

**Question for written answer E-012570/2013
to the Commission**

Rule 117

Morten Løkkegaard (ALDE)

Subject: Compulsory affiliation to cable distribution networks

The Commission has, on several occasions, dealt with the question of the existence of mandatory membership of and payment to local cable distribution networks in Denmark on the basis of Directive 2002/77/EC.

In its reply dated 31 January 2011 (E-010292/2010¹), the Commission encouraged Denmark to adopt the necessary legislation to remove compulsory membership of local cable distribution networks quickly so that market entry or the deployment of broadband networks (fibre and other technologies) may not be hindered.

The Danish Government has now adopted a draft law which, as of 1 January 2014, will abolish the compulsory membership of cable distribution networks.

However, other elements of Danish legislation have the same negative effect and restrict consumers' access to the broadband and TV markets.

A report by the consultancy firm Deloitte indicates that 650 000 Danish households are subject to mandatory collective agreements. These are households where the property is rented and where landlords force the tenants, via the rental contract, to buy a particular TV product from a particular TV service provider. Of these households, 240 000 express the desire to be free to choose a different product and a different service provider.

Thus, the provisions of the Danish Rent Restriction Act, which allow landlords to impose particular TV products on tenants, have the same effect of restricting competition on the TV market as the soon to be abolished compulsory affiliation to cable distribution networks.

The Danish Government will shortly take a decision as to whether the Rent Restriction Act is to be repealed in order to put an end to mandatory collective agreements.

1. Does the Commission agree with the conclusions of the Deloitte report that the abolition of mandatory collective agreements will make TV products more expensive for individuals, or does it believe that free competition in general will result in lower prices for consumers?
2. Can the Commission give its assessment of whether the provisions of the Rent Restriction Act concerning compulsory affiliation to a particular TV option via the rental contract are compatible with EU law?
3. If it considers the Danish legislation to be incompatible with EU law, does it intend to initiate a procedure against the Danish Government in order to ensure that the Act is brought fully into line with EU law?
4. If the Commission considers the Danish legislation to be incompatible with EU law, does it intend to ensure that the necessary amendment to the Act is made as soon as possible in order to quickly eliminate the restriction of competition?

¹ <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2010-010292&language=DA>