



Determination of the Competition Authority

Determination No. M/03/033p1 of the Competition Authority, dated 20th November 2003, under Section 21 of the Competition Act, 2002

Notification No. M/03/033 – Proposed acquisition by Scottish Radio Holdings plc of Capital Radio Productions Limited

Introduction

1. On 23rd October 2003 the Competition Authority, in accordance with Section 18 (1) of the Competition Act, 2002 (“the Act”) was notified, on a mandatory basis, of a proposal whereby Scottish Radio Holdings plc (SRH) would acquire the entire issued capital of Capital Radio Productions Limited (CPRL). The Authority advised the notifying party and the Minister that it considers the acquisition to be a media merger within the meaning of the Act.

The Parties

2. SRH is a media group whose activities, through its subsidiaries, are radio and publishing in the United Kingdom and the Republic of Ireland. SRH owns and controls Radio Ireland Limited which broadcasts Today FM, the only independent national radio station in Ireland.
3. CPRL trades as FM 104, a regional station which broadcasts in the Dublin region and is owned by the following shareholders: Jim Aiken (5%), Maurice Cassidy (23.32%), Pearse Farrell (16.29%), Dermot Hanrahan (10.65%), Ulick McEvaddy (38.04%), John O’Callaghan (3.35%) and Greg Sparks (3.35%). The shareholders in FM104 hold between them 29% in Siteridge Limited which trades as Red FM. The latter is broadcast in the Cork region and is not subject to the transaction.

Determination

Having considered the information provided and collected to date, the Competition Authority has been unable to form a view that the result of the proposed acquisition will not be to substantially lessen competition in markets for goods and services in the State and, in accordance with Section 21(2)(b) the Competition Act, 2002, has determined to carry out a full investigation under Section 22 of the Competition Act, 2002.

For the Competition Authority

**Declan Purcell
Member of the Competition Authority**

20th November 2003