



Media relations
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Press Release

regarding judgment B-4003/2016 of 10 May 2022

Sports on pay-TV: Sanction of CHF 71.8 million confirmed

In 2016, the Competition Commission imposed a sanction amounting to CHF 71.8 million on Swisscom, Cinetrade and Teleclub for anti-competitive behaviour in connection with football and ice hockey broadcasting. The Federal Administrative Court essentially dismisses the appeal and confirms the sanction to be paid.

In the period under investigation (2006 to 2013), CT Cinetrade AG (now Blue Entertainment AG) held numerous exclusive live broadcasting rights for football and ice hockey matches on pay-TV, which it transferred to Teleclub. While Teleclub granted Swisscom comprehensive football and ice hockey broadcasting content for Swisscom TV, other TV platforms had to make do with reduced sports contents on less favourable terms. Some other TV platforms were not even supplied with any sports content.

In its decision, the Federal Administrative Court deemed that a core supply of Swiss football and ice hockey matches was objectively an essential component of a TV platform's broadcasting content. Withholding such content and discriminating between TV platforms by differentiating the scope of the Teleclub sports program were likely to hinder the competitiveness of Swisscom TV's rival TV platforms. Furthermore, unfair conditions of trade were forced on Cablecom and Sunrise which had to undertake to refrain from acquiring certain contents of the Teleclub sports broadcasts.

The Federal Administrative Court confirmed the sanction of CHF 71.8 million. The appeal was partially upheld in that the procedural costs of the first instance were slightly reduced. This judgment may be appealed to the Federal Supreme Court.

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About the Federal Administrative Court

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 365 employees (305.6 FTE) and its 72 judges (64.5 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal administrative authorities. In specific matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 6,500 judgments every year.