[GB] Regulator closes investigation into Premier League football rights

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Ofcom, the UK communications regulator, has decided to close an investigation into how the Premier League sells live UK audiovisual media rights for Premier League football matches. The investigation was carried out under the Competition Act 1998, and examined whether the selling arrangements of the Premier League restrict or distort competition. This followed a complaint by Virgin Media about the arrangements for auctioning rights (see IRIS 2015-4/10). In 2006 the Premier League had given undertakings to the European Commission in relation to the joint selling of media rights, but these expired at the end of the 2012/13 season.

In deciding to close the investigation, Ofcom took into account the recent decision of the Premier League to increase the number of matches available for live broadcast in the UK to a minimum of 190 per season from the start of the 2019/20 season, an increase of at least 22 matches per season compared to 2015. This builds on the earlier commitments made to the European Commission. The next auction will include a “no single buyer” rule by which more than one broadcaster must be awarded rights. At least 42 matches per season will be reserved for a second buyer, of which a minimum of 30 will be available for broadcast at the weekend.

Ofcom also took into account the preferences of match-going fans established according to market research it had undertaken. A high proportion considered that the day and time of the live match was of great importance, favouring a Saturday 3pm kick-off time, which had to be balanced against the benefits of releasing more matches for live broadcasting, resulting in rescheduling. This would be necessary because of the “closed period” set by the Football Association to protect attendances at matches by prohibiting broadcasting between 2.45pm and 5.15pm on a Saturday. The consumer research is published alongside the decision.

As a result of the factors described above, Ofcom decided that its resources could be used more effectively on other priorities to protect consumers and competition.

Ofcom, “Ofcom Closes Investigation into Premier League Football Rights”, 5 September 2016

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