Fox/Sky Merger Investigation

Issues Statement Submissions form

1. Thank you for taking the time to make a submission in response to the Statement of Issues for the CMA’s Fox/Sky merger investigation on media plurality and broadcasting standards, published on our [website](https://www.gov.uk/cma-cases/digital-comparison-tools-market-study) on Tuesday 10 October 2017.
2. This form is designed to help with your submission (although it is not compulsory to use). It sets out the key issues where we are seeking views and evidence, based on the Issues Statement. However, you may find additional useful information in the issues statement.
3. Please note:

* You can choose which questions to respond to, but we ask all respondents to provide a small amount of background information at the start of this form. The boxes will 'expand' to accommodate long responses if required.
* Please provide evidence in support of your submission – this can be attached to the email/enclosed with your response.
* We may publish all or some of your submission to our Statement of Issues, or a summary of it. Please indicate any confidential material included in your submission (including whether you wish to be anonymous) and provide a non-confidential (redacted) version of your submission giving reasons for your requests for confidentiality.
* The CMA may use the information you provide for the purposes of facilitating the exercise of any of its statutory functions. This may include the publication or disclosure of the information. Prior to publication or disclosure, in accordance with its statutory duties under Part 9 of the Enterprise Act 2002, the CMA will have regard to (among other considerations) the need to exclude, so far as is practicable, any information relating to the private affairs of an individual or any commercial information relating to a business which, if disclosed, would or might, in our opinion, significantly harm the individual's interests or, as the case may be, the legitimate business interests of that business (confidential information).

1. If you have any questions please visit the [Fox/Sky merger investigation page](https://www.gov.uk/cma-cases/twenty-first-century-fox-sky-merger-european-intervention-notice).
2. Please download and save this form before completing it. Please submit your response by **5pm on Tuesday 24 October 2017**, either by:

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| * Email to: | [FoxSky.Submissions@cma.gsi.gov.uk](mailto:FoxSky.Submissions@cma.gsi.gov.uk). |
| * Or by post to: | Project Manager  Fox/Sky merger inquiry  Competition and Markets Authority  Victoria House  Southampton Row  London WC1B 4AD |

**Your details**

***(Fields marked \* are required)***

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| **Title\*** |  | |
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| **Forename** |  | |
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| **What is your role / profession\*** |  | |
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| **Are you representing yourself or an organisation?\*** | Yourself / An organisation  *(please delete as appropriate)* | |
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| **If you are representing yourself rather than an organisation would you be content for us to include your name if we publish your response?\*** | | Yes / No  *(please delete as appropriate)* |
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| **If you are representing an organisation:** | | |
| 1. **What is the organisation’s name?\*** |  | |
| 1. **Please could you briefly explain the role of your organisation, including the sectors in which it operates or has most interest?\*** | | |
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**Public interest consideration – media plurality in the UK**

With respect to media plurality the CMA is assessing whether there will be a sufficient plurality of persons with control of the media enterprises serving audiences in the UK following the Transaction. We are therefore looking for views and evidence on the current level of media plurality in the UK, whether and the extent to which the Transaction reduces that level of media plurality, and whether the remaining level of plurality of persons with control of media enterprises would be sufficient. We will consider these issues in the context of Ofcom’s definition of media plurality: ensuring diversity of viewpoints that are available and consumed; and preventing any one media owner or voice having too much influence over public opinion and the political agenda.

We welcome views and evidence which address the questions set out below.

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| 1. **Whether and how the ability of the Murdoch Family Trust (MFT) to control or influence editorial and commercial decisions at Sky News will change as a result of Fox’s share ownership of Sky increasing from approximately 39% to 100%, and whether that change is material in nature?** |
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| 1. **Whether and how the range of viewpoints available from news and current affairs sources in the UK is evolving in general and would change in particular as a result of the Transaction?** |
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| 1. **How do people consume news and current affairs and to what extent do they rely on multiple sources? How is this likely to change in future?** |
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| 1. **What is the impact and importance of different news and current affairs sources, including online and through social media, for media plurality? And, in turn, what are the implications of the impact of online and social media on the use of traditional (ie broadcast and print) news and current affairs sources by consumers?** |
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| 1. **Whether and how the ability of the MFT to influence the political agenda would change as a result of the Transaction?** |
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| 1. **What is the level of media plurality in the UK that should be considered sufficient?** |
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| 1. **Whether and how the Transaction would result in an insufficient level of media plurality in the UK, taking into account the increase in the level of control held by the MFT over Sky following the Transaction and its existing control over Fox and News Corporation (News Corp)?** |
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| 1. **Are there any existing factors which might help to prevent or reduce any potential negative effects of the Transaction on media plurality? What are these and why?** |
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**Public interest consideration – a genuine commitment to broadcasting standards**

With respect to broadcasting standards the CMA is looking for views and evidence on whether the merged entity post-Transaction will have a genuine commitment to broadcasting standards objectives. In assessing this, we will consider the record of the Parties’ compliance with broadcasting and other applicable regulations, and their broader attitude to compliance in general.

We welcome views and evidence which address the questions set out below.

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| 1. **What is the current approach of Fox, Sky, the MFT and News Corp to compliance with broadcasting standards?** |
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| 1. **What is the approach of Fox, Sky, the MFT and News Corp to effective corporate governance and other applicable regulations, including regulations relating to the treatment of employees, in the UK and overseas?** |
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| 1. **What is the degree to which compliance with other applicable regulations, and effective corporate governance more generally should be considered in assessing a company’s commitment to broadcasting standards? Please include whether and which particular regulations may be considered more relevant to this assessment.** |
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| 1. **What constitutes a genuine commitment to broadcasting standards?** |
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| 1. **Whether and if so, how, the Transaction might lead to the merged entity lacking a genuine commitment to broadcasting standards?** |
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| 1. **Are there any existing factors which might help to prevent or reduce potential negative effects of the Transaction on the merged entity’s commitment to broadcasting standards?** |
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**Other comments and further contact**

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| **Do you have any other comments you would like to add?** | |
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| **Would you be willing for us to contact you to discuss your response?\*** | Yes / No  *(please delete as appropriate)* |
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**Thank you for taking the time to complete this form.**

**Please email it to:** [FoxSky.submissions@cma.gsi.gov.uk](mailto:FoxSky.submissions@cma.gsi.gov.uk)**.**

**Or post it to:**

**Fox/Sky merger inquiry**

**Project Manager**

**Competition and Markets Authority**

**7th floor**

**Victoria House**

**Southampton Row**

**London**

**WC1B 4AD**