[ES] conditions for the international commercialisation of the broadcasting rights of the Spanish football league under scrutiny

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In September 2021, the *Comisión Nacional de los Mercados y la Competencia* (National Markets and Competition Commission — CNMC), the body that promotes and ensures the proper operation of all markets, issued three reports analysing the conditions proposed by the National Professional Football League (LNFP) for selling the broadcasting rights of the *Campeonato Nacional de Liga de Primera División*, known as La Liga, both in Spain and in international markets. In the case of Spain, the providers Movistar and DAZN have the broadcasting rights for this world renowned championship for its next five seasons.

The three reports - relating to the compliance with the conditions for selling broadcasting rights in Spain and in countries outside of the European Economic Area (EEA) - determined that the LNFP had not complied with certain aspects of the requirements established in the national Royal Decree-Law 5/2015.

In this respect, the CNMC stated that the LNFP should eliminate the possibility of agreeing contracts for four and five season terms, and that the technical and distribution requirements to ensure non-discrimination between bidders should be detailed. In addition, the body stated that commercial opportunities and obligations relating to advertising should not be included in the commercialisation conditions of La Liga as they were unjustified and contrary to the business freedom principle.

Against this background, in February 2022, the organisers of La Liga made a new request for a report prior to the commercialisation of the exploitation rights of the championship in the EEA markets of Malta, Italy, Portugal and the Netherlands. A new assessment of the conditions for the audiovisual exploitation of the league, concluded that the LNFP was still not in compliance with important regulatory requirements.

The CNMC insisted that a contract duration of more than three years would not be compatible with the precedents set by the application of competition rules in the European Union. It also stated that unjustified reservations of rights and obligations in the field of advertising and/or sponsorship should not be included. The CNMC added that specific criteria should be set for the assessment of the requirements for the attribution of match day lots between different providers.

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Furthermore, it was argued that the conditions for linear or non-linear broadcasting should be further clarified.

La CNMC analiza las propuestas de La Liga para comercializar los derechos audiovisuales de 1ª y 2ª División en Malta, Italia, Portugal y Países Bajos , CNMC

https://www.cnmc.es/node/393750

The CNMC examines La Liga's proposals to commercialize 1st and 2nd division audiovisual rights in Malta, Italy, Portugal and the Netherlands, CNMC

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