

Press release: Statement on the proposed Sky plc / 21st Century Fox Inc. merger

In a statement issued today, the Culture Secretary said:

Today I can confirm that following my intervention in the proposed acquisition of Sky plc by 21st Century Fox Inc., I have received reports from Ofcom on two public interest grounds, and the Competition and Markets Authority (CMA) on jurisdiction, as set out in the European Intervention Notice (EIN) issued on 16th March 2017.

In addition, Ofcom has provided me with a copy of its separate fit and proper assessment which it carried out in accordance with its duty under the Broadcasting Acts 1990 and 1996, and which it confirmed on the 16th March would be considered within the same timeframe as the public interest assessment.

The EIN issued on 16th March required Ofcom to assess and report to me on two public interest grounds: 1) the need for there to be a plurality of persons controlling media enterprises; and 2) for those carrying on or in control of such enterprises to have a genuine commitment to the attainment of broadcasting standards objectives. It also required the CMA to report to me on jurisdiction.

The reports were originally due on the 16th May and, on the 21st April, I extended this deadline to 20th June in light of the announcement of the General Election.

The decision before me now, which I am required to take acting in a quasi-judicial capacity, is whether – taking account of the specified public interest grounds – it is, or may be the case, that the merger operates, or may be expected to operate, against the public interest and therefore whether or not to refer for a fuller phase 2 investigation by the CMA. I will consider these reports in detail before coming to an initial view on whether or not I am minded to refer the merger.

I will aim to make my initial 'minded to' decision, publish the CMA and Ofcom public interest reports – in line with the requirements under the Enterprise Act 2002 – and return to Parliament to make an oral statement by Thursday 29th June. There will then be an opportunity for representations to be made before I take a final decision.

In the meantime, given the ongoing quasi-judicial nature of this process, I am unable to comment substantively on the matter of this case. My priority remains – as it has throughout this proposed merger – to make my decision independently, following a process that is scrupulously fair and impartial, and as quickly as possible.

Notes to Editors

1. The Culture Secretary intervened in the proposed acquisition of Sky plc by 21st Century Fox by issuing a European Intervention Notice (EIN) on Thursday 16th March. The EIN specified that reports on two public interest grounds by Ofcom and on jurisdiction by the CMA, should be submitted by Tuesday 16th May.
2. On 21st April the Culture Secretary extended this deadline to Tuesday 20th June due to the announcement of the General Election.
3. The reports from the CMA and Ofcom to the Culture Secretary will be published on our website by Thursday 29th June. Ofcom's separate fit and proper assessment will be published by them (on the same timetable).
4. All the received representations and statements detailing the process and requirements up till this point are available on the [DCMS website](#).