

Case No: 82920
Document No: 1103296
Decision No: 098/19/COL

EFTA SURVEILLANCE AUTHORITY DECISION
of 13 December 2019
rejecting a complaint regarding alleged unlawful aid to TV 2

The EFTA Surveillance Authority (“the Authority”),

HAVING regard to:

the Agreement on the European Economic Area (“the EEA Agreement”), in particular to Articles 59(2), 61 to 63 and Protocol 26,

the act referred to at point 1h of Annex XV to the EEA Agreement, Commission Decision 2012/21/EU of 20 December 2011 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest (OJ L 7, 11.1.2012, p. 3), as adapted by EEA Joint Committee Decision No 66/2012 of 30.3.2012 (“the SGEI Decision”),

the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice (“the Surveillance and Court Agreement”), in particular to Article 24,

Protocol 3 to the Surveillance and Court Agreement, in particular to Article 20(2) in Part II.

WHEREAS:

On 26 September 2018, the Ministry of Culture made a decision to award a public service broadcasting remit to TV 2 AS, under which TV 2 AS is granted compensation for providing public broadcasting services.

By letter dated 12 December 2018, Discovery Networks Norway AS made a complaint against that measure.

The Authority has concluded, on the basis of the reasons set out in the letter (Document No 1093911) annexed as Annex 1 to the present Decision, that this measure falls under the SGEI Decision and is therefore block exempted. Consequently, the complaint should be rejected as unfounded.

HAS ADOPTED THIS DECISION:

Article 1

The complaint of 12 December 2018 lodged by Discovery Networks Norway AS regarding alleged unlawful aid to TV2 is rejected.

Article 2

The Director of the Competition and State Aid Directorate is instructed to issue the letter annexed as Annex 1 to the present Decision.

Decision made by written procedure in Brussels, on 13 December 2019

For the EFTA Surveillance Authority,

Bente Angell-Hansen
President
Responsible College Member

Frank J. Büchel
College Member

Högni Kristjánsson
College Member

Carsten Zatschler
Countersigning as Director,
Legal and Executive Affairs

Annex 1: Letter to Discovery Networks Norway AS of 13 December 2019 (Document No 1093911)

This document has been electronically authenticated by Bente Angell-Hansen, Carsten Zatschler.