

The Belgian Competition Authority (BCA) has approved with remedies the acquisition by Kinopolis of two of the four multiplex cinemas of Utopolis

The Competition College of the Belgian Competition Authority has approved on 25 March 2016 the acquisition by Kinopolis of two of the four Utopolis multiplex cinemas, on condition of the structural and behavioral commitments offered by Kinopolis.

Divestments

The structural commitments concern the two multiplex cinemas in Mechelen and Aarschot. They must be transferred to a buyer who has no direct or indirect link with Kinopolis and who has the necessary financial resources and a relevant expertise or who is a professional financial investor. The buyer must acquire these multiplex cinemas in order to operate them as viable and active competitors of Kinopolis and other competitors.

The Competition College has relied on the market definitions that are used by the European Commission and other competition authorities in defining local markets. The College took into account the real appeal of a multiplex cinema by looking at the area where the multiplex cinema makes its turnover.

Behavioural commitments

Kinopolis agrees, concerning the Utopolis Cinemas at Turnhout and Lommel, to comply with the following commitments for a period of three years and under monitoring by the BCA:

- a) to accept the vouchers sold by other cinemas in implementing existing cooperation agreements concluded with other cinemas by the Utopolis cinema in Turnhout and the Utopolis cinema in Lommel;
- b) not to close the cinemas;
- c) to monitor the degree of satisfaction of the moviegoer of these cinemas on the price policy in relation to the quality of the offered cinematic experience.

Procedure

On 12 October 2015 Kinopolis has seized the Belgian Competition Authority with a request to approve the acquisition of the four multiplex cinemas Utopolis of the Utopia group in Flanders.

In its decision of 30 November 2015 the Competition College assessed that there were serious doubts regarding the admissibility of this acquisition and decided therefore to initiate the procedure of additional investigation (decision BCA-2015 / I / O-69).

Following additional investigation and market testing by the Investigation & Prosecution Service, Kinopolis has offered structural and behavioral commitments.

The Competition College of the Belgian Competition Authority has cleared on 25 March 2016 the acquisition by Kinopolis of the two Utopolis multiplex cinemas in Turnhout and Lommel (without the other two multiplex cinemas in Mechelen and Aarschot), on condition of the structural and behavioral commitments offered by Kinopolis.

The BCA refers you to the spoke persons of the parties for more information.

For more information you may contact:

David Szafran, president of the Competition College
Belgian Competition Authority

Tél. +32 2 277 52 72

GSM: + 32 475 85 39 57

E-mail : pres@bma-abc.be

Site internet : www.concurrence.be

The Belgian Competition Authority (BCA) is an independent administrative authority that contributes to the definition and implementation of competition policy in Belgium. Concretely, the BCA pursues anti-competitive practices, such as cartels and abuses of a dominant position, and reviews the main merger operations. The BCA cooperates with the other competition authorities of the member states of the European Union and the European Commission within the European Competition Network (ECN)