[CY] Sports Television Rights - From Monopoly to Fragmentation

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At the start of the new sports season the issue of television sports rights is currently on the public agenda: competition by broadcasters and television service providers for the acquisition of transmission rights is affecting prices and access by the public. Today's fragmented offer requires households to invest in multiple subscriptions in order to follow live sport events.

On the other hand, a monopoly that existed before 2007 allowed the football federation to attribute exclusively, and almost eternally, transmission rights to one broadcaster. Decisions by the Commission for the Protection of Competition (Επιτροπή Προστασίας Ανταγωνισμού) and the Supreme Court between 2004 and 2007 led to an opening up of the market.

Three broadcasters and three television service providers hold television sports rights for the 2011-2012 season. The major stakeholder is pay-TV channel Lumiere TV (LTV), which holds the rights for home matches of more than half of the Cyprus First Division football teams, for English, German, Spanish football championships and for EURO 2012. LTV holds also the rights for Eurobasket 2011 and NBA and for other popular sports.

It is followed by Cytavision, owned by CYTA, the major telecommunications and Internet provider on the island. Cytavision holds the rights for the home matches of the five First Division football teams, for UEFA and various national football championships, as well as for Cyprus, Greece and other countries' basketball and other sports championships. Through strategic alliances, Cytavision offers LTV packages to its subscribers at extra cost.

Television service providers Primetel and Nova Cyprus also hold significant transmission rights in football and other sports.

Sports commentators, consumer associations and citizens often complain that this fragmentation makes it too costly for households to follow a large part of sports events.

The situation has not always been the same as today. The public service television faced - along with the end of its monopoly in 1992 - a gradual loss of foreign and Cyprus football championships and other sports rights to the benefit

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of pay-TV channel LTV.

With regard to Cyprus football, agreements with KOP (Κυπριακή Ομοσπονδία Ποδοσφαίρου - Cyprus Football Federation) gave LTV recording and transmission rights (1996) and - since 2001 - live broadcasting rights. LTV could sell some minutes of transmission to free-to-air broadcasters, which were bound by a clause not to bid to KOP for rights. The 2003 agreement gave LTV privileged treatment for the next five years and first preference up to 2011.

Following recourse by ANT1 television to the competition authorities and the Supreme Court, the monopoly and privileged treatment of LTV was broken, while the exceptional right that allowed KOP to negotiate on behalf of the teams participating in the championship was also cancelled. A more specific challenge of this right before the courts ended KOP's privilege (see Supreme Court Case 952/2004, ANTENNA v Commission for the Protection of Competition and Case 1120/2004, CYTA v Commission for the Protection of Competition, Decision of 9 August 2007).

Additional developments between 2004 and 2007 changed the landscape significantly; the coming of television service providers MiVision (later Cytavision), Primetel, NOVA and Cablenet that could count on multichannel transmission and income from subscriptions increased the number of competitors.

This led to the opening up of the market, though still dominated mostly by pay-TV and television service providers (i.e., cable, IP or satellite television providers, who distribute the programmes of broadcasters), with the latter operating in a legal quasi-vacuum. Free-to-air broadcasters are disadvantaged because the lack of regulation of television service providers allows the latter to operate without limits and compete from a rather privileged position.

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