The Autorité de la concurrence was asked by the Cultural Affairs and Education Committee of the French National Assembly (Assemblée nationale) to give an opinion on the contemporary music sector and live entertainment in particular

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The National Assembly's Cultural Affairs and Education Committee referred the matter to the *Autorité de la concurrence*, on the basis of the provisions of Article L. 462-1 of the French Commercial Code (*Code de commerce*), for an opinion on current developments in the contemporary music sector, and live entertainment in particular.

Purpose of the referral

The referral by the Cultural Affairs and Education Committee notes in particular that the contemporary music sector is undergoing major changes and that members of the profession are observing with concern a phenomenon of concentration that may be impacting concert halls and contemporary music festivals, as well as ticket sales and artistic production. It also points out that festival organisers appear to be experiencing increasing difficulties in programming because of the dramatic rise in the fees paid to certain artists and that takeovers of companies by large multinational groups raise economic issues due to the risk of emerging dominant positions which it entails as well as artistic concerns for the protection of creative and cultural diversity.

Examination by the Autorité

In order to conduct its analysis, the *Autorité* will question various stakeholders in the contemporary music sector, including those associated with institutions (at the national and local level). The information thus obtained will make it possible to assess the extent of this concentration phenomenon and the possible risks it entails. It will also help in understanding the relevant market(s) within the sector for live contemporary music entertainment and assessing the market power of the main stakeholders.

Finally, the live performance sector of contemporary music has been greatly impacted by the Covid19 health emergency. In its analysis, the *Autorité* will thus pay particular attention to the possible consequences of the health emergency over the short and longer term.

Interested parties wishing to contribute to the investigation may contact the *Autorité* at the following address: avis_musiques_actuelles@autoritedelaconcurrence.fr.

As a reminder, the *Autorité de la concurrence* may "consulted by parliamentary committees on draft legislation and on any matter concerning competition." In recent years, it has issued several opinions in this regard, including:

- Opinion 15-A-06 of 31 March 2015 concerning joint purchasing agreements in the mass retail distribution sector (referral from the Economic Committee of the French Senate)
- Opinion 18-A-04 of 3 May 2018 on the agricultural sector (referral from the Ministry of Economy and Finance)
- Opinion 19-A-04 of 21 February 2019 on the audiovisual sector (referral from the Cultural Affairs and Education Committee of the French National Assembly)

The *Autorité* may also be asked for an opinion on any competition issue by the government, local authorities, professional and trade union organisations and approved consumer organisations.

Finally, it can also issue an opinion on its own initiative (as it has in online advertising, medicinal product distribution, private chemical pathology and as it is currently doing as part of the ongoing sector inquiry on financial technology ("fintech") and developments in the payments sector).

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