[IT] Pay-TV Digital Platforms Fined for Infringement of Decoder Provisions

IRIS 2000-10:1/18

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According to Law no. 78/99 (IRIS 1999-4: 8) and to the Regulation of the Autorità per le Garanzie nelle Comunicazioni (Italian Communications Authority - AGC) of 7 April 2000, no. 216/00/CONS (IRIS 2000-6: 9) a common decoder for pay-TV broadcasters established in Italy should have been introduced by 1 July 2000. For that purpose the operators of the two existing Italian digital platforms Telepiù, controlled by CANAL+, and Stream, controlled by Telecom Italia, should have informed the AGC before 20 June 2000 about how they intended to comply with this obligation, under which they had to ensure that consumers were granted the enjoyment of all conditional access digital programmes and the reception of free-to-air broadcasting through the same decoder. In particular, the two parties could choose between Simulcrypt and Multicrypt systems, the former working between different proprietary conditional access architectures, the latter operating through a common interface.

On 7 July 2000 Telepiù and Stream were warned not to infringe the Law by using different decoders and on 12 September they were fined LIT 300 million (approximately Euro 155 000). When the infringement of the Law persisted, on 4 October 2000 a new fine of LIT 500 million (approximately Euro 260 000) was imposed. On 25 October the AGC examined a draft agreement reached by the parties on 20 October, according to which the common decoder would be introduced in April 2001. Because the agreement was not deemed to be satisfactory with respect to the interest of consumers, the AGC ordered that the parts of the draft that were lacking should be included within ten days, under penalty of suspension of the transmissions.

Delibera N. 578/00/CONS, attuazione della delibera n. 216/00/CONS: sanzioni e diffide alle società Stream S.p.a. e Telepiù S.p.A.

http://www.agcom.it/bu00_5/sanzioni/578_00_CONS.htm

Decision of the Autorità per le Garanzie nelle Comunicazioni of 12 September 2000 no. 578/00/CONS, Attuazione della delibera n. 216/00/CONS: sanzioni e diffide alle società Stream S.p.A. e Telepiù S.p.A.

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Delibera N. 656/00/CONS attuazione della delibera n. 216/00/CONS: nuove sanzioni e ulteriori diffide alle società Stream S.p.A. e Telepiù S.p.A.

http://www.agcom.it/bu00_5/sanzioni/656_00_CONS.htm

Decision of the Autorità per le Garanzie nelle Comunicazioni of 4 October 2000 no. 656/00/CONS, Attuazione della delibera n. 216/00/CONS: nuove sanzioni e ulteriori diffide alle società Stream S.p.A. e Telepiù S.p.A.

Decoder Unico, comunicato stampa del 25 ottobre 2000

http://www.agcom.it/comunicati/cs_251000.htm

Press release of the Autorità per le Garanzie nelle Comunicazioni of 25 October 2000

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