

26 June 2018: Audiovisual sector

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**The *Autorité de la concurrence* has been asked for an opinion in the
audiovisual sector
by the Commission of Cultural Affairs and Education
(*Commission des Affaires culturelles et de l'Éducation*) of the National
Assembly**

The Commission of Cultural Affairs and Education of the National Assembly has requested an opinion from the *Autorité de la concurrence*, as provided for by the provisions of Article L.462-1 of the French Commercial Code. The aim of this opinion is to provide guidance for the National Assembly's thinking regarding a future reform decree for the audiovisual sector, which could be presented to the Parliament by the end of the year.

As M. Bruno Studer, President of the Commission of Cultural Affairs and Education, underlines in the referral for an opinion:

"The audiovisual communication sector is profoundly impacted by the digital revolution of techniques and usage. The bases of its legal and regulatory framework, the principles behind the establishment of its regulation and the relations between the different players, the economic balance and conditions of value sharing; everything today is to be rethought, remodeled, and the competitive issues are essential in this respect."

The competitive analysis to be carried out by the *Autorité* will, in particular, help to identify large scale evolutions that could impact market analysis, incumbent market power and the stakeholders' development perspectives. It will also allow evaluation of the efficiency and relevance of the potential legal and regulatory changes.

By way of reminder, the *Autorité de la concurrence* can « *be asked for an opinion by parliamentary committees on draft legislative texts, as well as any matter of competition law* »

In recent years, it issued several important opinions among which:

- Opinion 09-A-48 of 2 October 2009 relative to the operation of the dairy sector (Economic Affairs Committee of the Senate),
- Opinion 10-A-08 of 17 May 2010 relative to the new organisation of the electricity market (NOEM) (Economic affairs committee of the French National Assembly)
- Opinion 12-A-02 of 17 January 2012 concerning the framework of public authority participation in the roll-out of very high speed broadband networks. (Senate Committee for the Economy, Sustainable Development and Town and Country Planning)
- Opinion 14-A-13 of 17 September 2014 concerning the motorway sector after privatisation of concession-holders (Finance Committee of the French National Assembly)
- Opinion 15-A-06 of 31 March 2015 concerning the joint purchasing agreements in the food retail sector (Economic Affairs Committee of the Senate)

It is able to issue an opinion on any competition matter, upon request by the government (as it recently did in the agribusiness sector), local collectivities, professional trade associations and unions, along with registered consumer organisations.

It can also issue opinions at its own initiative (as shown recently in the online advertising sector and health sector).

> Press contact:

Chloé Duretête +33 1 55 04 01 20 / Email