



**Media Statement
For Immediate Release
27 January 2019**

SABC, PRIMEDIA AND STER-KINEKOR TO PAY MILLIONS FOR CARTEL CONDUCT

The Competition Commission has referred to the Competition Tribunal for confirmation as orders three consent settlement agreements concluded with each of the SABC, Primedia and Ster-Kinekor.

The three media companies admitted to being involved in price fixing and the fixing of trading conditions in contravention of the Competition Act. In terms of the settlement agreements, the media companies undertook to:

1. The SABC will pay an administrative penalty of **R31 845 795.33** (thirty one million eight hundred and forty five thousand seven hundred and ninety- five rand and thirty three cents).

The SABC will also provide 25% bonus advertising space for every rand of advertising space bought by qualifying small agencies, over three years and capped at **R 40 million (forty million rand)** annually. This will amount to **R120m** for the entire period.

They will further contribute **R17 797 645.97** (seventeen million seven hundred and ninety seven thousand, six hundred and forty five rand and ninety seven cents) to the Economic Development Fund (EDF) over a three year period.

2. Primedia has agreed to pay an administrative penalty of **R9 605 884.64** (nine million, six hundred and five thousand, eight hundred and eighty four rand and sixty four cents).

It will also provide 25% bonus advertising space for every rand of advertising space bought by qualifying small agencies, over three years and capped at **R 24 million** (twenty four million rand) annually, amounting to **R72m** in three years.

The company will also contribute **R3 458 118.47** (three million four hundred and fifty-eight thousand and eighteen rand and forty seven cents) to the Economic Development Fund over a three year period.

3. Ster-Kinekor has agreed to pay a fine of **R436 999.90** (four hundred and thirty six thousand, nine hundred and ninety nine rand and ninety cents).

It will also provide 25% bonus advertising space for every rand of advertising space bought by qualifying small agencies, over three years and capped at **R 1 million** (one million rand) annually, totalling **R3m**.

The Company will contribute **R157 319.96** (hundred and fifty-seven thousand, three hundred and nineteen and ninety six cents) to the Economic Development Fund over a three year period.

The EDF will be managed and administered by Media Development and Diversity Agency (MDDA).

The case relates to an investigation that was initiated in November 2011 which found that, through the Media Credit Co-Ordinators (MCC), various media companies agreed to offer similar discounts and payment terms to advertising agencies that place advertisements with MCC members.

MCC accredited agencies were offered a 16.5% discount for payments made within 45 days of the statement date, while non-members were offered 15%. In addition, the Commission's investigation found that the implicated companies, as MCC members, employed services of an intermediary company called Corex to perform risk assessments on advertising agencies for purposes of imposing a settlement discount structure and terms on advertising agencies.

The Commission found that the practices restricted competition among the competing companies as they did not independently determine the discounts and thereby fixed the price and trading terms in contravention of the Competition Act.

[ENDS]

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BACKGROUND

OTHER COMPANIES THAT HAVE BEEN FINED

Below are other media companies that have previously concluded settlement agreements with the Commission:

Settlements to date

	MEDIA COMPANY	FINES	EDF Contributions	Advertising discount Totalling
1	DStv Media Sales (Pty) Ltd	R22 262 599.00	R8 000 000.00	R50 000 000 p.a (R150 million over three years)
2	Independent Media (Pty) Ltd	R2 220 603.00	R799 417.00	R 266 472.33 p.a (R7 99 416.99 over three years)
3	United Stations (Pty) Ltd	R423 920.73	R152 611.46	R1 500 000.00 p.a (R4 500 000.00. over three years)
4	Caxton & CTP Publishers and Printers Ltd	R5 806 890.14	R2 090 480.45	R 696 826.82 p.a (R2090 480.46. over three years)
5	Provantage Media	R1 094 222.00	R393 920.12	R 131 306.70 p.a (R393 920.10. over three years)
6	Media24	R13 828 892.26	R4 978 401.21	R 3 761 272.52 p.a (R11 283 817.6. over three years)
7	MTV Networks Africa (MTV)	R966 692.83	R348 009.42	R348 009.42 p.a (16 million over three years)
8	Mediamark (Pty) Ltd	R1 013 803.94	R364 969.42	R2 500 000.00 p.a (R7 500 000.00 over three years)
9	Trudon	R423 920.73		

Media companies listed in the matter

- SABC (SOC) Limited;
- Media 24 Ltd; Media 24 Magazines;
- Independent Newspapers (Pty) Ltd;
- The Mail & Guardian (Pty) Ltd;
- Avusa Media Limited;
- DSTV Media Sales (Pty) Ltd;
- MTV Networks Africa (Pty) Ltd;
- Primedia (Pty) Ltd;
- Primedia Outdoor (Pty) Ltd;
- Cinemark (Pty) Ltd;
- Comutanet (Pty) Ltd;
- Conde Nast Independent Magazine;
- Caxton and CTP Publishers and Printers Ltd and the Citizen 1978 (Pty) Ltd;
- Spark Media (Pty) Ltd;
- Apurimac Media;
- Provantage Media (Pty) Ltd;
- Mediamark (Pty) Ltd;
- Carpe Diem Media;
- Rodale And Touchline;
- Mandla-Matla Publishing (Pty) Ltd;
- Ramsay Media;
- Lugan Investments (Pty) Ltd;
- Associated Media (Pty) Ltd;
- Associated Hearst (Pty) Ltd;
- Capro (Pty) Ltd;
- Trudon (Pty) Ltd;
- United Stations (Pty) Ltd;
- Continental Outdoor (Pty) Ltd;
- Apurimac Media CC; and
- Media Credit Co-Ordinators (MCC).