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Channel 5 Broadcasting Limited
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Channel Four Television Corporation
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British Broadcasting Corporation
201 Wood Lane
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Subject: **Case M.10184 - CHANNEL 5 / BBC / ITV / CHANNEL 4 / DIGITAL UK Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]**

Dear Sir or Madam,

1. On 15 September 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Channel 5 Broadcasting Limited ('Channel 5', United Kingdom) acquires joint control of Digital UK Limited ('Digital UK', United Kingdom), along with Digital UK 's current controlling members, the British Broadcasting Corporation ('BBC', United Kingdon),

1 OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

2 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

ITV Network Limited ('ITV', United Kingdom), and Channel Four Television Corporation ('Channel 4', United Kingdom), by way of conclusion of a Members Agreement.[3]

2. The business activities of the undertakings concerned are:

   – For Channel 5: free-to-air ("FTA") TV network in the UK operating FTA TV channels as well as video-on-demand ("VOD") services. Channel 5 is also a shareholder in YouView, which provides a hybrid DTT-IP service retailed by BT Group, Channel 5 is indirectly wholly owned by ViacomCBS Inc. ('Viacom', U.S.), the latter being solely controlled by National Amusements, Inc. ('NAI', U.S.),

   – for BBC: public sector broadcaster providing a wide range of TV and radio channels as well as iPlayer and other on-demand services which are accessible to licence fee payers throughout the UK through a variety of platforms and devices,

   – for ITV: integrated producer broadcaster, creates, owns and distributes high-quality content on multiple platforms globally. It broadcasts a large portfolio of commercial channels including the main ITV channel,

   – for Channel 4: publicly-owned and commercially-funded UK public service broadcaster which operates a portfolio of channels accessible on a free to view basis via a variety of platforms and devices,

   – for Digital UK: provider of services to enable an FTA broadcast over a DTT network (Freeview) and IP (internet) delivered distribution (Freeview Play) for audio-visual content in the UK.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(a) and 5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

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3 Publication in the Official Journal of the European Union No C 390, 27.09.2021, p. 15.

4 OJ C 366, 14.12.2013, p. 5.