[BG] The New Bulgarian Media Group Holding may purchase additional media outlets

IRIS 2015-10:1/8

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Seven days after receiving the application, the Bulgarian *Комисията за защита на конкуренцията* (Commission on the Protection of Competition - the Commission) ruled on the acquisition of the TV channel Kanal 3 by the powerful *Нова Българска Медийна Група Холдинг ЕАД* (New Bulgarian Media Group Holding EAD). According to the decision, the acquisition does not fall within the scope of the Protection of Competition Act and therefore does not raise any concerns.

Bulgarian law contains no specific provisions on media concentration. All mergers in the media field are therefore judged under the Protection of Competition Act by the Commission in its capacity as the general competition authority. Accordingly, on 21 August 2015, the New Bulgarian Media Group Holding EAD lodged an application with the Commission for the approval of the acquisition of the company *Елит Медиа България ЕООД* (Elit Media Bulgaria EOOD), the broadcaster of the TV channel Kanal 3.

The New Bulgarian Media Group Holding EAD is already the corporate group with the widest reach on the Bulgarian print market. It is, for example, the publisher of three national daily newspapers Monitor, Telegraf and Meridian Mach, the weekly newspapers Politik and Europost and the regional newspaper Borba. Furthermore, together with her son, the media group’s sole proprietor has a minimum 50%, and mostly even a 100%, stake in a range of other media companies, including in the field of the electronic media. They also have interests in companies that distribute press products.

According to section 24(1) of the Protection of Competition Act, only those mergers where the total domestic revenues of the companies to be merged exceeded 25 million lev (approximately EUR 12.5 million) in the previous financial year require the prior notification of, and examination, by the Commission. The second, cumulative prerequisite for the relevance of a merger under competition law as far as being subject to the Commission’s jurisdiction is concerned is that the total domestic revenues of at least two of the companies involved in the merger, or the revenues of the company to be acquired, exceed three million lev (approx. EUR 1.5 million).

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In its examination of the application, the Commission established that neither prerequisite existed because the combined total domestic revenues of the companies in question did not exceed 25 million lev and the company to be acquired did not generate revenues in excess of three million lev. Accordingly, the Commission ruled, the takeover did not fall within the scope of section 24(1) of the Protection of Competition Act, so that, according to the Commission's normal practice, it was unnecessary to carry out a market analysis or an examination of the expected consequences for the competition environment. On this basis, the Commission decided on 1 September 2015 that the acquisition did not raise any concerns.

РЕШЕНИЕ № 686 на Комисията за защита на конкуренцията от 01.09.2015 г.

http://reg.cpc.bg/AllResolutions.aspx?dt=1&ot=2

Decision No. 898 of the Commission on the Protection of Competition of 1 September 2015

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