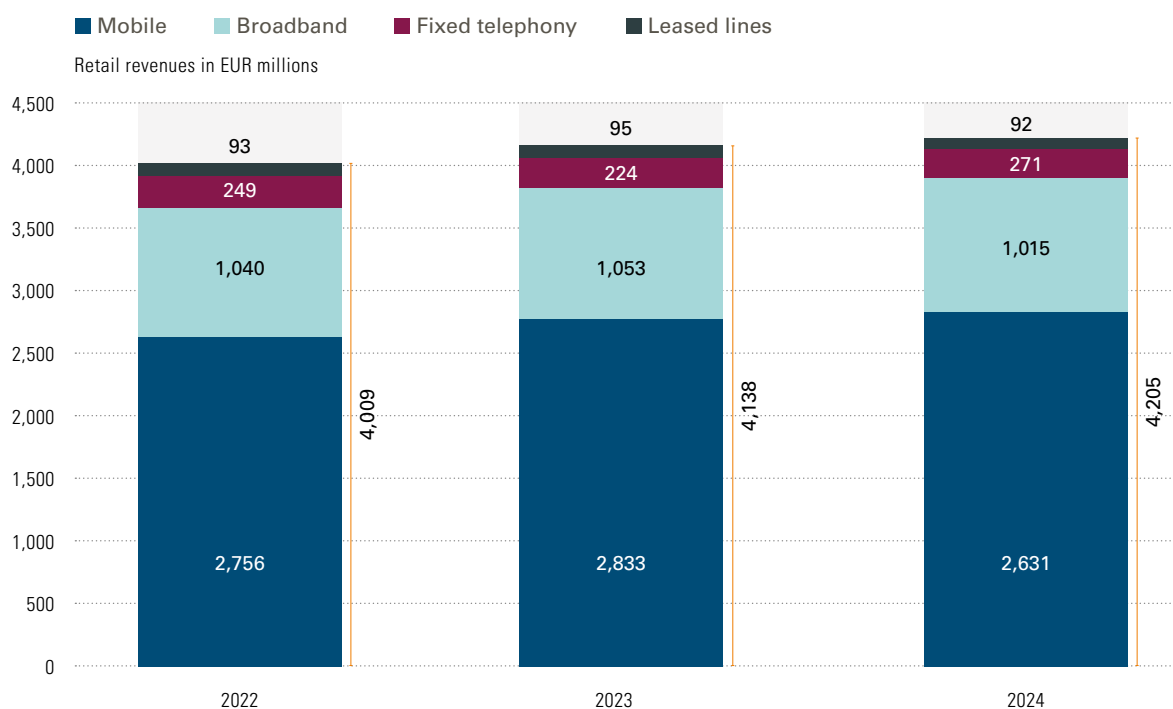
The Online Audio Monitor 2024, complete with data-rich charts and tables, is published by the Media division on the RTR website at <https://www.rtr.at/OAMA2024> (in German).

10.2 Developments in the telecommunications markets

This section provides a summary of the most significant market developments in mobile telecommunications, broadband and fixed network services during the reporting year.

In 2024, retail revenues in the telecommunications sector rose a total of 1.6%, from EUR 4.14 billion to EUR 4.21 billion. The largest growth was seen in mobile telecommunications revenue (+2.8% including mobile data subscriptions). While an increase was also seen in the broadband sector (+1.3%) fixed voice telephony, in contrast, saw a substantial decline, dropping by 10.2% year on year. Meanwhile, revenues for leased lines and Ethernet services rose by 2.1%. In 2024, a little more than two-thirds of overall revenue was earned with mobile services. Broadband contributed another 25%, while fixed network telephony and leased lines together totalled only 7.6%.

Figure 58: Retail revenues from mobile, fixed broadband, fixed voice and leased line services, 2022-2024



Source: RTR

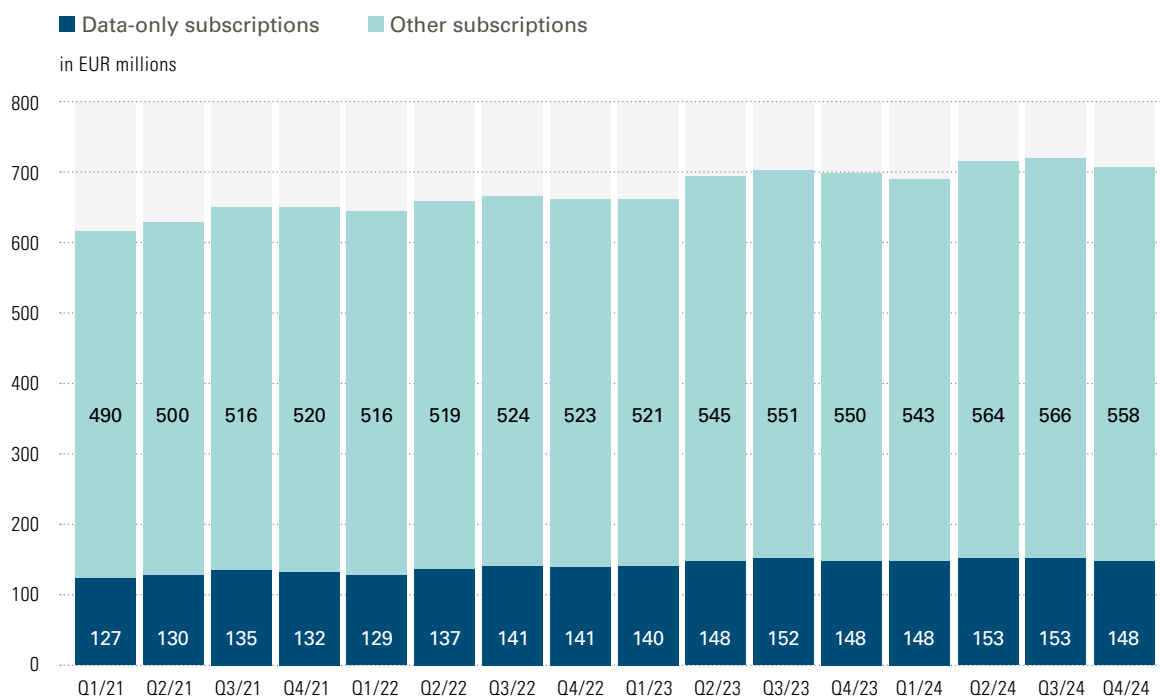
The key market developments in 2024 as listed below are described in detail in the section that follows:

- Continued growth in retail revenues from mobile services but with a sharp slowdown
- MVNOs continue to make inroads
- Trend towards smartphone subscriptions with unlimited data
- Mobile and fixed data volumes show steady growth
- Vigorous use of communication services on the internet
- Internet technologies: more fibre, less DSL

Continued growth in retail revenues from mobile services but with a sharp slowdown

Although mobile services once again saw year-on-year growth in retail revenues, this trajectory weakened significantly, slowing from 4.7% in 2023 to only 2.8% in 2024 (figure 59). One reason for this is the inflation-indexed price hike in subscriptions for many existing customers in 2024. Another is the short-lived trend of using free months to lure new customers from competitors, which further diluted revenues. Overall, revenue growth was just shy of the rate of inflation for 2024 (2.9%)⁵⁵ and therefore considerably below the 2023 inflation rate of 7.8%, i.e. the base applied for inflation adjustment. Data-only subscriptions, typically used for mobile broadband access at home, continue to contribute just under 27% or around EUR 150 million a quarter. The 'Other subscriptions' category, primarily made up of smartphone subscriptions, posted quarterly revenues of nearly EUR 560 million in 2024.

Figure 59: Retail revenues from mobile services (excl. M2M)



Source: RTR

MVNOs continue to make inroads

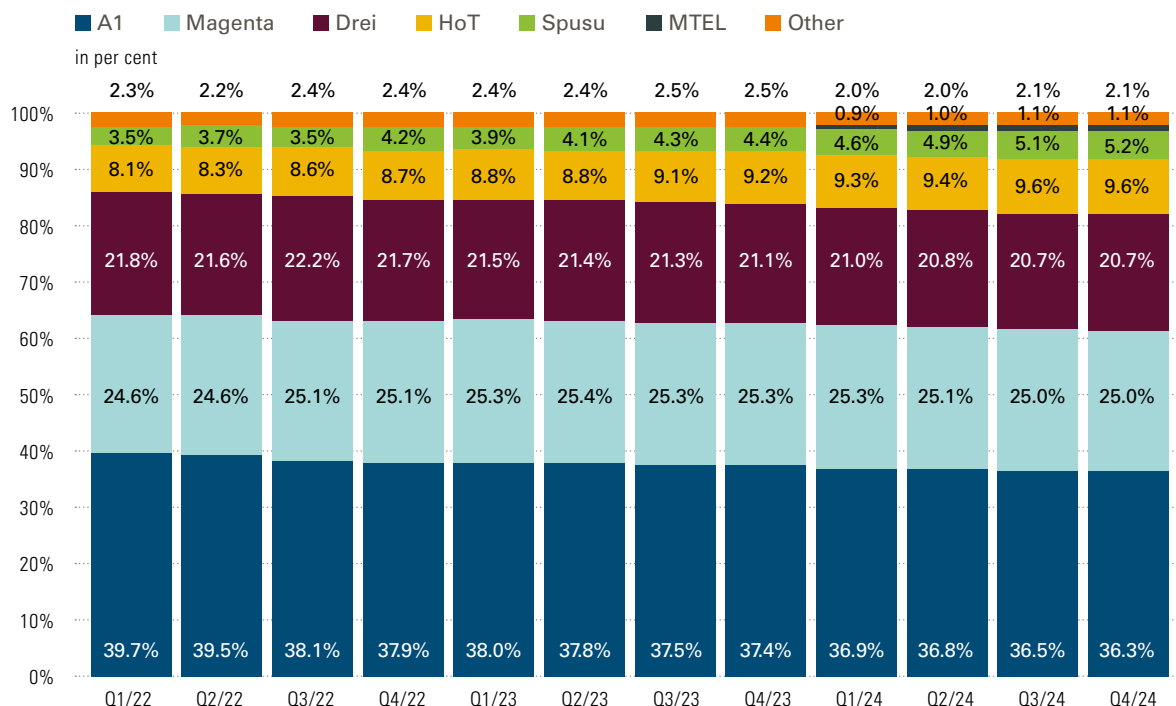
The number of SIM cards issued (all subscriptions, excluding M2M⁵⁶) rose year on year by around 1.3% to EUR 13.75 million at the end of 2024. The market leader is still A1, ahead of Magenta and Drei. Measured by SIM card volume, all three major network operators lost market share in 2024, with MVNOs⁵⁷ the major beneficiaries of this change. With a market share of more than 1% for 2024, MTEL now joins the MVNOs whose figures are quoted separately. By the end of 2024, overall MVNO market share had risen to around 18%, with HoT (9.6%) and Spusu (5.2%) in first and second place at the close of the year. Yet, since MVNOs operate primarily in the cut-price segment, their market share measured by revenue is still barely 8%.

⁵⁵ See Statistics Austria, <https://www.statistik.at/en/statistics/national-economy-and-public-finance/prices-and-price-indices/consumer-price-index-cpi/-hicp>

⁵⁶ M2M: Machine-to-machine, defined as automated communication between devices or software applications without any or only slight human interaction.

⁵⁷ Mobile Virtual Network Operators are operators without their own access networks.

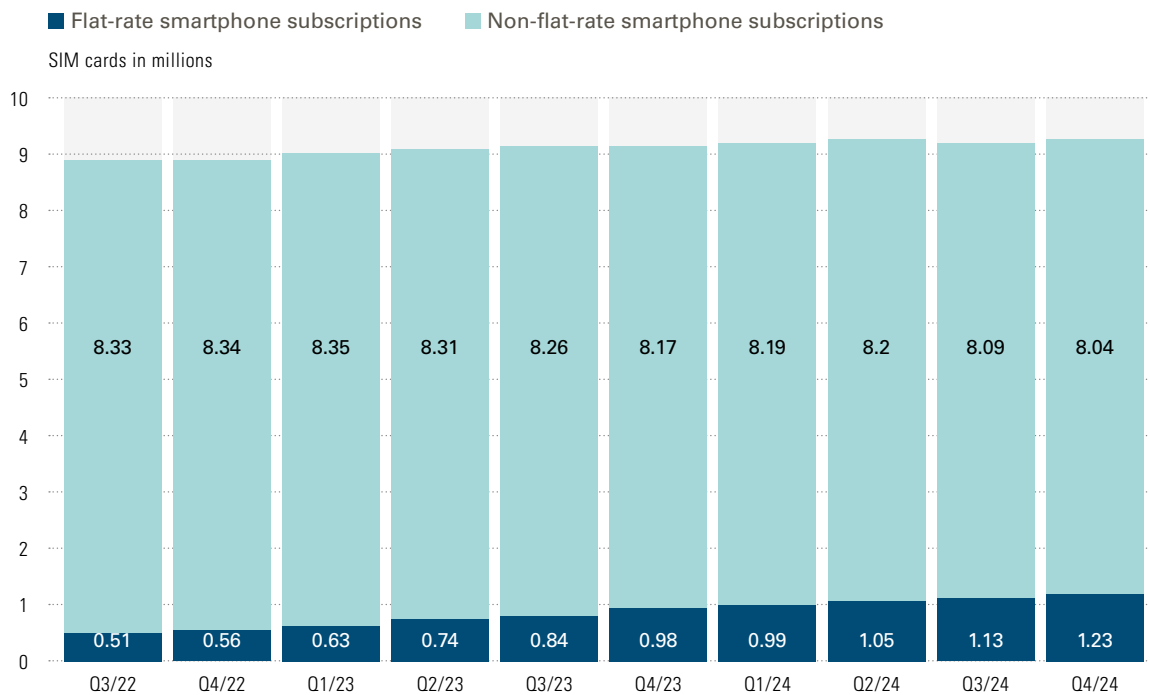
Figure 60: Mobile market shares by SIM card (excl. M2M)



Source: RTR

Trend towards smartphone subscriptions with unlimited data

The three major network operators are now offering flat-rate smartphone plans, i.e. with unlimited data, to counter the competition faced from MVNOs. RTR has collected data for these subscriptions since the third quarter of 2022. Figure 61 illustrates the growing importance of such subscriptions. Over 1.2 million customers had an unlimited data subscription by the end of 2024. Nonetheless, the vast majority – more than 8 million customers – were still using subscriptions with a data cap and/or per-GB billing in the reporting period.

Figure 61: Smartphone subscriptions by category

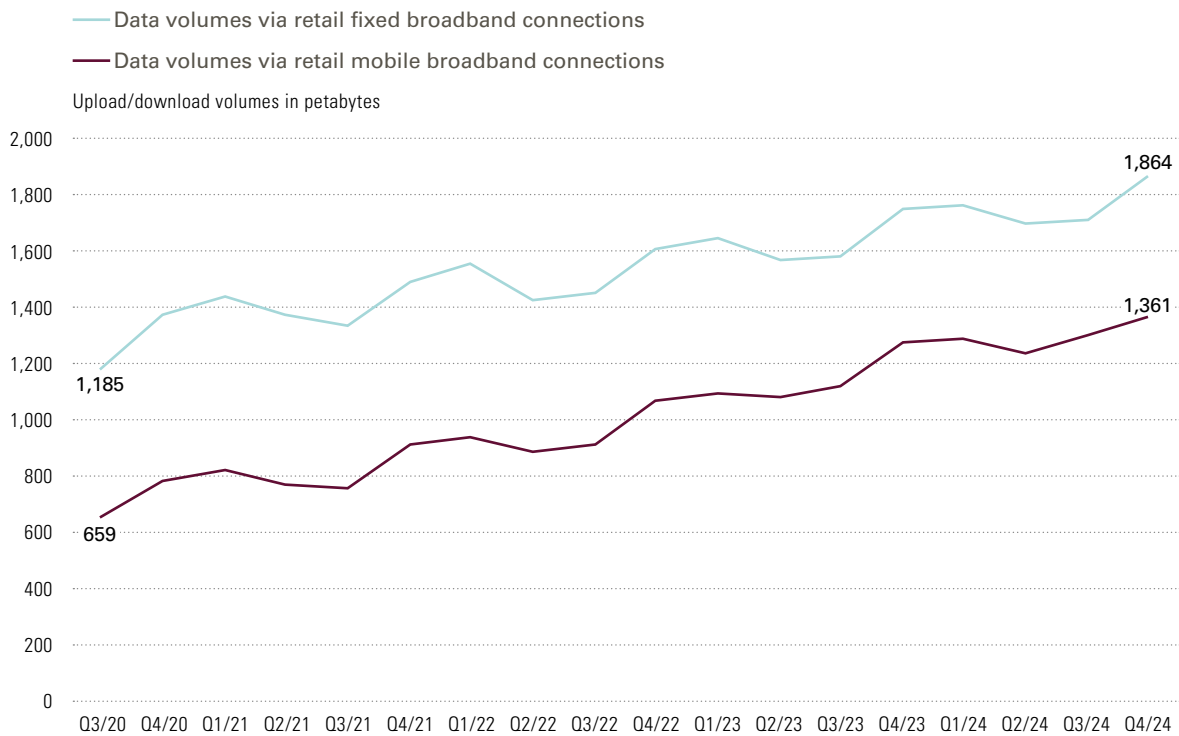
Source: RTR

Mobile and fixed data volumes show steady growth in usage

As in previous years, the volume of data used over fixed and mobile broadband connections showed significant growth in 2024. Year on year, data usage increased by a sizeable 10.1%, rising from 11.1 to 12.2 exabytes (1 exabyte = 1 billion gigabytes). To help in visualising such a large number, this volume of data would result from each and every one of Austria's roughly 9 million citizens downloading a one-hour movie in HD (3–4 GB) on a daily basis.

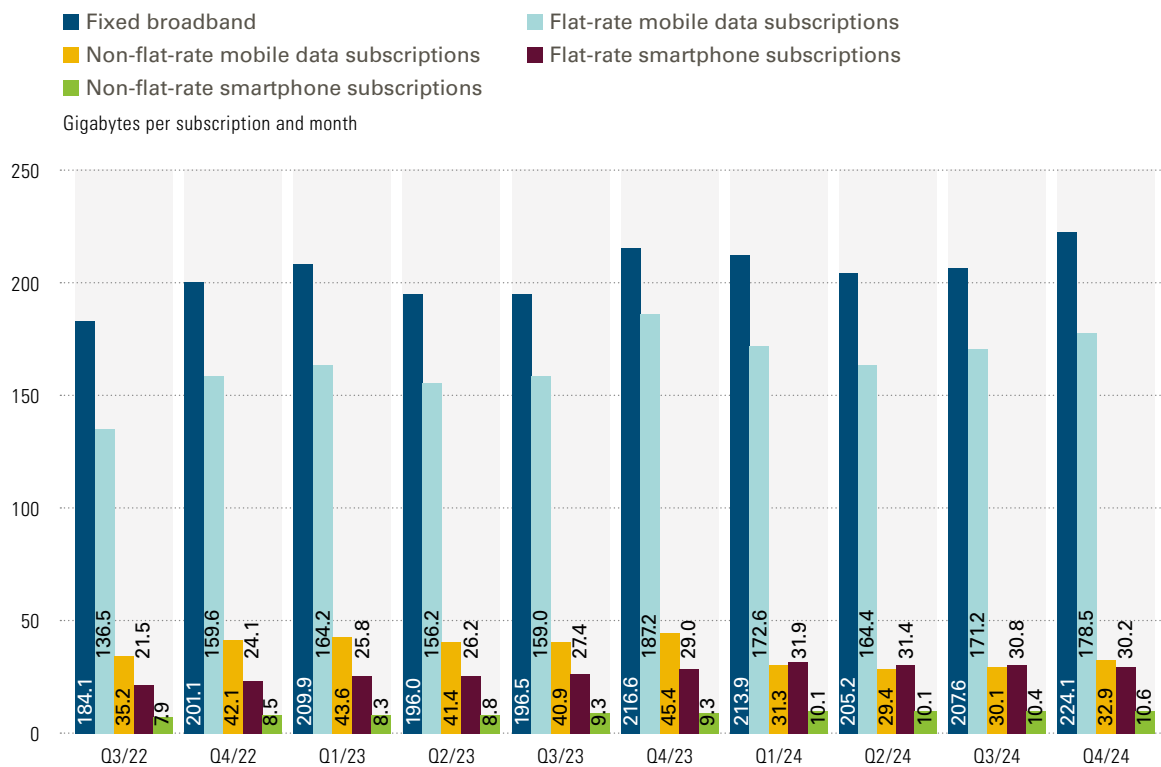
This upward trend has persisted for some years now, and also exhibits seasonal patterns for both fixed and mobile data volumes. As is shown by figure 62, usage volumes are higher in autumn and winter (Q4 and Q1) than they are in the warmer months. This is probably attributable to higher video consumption when the evenings are longer. From the fourth quarter of 2020 to the same quarter in 2024, mobile data usage as a proportion of overall data volume rose from 36.3% to 42.2%.

Figure 62: Data volumes for fixed and mobile broadband connections over time



Source: RTR

The volume used per connection is highly dependent on the type of connection and subscription (see figure 63). While on average more than 150 GB were consumed per connection and month via fixed broadband and flat-rate mobile data subscriptions, figures were much lower for mobile data subscriptions with data caps and smartphone subscriptions. In the fourth quarter of 2024, the figure for smartphone subscriptions with unlimited data was around 30 GB, and roughly 10 GB for smartphone subscriptions with data caps.

Figure 63: Data volume per connection and month

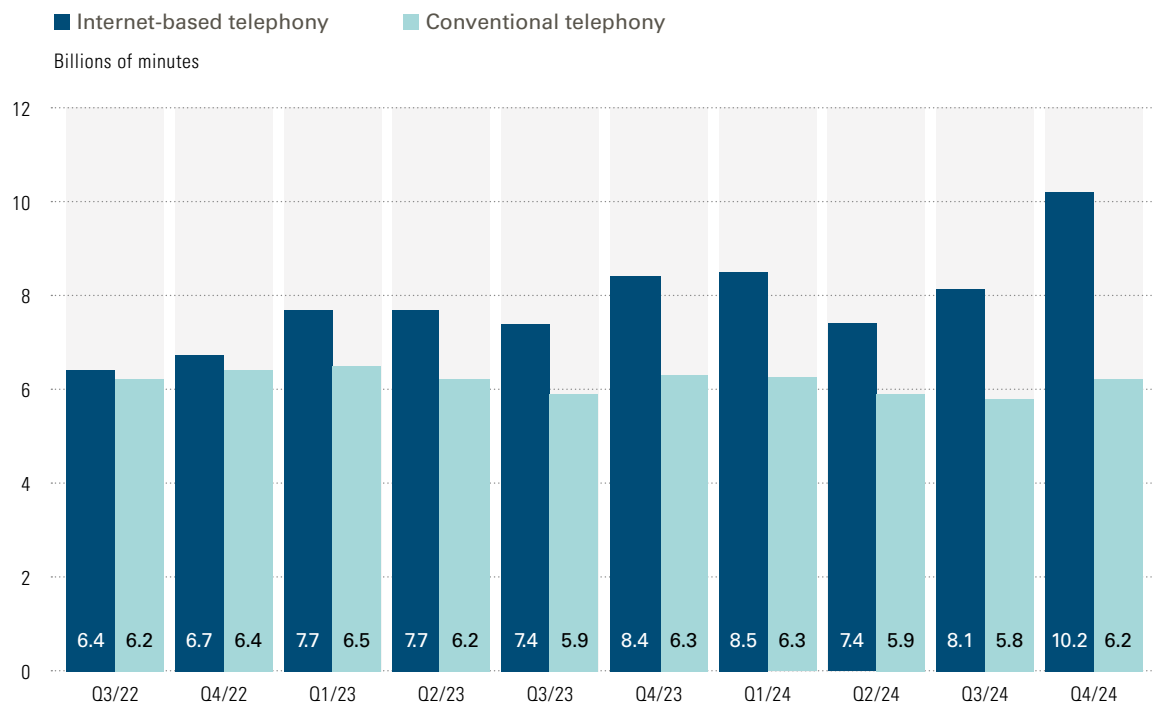
Source: RTR

Vigorous use of communication services on the internet

Alongside the use of conventional voice telephony and texting, internet-based communication is now commonplace in Austria, facilitated especially by the steady rise in smartphone usage. The communications services used include email, messaging via apps such as WhatsApp, Signal, Facebook Messenger and iMessage, as well as VoIP and video calling via providers such as WhatsApp and Microsoft Teams. RTR has collected data on internet-based communications services directly from providers – including Meta, Google and Microsoft – since 2022.

Figure 64 contrasts internet-based communications and conventional telephony (mobile and fixed-line) in terms of voice minute volumes. Figures for internet-based telephony include minutes from voice-only calls as well as video calls and videoconferencing.⁵⁸ While conventional minutes show a slight decline in volume, the chart clearly reveals a modest upwards trajectory for internet-based minutes. By the third quarter of 2024, over-the-internet minutes were roughly 2 billion higher than those via conventional phone networks.

⁵⁸ Call durations are counted only once for calls or video conferences with more than two participants.

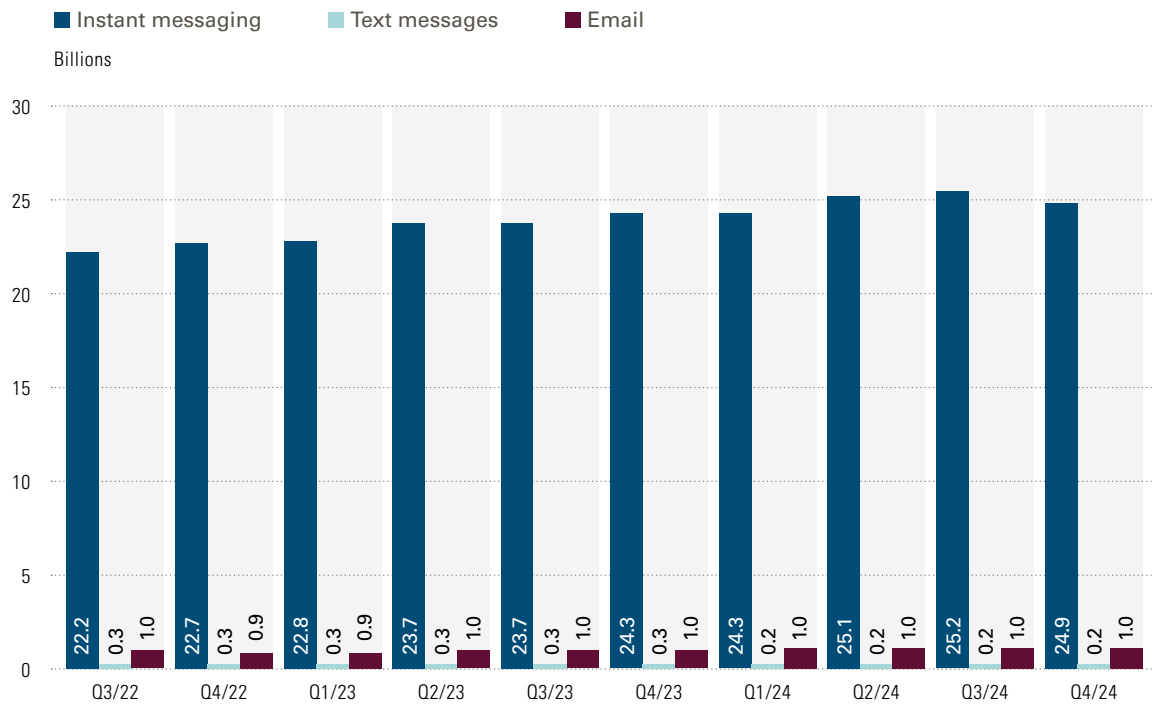
Figure 64: Call minute volumes for internet services and conventional telephony

Source: RTR

For instant messaging, the difference is even more pronounced (see figure 65). With more than 25 billion instant messages now sent via messaging services every quarter, the volume of texts continues to decline, falling to 219 million by the third quarter of 2024.⁵⁹ Instant messages therefore now outnumber texts by more than a hundredfold. Even email, with a quarterly volume of 1 billion messages, is no longer in the same league as instant messaging.

Yet texting still has one key advantage, namely its universal, 'any-to-any' compatibility. Unlike messaging services, which require dedicated apps, a mobile user merely needs to know someone else's phone number to be able to send them a text message. Text messages therefore still play an important role in business-to-consumer communications, for example (for TANs, reminders, login confirmations etc.).

⁵⁹ During 2011 and 2012, the 'golden age of texting', as many as 2 billion texts were being sent every quarter.

Figure 65: Volume of messages sent via instant messaging, texting and email

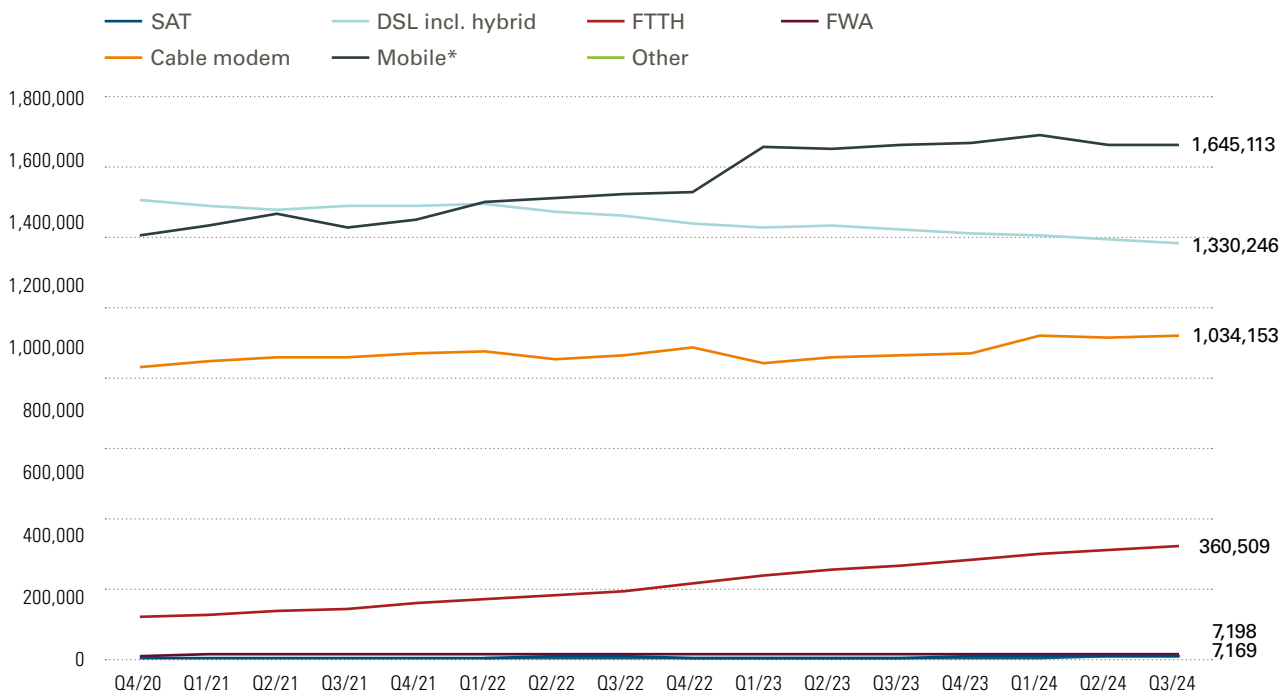
Source: RTR

Internet technologies: more fibre, less DSL

A variety of technologies are used to provide internet access at home or on company premises. Apart from the copper network operated by A1 (with DSL as the transmission technology), coaxial cable networks (originally installed for cable television) are also available for more than 50% of households. The rollout of optical fibre networks is also proceeding apace, aided in some cases by government funding. Network varieties here include shared-bandwidth FTTB (fibre to the building) and dedicated-bandwidth FTTH (fibre to the home). Many households also rely on mobile telephony for their internet access, with 'cubes' for mobile broadband combined with unlimited data subscriptions as popular as ever in homes.

Internet access by technology type is presented in figure 66. The number of DSL connections shows a steady decline, reflecting the relatively modest bandwidths now offered by this technology. DSL connections (including hybrid connections⁶⁰) accounted for around 30% of all connections in the third quarter of 2024. In comparison, FTTH connections rose year-on-year by around 20% to 360,000 connections and thus now constitute about 8% of all active connections. In Q3 2023, 37.4% of all connections were served with mobile broadband, the most popular technology since 2022. Despite some new entrants to the Austrian market (such as Starlink), satellite internet remains a niche product, with some 7,000 connections in the third quarter of 2024.

Figure 66: Internet access by technology type



Quelle: RTR

*) Mobile data subscriptions with unlimited data

In relation to Austria-wide coverage with internet connections with very high bandwidths, both the European Union and the Austrian federal government are pursuing ambitious targets. The European Commission's Digital Decade targets aim to achieve wide-area coverage of all European households with symmetrical gigabit-enabled access networks by 2030.⁶¹ This objective is also being pursued by the Austrian Broadband Strategy 2030.⁶² A key element here is the installation of networks with fibre extending at least to the building (fibre to the building, FTTB) or even as far as the user's actual apartment or house (fibre to the home, FTTH).

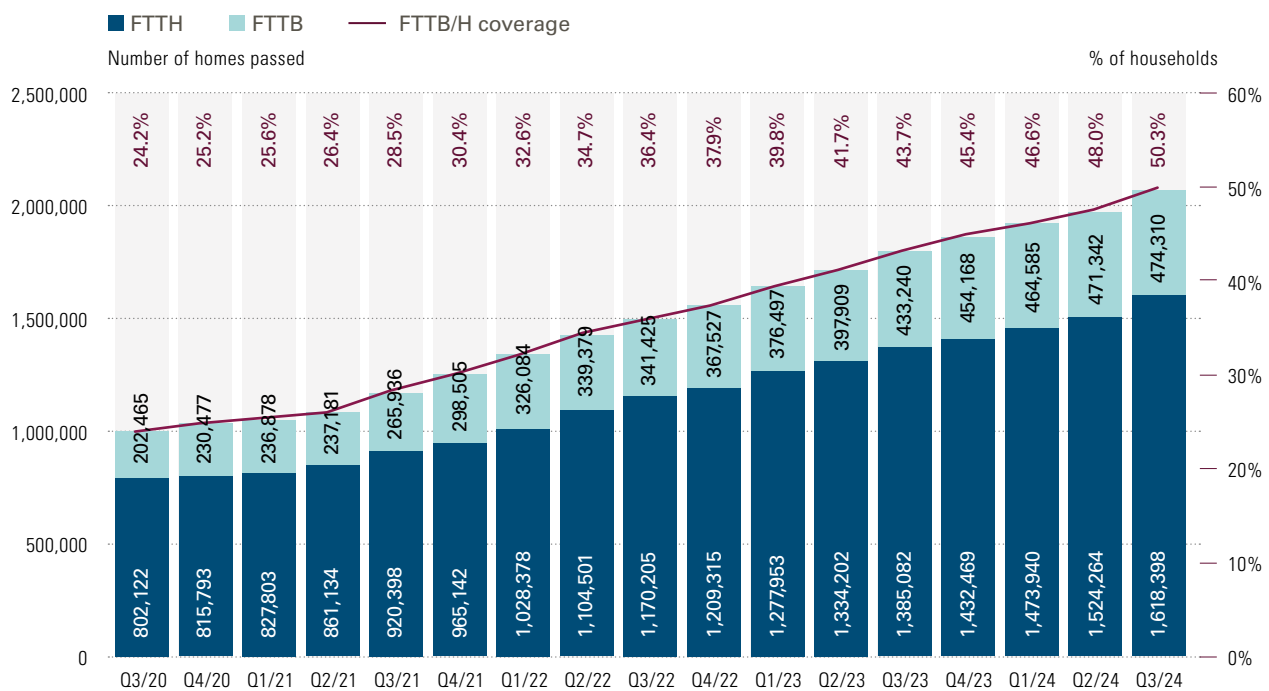
60 Hybrid connections offer the option of using mobile broadband to 'beef up' the main DSL connection when higher bandwidths are needed.

61 Refer to https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/europes-digital-decade-digital-targets-2030_en.

62 Refer to https://data.breitbandbuerro.gv.at/PUB_Breitbandstrategie-2030.pdf.

Fibre deployment in Austria has proceeded by leaps and bounds over the last few years. Alongside established operators like A1, international investors as well as public companies at municipal and regional level are also crowding into the market. As a result, FTTB/H coverage in Austria has therefore risen sharply in recent years. Figure 67 shows the installed base for fibre from 2020 to 2024. Coverage figures here reference potentially available connections ('homes passed') and not connections in actual use. With some 2.1 million homes passed by the third quarter of 2024, coverage increased significantly during the year and exceeded the 50% mark for the first time, based on about 4.15 million private households. Most of this coverage is attributed to FTTH (approx. 1.6 million households in Q3 2024), with approx. 474,000 households having FTTB coverage.

Figure 67: FTTB/H connection coverage



Source: RTR, coverage based on 4,158,500 private households according to Statistics Austria⁶³

Figures for fibre network usage have also seen steady growth. Although the take-up rate (active FTTH connections as a proportion of FTTH homes passed) was only 17% in 2021, this rose to 22–23% in 2024. Though certainly an encouraging trend, still it means that only one in four or five available fibre connections are actually being used. In terms of both rollout and take-up, fibre in Austria therefore still has plenty of potential.

⁶³ Refer to <https://www.statistik.at/en/statistics/population-and-society/population/families-households-living-arrangements/private-households>.

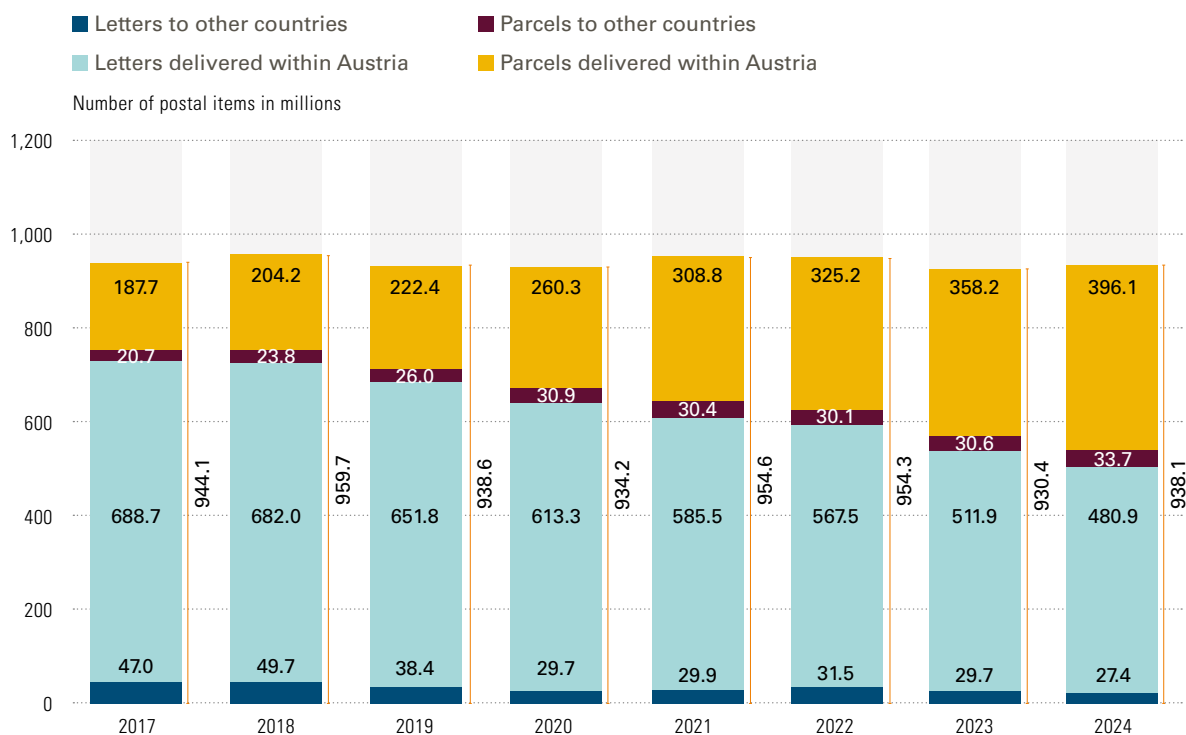
10.3 Developments in the Austrian postal market

RTR has been monitoring developments in the Austrian postal market since 2013, by collecting quarterly data from Austrian postal service providers on items such as revenues, mail volumes and employees. These data on the postal market and related developments are presented every quarter in the RTR Post Monitor⁶⁴.

Reflecting international developments, the Austrian postal market has experienced a decline in letter volumes as well as a sometimes sharp rise in parcel deliveries in recent years. Substitution through email has been the predominant factor accelerating this trend in the letter sector. The main reason for growing parcel volumes continues to be e-commerce with its increasing popularity.

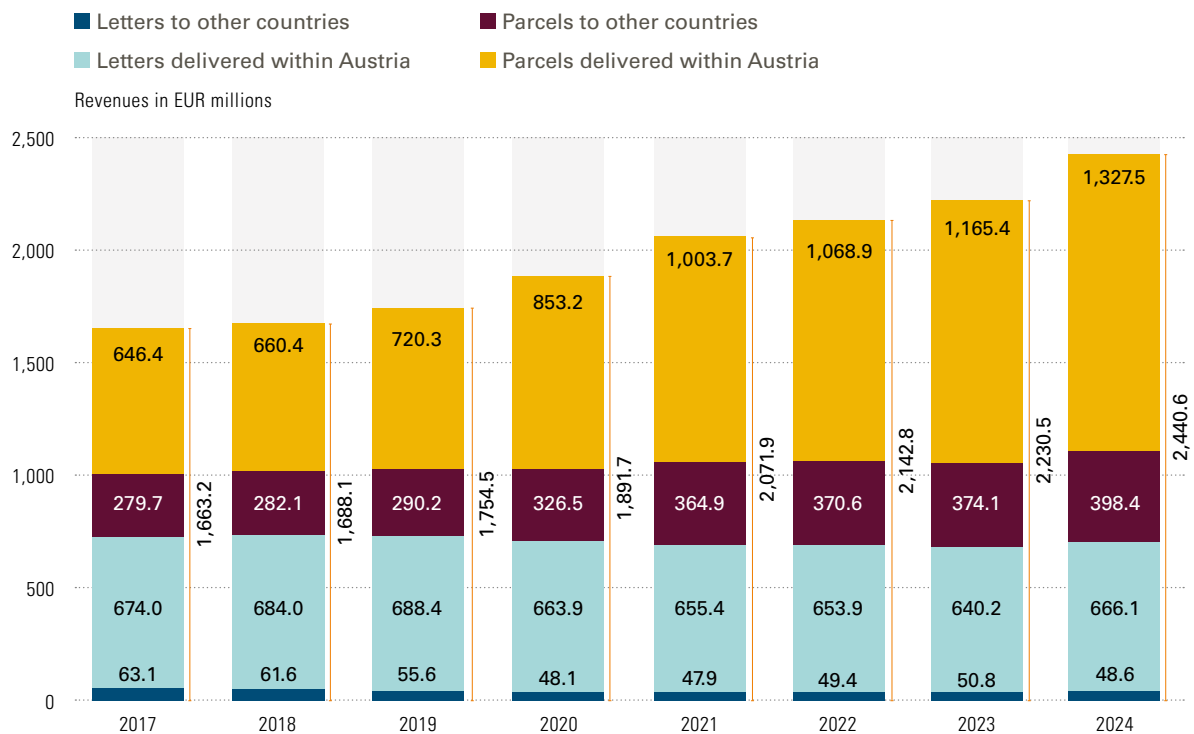
The total number of postal items conveyed in Austria rose slightly from 930.4 million in 2023 to 938.6 million in 2024. Meanwhile, the volume of letters delivered within Austria dropped by 6.1%, while letters conveyed to foreign destinations increased by 7.9%. Domestic parcel deliveries increased by 10.6%, and the number delivered abroad rose by 10%.

Figure 68: Total letter and parcel volumes in millions



Even though the total volume of postal items conveyed in 2024 rose only by a marginal 0.8%, postal market revenues did in fact increase appreciably by 9.4%. Compared with the previous year, revenues from letters delivered to domestic destinations increased by 4%. Revenues from letters delivered abroad dropped by 4.3%, while those for domestic parcel deliveries grew by 13.9%. Revenues from out-bound parcel deliveries increased by 6.5%.

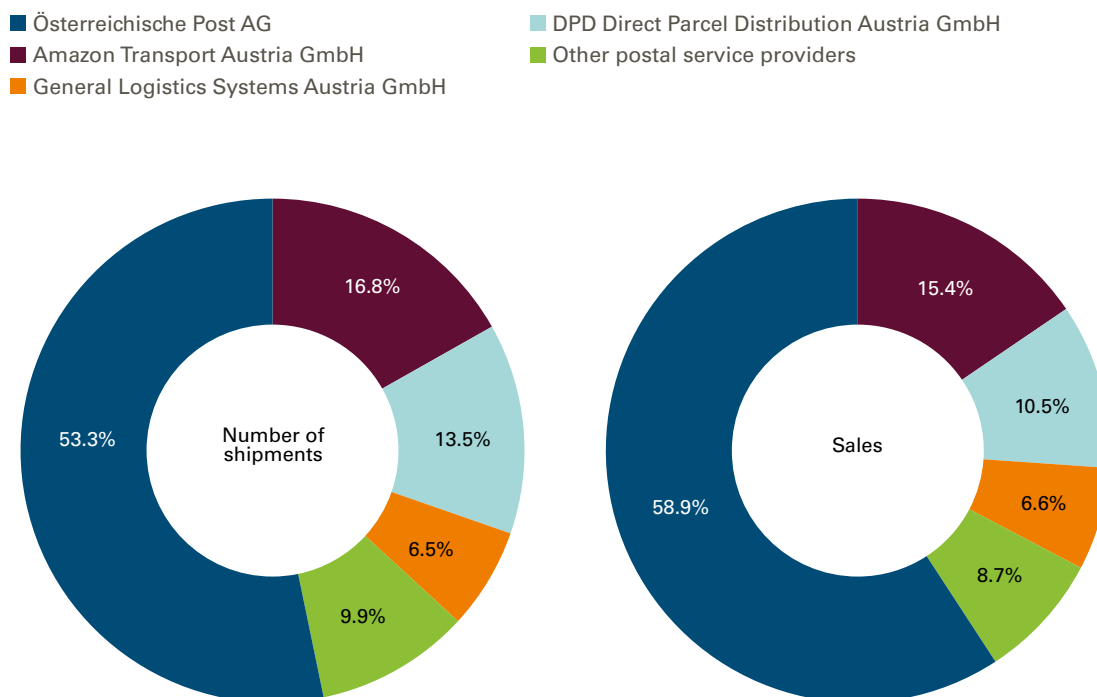
64 <https://www.rtr.at/TKP/aktuelles/publikationen/Uebersichtseite.de.html?l=de&q=&t=category%3Dpostmonitor>

Figure 69: Total revenues from letters and parcels in EUR millions

The Austrian parcel market is typically dominated by only a few large companies. In looking at market shares, a clear distinction needs to be made based on the type of parcel, that is whether delivered within Austria or destined for other countries.

Measured in terms of revenues (volume), Post AG continues to hold the largest market share in the market for parcels delivered to domestic destinations, i.e. 58.86% (53.28%). As in recent years, Amazon follows with 15.38% (16.84%) in front of DPD Direct Parcel Distribution Austria GmbH with 10.51% (13.49%). General Logistics Systems Austria GmbH holds a market share of 6.57% (6.53%). Other postal service providers account for 8.68% (9.86%).

Figure 70: Market shares – parcels delivered within Austria

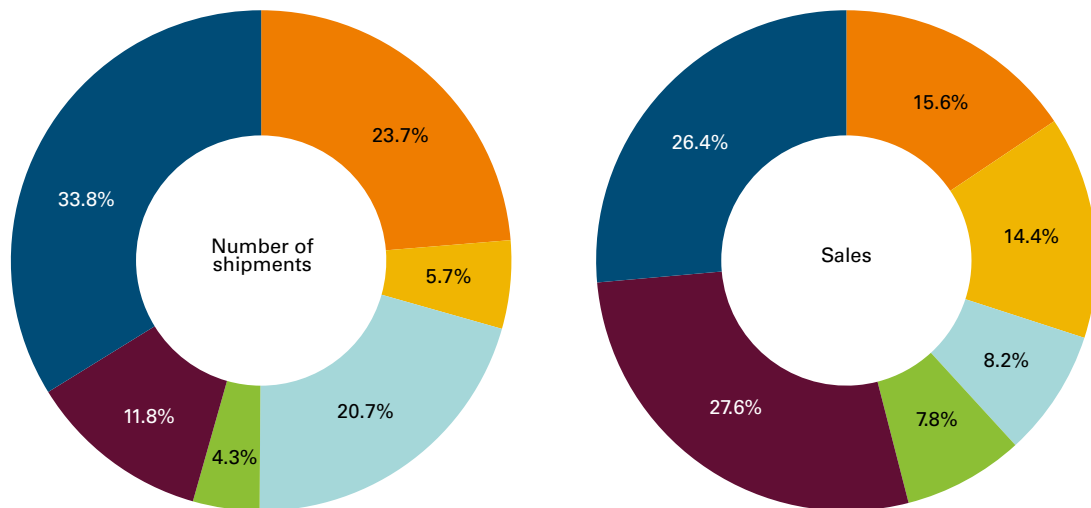


The market for foreign parcel deliveries presents a somewhat different picture. When viewed in terms of revenues, United Parcel Service Speditionsgesellschaft m.b.H. takes first place (27.55%), followed by Post AG (26.45%), General Logistics Systems Austria GmbH (15.63%), DHL Express (Austria) GmbH (14.40%) and DPD Direct Parcel Distribution Austria GmbH (8.22%). The remaining providers together claim a market share of 7.75%.

When market shares are compared in terms of letter and parcel volumes, Post AG leads with 33.82%, followed by General Logistics Systems GmbH (23.71%), DPD Direct Parcel Distribution Austria GmbH (20.68%), United Parcel Service Speditionsgesellschaft m.b.H. (11.83%) and DHL (Express) Austria GmbH (5.72%). All other providers together conveyed 4.25% of parcels sent to other countries.

Figure 71: Market shares – parcels to other countries

- | | |
|---|---|
| ■ Österreichische Post AG | ■ DPD Direct Parcel Distribution Austria GmbH |
| ■ United Parcel Service Speditionsgesellschaft m.b.H. | ■ DHL Express (Austria) GmbH |
| ■ General Logistics Systems Austria GmbH | ■ Other postal service providers |



The RTR Post Monitor describes the Austrian postal market in detail, including quarterly evaluations. It is available (in German) from the RTR website at <https://www.rtr.at/TKP/aktuelles/publikationen/Uebersichtseite.de.html?l=de&q=&t=category%3Dpostmonitor>.

Figures

Figure 01:	RTR website	14
Figure 02:	Service departments, media division, and telecommunications and postal services division, average FTEs in 2024	16
Figure 03:	Planned increase in audio descriptions across all ORF channels, according to action plan (in %)	91
Figure 04:	Planned increase in subtitling across all ORF channels, according to action plan (in %)	92
Figure 05:	Number of television channels within specified daily reach ranges among viewers 12+ in 2024	99
Figure 06:	Number of television channels within specified market share ranges among viewers 12+ in 2024	100
Figure 07:	Number of users (subscribers or individual customers) of on-demand services in 2024 within specified ranges	101
Figure 08:	Number of requests (2024) (grouped by range)	102
Figure 09:	Number of radio stations within specified daily reach ranges among listeners 10+ in 2024	103
Figure 10:	Number of radio stations within specified market share ranges among listeners 10+ in 2024	104
Figure 11:	Number of cable networks within subscription ranges in 2024	105
Figure 12:	Top 10 nationwide television channels by daily reach as a percentage of viewers 12+ in 2024	106
Figure 13:	Top 10 on-demand services by number of users (subscribers or individual customers) in 2024	106
Figure 14:	Top 10 on-demand services by service requests in 2024	107
Figure 15:	Percentage share of users (subscribers or individual customers) of the top 10 on-demand services as compared with the share of users (subscribers or individual customers) of other on-demand services in 2024	107
Figure 16:	Percentage share of service requests to the top 10 on-demand services as compared with requests to other on-demand services in 2024	108
Figure 17:	Use of TV reception modes (broadcasting), persons aged 12+ as a percentage, 2014–2024	110
Figure 18:	Radio reception via DAB+: at least once a month	114
Figure 19:	Awareness of DAB+, trend for 2021–2024	115
Figure 20:	DAB+ device sales per year, home devices and car radios	116
Figure 21:	Summary of ÖWR decisions in 2024 (n=248 decisions)	124
Figure 22:	Grounds for complaints in 2024	124
Figure 23:	Number of trusted flaggers at EU level	133
Figure 24:	Elections in 2024 following the full application of the DSA	136
Figure 25:	Comparison of support team sizes for Digital Services Coordinators in EU Member States (as of 31 January 2025)	143
Figure 26:	Austrian Television Fund – grants approved in 2024	155
Figure 27:	Austrian Television Fund – excellence bonus/production grants	156
Figure 28:	Austrian Television Fund – share of financing contributed to projects funded in 2024	156
Figure 29:	Austrian Television Fund – share of financing contributed to projects funded in 2024	157
Figure 30:	Non-Commercial Broadcasting Fund – grants approved in 2024	161
Figure 31:	Non-Commercial Broadcasting Fund – breakdown of grants by funding category 2024	161
Figure 32:	Private Broadcasting Fund – grants approved in 2024	163
Figure 33:	Private Broadcasting Fund – breakdown of grants by funding category 2024	163

Figure 34:	Distribution of grant funding in 2025	166
Figure 35:	Awarded frequency blocks from the 3600 MHz range	177
Figure 36:	Conciliation procedures in telecommunications services 2022–2024	184
Figure 37:	Reports of scam calls (incl. one-ring calls) and scam texts, 2018–2024	185
Figure 38:	Conciliation procedures for postal services, 2011–2024	209
Figure 39:	Postal service recipient complaints 2022–2024	210
Figure 40:	German-language infographics for the AI Act	215
Figure 41:	English-language infographics for the AI Act	215
Figure 42:	FAQ topics for sharing on social media	216
Figure 43:	Gross advertising expenditure in Austria by category in 2023 and 2024	238
Figure 44:	Percentage shares of gross advertising expenditure in Austria by category in 2023 and 2024	240
Figure 45:	Percentage shares of gross advertising expenditure in Germany by category in 2023 and 2024	241
Figure 46:	Revenues from advertising tax and digital tax (2020–2024)	242
Figure 47:	Market shares of Austrian and non-Austrian TV channels among individuals aged 12+, 2021–2024	245
Figure 48:	Nationwide market shares of Austrian TV channels in 2023 and 2024	247
Figure 49:	Daily viewing of video broadcasts and online video in 2024, individuals aged 14+ and 14 to 29-year-olds	250
Figure 50:	Shares of the nationwide radio market held by ORF and private stations among the 14–49 target group, 2021–2024	255
Figure 51:	Radio market shares in Vienna among the 14–49 target group, ORF vs. private stations, 2021–2024	257
Figure 52:	Private radio shares in the Vienna market among the 14–49 target group, 2021–2024	259
Figure 53:	DAB+ private radio shares in the Vienna market among the 14–49 target group, 2021–2024	260
Figure 54:	Use of on-demand audio and web radio, online population 15+	261
Figure 55:	Use of platforms for on-demand audio, online population 15+	262
Figure 56:	Most popular on-demand audio platforms with services, online population 15+	263
Figure 57:	Device use for online audio, online population 15+	264
Figure 58:	Retail revenues from mobile, fixed broadband, fixed voice and leased line services, 2022–2024	265
Figure 59:	Retail revenues from mobile services (excl. M2M)	266
Figure 60:	Mobile market shares by SIM card (excl. M2M)	267
Figure 61:	Smartphone subscriptions by category	268
Figure 62:	Data volumes for fixed and mobile broadband connections over time	269
Figure 63:	Data volume per connection and month	270
Figure 64:	Call minute volumes for internet services and conventional telephony	271
Figure 65:	Volume of messages sent via instant messaging, texting and email	272
Figure 66:	Internet access by technology type	273
Figure 67:	FTTB/H connection coverage	274
Figure 68:	Total letter and parcel volumes in millions	275
Figure 69:	Total revenues from letters and parcels in EUR millions	276
Figure 70:	Market shares – parcels delivered within Austria	277
Figure 71:	Market shares – parcels to other countries	278

Tables

Table 01:	RTR staff size 2022-2024	16
Table 02:	Profit and loss account for the business year from 1 January to 31 December 2024	20
Table 03:	RTR's income and expenses by division	21
Table 04:	Balance sheet as at 31 December 2024 – assets	22
Table 05:	Balance sheet as at 31 December 2024 – liabilities	23
Table 06:	Licenses issued in 2024, by licence holder and licence area	30
Table 07:	Nationwide DAB+ licensing	31
Table 08:	Regional DAB+ licensing	32
Table 09:	Television licensing	34
Table 10:	Number of international broadcasting frequency coordination procedures in 2024 (AM = medium wave)	45
Table 11:	Approved DVB-T/T2 transmitters (as of 31 December 2024)	46
Table 12:	Approved DAB+ transmitters (as of 31 December 2024)	47
Table 13:	Press subsidies – grant amounts, applications and approval rates, 2020–2024	51
Table 14:	Total press subsidies in 2024	51
Table 15:	Promotion of quality journalism for the 2022 and 2023 observation periods	52
Table 16:	Promotion of quality journalism in the 2022 observation period	53
Table 17:	Promotion of quality journalism in the 2023 observation period	54
Table 18:	Journalism subsidies – grant amounts, applications and approval rates, 2020–2024	55
Table 19:	Press Council – number of cases handled and cost contributions, 2020–2024	55
Table 20:	Press Council – number of cases handled and cost contributions, 2020–2024	56
Table 21:	Press Council – number of cases handled and cost contributions, 2021–2024	57
Table 22:	Planned increase for the ATV channel according to action plan (in %)	79
Table 23:	Planned increase for the ATV 2 channel according to action plan (in %)	80
Table 24:	Planned increase for the atv.at channel according to action plan (in %)	80
Table 25:	Planned increase for the KRONE TV channel according to action plan (in %)	81
Table 26:	Planned increase for the krone.tv channel according to action plan (in %)	81
Table 27:	Planned increase for the Mediashop Meine Einkaufswelt channel according to action plan (in %)	82
Table 28:	Planned increase for the Melodie TV channel according to action plan (in %)	82
Table 29:	Planned increase for the ProSieben Austria channel according to action plan (in %)	83
Table 30:	Planned increase for the JOYN channel according to action plan (in %)	83
Table 31:	Planned increase for the PULS 4 channel according to action plan (in %)	84
Table 32:	Planned increase for the Puls 24 channel according to action plan (in %)	84
Table 33:	Planned increase for the Servus TV channel according to action plan (in %)	85
Table 34:	Planned increase for the ViktoriaSarina YouTube channel according to action plan	86
Table 35:	Planned increase for the Sascha Huber YouTube channel according to action plan (in %)	86
Table 36:	Planned increase for the SAT.1 Österreich channel according to action plan (in %)	87
Table 37:	Planned increase for the Schau TV channel according to action plan (in %)	87
Table 38:	Planned increase for the „18+“-App channel according to action plan (in %)	88
Table 39:	Planned increase for the Sky Sport Austria channel according to action plan (in %)	88
Table 40:	Planned increase for the Magenta On Demand channel according to action plan (in %)	89

Table 41:	Planned increase for the A1 Xplore TV video library according to action plan (in %)	90
Table 42:	Accessible share of TV programming for the ORF in 2024 (percentages)	93
Table 43:	Accessible proportion on ORF ON in 2024 (percentages)	93
Table 44:	Accessible proportion on ORF KIDS in 2024 (percentages)	93
Table 45:	Working groups of the DSA Board	138
Table 46:	2024 statistics on procedures	148
Table 47:	Completed and pending procedures in 2024	150
Table 48:	Status of pending procedures	151
Table 49:	Average procedure duration 2024	151
Table 50:	Digitisation Fund – excerpt from the 2024 annual accounts	154
Table 51:	Austrian Television Fund – gender statistics for funded projects	158
Table 52:	Austrian Television Fund – excerpt from the 2024 annual accounts	159
Table 53:	Non-Commercial Broadcasting Fund – excerpt from the 2024 annual accounts	162
Table 54:	Private Broadcasting Fund – excerpt from 2024 annual accounts	164
Table 55:	Fund for the Promotion of Digital Transformation – excerpt from the 2024 annual accounts	167
Table 56:	Audio podcast funding – excerpt from the 2024 annual accounts	169
Table 57:	Overview of the third 5G auction	176
Table 58:	Frequency blocks (26 GHz) awarded in the third 5G auction and auction revenues	176
Table 59:	Frequency blocks (3600 GHz) awarded in the third 5G auction and auction revenues	177
Table 60:	Conciliation procedures involving third-party services, 2022–2024	186
Table 61:	Notified active services 2020–2024	188
Table 62:	Decisions on telephone number requests, 2020–2024	189
Table 63:	Postal service points operated by Post AG and by third parties, 2020 to 2024	207
Table 64:	Volume of enquiries, 2022 to 2024	234

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