[BG] Competition Commission Decides on MTG and Diema Vision EAD

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The Bulgarian Commission for the Protection of Competition (CPC) received a request from MTG Broadcasting AB concerning the clearance of the intended acquisition of Diema Vision EAD by MTG.

In its considerations on the request the CPC included its decision No. 879 dated 9 October 2008 permitting the acquisition of 100 % of the shares of Nova Television - First Private Channel EAD, 100 % of the shares of Nova Television Plus EOOD and 80 % of the shares of EVA Agency OOD by MTG Broadcasting EAD, Sweden. As part of internal restructuring measures, MTG has transferred its shareholding in Nova Television Plus and EVA Agency to Nova Television - First Private Channel.

MTG's presence on the Bulgarian market is as follows: Nova Television - First Private Channel EAD has been granted licences by the Council for Electronic Media and the Communications Regulation Commission to provide television programmes through terrestrial analogue network with national coverage; Nova Television Plus EOOD is currently not providing any services as the term of validity of its licence has expired; EVA Agency OOD publishes a monthly women's magazine called EVA - Women's Magazine. Through its affiliated company Viasat World Limited, UK, MTG broadcasts in Bulgaria the following pay-per-view channels: TV100, Viasat Explorer and Viasat History. MTG jointly with Apace Media Plc exercises control over the programmes of Diema Vision EAD: Diema, Diema 2, Diema Family and the musical channel MM.

According to the data presented to the CPC the turnover of the companies participating in the concentration does not meet the requirements and criteria set out in Article 1 of Council Regulation No. 139/2004 (Merger Regulation). In view of this, the contemplated transaction is subject to a notification to the Bulgarian competition authority in accordance with the provisions of the Protection of Competition Act (published in State Gazette, issue 102 dated 28 November 2008).

By virtue of decision No. 769 dated 23 July 2009, the CPC permitted the concentration through the acquisition of indirect sole control over Diema Vision EAD by MTG Broadcasting AB, Sweden, through its subsidiary Nova Television - First Private Channel EAD. MTG Broadcasting exercises control over Diema Vision through the Balkan Media Group Limited. The CPC concluded that the concentration will not significantly affect the market as the positions of MTG will

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not be changed after the acquisition of sole control over Diema Vision. In 2008 the market share of MTG did not exceed 25 % and would not be increased as a result of the deal. Another argument for the clearance of CPC is that no negative opinions have been expressed by any of the interested parties.

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