

21 January 2014: Television

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**Canal Plus has just renotified the acquisition of D8 and D17 TV channels.
The Autorité de la concurrence has decided to seek sector-specific
regulators' and market players' views on the new draft commitments.**

> Version française



Following the decision by the Conseil d'État of 23 December 2013, on 15 January of this year Vivendi and Groupe Canal Plus (GCP) submitted a new notification of the acquisition of D8 and D17 free to air channels (formerly Direct 8 and Direct Star) to the Autorité de la concurrence.

The new commitments proposed by GCP

When the file was submitted, Vivendi and Groupe Canal Plus proposed new commitments to the Autorité that supplement, as regards one of the six points to which authorisation was subject (see attached table), those already taken in the decision of July 2012. The commitment with regard to the purchase of recent French films has been reviewed such that it encompasses the 2nd and 3rd free-to-air broadcasting windows.

In addition to the commitment they have made not to buy, in the course of a single calendar year, pay and free-to-air broadcasting rights to the same recent, unreleased, free-to-view French film for more than twenty films, they propose to

undertake not to pre-buy, in the course of a single calendar year, the pay TV and second and third window free-to-air TV broadcasting rights to the same French film for more than twenty films.

The Autorité will be consulting market players until 3 February

The Autorité will analyse the effects of the acquisition on competition, bearing in mind the competitive situation in the markets and its outlook as regards development at the date of the new investigation.

While not under any legal obligation to do so at this stage of the procedure, it has asked for the opinion of the CSA and Arcep. In addition, it is today launching a “market test” with market players in relation firstly to the new elements that may possibly be taken into account in the competitive analysis of the operation since its previous decision, and secondly, to the capacity of the new commitments to prevent the anticompetitive effects of the acquisition.

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