

[IT] New rules on access to pay TV broadcasting

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By Presidential Decree of 23 December 1995, the Italian Council of Ministers introduced some important modifications on the rules governing access to pay TV broadcasting. According to the previous law, only two channels were allowed to broadcast in an encrypted format, namely Tele+1 and Tele+2, both partly owned by foreign investors (Kirch and Murdoch) and partly by Italian companies (Berlusconi's Fininvest holds a 10% share). The new Decree gives all the other Italian private commercial broadcasters the possibility to broadcast in an encrypted format. In order to do this, they must obtain an authorisation from the Minister of Telecommunications. In short, the new rules will favour the Cecchi Gori Group, which already hold two terrestrial channels (Tele Montecarlo and Videomusic). In fact, the latter group has announced the launching of four new satellite channels, one of which will be dedicated to sports events. At the end of February a bid will take place for the acquisition of rights to broadcast football games on pay TV and pay-per-view channels. Until the next season (August 1996) Tele+2 will keep the rights to broadcast the games by means of encrypted signals.

It must be reminded that a Statute enacted in 1993 (Law No 422) requires pay TV operators to move from terrestrial frequencies to satellite or cable. The new Decree postpones the original time limit for this clearance of terrestrial channels from August 1996 to August 1997, but the operators of the encrypted channels will have to start satellite transmissions by the end of 1996. therefore, they can broadcast their programmes simultaneously terrestrially and via satellite, for a short period of time.

The Decree needs to be converted into an Act of Parliament within sixty days, in order to become definitively binding.

Decreto-legge 23 dicembre 1995, n. 545, G.U. 28.12.1995

Decreto-legge of 23 December 1995, No 545, G.U. of 28 December 1995.

