[NL] End of Broadcasters' Monopoly on Television Listings

IRIS 1998-9:1/23

Mediaforum
Media Forum

On 10 September 1998 the Dutch Competition Authority (Nederlandse mededigingsautoriteit, NMa), following its provisional opinion of 13 March 1998 (see IRIS 1998-4: 12), decided that the Dutch Broadcasting Foundation (NOS) and the Dutch Media Group (HMG) abuse their dominant position by refusing to make their television listings available to third parties, such as the plaintiff De Telegraaf (publisher of a vast number of newspapers and magazines). The broadcasters' refusal prevents third parties from publishing their own weekly TV guides and therefore constitutes a breach of the Dutch Competition Act. By 15 January 1999 NOS and HMG will have to have changed their licensing policies with regard to their weekly lists of television programmes in such a way "that the market for weekly TV guides is no longer strictly reserved to broadcasters and the television listings will have to be offered to interested third parties under fair, objectively justified and non-discriminatory conditions and rates". http://services.obs.coe.int/en/index.htm

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Dutch Competition Authority, decision of the director-general, no. BBB 1/121, 10 September 1998.

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