

Dated: 08 December 2021

News Summary

Press Release Coverage

**“CCP’S ORDER WARNS KEY PLAYERS OF MEDIA INDUSTRY TO REFRAIN
FROM COMPETITION VIOLATIONS”**

CCP warns key media industry players to refrain from violations

ISLAMABAD

STAFF REPORT

The Competition Commission of Pakistan (CCP) has issued an order warning key players of the media industry, including the Pakistan Broadcaster Association (PBA), Broadcaster Advertisers Council (BAC), and Medialogic (Pvt) Limited, to refrain from indulging in anti-competitive practices. The order was passed following an inquiry conducted on a complaint filed by BOL Media Network, Labbaik (Pvt.) Limited and BOL Enterprises (Pvt.) Limited against PBA, BAC and Medialogic (Pvt) Limited for prima facie violation of Section 4 of Competition Act, 2010. As per details, BOL Network had alleged that it had been denied a rating by the above mentioned entities because of three arrangements between Medialogic, BAC, PBA and Pakistan Advertisers Society (PAS). The first agreement, dated July 15, 2018, was executed between Medialogic and PBA, wherein Medialogic was restricted from providing services to any other broadcaster other than PBA. The second agreement, signed in November 2017, was a joint venture (JV) agreement between PBA and PAS to create BAC. According to this agreement, the broadcasters, who were not PBA members, were excluded from being members of BAC. The third agreement, dated January 5, 2018, was executed between BAC and Medialogic, under which BAC committed to endorsing the services provided by Medialogic being the official industry currency. Moreover, the approval of BAC will be necessary in case Medialogic grants rating to any other customer, the letter to CCP states. After an investigation into the matter, the commission issued show cause notices to BAC, PBA and Medialogic. However, after hearing the case, a two-member bench of the CCP comprising Bushra Naz Malik and Mujtaba Ahmad Lodhi decided not to impose any penalties on PBA, BAC and Medialogic, keeping in view that the Supreme Court had already resolved the complainants' main grievances through a consent decree and law regulating the Television Audience Measurement (TAM) data. The Supreme Court, in its order, held that PEMRA would be the sole regulator for the said market whereas BOL Media Network shall apply for subscription of PEMRA; the rating companies shall follow the regulations and the terms and conditions of the license based on which they have been granted their license. The CCP gave BOL multiple chances to establish if there were any other grievances apart from the ones resolved through the apex court's order so that it may adjudicate upon.

CCP'S order warns key players of media industry to refrain from competition violations

ISLAMABAD, December 7: The Competition Commission of Pakistan (CCP) has issued an order warning key players of the media industry, including the Pakistan Broadcaster Association (PBA), Broadcaster Advertisers Council (BAC), and Medialogic (Pvt) Limited, to refrain from indulging in anti-competitive practices.

The order was passed following an enquiry conducted on a complaint filed by M/s Bol Media Network, M/s Labbaik (Pvt) Limited and M/s Bol Enterprises (Pvt) Limited against PBA, BAC and Medialogic (Pvt) Limited for prima facie violation of Section 4 of

Competition Act 2010. In its complaint, BoL alleged that it had been denied the grant of rating by the abovementioned entities because of three agreements/arrangements between Medialogic, BAC, PBA and Pakistan Advertisers Society (PAS). BoL termed these agreements and arrangements anti-competitive and a violation of Section 4 of the Competition Act, 2010.

Agreement No. 1, dated 15 July 2018, was executed between Medialogic and PBA, wherein the Medialogic was restricted from providing services to any other broad-

caster than PBA. Agreement No. 2, signed in November 2017, was a Joint Venture agreement between PBA and PAS to create BAC. According to this agreement, the broadcasters, who were not PBA members, were excluded from being members of BAC. Agreement 3, dated 5 January 2018, was executed between BAC and Medialogic, under which BAC shall endorse the services provided by Medialogic being the official industry currency. Moreover, the approval of BAC will be necessary in case Medialogic grants rating to any other customer.

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CCP warns media industry to refrain from competition violations

Staff Reporter

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The order was passed following an enquiry conducted on a complaint filed by M/s Bol Media Network, M/s Lubbaik (Pvt) Limited and M/s Bol Enterprises (Pvt) Limited against PBA, BAC and Medialogic (Pvt) Limited for prima facie violation of Section 4 of Competition Act 2010. In its complaint, Bol, alleged that it had been denied the grant of rating by the abovementioned entities because of three agreements/arrangements between Medialogic, BAC, PBA and Pakistan Advertisers Society (PAS). Bol, termed these agreements and arrangements anti-competitive and a violation of Section 4 of the Competition Act, 2010.

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Agreement 3, dated 5 January 2018, was executed between BAC and Medialogic, under which BAC shall endorse the services provided by Medialogic being the official industry currency. Moreover, the approval of BAC will be necessary in case Medialogic grants rating to any other customer.

On the enquiry's recommendations, the Commission issued show cause notices to the BAC, PBA and Medialogic and held hearings in the matter. After hearing the case, the CCP's two-member bench comprising Ms. Bushra Naz Malik and Mughaba Ahmad Lodhi decided not to impose any penalties on PBA, BAC and Medialogic, keeping in view that the Supreme Court has already resolved the Complainants' main grievances through a consent decree and the law regulating the Television Audience Measurement (TAM) data.

The Destination

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CCP warns media industry to refrain from competition violations

PRESS RELEASE

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the law regulating the Television Audience Measurement (TAM) data.

The Supreme Court in its Orders in CR.O.P 108/2018 in Human Rights Case No. 34069/2018, held that PEMRA would be the sole regulator for the said market and BOL Media Network shall apply for subscription of PEMRA; the rating companies shall follow the regulations and the terms and conditions of the license based on which they have been granted their license.

The CCP gave Bol multiple chances to establish if there were any other grievances, apart from the ones resolved through the Supreme Court Order, so that it may adjudicate upon. Bol did not apprise the CCP of any other grievances. However, the CCP issued directions to the Respondents under Section 31(b) of the Act warning them against engaging in any such activities in the future, as any future violation may result in strict punitive action.

Custom News

08 December 2021 | Online | Press Release

CCP'S ORDER WARNS KEY PLAYERS OF MEDIA INDUSTRY TO REFRAIN FROM COMPETITION VIOLATIONS

By Kazim Raza Rizvi

ISLAMABAD: The Competition Commission of Pakistan (CCP) has issued an order warning key players of the media industry, including the Pakistan Broadcaster Association (PBA), Broadcaster Advertisers Council (BAC), and Medialogic (Pvt) Limited, to refrain from indulging in anti-competitive practices.

The order was passed following an enquiry conducted on a complaint filed by M/s Bol Media Network, M/s Labbaik (Pvt) Limited and M/s Bol Enterprises (Pvt) Limited against PBA, BAC and Medialogic (Pvt) Limited for prima facie violation of Section 4 of Competition Act 2010. In its complaint, BoL alleged that it had been denied the grant of rating by the abovementioned entities because of three agreements/arrangements between Medialogic, BAC, PBA and Pakistan Advertisers Society (PAS). BoL termed these agreements and arrangements anti-competitive and a violation of Section 4 of the Competition Act, 2010.

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On the enquiry's recommendations, the Commission issued show cause notices to the BAC, PBA and Medialogic and held hearings in the matter.

After hearing the case, the CCP's two-member bench comprising Ms. Bushra Naz Malik and Mujtaba Ahmad Lodhi decided not to impose any penalties on PBA, BAC and Medialogic, keeping in view that the Supreme Court has already resolved the Complainants' main grievances through a consent decree and the law regulating the Television Audience Measurement (TAM) data.

The Supreme Court in its Orders in CR.O.P 108/2018 in Human Rights Case No. 34069/2018, held that PEMRA would be the sole regulator for the said market and BOL Media Network shall apply for subscription of PEMRA; the rating companies shall follow the regulations and the terms and conditions of the license based on which they have been granted their license.

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Urdu Point

08 December 2021 | Online | Press Release

CCP Warns Key Media Industry Players To Refrain From Anti-competitive Practices | APP - Associated Press Of Pakistan

ISLAMABAD, (APP - UrduPoint / Pakistan Point News - 7th Dec, 2021) :The Competition Commission of Pakistan (CCP) Tuesday issued an order warning key players of the media industry, including the Pakistan Broadcaster Association (PBA), Broadcaster Advertisers Council (BAC), and Medialogic (Pvt) Limited, to refrain from indulging in anti-competitive practices.

The order was passed following an enquiry conducted on a complaint filed by M/s Bol Media Network, M/s Labbaik (Pvt) Limited and M/s Bol Enterprises (Pvt) Limited against PBA, BAC and Medialogic (Pvt) Limited for prima facie violation of Section 4 of Competition Act 2010, said a press release issued here.

In its complaint, BoL alleged that it had been denied the grant of rating by the above mentioned entities because of three agreements/arrangements between Medialogic, BAC, PBA and Pakistan Advertisers Society (PAS).

BoL termed these agreements and arrangements anti-competitive and a violation of Section 4 of the Competition Act, 2010.

Agreement No. 1, dated 15 July 2018, was executed between Medialogic and PBA, wherein the Medialogic was restricted from providing services to any other broadcaster than PBA. Agreement No. 2, signed in November 2017, was a Joint Venture agreement between PBA and PAS to create BAC.

According to this agreement, the broadcasters, who were not PBA members, were excluded from being members of BAC.

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The Supreme Court in its Orders in CR.O.P 108/2018 in Human Rights Case No. 34069/2018, held that PEMRA would be the sole regulator for the said market and BOL Media Network shall apply for subscription of PEMRA; the rating companies shall follow the regulations and the terms and conditions of the license based on which they have been granted their license.

The CCP gave BoL multiple chances to establish if there were any other grievances, apart from the ones resolved through the Supreme Court Order, so that it may adjudicate upon. BoL did not apprise the CCP of any other grievances.

However, the CCP issued directions to the Respondents under Section 31(b) of the Act warning them against engaging in any such activities in the future, as any future violation may result in strict punitive action.

سی سی پی آرڈر، میڈیا انڈسٹری کے اہم کھلاڑیوں کو کمپینشن مخالف سرگرمیوں سے باز رہنے کی تنبیہ

اسلام آباد (نامہ نگار خصوصی) کمپینشن کمیشن آف پاکستان (سی سی پی) نے میڈیا انڈسٹری میں کمپینشن مخالف سرگرمیوں پر ایک آرڈر جاری کرتے ہوئے انڈسٹری کے اہم کھلاڑیوں بشمول پاکستان براڈ کاسٹر ایسوسی ایشن (پی بی اے)، براڈ کاسٹر ایڈورٹائزرز کونسل (بی اے سی) اور میڈیا لاجک (پرائیویٹ) لمیٹڈ کو خبردار کیا کہ وہ کمپینشن مخالف سرگرمیوں میں ملوث ہونے سے گریز کریں۔ یہ آرڈر بول میڈیا نیٹ ورک، لیبیک (پرائیویٹ) لمیٹڈ اور بول انٹرپرائزز (پرائیویٹ) لمیٹڈ کی جانب سے پی بی اے، بی اے سی اور میڈیا لاجک (پرائیویٹ) (باقی صفحہ 7 بقیہ نمبر 40)

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تنبیہ

بقیہ

لمیٹڈ کے خلاف کمپینشن ایکٹ 2010 کے سیکشن 4 کی خلاف ورزی پر وارننگ کی گئی شکایت پر انکوائری مکمل کرنے کے بعد دیا گیا۔ بول میڈیا نیٹ ورک نے اپنی شکایت میں الزام لگایا تھا کہ اسے میڈیا لاجک، پی بی اے، بی اے سی اور پاکستان ایڈورٹائزرز سوسائٹی (پی اے ایس) کے درمیان تین مختلف معاہدوں کی بنیاد پر ان اداروں نے رسٹیٹنگ دینے سے انکار کیا۔ بول میڈیا نیٹ ورک نے ان معاہدوں کو کمپینشن مخالف اور کمپینشن ایکٹ 2010 کے سیکشن 4 کی خلاف ورزی قرار دیا

سی سی پی کا میڈیا انڈسٹری کے اہم کھلاڑیوں کو کمپین مخالف سرگرمیوں سے باز رہنے کی تنبیہ

اسلام آباد (پی این پی) کمپین کمیشن آف پاکستان (سی سی پی) نے میڈیا انڈسٹری میں کمپین مخالف سرگرمیوں پر ایک آرڈر جاری کرتے ہوئے انڈسٹری کے اہم کھلاڑیوں بشمول پاکستان براڈ کاسٹنگ ایسوسی ایشن (پی بی اے)، براڈ کاسٹنگ ایڈورٹائزرز کونسل (بی اے سی) اور میڈیا لاجک (پرائیویٹ) لمیٹڈ کو خبردار کیا کہ وہ کمپین مخالف سرگرمیوں میں ملوث ہونے سے گریز کریں۔ یہ آرڈر بول میڈیا نیٹ ورک، بلیک (پرائیویٹ) لمیٹڈ اور بول انٹرپرائزز (پرائیویٹ) لمیٹڈ کی جانب سے پی بی اے، بی اے سی اور میڈیا لاجک (پرائیویٹ) لمیٹڈ کے خلاف کمپین ایکٹ 2010 کے سیکشن 4 کی خلاف ورزی پر دائر کی گئی شکایت پر انکوائری مکمل کرنے کے بعد دیا گیا۔ بول میڈیا نیٹ ورک نے اپنی شکایت میں الزام لگایا تھا کہ اسے میڈیا لاجک، پی بی اے، بی اے سی اور پاکستان ایڈورٹائزرز سوسائٹی (پی اے ایس) کے درمیان تین مختلف معاہدوں کی بنیاد پر ان اداروں نے ریٹینگ دینے سے انکار کیا۔ بول میڈیا نیٹ ورک نے ان معاہدوں کو کمپین مخالف اور کمپین ایکٹ 2010 کے سیکشن 4 کی خلاف ورزی قرار دیا۔ معاہدہ نمبر 1، مورخہ 15 جولائی 2018 کو میڈیا لاجک اور پی بی اے کے درمیان عمل میں آیا، جس کے مطابق میڈیا لاجک کو پی بی اے کے علاوہ کسی دوسرے براڈ کاسٹر کو خدمات فراہم کرنے سے روک دیا گیا۔ معاہدہ نمبر 2، نومبر 2017 میں پی بی اے اور پاکستان ایڈورٹائزرز سوسائٹی کے درمیان براڈ کاسٹر ایڈورٹائزرز کونسل بنانے کے لیے ایک جوائنٹ دستخط کا معاہدہ تھا۔ اس معاہدے کے مطابق، وہ براڈ کاسٹرز، جو پی بی اے کے ممبر نہیں تھے، براڈ کاسٹر ایڈورٹائزرز کونسل کے ممبر بھی نہیں بن سکتے۔ معاہدہ 3، مورخہ 5 جنوری 2018 کو پی اے سی اور میڈیا لاجک کے درمیان عمل میں آیا، جس کے تحت بی اے سی میڈیا لاجک کی جانب سے فراہم کردہ خدمات کی توثیق کرے گا۔ مزید برآں، میڈیا لاجک کسی دوسرے کسٹمر کو ریٹنگ دینے کی صورت میں بی اے سی کی منظوری ضروری ہوگی۔ انکوائری کی سفارشات پر کمیشن نے میڈیا لاجک، پی بی اے، اور بی اے سی کو شو کاز نوٹس جاری کیے اور معاملے کی سماعت شروع کر دی۔ کیس کی سماعت کے بعد سی سی پی کے دو رکنی بنچ، جس میں بشری ناز ملک اور محبتی احمد لودھی شامل تھے، نے پی بی اے، بی اے سی اور میڈیا لاجک (پرائیویٹ) لمیٹڈ پر کوئی جرمانہ عائد نہ کرنے کا فیصلہ کیا کیونکہ سپریم کورٹ نے پہلے ہی ایک کنسنٹ ڈیکری (consent decree) اور ٹیلی ویژن آڈی ایئنس میٹریمینٹ (Television Audience Measurement) ڈیٹا کوریگولیشن کرنے والے قانون کے ذریعے شکایت کنندگان کی اہم شکایات کو حل کر دیا تھا۔