European Commission: Provisional Agreement on Media Rights to English Premier League

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On 16 December 2003, the European Commission announced that it had reached provisional agreements with the Football Association Premier League (FAPL) and the main UK pay-TV operator BSkyB as regards the media rights to the UK Premier League.

The Commission commenced its investigation into the joint selling of media rights to Premier League matches in June 2001, and in December 2002 sent a Statement of Objections to the FAPL stating that its selling arrangements were anti-competitive as they eliminated competition between broadcasters and limited the media coverage of matches to the detriment of fans (see IRIS 2003-2: 5).

The Commission notes that some improvements already occurred in the new tendering process for the rights, which was concluded last summer with the acquisition of the rights once again by BSkyB (which has had for a number of years exclusive coverage of the matches). In general, there has been a significant increase in the number of rights that have been made available. For instance, the number of matches broadcast live in the UK will increase from 106 to 138 per season. Also, the rights for delivery via mobile phones, Internet rights and club television rights have all been improved.

The agreements reached in December will bring further changes, which will take place in two stages. First of all, BskyB has agreed, starting from the 2004-2005 season, to offer to sublicence to another broadcaster up to eight top Premier League matches per season. Secondly, the FAPL has agreed to introduce a new system for the sale of the rights, which will be put into effect when the rights are next tendered in 2006. Under the new system, balanced packages of matches will be created and it will not be possible for one broadcaster to buy all the packages. Thus, at least two broadcasters will have access to the rights to live Premier League matches. The conduct of the auctions will be monitored jointly by the Commission and the Premier League to ensure that no potential competitors are excluded.

As a result of these arrangements, free-to-air television will for the first time have a real opportunity to broadcast live Premier league matches.

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"Commission reaches provisional agreement with FA Premier League and BSkyB over football rights", Press Release of the European Commission IP/03/1748 of 16 December 2003

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