[IT] New Provisions on Dominant Positions in the Communications Sector

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On 23 March 1999 The Autorità per le Garanzie nelle Comunicazioni (Italian regulatory authority in the communications sector - AGC) approved Regulation no. 26/99 (Regolamento in materia di costituzione e mantenimento di posizioni dominanti nel settore delle comunicazioni), which entered into force on 25 May 1999. The regulation introduces the procedural rules concerning the constituting and the maintenance of dominant positions in the communications sector. Mergers and cartels in the radio and television broadcasting, multimedia, (electronic) publishing and advertising sector have to be notified to the AGC, in order to verify the existence of a dominant position, as defined in the Communications Act that fixes the maximum percentages allowed for each sector, and to the Italian Antitrust Authority (Autorità Garante della Concorrenza e del Mercato) for the purposes defined by the latter's competencies with regard to the possible abuse of a dominant position. After hearing the parties and examining relevant documents, the AGC may, where necessary, suspend operations, and impose sanctions in respect of non-compliance by the parties.

Regolamento in materia di costituzione e mantenimento di posizioni dominanti nel settore delle comunicazioni. Gazz. Uff. 24 Maggio 1999, Serie Generale no. 119.

Regulation of 23 March 1999, no. 26/99. Gazz. Uff. 24 May 1999, Serie Generale no. 119.

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