

## COMMERCIAL BROADCASTERS EXPRESS STRONG CONCERNS ON ENVISAGED GREEK GOVERNMENT-RUN MEDIA BUYING PLATFORM

BRUSSELS, 13 JULY. On 1 July, the Greek Government launched a two-week consultation concerning a new bill that will dramatically impact the media landscape in Greece. The proposal that targets Free to Air DTT national players essentially seeks to establish an obligatory online exchange for the buying and selling of all available advertising space, with a 10% tax attached to all transactions.

Concerned commercial broadcasters will have to register the entirety of their advertising time and related asking prices on a state run online platform (marketplace). Advertisers will bid and buy advertising time without the broadcasters being able to negotiate the transaction.

While the purported justification of this measure is the improvement of transparency in advertising markets, commercial broadcasters are concerned that such an intervention may come at the expense of several fundamental freedoms and rights protected under the Treaty on the Functioning of the European Union, in particular:

- The freedom of establishment, freedom to provide services and free movement of capital, as well as the freedom to conduct a business according to Art. 16 of the Charter of Fundamental Rights of the EU. Whereas such measures disable broadcasters' freedom to choose their counterparts and final agreed price this may restrict contractual freedom beyond what can be deemed legitimate and/or proportionate in view of the stated aims.
- The equitable treatment of service providers. The measure discriminates between service providers by restricting its scope of application solely to commercial FTA DTT providers with national coverage. This confers undue advantages to other market actors offering similar services. In combination with the 10% levy imposed on transactions, the measure may raise State aid questions.

Removing the freedom to freely conclude advertising agreements in such a manner sets out serious questions. Commercial broadcasters call on the European Commission to take swift action to ensure fundamental rights and values are upheld.

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### About ACT

The Association of Commercial Television in Europe represents the interests of leading commercial broadcasters in 37 European countries. The ACT member companies finance, produce, promote and distribute content and services benefiting millions of Europeans across all platforms. At ACT we believe that the healthy and sustainable commercial broadcasting sector has an important role to play in the European economy, society and culture. Our role is to protect and to promote the interests of the European private broadcasters. We engage with the EU institutions to achieve a balanced and appropriate regulatory framework which will encourage further investment and growth in our sector. This will allow the commercial audiovisual industry to continue to do what we do best – getting great content to viewers.

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