

**Question for written answer E-001281/2016  
to the Commission**  
Rule 130  
**Richard Sulík (ECR)**

Subject: Cross-border broadcasting of television channels

Broadcasting service providers in Slovakia (operators) have until now been broadcasting the Czech television channel NOVA without restrictions. Although the owner of the broadcast rights did not give consent to any foreign operator to broadcast outside the Czech Republic, it tolerated the situation for many years. In November 2015, the owner of the broadcast rights to NOVA informed foreign operators who had included NOVA in their broadcast packages that that it would offer them a new channel, NOVA International, for inclusion in their broadcast packages for a fee. This channel would not feature programmes for which the owner of the broadcast rights only had rights within the Czech Republic. However, if the operators accept the offer to broadcast NOVA International, they will have to remove the NOVA Cinema, Fanda, Telka and Smíchov channels from their packages. Furthermore, if they accept the NOVA sports channels, the fee will be lower.

Could the aforementioned steps taken by the owner of the broadcast licence be contrary to competition rules?

Does the Commission plan to take such cases into account when revising the relevant legal acts? What solutions does it propose and what is the provisional timetable for revising the relevant legal acts?

Is an owner of broadcast rights on the territory of an EU Member State required to give consent for retransmission without discrimination (i.e. under the same conditions as for domestic operators) to operators from other Member States once it has ensured that the copyright is protected (e.g. by encrypting the parts subject to the consent of an author outside the territory covered by the licence)?