



15.3.2005

Original: English

SUBLICENSING RULES FOR EUROVISION SPORTS PROGRAMMES

The following constitute the minimum conditions for the sublicensing of rights to sports events which the EBU Members, via the Eurovision/Sport system, have acquired on an exclusive basis. These conditions are binding on the EBU and its Members within the EEA, it being understood that they are entirely free to grant sublicences on terms which are more favourable to non-Members where such terms are compatible with their own programming intentions.

Members and, where applicable, the EBU shall of their own initiative explore non-Members' potential interest in acquiring sublicences. Furthermore, any indication by the seller of the rights as to possible interest by a third party in obtaining a sublicense shall be duly followed up.

1. SCOPE OF ACCESS

- 1.1 Access can be granted for all rights acquired under the Eurovision agreement, and for the entire geographical area covered by it, for use on one of a non-Member's free-to-air television or pay-TV channels.
- 1.2 Access to rights for general events and special events, as well as for news access, shall be offered by the Member(s) which hold(s) the national rights under the Eurovision agreement. The EBU shall offer such access for pan-European transmission, as well as for transmission in countries covered by the Eurovision agreement but where no Member has acquired the national rights. Where none of the Members which have acquired the rights for a given event will transmit live, the EBU shall offer live access to pan-European channels.
- 1.3 Except where it is explicitly provided otherwise below, live transmission rights may be granted on an exclusive or non-exclusive basis, whereas deferred transmission rights (including highlights) shall be granted on a non-exclusive basis.
- 1.4 The contract concluded with a non-Member shall stipulate the number of transmissions granted and the period for which the rights are acquired. It may also oblige the non-Member to credit on-screen the organization(s) which granted the access.

- 1.5 The sublicence shall be subject to the contractual obligations which are part of the Eurovision agreement concluded between the EBU and the rightsholder. The EBU shall make its best efforts to negotiate reasonable conditions.
- 1.6 Sublicences in accordance with the terms and conditions set out below shall be offered on fair, transparent and non-discriminatory terms.

2. GENERAL EVENTS

The following terms and conditions shall apply to all events covered by a Eurovision agreement, other than the special events listed under 3 below.

2.1 Live transmission

- 2.1.1 Any unused rights for live transmission of an event shall be offered to non-Members.
- 2.1.2 If a Member does not intend to transmit an event live in its entirety but merely separable parts thereof, it need offer only those separable parts of the event which it does not intend to transmit live.

For the purpose of this clause, "parts of the event" shall be any competition which is separable from other competitions, such as a match or a race.

However, "parts of the event" shall not be

- (a) a leg, discipline or similar component within a competition (e.g. the first leg of a slalom skiing race, the downhill within a combined skiing competition, the compulsory within a figure-skating competition, the javelin within a decathlon competition);
- (b) a competition which is taking place in the same arena simultaneously or within the same day as other competitions of the same event;
- (c) a time period within a competition (e.g. some minutes of a 90-minute football match or of a stage of the Tour de France or of the Tour de Suisse, or one day of a two-day decathlon competition).

The Member shall decide on its intention to broadcast live as early as possible, and at the latest three months before the start of the event, except where this decision depends on programming priorities outlined below.

Where a match or other competition is part of an event which includes one or more qualification rounds, and where the Member intends to broadcast live the match or other competition depending on such programming priorities as whether a national

athlete will be taking part, the Member has the right to decide on a short-term basis, depending on the unfolding of the event, whether or not it will broadcast live the match or other competition (e.g. in the French Open). The Member shall take its decision within one hour after the basis on which it can make its choice as to its own coverage is known.

2.2 Deferred transmission (including highlights)

Non-Members shall be given the possibility of making deferred transmissions of the entire event or of the day's competitions, or of summaries thereof, not earlier than one hour after the end of the event or of the last competition of the day, provided that such transmission shall not begin before 21.00 hours on the same day in the broadcaster's country (London time for pan-European channels).

Where the Member itself intends to transmit the event or parts thereof on a deferred basis, either in full or as highlights, the non-Member's deferred transmission may not start before 22.30 hours in the broadcaster's country (London time for pan-European channels).

Any deferred transmission of a day's competitions may not coincide with the Member's live coverage of the event on the next day or days, and shall not take place more than 24 hours after the end of the event.

2.3 Pay-TV rights

Where the EBU has also acquired exclusive pay-TV rights, sublicences shall be offered in conformity with the foregoing paragraphs to pay-TV broadcasters too, without a distinction being made between free-to-air and pay-TV broadcasters.

2.4 Two or more Members per country

Where there are two or more Members in the same country which participate together in a given Eurovision agreement, the following *additional* conditions shall apply:

- In the case of ballsport competitions, up to 20% of the matches in the tournament (to be identified by the Members) shall be offered for exclusive live transmission by a non-Member.
- Non-Members shall be offered the possibility of transmitting one summary, which may include footage of up to 10 minutes, grouped together in one block, starting 15 minutes after the end of the competition or (where several competitions take place during the day) the last competition of the day.
- The time limit in the first sub-paragraph of 2.2 above shall be 20.30 (instead of 21.00).

The foregoing shall not apply where two Members are obliged by law to coordinate their programming and, as a result, alternate the scheduling of Eurovision sports events, and where, in the assessment of their need for public funding, account is taken of each Member's requirement for only its part of the total rights fee due for their country.

2.5 Pan-European sports channels

Any use by a pan-European sports channel of rights acquired under the Eurovision agreement shall not be regarded as "use" for the purposes of the present Clause 2.

A pan-European sports channel is a free-to-air channel of truly pan-European character which regularly and on a permanent basis covers a variety of different sports, with sports programming occupying at least 75% of the total air-time between 08.00 and 24.00. National windows (during which no Eurovision material may be used, unless a separate sublicense has been obtained for the country in question) may not occupy more than one-third of the daily transmission time. On-screen presentation, if any, of the pan-European output by an announcer or interviewer shall be balanced, both in duration and timing, among the languages in which the channel is broadcast. The pan-European output shall be aimed at least eight countries, proof thereof being the actual redistribution of the channel on cable networks and/or other subscription platforms. There shall be permanent sound commentary in at least four different languages spoken in the countries aimed at.

3. SPECIAL EVENTS

3.1 Summer Olympic Games

3.1.1 Live and near-live transmission

For each day of competition (excluding the day of the opening ceremony) and in each country non-Members in both the free-to-air and the pay-TV categories shall be given the possibility of live and near-live transmission, exclusively vis-à-vis other non-Members in the same category, of, in total, at least four hours of sports action (including corresponding medal awards), the balance between live and near-live being chosen by the non-Member, with a maximum of either three hours live or three hours near-live.

The live transmission may be freely chosen by the non-Member from three sports. Those sports shall include at least one, identified by the Member for each competition day, which ranks fourth among the five most popular sports of the competition day in the Member's country, with the non-Member having the free choice of two further sports from among the remaining less popular sports (i.e. from the sixth most popular sport onwards). The non-Member pay-TV operator's choice may differ, where possible, from the non-Member free-to-air broadcaster's choice from among the remaining less popular sports.

Sentence two of the preceding paragraph shall not apply with regard to countries where national legislation regulates the market and grants identical protection to Members and non-Members alike and/or prohibits exclusive contracts for the broadcasting of some or all of the Summer Olympic Games.

The near-live transmission may comprise, at the non-Member's choice, all or part of the day's competitions which have ended before 13.00 hours on the same day in the broadcaster's country (London time for pan-European channels), and which a Member or a non-Member has not broadcast live (in full or in substantial part), provided that such transmissions shall end, at the latest, at 17.00 hours on the same day in the broadcaster's country (London time for pan-European channels).

3.1.2 Deferred transmission (including highlights)

Non-Members shall be given the possibility of making deferred transmissions, of their own choice, of all or part of the day's competitions, or of summaries thereof (highlights), provided that such transmissions shall not begin before 21.00 hours on the same day in the broadcaster's country (London time for pan-European channels) and shall not coincide with the Member's own live coverage on the next competition day or days. However, where a Member broadcasts live after 21.00 hours, the non-Member's deferred transmission between 21.00 hours and 22.30 hours can occur only at times when the Member is not transmitting live.

Furthermore, any such transmissions shall not take place more than 24 hours after the end of the Olympics.

In addition, and notwithstanding the entitlement to regular news access (see Clause 6 below), non-Members shall be given the possibility of transmitting, at a time freely chosen by them but before the time-limit for deferred transmission specified in the preceding paragraph, one summary of the day's competitions which may include up to 10 minutes of footage of the Games grouped together in one block.

Furthermore, non-Members which did not acquire the rights for live and near-live transmission shall be given the possibility of transmitting, at a time freely chosen by them, but between 09.00 hours and 14.00 hours on the same day in the broadcaster's country (London time for pan-European channels), one summary of the previous day's competitions, which may include up to 10 minutes of footage of the Games grouped together in one block.

3.1.3 Two or more Members per country

Where there are two or more Members in the same country (other than the specific case referred to in the last paragraph of 2.4 above) which participate together in a given Eurovision agreement the following *additional* conditions shall apply:

- As regards live transmission, except where this is already the case in respect of the sport identified by the Member, the non-Member is entitled to have one medal round (final) included in the two sports chosen by itself. This shall not apply with regard to countries where national legislation regulates the market and grants identical protection to Members and non-Members alike and/or prohibits exclusive contracts for the broadcasting of some or all of the Summer Olympic Games.
- The summaries referred to in the last two sub-paragraphs of 3.1.2 above may include up to 15 (instead of 10) minutes of footage of the Games grouped together in one block.

3.2 Winter Olympic Games

3.2.1 Live and near-live transmission

For each day of competition (excluding the days of the opening and closing ceremonies) and in each country non-Members in both the free-to-air and the pay-TV categories shall be given the possibility of live and near-live transmission, exclusively vis-à-vis other non-Members in the same category, of, in total, at least three hours of sports action (including corresponding medal awards), the balance between live and near-live being chosen by the non-Member, with a maximum of either, on average, two hours live or two hours near-live.

The live transmission may be freely chosen by the non-Member from two disciplines. One of these, identified by the Member for each day of competition, shall rank fourth among the five most popular disciplines of the competition day in the Member's country, with the non-Member having the free choice of the second discipline from among the remaining less popular disciplines (i.e. from the sixth most popular discipline onwards). The non-Member pay-TV operator's choice may differ, where possible, from the non-Member free-to-air broadcaster's choice from among the remaining less popular disciplines.

Sentence two of the preceding paragraph shall not apply with regard to countries where national legislation regulates the market and grants identical protection to Members and non-Members alike and/or prohibits exclusive contracts for the broadcasting of some or all of the Winter Olympic Games.

The near-live transmission may comprise, at the non-Member's choice, all or part of the day's competitions which have ended before 13.00 hours on the same day in the broadcaster's country (London time for pan-European channels), and which a Member or a non-Member has not broadcast live (in full or in substantial part), provided that such transmissions shall end, at the latest, by 16.30 hours on the same day in the broadcaster's country (London time for pan-European channels).

3.2.2 Deferred transmission (including highlights)

Non-Members shall be given the possibility of making deferred transmissions, of their own choice, of all or part of the broadcast day's competitions, or of summaries thereof (highlights), provided that such transmissions shall not begin before 21.00 hours on the same day in the broadcaster's country (London time for pan-European channels) and shall not coincide with the Member's own live coverage on the next competition day or days. However, where a Member broadcasts live after 21.00 hours, the non-Member's deferred transmission between 21.00 hours and 22.30 hours can occur only at times when the Member is not transmitting live.

Furthermore, any such transmissions shall not take place more than 24 hours after the end of the Olympics.

In addition, and notwithstanding the entitlement to regular news access (see Clause 6 below), non-Members shall be given the possibility of transmitting, at a time freely chosen by them but before the time limit for deferred transmission specified in the preceding paragraph, one summary of the day's competitions which may include up to 5 minutes of footage of the Games grouped together in one block.

Furthermore, non-Members which did not acquire the rights for live and near-live transmission shall be given the possibility of transmitting, at a time freely chosen by them, but between 09.00 hours and 14.00 hours in the broadcaster's country (London time for pan-European channels), one summary of the previous day's competitions, which may include up to 5 minutes of footage of the Games grouped together in one block.

3.2.3 Two or more Members per country

Where there are two or more Members in the same country (other than the specific case referred to in the last paragraph of 2.4 above) which participate together in a given Eurovision agreement the following *additional* conditions shall apply:

- As regards live transmission, the non-Member shall be entitled to a total of, in terms of the event as a whole, three medal rounds (finals) in the disciplines in question. This shall not apply with regard to countries where national legislation regulates the market and grants identical protection to Members and non-Members alike and/or prohibits exclusive contracts for the broadcasting of some or all of the Winter Olympic Games.
- The summaries referred to in the last two sub-paragraphs of 3.2.2 above may include up to 10 (instead of 5) minutes of footage of the Games grouped together in one block.

3.3 Olympic Games in non-European time-zones

Where the Winter/Summer Games do not take place in a European time-zone, the following shall apply with regard to near-live and deferred transmission (including highlights):

3.3.1 Near-live transmission

The near-live transmission may comprise, with respect to each competition day, all or part of the first four hours of the competitions which the Member itself did not broadcast live (in full or in substantial part), and

when the Games take place in an Asian time-zone (east of the Urals), such transmissions shall end, at the latest, at 10.00 hours on the same day in the broadcaster's country (London time for pan-European channels);

when the Games take place in one of the four eastern American time-zones, such transmissions shall end, at the latest, at 22.00 hours on the same day in the broadcaster's country (London time for pan-European channels);

when the Games take place in one of the five western American time-zones, such transmissions shall end, at the latest, at 02.00 hours on the following day in the broadcaster's country (London time for pan-European channels).

3.3.2 Deferred transmission (including highlights)

The deferred transmission (including highlights) of the competition day shall not begin until

21.00 hours on the same day in the broadcaster's country (London time for pan-European channels) when the Games take place in an Asian time-zone (east of the Urals), and it shall not coincide with the Member's own live coverage of the next competition day or days.

09.00 hours on the same day in the broadcaster's country (London time for pan-European channels) when the Games take place in an American time-zone, and it shall end, at the latest, at 13.00 hours on the same day in the broadcaster's country (London time for pan-European channels).

3.3.3 Summary of the competition day

Non-Members shall be given the possibility of transmitting, at a time freely chosen by them but within the duration of the competition day, one summary of the competition day which may include up to 10 minutes of footage of the Summer Games (5 minutes in the case of the Winter Games) grouped together in one block.

Where there are two or more Members in the same country (other than the specific case referred to in the last paragraph of 2.4 above), the duration of those summaries may be 15 (instead of 10) respectively 10 (instead of 5) minutes.

3.3.4 Summary of the previous competition day

Non-Members which did not acquire the rights for live and/or near-live transmission shall be given the possibility of transmitting one summary of the competitions of the previous competition day which may include up to 10 minutes of footage of the Summer Games (5 minutes in the case of the Winter Games) grouped together in one block.

Where there are two or more Members in the same country (other than the specific case referred to in the last paragraph of 2.4 above), the duration of those summaries may be 15 (instead of 10) respectively 10 (instead of 5) minutes.

The transmission time may be freely chosen by the non-Member within the following time-frames:

between either 01.00 hours and 06.00 hours or 09.00 hours and 12.00 hours in the broadcaster's country (London time for pan-European channels), when the Games take place in an Asian time-zone (east of the Urals).

between 13.00 hours and 18.00 hours in the broadcaster's country (London time for pan-European channels), when the Games take place in one of the four eastern American time-zones.

between 17.00 hours and 22.00 hours in the broadcaster's country (London time for pan-European channels), when the Games take place in one of the five western American time-zones.

3.4 European Football Championship

3.4.1 Live transmission

Non-Members in both the free-to-air and the pay-TV categories, which fulfil the conditions, if any, laid down in the agreement concluded between the EBU and the rightsholder shall be given the possibility of exclusive live transmission of any matches which the Member itself does not intend to transmit live. The EBU shall make its best efforts to negotiate conditions which are not unreasonably limitative in this regard.

However, such non-Members shall in any case be given the possibility of exclusive live transmission of at least four of the 31 matches, at least two of which shall be from the parallel group matches, the selection of all matches being made by the Member.

The sublicenses shall be exclusive within the same category and non-exclusive vis-à-vis the other category.

In addition, where there are two or more Members in the same country (other than the specific case referred to in the last paragraph of 2.4 above), non-Members in both the free-to-air and the pay-TV categories shall be given the possibility of two matches for non-exclusive live transmission, the selection of the matches being made by the Member. One of these matches shall be from the final rounds (starting with the quarter-finals).

The provisions set out in the three preceding paragraphs shall not apply with regard to countries where national legislation regulates the market and grants identical protection to Members and non-Members alike and/or prohibits exclusive contracts for the broadcasting of some or all of the European Football Championship.

Where the EBU acquires less than the total amount of matches, the number of matches to be offered for sublicensing shall be reduced accordingly.

3.4.2 Deferred transmission (including highlights)

Non-Members shall be given the possibility of making deferred transmissions of the day's match or matches or of summaries thereof (highlights), to start not earlier than 30 minutes after the end of the last match of the day and to conclude not later than 30 minutes before the first match of the next day.

Furthermore, and notwithstanding the entitlement to regular news access (see Clause 6 below), where two matches are being played consecutively on the same day, non-Members shall be given the possibility of including up to 3 minutes, grouped together in one block, of footage of the first match in a highlights programme, to be broadcast not earlier than 20 minutes after the end of the match and not later than five minutes before the beginning of the next match. Where there are two or more Members in the same country (other than the specific case referred to in the last paragraph of 2.4 above), the footage may include up to 5 minutes.

3.5 Football World Cup

3.5.1 Live transmission

Non-Members in both the free-to-air and the pay-TV categories, which fulfil the conditions, if any, laid down in the agreement concluded between the EBU and the rightsholder, shall be given the possibility of exclusive live transmission of any matches which the Member itself does not intend to transmit live. The EBU shall make its best efforts to negotiate conditions which are not unreasonably limitative in this regard.

However, such non-Members shall in any case be given the possibility of exclusive live transmission of at least eight of the 64 matches, at least four of which shall be from the parallel group matches, the selection of all matches being made by the Member.

The sublicences shall be exclusive within the same category and non-exclusive vis-à-vis the other category.

In addition, where there are two or more Members in the same country (other than the specific case referred to in the last paragraph of 2.4 above), non-Members in both the free-to-air and the pay-TV categories shall be given the possibility of eight matches for non-exclusive live transmission, the selection of the matches being made by the Member. Two of these matches shall be from the final rounds (starting with the eighth-finals).

The provisions set out in the three preceding paragraphs above shall not apply with regard to countries where national legislation regulates the market and grants identical protection to Members and non-Members alike and/or prohibits exclusive contracts for the broadcasting of some or all of the Football World Cup.

Where the EBU acquires less than the total amount of matches, the number of matches to be offered for sublicensing shall be reduced accordingly.

3.5.2 Deferred transmission (including highlights)

Non-Members shall be given the possibility of making deferred transmissions of the day's match or matches or of summaries thereof (highlights), to start not earlier than 30 minutes after the end of the last match of the same day and to conclude not later than 30 minutes before the first match of the next day. Where the World Cup takes place in an American time-zone, the "same day" is the calendar day in the broadcaster's country on which the last match of the local competition day ends.

Furthermore, and notwithstanding the entitlement to regular news access (see Clause 6 below), where two or more matches are played consecutively on the same day, non-Members shall be given the possibility of including up to 3 minutes, grouped together in one block, of footage of each match except the last match of the day in a highlights programme, to be broadcast not earlier than 20 minutes after the end of each match and not later than five minutes before the beginning of the next match. Where there are two or more Members in the same country (other than the specific case referred to in the last paragraph of 2.4 above), the footage may include up to 5 minutes. Where two matches are played simultaneously, the highlights programme shall likewise not exceed a total of 3 (respectively 5) minutes, grouped together in one block, of footage of those two matches. Where the World Cup takes place in an American time-zone, the footage in question may be re-broadcast once.

3.6 Pan-European sports channels

Any use by a pan-European sports channel (as defined in 2.4 above) of rights acquired under the Eurovision agreement shall not be regarded as "use" for the purposes of the present Clause 3.

4. PHYSICAL ACCESS

Upon request, the EBU shall grant access to the corresponding multilateral signal, at the market rate. Where such access cannot be provided, e.g. for technical reasons or because coverage of the sports action chosen by the sublicensee is not included in the multilateral Eurovision signal, the EBU shall coordinate access with the Host Broadcaster, either direct or through its Member(s), all access costs being at the non-Member's expense.

Any requests for accreditation, commentary positions or any other facilities or services offered by the Organizer or the Host Broadcaster will need to be made by the sublicensee via the Member granting the sublicense, without any guarantee of success.

5. FINANCIAL CONDITIONS

The global fee for the sublicense to a Eurovision sports programme is to be negotiated with the Member(s) concerned or, as the case may be, with the EBU. The sublicense fee shall duly reflect the cost of the trustee monitoring system and the fact that the non-Member's channel is aimed at the same audience. In assessing the overall commercial value of the programme, all the relevant factors of the specific case shall be taken into account (in particular, the rights fee, including the exclusivity premium, paid by the EBU or the Member(s) concerned; the cost of production of the signal; any additional costs incurred by the Member(s) (such as Eurovision coordination costs, special EBU operations group costs, etc.) the results of which are also to the benefit of the non-Member; the number of households reached by the programme service; the language(s) of the programme service; the targeted audience's specific interest in the particular programme; the timing, number and duration of the transmission(s)).

6. NEWS ACCESS

Except where national law or regulation provides otherwise, the provisions below shall apply.

Per event or day of competition non-Members shall be authorized, against payment of fair remuneration, to transmit news reports of a maximum aggregate of 90 seconds each, to be included in up to three regularly-scheduled general news bulletins, or in regularly-scheduled general sports news programmes of dedicated sports channels, broadcast within 24 hours of the end of the day in question.

7. ARBITRATION

- 7.1 In case of a dispute on the terms of provision of a sublicense under the conditions laid down by the present rules, at the request of the non-Member the matter will be submitted to arbitration by an independent expert or, if both parties agree, by three such experts. If only the fee to be paid by the non-Member is at issue, the transmission may be carried out prior to arbitration if at least two-thirds of the requested fee is paid before the transmission, subject to review and final determination of the fee by arbitration.
- 7.2 The expert shall be nominated jointly. In the case of an arbitration board, each party shall nominate one expert and the two nominated experts shall jointly nominate a third. Failing agreement, nomination shall be by the President of the competent Court of Appeals in the case of national arbitration and by the President of the International Chamber of Commerce in the case of international arbitration.
- 7.3 Arbitration shall be carried out in the city where the Member granting the access has its headquarters. Unless otherwise agreed between the parties, the law and the language of the country of arbitration shall apply. However, where the EBU grants access to an organization operating a pan-European programme service with headquarters in an EU country, the law and the language of the latter country shall apply.
- 7.4 The expert(s) shall not be bound by any procedural rules. However, the parties' right to make both oral and written presentations to the expert(s) shall be guaranteed.
- 7.5 The expert(s) shall fix the access fee in accordance with the criteria listed in 4 above. The decision of the expert(s) shall be final and binding and shall take effect as a provision in the parties' agreement.
- 7.6 The parties shall bear their own individual costs and shall share the costs of the arbitration equally between them.

8. PROCEDURE AND DEADLINES FOR OFFERS AND REQUESTS

8.1 Requests for sublicensing

Requests for sublicensing shall be addressed to the Member(s) in the country in which the non-Member broadcasts.

Where a sublicense for pan-European transmission is sought, the request shall be addressed to the EBU. The same applies where in a particular country no Member has acquired the rights for a given event. In such a case, these rights shall be offered, upon request, to a non-Member.

8.2 Deadlines and procedure

8.2.1 General events

Where a non-Member has indicated to the Member(s) or, as the case may be, to the EBU potential interest in obtaining a sublicence for live transmission, it shall receive, as soon as possible but no later than three months before the opening of the event or within two weeks of the publication of the final schedule of the event, whichever is the later, a response indicating the possibilities for live transmission in accordance with 2.1 above. With regard to the ensuing negotiations, any requests by the non-Member shall be answered promptly by the Member(s) or as, the case may be, by the EBU.

Potential interest in obtaining a sublicence for deferred transmission shall be indicated no later than two months before the opening of the event, with an entitlement to receive an offer within two weeks.

8.2.2 Special events

Non-Members shall be informed of the offers for sublicensing at the latest 15 months before the opening of the event in the case of the Olympic Games and ten months before the opening of the event in the case of the European Football Championship and the Football World Cup. The offer shall indicate those competitions or parts thereof which are available for live transmission by the non-Member. Non-Members will be required to reply within a reasonable deadline specified in the tender. With regard to the ensuing negotiations, any requests by the non-Member shall be answered as promptly as possible, and in any case within one month of receipt, by the Member(s) or, as the case may be, by the EBU.

Potential interest in obtaining a sublicence for deferred transmission shall be indicated no later than six months before the opening of the event, with an entitlement to receive an offer within one month.

8.2.3 Flexible application

The Members and, where applicable, the EBU, shall apply the foregoing deadlines in a flexible manner, meeting as far as possible the legitimate constraints of non-Members.
