[NL] Report of the Dutch Media Authority on the Effect of the New Dutch Must-Carry Rules

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On 12 November 2014 the Dutch Media Authority (Commissariaat van de Media) published its yearly research report on the Dutch media, the Mediamonitor (for previous reports, see IRIS 2011-5/35 and IRIS 2006-1/33). The report discusses the Dutch media landscape. This year's report pays special attention to diversity in the field of television, in order to evaluate the new Dutch must-carry rules.

As of 1 January 2014, a new law has been implemented changing the Dutch must-carry rules (see IRIS 2013-7/22). Under the old rules, cable operators were advised by boards of consumers (programmaraden) on what channels should be included by them. With the new legislation, there is no longer any such direct consumer influence on the set of channels offered.

From 1 January 2014 onwards, cable operators that serve over 100,000 households must offer a minimum number of channels. Cable operators that provide digital television are obliged to offer a minimum of 30 channels, while analogue providers must offer a minimum of 15 channels. These packages must include seven channels that are provided by the Dutch and Belgian public broadcasters, as well as the regional public broadcaster.

In order to evaluate the effects of the implementation of the new must-carry rules, the report looks at the packages of channels to which consumers can subscribe. The basic package consists of 12 different genres on average. The diversity of channels increases with the addition of an extra set of channels, which 45% of the households choose by subscribing to additional sets. Cable operators offer almost the same packages as they did in 2011, when the former rules still applied. However, diversity is slightly less; fewer channels and fewer genres are included in most packages. Still, all providers offer more channels than is legally required, most of them significantly more. According to the report, further research is necessary over the next few years.

In addition to this, the Mediamonitor focuses on consumer satisfaction. On average, people indicate that they are very happy with their television subscription. 78% say that they are not missing any channels. Applying a regression analysis, the report shows that the addition of an extra genre to the set of channels a consumer receives does lead to higher consumer satisfaction. In

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contrast to this, consumers themselves indicate they do not care for additional channels or genres.

In conclusion, it can be said that, according to this report, the change of the legal regime has not led to a big change to the sets of channels offered to the consumers and that consumers are very satisfied with the channels they receive.

Commissariaat voor de Media, Mediamonitor: mediabedrijven en mediamarkten 2013-2014, oktober 2014

http://www.cvdm.nl/wp-content/uploads/2014/11/CvdM-Mediamonitor-2014-totaal.pdf

Dutch Media Authority, Mediamonitor: media companies and markets 2013-2014, October 2014

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