[IT] AGCOM Evaluation of Media Pluralism in the Integrated Communications System (SIC)

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Pursuant to Article 43 of the Italian Audiovisual and Radio Media Services Code (Legislative Decree no. 177/2005, as amended in 2010 when the AVMS Directive was implemented into Italian legislation, see IRIS 2010-2/25 and IRIS 2010-4/31), which, in view of the value of competition and pluralism in the broadcasting sector, prohibits achieving and maintaining dominant positions, the Autorità per le garanzie nelle comunicazioni (Italian Communications Authority - AGCOM), periodically conducts a specific analysis in order to estimate the resources included in the so-called "SIC" (Sistema Integrato delle Comunicazioni - integrated communications system). The SIC is defined in the aforementioned Article 43 as the economic sector determined by the process of convergence between traditional broadcasting, newspapers and magazines, publishing (also via the Internet), radio and audiovisual media services, and cinema and advertising both above and below the line. Companies registered as communications operators may not amass, either directly or indirectly, more than 20% of the total revenue of the SIC.

On March 2011 AGCOM approved, with Deliberation no. 126/11/CONS, the assessment regarding the economic dimensions of the SIC in 2009, following an intervention that took place in 2010 concerning the analysis and detection of relevant markets (AGCOM Deliberation no. 555/10/CONS "Procedure for the detection of relevant markets in the integrated communications system"), which were stated to be the following: free-to-air TV, pay TV, radio, daily and periodical publishing.

The resources included in the SIC in 2009 reached the amount of EUR 23 billion. The analysis showed how the SIC performance during 2009, taken as a whole, had shown an overall decrease of 5.2%, which is consistent with what happened in other sectors (in the same year, the reduction of prices to GDP market was just 5.2%). These income reductions have been particularly serious in the advertising sector, whereas some sectors, specifically pay-TV and the Internet, have grown.

In 2009, none of the communications operators had reached the maximum threshold allowed (20% of total revenue).

National broadcasters who amass more than 8% of the total revenues of the integrated communications system are not allowed to acquire, prior to 31

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December 2012, shares in publishers of daily newspapers or to participate in the establishment of new daily publishers. This prohibition applies to all main broadcasters, as they have reached the following percentages of total revenues of SIC: Mediaset 13.34%, Rai 11.80%, Sky 11.58%.

Delibera n. 126/11/CONS - "Procedimento per la valutazione delle dimensioni economiche del sistema integrato delle comunicazioni (SIC) per l'anno 2009"

http://www.agcom.it/Default.aspx?DocID=5920

AGCOM Deliberation no. 126/11/CONS, Procedure for the evaluation of the economic dimensions of the integrated communications system (SIC) for 2009

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