[ES] CNMC analyses proposals to market football broadcasting rights

IRIS 2021-10:1/12

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On 19 October 2021, the Spanish regulator *Comisión Nacional de los Mercados y la Competencia* (CNMC) approved three reports in which it analysed the conditions proposed by the *National Professional Football League* (LNFP) for marketing the broadcasting rights of the Liga championship for the coming seasons in national territory and in international markets. These reports are issued pursuant to Article 4 of the Royal Decree-Law 5/2015 which regulates the conditions for joint marketing of rights to exploit audiovisual content of professional football competitions.

In its report on the exploitation of content of the national league championship in Spain, the CNMC made the following considerations and recommendations:

- The CNMC welcomed the structure presented for marketing the rights in different lots and options, as this may encourage more operators to participate and may encourage competition between them.

- It noted that the possibility of submitting bids for a period of four and/or five seasons should be eliminated.

- The LNFP should ensure the principles of publicity, transparency and non-discrimination in the process of awarding the rights. In particular, by eliminating discretionality in the evaluation of bids, such as, for example, the possibility of increasing the evaluation of a financial bid by up to 15% for technical-formal aspects not based on objective criteria or formulas.

- In addition, it should modify all those issues that could lead to discriminatory treatment between operators, such as the use of reserve prices for each lot or the sale of rights together with the in-house produced Canal LaLiga Primera channel.

- The Commission also recommends reviewing the limitation whereby only pay-TV operators can exploit these lots.

- Finally, it is recommended to remove the reference to the ownership of rights and powers that the LNFP does not own.

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Concerning its reports on the exploitation of national league championship content in territories outside the European Economic Area and in the United Kingdom, the Republic of Ireland and Iceland, the CNMC made the following considerations and recommendations:

- Clarify the content of the lots and the criteria for assessing the requirements for their award, to ensure a transparent and competitive procedure.

- Consider a contract duration that is in line with the principles and rules of competition.

- Eliminate the mention of the ownership of rights and powers that the LNFP does not own.

Informe sobre la propuesta de la Liga Nacional de Fútbol Profesional para la comercialización de los derechos de explotación de contenidos del Campeonato Nacional de Liga en España (primera división) a partir de la temporada 2022/2023 por una duración de tres, cuatro o cinco temporadas, según las ofertas

https://www.cnmc.es/sites/default/files/3752669_4.pdf

Report on the proposal of the National Professional Football League for the marketing of exploitation rights of the National League championship in Spain (First Division) as from the 2022/2023 season for a duration of three, four or five seasons, depending on the bids

Informe sobre la propuesta de la Liga Nacional de Fútbol Profesional para la comercialización internacional de los derechos de explotación de contenidos del Campeonato Nacional de Liga en ciertos territorios fuera del Espacio Económico Europeo

https://www.cnmc.es/sites/default/files/3752705_3.pdf

Report on the National Professional Football League's proposal for the international marketing of the rights to exploit National League Championship content in certain territories outside the European Economic Area.

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