

MDA/DP/2010/31/2-1 VOL 01

16 February 2015

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Attention: Mr Sean Slattery (Vice President)
Regulatory & Interconnect

Dear Sirs,

REVIEW OF EXEMPTION FROM OBLIGATION UNDER PARAGRAPH 2.7 OF THE MEDIA MARKET CONDUCT CODE (“CODE”) – BARCLAYS PREMIER LEAGUE SEASONS 2013/16 (“BPL CONTENT”)

1. The Media Development Authority of Singapore (“**MDA**”) refers to:
 - a. MDA’s Notice of Direction made pursuant to section 26(1) of the Media Development Authority of Singapore Act (Cap. 172) dated 24 April 2013 (the “**Direction**”);
 - b. MDA’s decision dated 24 July 2013 (the “**2013 Exemption**”) in relation to the applications submitted by SingNet Pte Ltd (“**SingNet**”) for exemption of its obligations under Paragraph 2.7 of the Code from cross-carrying certain channel packages containing the BPL Content and other non-BPL Content (“**Other Content**”) (referred collectively as the “**BPL Bundles**”), such that SingNet would only cross-carry the channel package containing solely the BPL Content (“**Standalone BPL**”) on every Receiving Qualified Licensee’s (“**RQL**”) Relevant Platform(s);
 - c. MDA’s further decisions in relation to SingNet’s further requests for exemptions in respect of the BPL Content dated 25 February 2014 (the “**MDA’s Further Decisions**”);

- d. MDA's letter to SingNet dated 3 November 2014 on the review of the Exemption; and
- e. SingNet's letters to MDA dated 17 November 2014 and 9 December 2014 on the review of the Exemption and the repackaging of mio TV content packs.

Background

- 2. On 24 April 2013, MDA determined that the package of rights obtained by SingTel relating to the BPL Content constitutes Qualified Content under the Code. On 24 July 2013, MDA exempted SingNet from cross-carrying the BPL Bundles (please see **Annex A**), such that SingNet would only cross-carry the Standalone BPL on every RQL's Relevant Platform(s). On 3 November 2014, MDA notified SingNet of its intent to review the 2013 Exemption pursuant to paragraph 11(d) of the 2013 Exemption and, in the same letter, requested that SingNet provide certain specified information for the purpose of the review. The review is intended to ensure that the 2013 Exemption had benefitted, and would continue to benefit, the public and the media industry.
- 3. Separately, on 17 November 2014, SingNet submitted its request for an exemption of its obligation under Paragraph 2.7.1(a) of the Code (the "**2014 Exemption Application**") from cross-carrying certain revised channel packages containing the BPL Content and Other Content (referred collectively as the "**Revised BPL Bundles**"), such that SingNet would only cross-carry the Standalone BPL on every RQL's Relevant Platform(s). SingNet further updated MDA of its Revised BPL Bundles on 9 December 2014 (please see **Annex B**).

MDA's Considerations

Review of the 2013 Exemption

- 4. Having carefully reviewed the 2013 Exemption, MDA is of the view that the considerations detailed in paragraphs 7 and 8 of the 2013 Exemption would continue to apply, and the public interest was, and would continue to be, served by exempting SingNet from making available the BPL Bundles for transmission and reception to consumer and business customers on every RQL's Relevant Platform(s) and to offer only the Standalone BPL Content for cross-carriage.

Assessment of the 2014 Exemption Application

5. In respect of SingNet's representation that the 2014 Exemption will be in the public interest, MDA considered that:
 - a. The availability of the Revised BPL Bundles, in addition to the Standalone BPL, would allow SingNet to reap economies of scale, resulting in lower prices for all subscribers regardless of the platform they are accessing the BPL Content;
 - b. Cross-carrying a high number of duplicative channels in the Revised BPL Bundles and StarHub Cable Vision Ltd's ("SCV") content offerings is likely to result in consumer confusion and dissatisfaction; and
 - c. It would be in consumers' interest to have the option to purchase the Standalone BPL on either the SingNet platform or the RQL's Relevant Platform(s).

6. MDA also considered that SingNet was not discriminating in favour of Subscribers viewing BPL Content on the SingNet platform versus the RQL's Relevant Platform(s) in that:
 - a. The Standalone BPL pricing was not discriminatory to subscribers on RQL's Relevant Platform(s), in that the revenue from the BPL Content would not be used to subsidise the Other Content in the Revised BPL Bundles, as the direct cost of providing the BPL Content to BPL subscribers could not be fully recovered from the revenue; and
 - b. The cost savings from the economies of scale due to the Revised BPL Bundles would be applied to all BPL subscribers, regardless of the platform of access, resulting in a lower subscription price for the Standalone BPL for all consumers, as compared to a higher subscription price for the Standalone Pack should the exemption not be granted.

MDA's Decision***Review of the 2013 Exemption***

7. MDA is of the view that the 2013 Exemption has benefitted and will continue to benefit the public and the media industry. MDA hereby maintains its decision to exempt SingNet from making available the channel packages listed in **Annex A** for transmission and reception to consumer and business customers on every RQL's

Relevant Platform(s) under Paragraph 2.7.4(a)(i) of the Code (read with Paragraph 1.8.1 of the Code).

8. For the avoidance of doubt, MDA's Further Decisions and the terms and conditions detailed in paragraphs 11, 12 and 13 of the 2013 Exemption shall continue to hold.

Assessment of the 2014 Exemption Application

9. MDA is also satisfied that the 2014 Exemption will be in the public interest for the reasons mentioned in paragraphs 5 and 6 above. Therefore, MDA exempts SingNet from making available the Revised BPL Bundles for transmission and reception to consumer and business customers on every RQL's Relevant Platform(s) under Paragraph 2.7.4(a)(i) of the Code (read with Paragraph 1.8.1 of the Code) (the "**2014 Exemption**"), subject to the following conditions:
 - a. SingNet must ensure that the viewing experience for BPL subscribers over the RQL platform(s) is non-discriminatory and similar to that over the SingNet platform;
 - b. Apart from Basic Functions, as agreed by SingNet, SingNet shall include any enhanced interactive features in relation to the BPL Content to consumer customers over each RQL's Relevant Platform(s);
 - c. SingNet is also required to seek MDA's consent in the event it wishes to make any changes to the proposed packages and terms in **Annex B**. In this regard, SingNet is required to notify subscribers one (1) month prior to the changes to the packages, and notify MDA seven (7) days prior to notifying the subscribers;
 - d. MDA reserves the right to review the 2014 Exemption annually, including the right to vary and/or withdraw either Exemption, as well as to vary and/or impose additional conditions in relation to either Exemption.
10. For the avoidance of doubt, MDA's Further Decisions shall also apply to (i) the addition of new channels into the Revised Gold Packs and (ii) the offer of free previews which do not contain the BPL Content to subscribers of the Revised Gold Packs on the mio TV platform only.

11. The Revised BPL Bundles that SingNet is exempted from the cross-carriage obligation in the 2014 Exemption are as follows:
[intentionally deleted for the purposes of this Information Circular – details to be announced by SingNet with respect to its offering of the channel packages.]
12. Nothing in MDA's Decision shall preclude MDA from withdrawing or varying the 2014 Exemption granted, if it has reasonable grounds for:
 - a. believing that there has been a material change of circumstances; or
 - b. suspecting that the information on which the 2014 Exemption is based was incomplete, false or misleading in a material particular.
13. Any clarification required on this Decision must be made in writing addressed to Ms Lee Ee Jia and emailed to Lee_Ee_Jia@mda.gov.sg. Please note that any query or clarification from SingNet shall not affect SingNet's obligation to comply fully with this Decision.
14. Please email the attached acknowledgement reply to Lee_Ee_Jia@mda.gov.sg upon receipt of this letter.

Yours faithfully



Gabriel Lim
Chief Executive Officer
Media Development Authority of Singapore

ANNEX A

SingNet's channel packages containing BPL Content; those BPL Bundles shaded in grey were the subject of the 2013 Exemption.

Name of pack/ bundle	Price of pack/ bundle (w/GST)	BPL Content in pack/ bundle	Non-BPL Content in pack/ bundle
Consumer Customers			
Mio Stadium+ Pack	\$59.90/mth	Nine (9) BPL channels, including Multiview channel and SVOD channel	None
JingXuan Gold	\$69.90/mth		World Sports pack, Family+ pack, Movies pack, Chinese Movies pack, JingXuan pack
Inspirasi Gold	\$64.90/mth		World Sports pack, Family+ pack, Movies pack, Inspirasi pack
Kondattam Gold	\$64.90/mth		World Sports pack, Family+ pack, Movies pack, Kondattam pack
Action Gold	\$64.90/mth		World Sports pack, Family+ pack, Movies pack, Metro pack
Corporates (i.e. business customers excluding hotels and hospitals)			
Mio Stadium Pack ¹	\$800 for 1 st screen \$428 for subsequent screen	Nine (9) BPL channels, including Multiview channel and SVOD channel	None
Sports Pack ²	\$888 for 1 st screen \$498 for subsequent screen	Nine (9) BPL channels, including Multiview channel and SVOD channel	Fox Sports, STAR Sports, Fox Sports News, Fox Sports Plus
Sports Pack Plus ³	\$1,078 for 1 st screen \$598 for subsequent screen		Fox Sports, STAR Sports, Fox Sports News, Fox Sports Plus, Four (4) mio Sports channels, Setanta Sports, All Sports Network
Hotels			
Mio Stadium	\$0.46/room/day	Seven (7) BPL channels	None
Mio Stadium Flexi Bundle	\$0.68/room/day	Seven (7) BPL channels	Any 2 channels from 52 channels ⁴
Hospitals			
Mio Stadium	\$17/screen/month	Seven (7) BPL channels	None
Mio Stadium Flexi Bundle	\$25/screen/month	Seven (7) BPL channels	Any 2 channels from 52 channels ⁴

¹ Price based on 1-year contract. For 2-year contract, it is \$688 for 1st screen and \$428 for subseq screen.

² Price based on 1-year contract. For 2-year contract, it is \$748 for 1st screen and \$498 for subseq screen. For no contract, it is \$1,188 for 1st screen and \$498 or subseq screen.

³ Price based on 1-year contract. For 2-year contract, it is \$938 for 1st screen and \$598 for subseq screen. For no contract, it is \$1,378 for 1st screen and \$598 for subseq screen.

⁴ The 52 channels are drawn from Family+, World Sports, Metro, JingXuan, Inspirasi and Kondattam packs.

ANNEX B

SingNet's revised channel packages containing BPL Content; those Revised BPL Bundles shaded in grey are the subject of the 2014 Exemption Application.

[Intentionally deleted for the purposes of this Information Circular – details to be announced by SingNet with respect to its offering of the channel packages.]