# [ES] Provisional measures on advertising during the broadcasting in Spain of the 2022 FIFA World Cup

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*Pedro Gallo Buenaga*
*Audiovisual Diversity/ University Carlos III of Madrid*

Two weeks before the start of the 2022 FIFA World Cup in Qatar, the Spanish *Comisión Nacional de los Mercados y la Competencia* (National Markets and Competition Commission — CNMC) has adopted provisional measures on the contracting of advertising for the coverage of the tournament in Spain. Until the body adopts a final resolution, the provisional measures establish that the public service broadcaster RTVE will not be able to include advertising during World Cup broadcasts with advertisers other than FIFA's sponsors.

Regarding the broadcasting rights, RTVE reached an agreement with the private media group Mediapro to allow it to broadcast the main matches of the competition in Qatar, including all those in which the Spanish national football team participates. The agreement sparked controversy over human rights violations by the World Cup host country, as well as the public broadcaster's expensive acquisition of the broadcasting rights from Mediapro. The deal means that it will be possible to follow the championship on public television for the first time in the country since 1998.

It is understood that, following the notification of the provisional measures, RTVE will not be able to broadcast sponsorship communications or general advertising other than those of the commercial partners of the organisers. This provisional decision was taken after the private broadcasters, Mediaset and the association UTECA, made two requests to the CNMC in September, in which the former accused the public corporation of distorting the functioning of the advertising market.

This advertising exception is covered by the law that regulates the financing of the public broadcaster. The recently updated General Law on Audiovisual Communication amends some parts of Article 7 of Law 8/2009 on the financing of the Spanish Radio and Television Corporation. This article authorises the broadcasting of sports and cultural programmes with sponsorship contracts or other forms of commercial communication associated with such sponsorship when these communications form an indivisible part of the acquisition of rights of the signal to be broadcast.

It is therefore to be expected that the exception will only be applicable in this case. The provisional measure has been in force since the moment of its

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notification, nevertheless, the CNMC will adopt a final decision once the administrative procedure has been completed and in view of the allegations made by the interested parties.

***La CNMC adopta medidas provisionales sobre la contratación de publicidad por parte de la CRTVE en el Mundial de Qatar***

https://www.cnmc.es/prensa/cautelares-crtve-qatar-20221104

*The CNMC adopts provisional measures on the contracting of advertising by the CRTVE in the World Cup in Qatar*

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