



News Release

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BSKYB/ITV INQUIRY

Competition Commission invites evidence

The Secretary of State for Trade and Industry, Alistair Darling, has referred British Sky Broadcasting's (BSkyB's) acquisition of a 17.9 per cent share in ITV plc to the Competition Commission (CC) for a full investigation.

The CC has been asked to decide whether a relevant merger situation has been created and whether the creation of that situation is likely to lead to a substantial lessening of competition in any market or markets within the UK. In addition it must also decide whether, taking account of the specified public interest consideration (the need for 'plurality of persons with control of media enterprises'), the merger will operate against the public interest (see Notes for Editors).

The CC must report to the Secretary of State by 7 November 2007 who must then decide on the basis of the report what action should be taken.

The CC will appoint members to its inquiry group and will then publish a draft timetable for the inquiry. The first task for the group will be to gather evidence by contacting all involved parties and by advertising for submissions from any other interested groups or individuals.

The Secretary of State's reference follows submissions from both the Office of Fair Trading (OFT) and Ofcom, which raised concerns about the acquisition on competition and public interest grounds respectively.

The CC would like to hear from all interested parties, in writing, by 14 June 2007. To submit evidence, please email or write to:

Inquiry Secretary (BSkyB/ITV inquiry)
Competition Commission
Victoria House
Southampton Row
LONDON
WC1B 4AD

Email: BSkyB-ITV@cc.gsi.gov.uk

Notes for editors

1. The CC is an independent public body, which carries out investigations into mergers, markets, and the regulated industries.
2. Section 42(2) of the Enterprise Act 2002 provides that the Secretary of State may intervene in mergers where he considers that it is or may be the case that a specified public interest consideration is relevant to a consideration of the relevant merger. The public interest consideration specified in this case is the one at Section 58(2C)(a) of the Enterprise Act 2002. This is as follows: '58(2C)(a) the need, in relation to every different audience in the United Kingdom or in a particular area or locality of the UK, for there to be a sufficient plurality of persons with control of the media enterprises serving that audience.'
3. The CC has a 24-week period in which it is required to complete its report, which may be extended by no more than eight weeks if it considers that there are special reasons why the report cannot be completed within that period.
4. Further information on the CC and its procedures, including its policy on the provision of information and the disclosure of evidence, can be obtained from its website at: www.competition-commission.org.uk.
5. Enquiries should be directed to Rory Taylor on 020 7271 0242 (email rory.taylor@cc.gsi.gov.uk).