

科技部補助專題研究計畫成果報告 期末報告

跨媒體集團併購問題：指標建構、壟斷評估與解決策略(第2年)

計畫類別：個別型計畫
計畫編號：MOST 102-2410-H-004-138-MY2
執行期間：103年08月01日至104年10月31日
執行單位：國立政治大學廣播電視學系

計畫主持人：曾國峰

計畫參與人員：碩士班研究生-兼任助理人員：黃勝淋
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報告附件：出席國際會議研究心得報告及發表論文

處理方式：

1. 公開資訊：本計畫可公開查詢
2. 「本研究」是否已有嚴重損及公共利益之發現：否
3. 「本報告」是否建議提供政府單位施政參考：是，國家通訊傳播委員會

中華民國 105 年 01 月 31 日

中文摘要：近年來，由於數位科技匯流趨勢，使用者可以在不同平台消費各種的影音圖文內容，但由於台灣廣告市場停滯與閱聽人注意力的高度競爭，很多傳統媒體不是因經營不佳而退出市場，就是被其他集團所併購，因此，台灣開始出現橫跨各種媒體平台的大型集團。不過，因為這些跨媒體集團的併購規模屢創新高，所延伸的影響力遍布各種媒體，因此，主管機關希望在促進數位匯流的企業綜效，以及維持民主社會言論市場自由的兩難中，尋找可以平衡的管制政策。本研究計畫將整理目前台灣跨媒體集團的現況，並從其他國家的例子，檢討未來跨媒體併購指標建構時所需要思考的問題；另外，也將了解跨媒體集團內部組織的權力運作，以解決目前市場結構與集團競爭策略的壟斷問題。

中文關鍵詞：跨媒體、集團化、數位匯流、併購、壟斷、言論市場

英文摘要：In recent years, for the trend of technology convergence, all kinds of media contents can be consumed in different platforms. However, because of the declines of advertising and the competition of the audience attention, many media firms either were out of the market, or merged by the conglomerates. The new merger and acquisition conglomerates control many important newspapers, television, magazine and platforms. NCC hopes to find the balanced regulation, to promote the synergies of cross-ownership in the convergence age, and also safeguard the diversity and freedom of speech in the democracy society. This study will review the current circumstance of the cross-media conglomerates in Taiwan. Furthermore, from the experience of the other countries, this study will construct the cross-media merger and acquisition index. Finally, this research will analyze the hegemony in the media organization, in order to understand the monopoly power in the market structure and competitive strategies.

英文關鍵詞：Cross-ownership Media, Conglomerate, Convergence, Merger and Acquisition, Monopoly power, Marketplace of ideas

行政院科技部補助專題研究計畫期末報告

跨媒體集團併購問題：

指標建構、壟斷評估與解決策略

計畫類別：個別型計畫 整合型計畫

計畫編號：NSC 102-2410-H-004 -138 -MY2

執行期間：102 年 8 月 1 日至 104 年 10 月 31 日（展延 3 個月）

執行機構及系所：政大廣電系

計畫主持人：曾國峰老師

計畫參與人員：第一年：蕭婷方、賴合新，二位兼任助理

第二年：黃勝淋、徐子為，二位兼任助理

成果報告類型(依經費核定清單規定繳交)：精簡報告 完整報告

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涉及專利或其他智慧財產權，一年二年後可公開查詢

中 華 民 國 105 年 1 月 31 日

關鍵詞：跨媒體、集團化、數位匯流、併購、壟斷、言論市場

中文摘要

近年來，由於數位科技匯流趨勢，使用者可以在不同平台消費各種的影音圖文內容，但由於台灣廣告市場停滯與閱聽人注意力的高度競爭，很多傳統媒體不是因經營不佳而退出市場，就是被其他集團所併購，因此，台灣開始出現橫跨各種媒體平台的大型集團。不過，因為這些跨媒體集團的併購規模屢創新高，所延伸的影響力遍布各種媒體，因此，主管機關希望在促進數位匯流的企業綜效，以及維持民主社會言論市場自由的兩難中，尋找可以平衡的管制政策。本研究計畫將整理目前台灣跨媒體集團的現況，並從其他國家的例子，檢討未來跨媒體併購指標建構時所需要思考的問題；另外，也將了解跨媒體集團內部組織的權力運作，以解決目前市場結構與集團競爭策略的壟斷問題。

Key words: Cross-ownership Media, Conglomerate, Convergence, Merger and Acquisition, Monopoly power, Marketplace of ideas

Abstract

In recent years, for the trend of technology convergence, all kinds of media contents can be consumed in different platforms. However, because of the declines of advertising and the competition of the audience attention, many media firms either were out of the market, or merged by the conglomerates. The new merger and acquisition conglomerates control many important newspapers, television, magazine and platforms. NCC hopes to find the balanced regulation, to promote the synergies of cross-ownership in the convergence age, and also safeguard the diversity and freedom of speech in the democracy society. This study will review the current circumstance of the cross-media conglomerates in Taiwan. Furthermore, from the experience of the other countries, this study will construct the cross-media merger and acquisition index. Finally, this research will analyze the hegemony in the media organization, in order to understand the monopoly power in the market structure and competitive strategies.

一、 研究計畫背景及目的

1、研究計畫背景

由於新傳播科技的匯流，愈來愈多的媒體內容可以跨不同的平台競爭，但由於數位投資成本較高，且所有媒體都是在競爭相同的消費者眼球注意力(attention)(Adams, 1995; Albarran & Dimmick, 1996)，因此，當網路、手機與平板電腦等的使用率愈來愈高，年青族群的消費者可以直接連接至國外網站或app內容時，不少本地的報紙閱報率、或是電視收視率等都逐年下滑。再加上台灣由於境外生產與代工的產業結構改變，雖然過去仍維持一定的經濟成長率，但由於缺乏品牌行銷，十多年來的整體廣告大餅並沒有明顯增加，因此，這些年來，不少的傳統媒體不是退出市場，就是被其他集團所併購。

近年來，台灣媒體產業不斷有大型的跨媒體併購案出現，不但金額越來越高，也橫跨不同的媒體產業，例如：富邦集團併購凱擘集團、旺中集團併購中嘉集團，新的跨媒體集團將擁有報紙、雜誌、無線電視台、有線電視頻道與有線電視系統等。在數位匯流時代，這樣的情況似乎會越來越常見，只是擁有多少的媒體才算大，如何計算市場的定義，是否擁有壟斷市場的力量？在併購案辯證的過程，仍缺乏足夠實證資料的檢驗與理性討論。

以目前數位匯流的趨勢，以及競爭的是相同的廣告與消費者時間，各種新聞與內容的競爭已經不再侷限於傳統媒體市場之內，但是來自其他媒體市場的競爭是否可以因此擴大競爭市場的定義，或是也因此可以共同計算其市場佔有率(范建得，民 91; 楊宏暉，民 93)，則需要理解消費者的使用行為。例如報紙除了彼此間的新聞競爭外，可能有很大的比例是來自自線電視的 24 小時新聞頻道，但是否因此報紙與有線電視頻道可以算為同一市場？當旺中集團併購蘋果日報時，是該計算中時報系與蘋果日報併購後在報紙市場的集中度即可，還是應擴大解釋至其他相關的媒體產業？不同的市場定義會產生不同集中度的結果，進而影響併購案是否同意，因此，分析媒體併購後的市場壟斷力量，除了市場集中度的數據外，應該還有其他指標或是現象可以參考，才不會落入數字表面上的迷思(Yanich, 2010)。

此外，由於台灣媒體的併購金額攀高，開始出現很多原來非媒體的其他集團，例如食品、石化、金融與保險等、或是具中國投資背景的企業，相繼跨入媒體內容或平台經營。雖然在其他國家也會有這樣的狀況，但在台灣，由於併購金額越來越高，這幾年非媒體企業跨入媒體的頻率變得更多，而部分的大型集團過高的獲利是來自中國，在現階段兩岸特殊的關係下，媒體併購案與之後的內容走向，就更令人注目。因此，台灣媒體產業在這樣的脈絡之下，需要更完整的檢視整個跨媒體產業的市場結構，以及了解其壟斷力量的來源，才能在未來發展數位匯流的同時，仍能保有言論市場多元的基礎。

2、研究目的

本研究主要將整理台灣目前的跨媒體集團的現況，從所有權、集中度與跨媒體內容與平台間的資源配置，了解跨媒體對資訊掌控的影響。此外，在未來仍會不斷出現跨媒體併購案的趨勢來看，希望從國外例子與經驗，建構台灣跨媒體併購時的具體指標，同時還將分析目前幾個跨媒體集團的內容、頻道與平台間的壟斷力量個案，了解台灣跨媒體集團組織間的實質控制問題，希望可以提供未來主管機關政策修訂上的參考。

台灣媒體產業陷入兩難的局面，一方面在數位匯流時代，需要大量資金投入市場，但另一方面卻又擔心併購後的跨媒體集團過大，會有控制言論市場，影響民主自由發展的問題。因此，本研究希望從中找尋可以平衡的原則，讓各種媒介內容、製作與平台仍然能夠吸引資金投入的同時，但在關鍵性的影響內容上架的平台，以及組織內容的獨立性等，應限制其壟斷力量的濫用。

二、 文獻探討

1、 跨媒體集團化趨勢與因素：

早期的報紙與廣播電台，大多是地方性媒體，同時也多為家族式經營，雖然也是商業媒體，但多少有些文人辦報的精神。但目前不管是台灣或是國外市場，愈來愈多是以集團化為主的商業模式，大型集團透過併購擴張，市場規模不斷膨脹，同時也由於數位科技匯流，內容與平台間可以互跨，集團併購可以橫跨各種不同的媒體產業，增加所謂的經營「綜效」，但當 MBA 堂而皇之的進入新聞編輯室時，傳統的媒介社會責任與言論自由等概念也逐漸逝微了(Ekström, 2008; Fenton et al, 2011; Miller, 2002; Plaisance et al, 2006)。

過年幾十年來，這樣的併購問題在全球相繼出現(Bum et al, 2003)，例如，報紙產業在 1980 年代開始受到有線電視興起，以及 1990 年代末期的網路競爭，閱報率與廣告收入不斷下滑，很多報紙不是關閉，就是被大型集團所併購，Muehlfeld et al (2007) 分析從 1980 至 2000 年間，國際間就出現 3615 件報紙產業的併購案。Winseck (2009) 也分析加拿大的各種傳統媒體、網路與電信公司，在過去 15 年來的市場集中度、併購與財務報告，由於廣告收入分配，與消費者收視習慣的改變，造成不斷的有新的併購案發生。

同樣的，Champlin & Knoedler (2002) 分析從 1990 年代開始，以美國為主的各國媒體，開始一連串的併購，尤其是在 1996 Telecommunications Act 法案通過後，各種不同有線電視系統、電信、網路等平台，以及電視頻道、音樂與電影等內容的水平、垂直與跨媒體間的併購案件此起彼落，且每次都是以“有史以來”最大併購的新聞標題，不斷地超越上一次的併購案(Gal-Or & Dukes, 2006; Hanlong, 2010)。

媒體產業的快速發展，一部分原因是因為新的傳播科技不斷出現，吸引更多的資金與人才的投入，尤其是近幾年來網路與電信產業的匯流後，平台業者需要提供更多的內容時，出現愈來愈多的跨媒體的併購。Chon et al (2003) 比較美國 1996 電訊法案通過前後發現，法案之前的併購案大部分是內容製作公司間的合併(Chan-Olmsted, 1998)，但在法案通過後，由於允許更多跨產業間的併購，加上數位科技匯流，以及市場競爭激烈，當有不少媒體、網路或電信企業出現財務危機後，很多平台便只好透過賣出併購，以維繫公司的生存。

類似的情形也在台灣發生，不過大約是晚了數十年左右。1987 年解嚴之前的所有媒體都是在黨政軍的控制之下，但在 1988 年全面開放報禁之後，緊接著 1993 年開放廣播電台、與 1995 年第四家無線電視台的出現，而在 1994 年開始受理有線電視系統申設後，台灣正式進入多頻道的節目競爭。而為了處理黨政軍控制媒體的問題，2003 年在廣電三法中增定「政府、政黨、其捐助成立之財團法人及其受託人不得直接、間接投資」的規定，希望可以達成媒介所有權多元的可能。

但在 2000 前後，看似多元的媒體市場，也在競爭廣告主與閱聽人的雙重競爭壓力下，經營不佳的不是就退出市場，例如：報紙停刊的有自立早報、中時晚報、大成報、中央日報、台灣日報、星報與民生報等，就是類似各地區的有線電視系統，從超過 200 多家整併至不到 66 家，而且是由兩大三小的 MSO 的集團所掌控。再來是很多的衛星頻道被併購成為家族式頻道，例如目前主有的八大、三立、星空傳媒、東森、年代、中天與緯來等，就佔有主要上架頻道的八成以上。

而近幾年來，則由於網路快速發展下，也有不少的併購案出現，例如 2001 年雅虎台灣就相繼合併奇摩與 2006 年併購無名小站，成為台灣網路流量與入口平台的龍頭地位。而在數位化的過程，也出現愈來愈多的電信與有線電視平台的併購，例如，遠傳電信併購和信電訊，或是台灣大哥大併購泛亞電信、東信電訊與凱擘有線電視集團等（表一）。

表一、富邦集團併購凱擘後的電信與有線電視版圖



台灣這幾年由於媒體產業的不景氣，廣告收入不佳，造成非當多的報紙倒閉與電視台的轉手，很多原本並不是經營媒體的企業，卻反而紛紛跨入媒體產業的經營。這幾年最著名的，當然是以在宜蘭生產米果起家，後來在中國發展食品成功，並橫跨食品、醫院與保險等的旺旺集團。

原本與媒體產業沒有任何關係的旺旺集團，自 2008 年底開始，不但先買下中國時報、中天電視台與中視的主要新聞媒體，跨入報紙、無線電視台與有線電視頻道，形成旺旺中時集團，更在 2011 年提出併購最大的有線電視系統，而至 2012 年 7 月底，NCC 的附停止條件都還沒有完全落實前，就又在 2012 年的 10 月有提出將併購蘋果日報、爽報與壹週刊等，其中在報紙市場的佔有率將達到 46%，形成真正擁有報紙、電視、雜誌與系統的跨媒體集團。

表二、旺旺集團如果併購中嘉與壹傳媒後的媒體版圖

類別	市佔率	媒體
有線電視系統台	27.59%	▶ 含吉隆等 11 家公司市佔率 23.55%，再加計相關投資人聯維、寶福及新永安訂戶數已達 27.59%
新聞頻道	22.05%	▶ 中天新聞台
衛星頻道	21.58%	▶ 中天、GTV、TVBS 等
無線電視	19.07%	▶ 中視等頻道
報紙	11.87%	▶ 《中國時報》等
新聞網站	11.73%	▶ 中時電子報
雜誌	5.05%	▶ 《時報周刊》等

註：旺中購併中嘉後，有線電視系統台市佔率為全台第一，其次為凱擘集團 21.42%。
資料來源：NCC

旺旺併中嘉、收購壹傳媒後媒體版圖			
現有規模	報紙 中國時報 工商時報 旺報	雜誌 時報周刊 愛女生	電視 中視中天新聞台 中天綜合台 中天娛樂台
壹傳媒	蘋果日報 爽報	壹週刊	壹電視 蘋果電子報
中嘉	中嘉旗下有線電視系統台 10 家 吉隆、長德、麗冠、萬象、新視波 嘉和、北健、港都、慶聯、三冠王		雙子星 雙子星有線電視

有話好說整理

雖然在其他國家也有部分的媒體可能被其他產業的集團所併購，但在台灣，這幾年來自其他食品、石化與金融保險等產業跨入媒體的比率似乎偏高，尤其是在中國有較大投資的母集團。一來是由於產業獲利後需要再投資，部分媒體仍有不錯的投資報酬率，但更重要的媒體是言論與文化工業的基礎，握有建構社會意識形態的權力（劉靜怡，民 100），在台灣與中國目前的兩岸特殊關係下，掌握媒體的發聲權利，似乎也能間接的享有政治與經濟的影響力。原本傳言由台塑、旺旺、中信與龍巖合組的壹傳媒併購團隊，最後是由年代的練台生買下壹電視，但黎智英仍保有平面媒體。

表三、壹傳媒傳說與最後壹電視由年代練台生併購

壹傳媒交易情況表		
交易標的	新股東結構	交易金額
平面媒體 (蘋果日報 + 壹週刊 + 爽報)	台塑企業集團總裁王文淵 34% 旺旺集團蔡紹中 32% 中信慈善基金會董事長辜仲諒 20% 龍巖集團董事長李世聰 14%	160 億元
電子媒體 (壹電視)	台塑企業集團總裁王文淵 34% 台灣產物保險董事長李泰宏 32% 中信慈善基金會董事長辜仲諒 20% 龍巖集團董事長李世聰 14%	15 億元

製表：鐘惠玲、黃琮淵

有線電視產業三分天下			
	蔡明忠、蔡明興	蔡衍明	練台生
職稱	富邦金董事長 台灣大董事長	旺旺中時集團 董事長	年代、錢櫃董事長
有線電視系統台	凱擘、台灣大哥大 旗下台固媒體	中嘉、雙子星 (NCC 尚未核准)	● 花蓮瀾瀾、台東東台 ● 策略合作： TBC、台灣數位光訊
有線電視用戶數	約 163 萬用戶	約 118.7 萬用戶	約 111.7 萬用戶
合作頻道業者	● momo 購物、momo 親子、WinTV ● 代理：星空傳媒集團 霹靂電視台、AXN	● 中天、中視 ● 策略合作與代理： 森森購物、八大 TVBS	● 年代、Much、JET、壹電視 ● 策略合作：高點、好萊塢 電影、國興衛視、三立、 民視、非凡

製表／黃晶琳

研究問題 1：過去 10 年來，台灣有那些主要的跨媒體集團出現，是頻道、內容或是平台的形式，是否能分析併購趨勢背後的邏輯？其所有權、組織架構與市場佔有率為何？母集團公司主要的產業類型為何，媒體與母集團之間的組織運作關係？不同的跨媒體集團之間是否還有其他集團足夠的競爭制衡，或是跨媒體集團具有壟斷市場的力量？

2、 國外跨媒體所有權與管制政策：

媒體產業的多元性之所以受到眾人關切，是因為生產的內容不只是像其他消費性產品而已，大眾媒體能夠建構文化工業中的意識形態與社會意義，「不見得能決定你如何思考，但確實會引導你去想那些議題」，也因此如何維持媒體的多元性，是現代民主社會的基礎（Kellner, 2004）。Napoli（1999）認

為多元可以分為不同層次，包括：內容想法、消息來源、節目形式、頻道種類與所有權等，而其中「所有權」的多元是確保其他面向多元的基礎。過去廣電政策的制定者認為不同的所有權，可以提供較多元的節目類型，因此媒介政策主要是以促進市場結構上的競爭為目標（羅世宏，民 92）。

在美國，打從有廣電媒體以來，就不斷爭論報紙是否應該在地方上，同時擁有電視台或廣播電台的「跨媒體所有權問題」，主要是認為同時擁有報紙與電視台的集團，將會影響大眾接受訊息的多元性（Edwardson，2007）。但由於近年來各地方電視台面臨愈來愈多來自其他媒體的競爭，尤其是網路瓜分了不少的廣告收入，面臨經營與財務上的困難。而為了增加地方電視台的競爭力，FCC（Federal Communications Commission）打算同意更多的地方電視台合併，透過規模擴大來增加獲利與生存空間，FCC 在 1999 年改變地方電視台的擁有權規範，允許一家公司在同一市場，可以擁有兩家電視台，很快的全國就出現了數十個 duopolies 地區（Barrett, 2005; Smith，2009; Yan & Park, 2009）。

2003 年美國 FCC 又放寬報紙與電台、電視台的跨媒體所有權的限制，在絕大部分的地區，報紙可以同時擁有一家無線電視台，在競爭較激烈的地區，甚至可以有二家無線電視台。雖然 FCC 中的少數委員反對，但在法院的上訴中，仍支持 FCC 的放寬政策，主要是認為對廣告主來說，報紙與電視並不是可以取代的，合併並不會影響競爭，相反的，合併後擁有更多資源投入製作優質地方新聞的機會（Edwardson，2007; Martin, 2003），不過支持這樣論述的實證研究（Smith，2009），基本上只是確認併購後有關政府與經濟相關類型的本地新聞並沒減少，無法發現有更多人或經費的投入。

澳洲也有類似的跨媒體規範限制，是由「1992 年廣播服務法」（Broadcasting Service Act 1992）所制定，主要是希望能鼓勵與確保言論多元市場。早從 1935 年電台與 1956 年無線電視執照釋出時，就已經規定在同一地方市場中，一家媒體集團不得同時擁有兩家以上的電台與電視，全國市場也不能有兩家以上電視台，而報紙也不能擁有跨廣電媒體的所有權，到了 1988 年時，同一地方市場的電台、電視與報紙的擁有權都必須分開獨立，不允許有跨媒體的可能，但不同地方市場則可以跨媒體擁有（Papandrea，2006）。

不過，1987 年重新規範全國市場，不以電視台數目，而是以各地區的無線電視收視人口的「觸達率」加總，不能超過澳洲人口的 60%，1992 年提高至 75%時，就已經開始逐漸鬆綁擁有權的限制。澳洲執政黨提案要修改原本跨媒體所有權的規範，限制在同一地方市場，報紙與無線電視台、或電台的所有權，改為只要符合最少數量的媒體即可，而同一媒體集團可以在地方上同時擁有兩家電台，在州與全國市場的家數限制，則完全解除。其認為目前網路的使用，已經可以取代主流媒體了，不過 Papandrea（2006）認為或許在更長久之後，網路的使用可能可以取代傳統媒體，但在目前，報紙、電視與電台等，仍然是公民主要的新聞資訊的主要來源，目前修改的新法，將會造成媒體集中度增加，與減少言論的多元性。

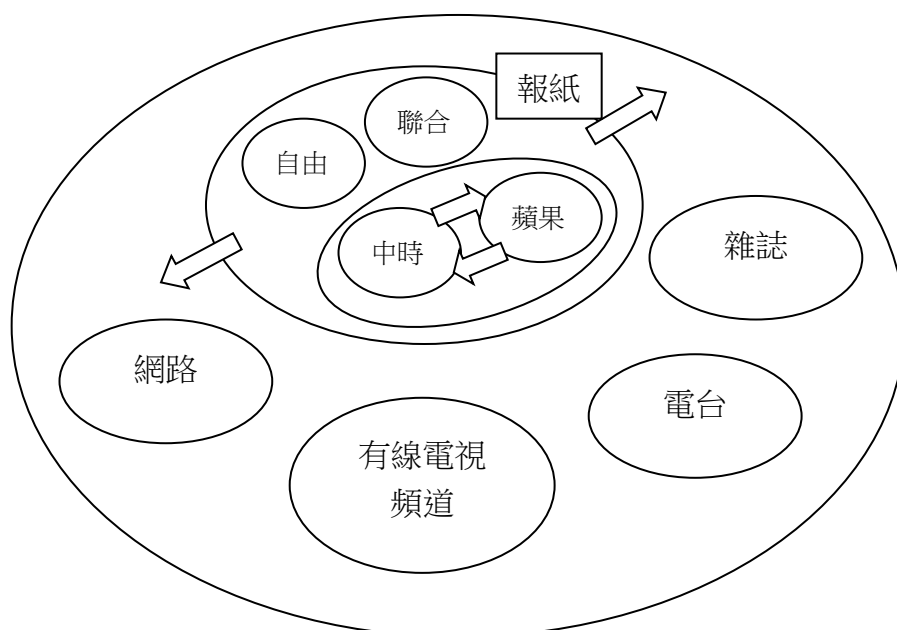
除了地方廣播與電視數量的管制外，大部分國家雖然很早就針對跨媒體的所有權有所規範，但大多數主要還是以報紙與無線電視、以及報紙與廣播電台的跨媒體為主，而且都是針對地方的區域性市場，而不是全國性的市場結構，主要考量是在於地方上的訊息與言論市場，需具多元性，到了全國的媒體市場時，則有其他的反托拉斯法可以規範，但主要仍以水平或垂直併購為主（王立達，民 91；施俊吉，民 101; Shelanski, 2006）。不過目前的跨媒體併購，可能包括報紙、電台、無線電視、有線電視、網際網路與電信等，讓所有權的爭議問題更將複雜化。

相較之前，台灣目前並沒有類似的跨媒體壟斷法案，當其他國家由於數位匯流與媒體產業結構改變的氛圍下，逐漸地在放寬地方性的跨報紙與廣播與電台的所有權時，台灣目前在民間、主管機關與立法院，反而在研擬「跨媒體壟斷法案」。當然這是因為過去除了水平與垂直壟斷的規範外，台灣缺乏跨媒體的規範，而由於近年來出現的大型跨媒體集團的影響力，導致各界積欲要提出法案，但到底該如何參考其他國家正在放鬆的跨媒體法案，在台灣地理區域不大，缺乏地方性的電視台與報紙等不同的產業結構中，有沒有什麼面向是需要修正的，則需要進一步討論。

3、 跨媒體併購指標與原則：

Barnett (2009) 認為在當前數位匯流時代的兩難，一是愈來愈多的新聞媒體，如果沒有足夠資源支持，不管是地方或是全國性媒體，將可能會讓他們漸逐一起走向關門之路，但是如果真得允許彼此併購，是否就真能擴大規模、提昇效率，更進而有資源增加內容的多元性，還是更進一步造成壟斷，則有太多的變數會影響 (Davis & Craft, 2000)。過去有關媒體併購是否同意的原則，大部分都是關注在水平集中度是否過高，如果併購前後的 HHI 指標變異超過 100 以上，或是併購後的水平市場集中度超過 1/3 以上的佔有率，則會擔心由於集團規模過大，將造成市場多元性的減少，或是對其他新進業者形成進入障礙，因此需要主管機關審慎的檢驗。

但在計算媒體市場的併購時，首先要測量廣告、閱聽人是否在同一市場，彼此是否有取代性。由於新傳播科技的出現，對於閱聽人來說，原本個別的言論與消息市場，範圍愈來愈擴大與模糊，但是否有足夠與明顯的取代性，則有不同意見。例如：報紙的房地產廣告，基本上不會大幅度的被電台或電視所取代，但是否報紙與廣電媒體就不算是同一競爭市場，也同樣有不少爭議，一般來說，如果市場定義愈窄，媒體間的併購愈會被認為影響競爭，因此，在很多的併購案中，業者都是希望將所有相關的媒體產業納為同一市場，以稀釋集團的壟斷力量。



圖一、跨媒體產業併購的市場圖示

相對之下，垂直併購由於不屬於同一水平市場，並不直接加總其在不同市場的佔有率，主要在意的是擁有壟斷力量的一方，是否會透過垂直整合，將這個壟斷力量「延伸」至另一個垂直併購後的市場（Lee & Kim, 2011）。例如：如果獨占的有線電視系統，是否會因為垂直併購頻道後，而不公平的對待其他頻道在上架位置、或是費率等，造成原本可以競爭的頻道市場，變成擁有垂直整合系統的頻道，能夠因此佔有競爭上的優勢，則需要主管機關介入以維持公平競爭。

至於過去對跨不同媒體間的併購，大部分國家主要都是針對早期地方性的報紙與電視、電台等規範所有權的上限，除此之外，如果這個跨媒體的併購是屬於內容與平台間的垂直整合，則會考量垂直併購所關心的壟斷力量的延伸，與是否造成不公平競爭等問題（Blevins & Brown, 2010; Bykowsky, et, al 2003; Connolly, & Kwerel, 2007; Crawford, et al 2008）。但是對於其他不屬於上述類型的跨媒體間的併購，在早期由於案件並不多，對市場競爭的影響也不明顯，因此並沒有特別的政策或法律規範。

不過，近年來由於數位匯流的科技趨勢，各種數位影像、音樂、圖像與文字等，都可以在各種平台上播出與閱讀，而網路與電信也與媒體平台直接競爭，加上在競爭環境下，愈來愈多的媒體內容公司不是退出市場，就是被集團併購，造成大型跨媒體集團的出現。因此，部分國家在限制少數跨媒體集團掌控言論市場的考量下，開始制定相關的併購指標，其中最近在台灣的併購案中經常被引用的，是德國媒體集中調查委員會（German Communication on Concentration in Media, 簡稱 KEK）的指標。

當有跨媒體併購案申請時，不同的媒體市場佔有率，將被轉換成閱聽市場（audience share）的權值。各種媒體的比值，該委員會依照（1）權力影響、（2）資訊傳遞衝擊力（impact potency）、（3）即時性等予以綜合評量，給予各種媒體不同權重。例如在2006年Axel Springer AG及ProSiebenSat.1 Media AG審查案中，電視的權數為1、廣播為2/3、網際網路為1/2、報紙為 2/3、雜誌1/10等，依序給予各媒體不同之權重。而跨媒體集團，依其媒體市場佔有率加上權重的累積，即為各媒體集團的媒體集中總數值，總數值也可視為媒體集團在市場集中的相對狀況（鍾起惠、翁曉玲，民100）。

若權值高於30%，則否決此案，若權值介於25%~30%時，則會考量該業者在其他媒體相關市場中，是否具有市場支配的位置，或是整體看來其言論影響力達30%。換言之，一個媒體集團的市場集中力量，是否超過閱聽市場的30%，是德國判定媒體集中及言論影響力與否的絕對值。

研究問題 2：目前在台灣提出以德國 KEK 為範例的跨媒體併購指標，在計算時該納入那些相關的媒體類型才算合理，是根據什麼理論基礎，平台與內容該如何分類？不同媒體的權重該如何測量計算？當總和不同權重的佔有率時，應該要和多大的母數或是基礎來比較，又根據什麼理由？跨媒體、水平與垂直的併購指標，該如何整合應用與解釋，才能確保在數位匯流的併購趨勢下，效率與多元兩者能有平衡空間？

4、 集團內容差異、壟斷力量來源與解決策略：

過去大部分的研究批評，集團化的報紙由於財務獲利上的壓力，會減少對公民社會有關的政治、經濟與國際外交等議題的報導，而為了吸引消費者，會傾向以體育、居家生活與藝文等所謂“軟性”新聞為主。此外，集團化的報紙，由於股東在意的是較短期的投資報酬，因此並不會長期投資較多的資

源，來進行需要花較多時間與金錢的調查式新聞報導（Akhavan-Jajid & Rife, 1991; Akhavan-Majid & Boudreau, 1995）。

Coulson（1994）以問卷調查集團與獨立經營報紙的記者、編輯，對於自己工作報紙的態度差別。研究發現，獨立經營的記者認為其報紙較願意投入足夠的地方新聞，集團報紙記者較不能拒絕因為潤利因素，造成無法獨立與多元報導的問題。不過，在有關撰寫地方上有爭議問題的社論時，不管是集團或獨立經營的報紙，比例上卻是愈來愈少。此外，對於新聞內容的選擇、態度等差異也並不大，研究者推論可能是記者的訓練與教育背景接近。

類似的，Beam（2008）分析各四家大型化與私人經營的報紙內容，結果發現在地方上的報導主題並沒有太大的差異，相同的部分比不同的還要多。同時，兩者其實都沒有花太多資源在調查式報導，大部分的報紙內容，都是每日很固定儀式性的新聞內容，研究者認為華爾街的投資客當然對報紙集團的內容有影響力，但並沒有想像中的那麼絕對。

而從社會學架構分析所有權與媒體內容關係的研究認為，媒體的所有權只是眾多影響內容的原因之一，從媒體工作者的個人特質、到組織內的意識形態、到利潤導向等，都會影響到最後的內容產出（陳炳宏，民 99）。不過，不管是集團或是非集團的報紙，畢竟還是商業媒體，要在市場上存活，所採取的競爭策略並沒有太大的差異，一般散戶股東對新聞內容或許也沒有那麼直接的影響力，但是能進入董事會的大股東，卻擁有企業資源分配與人事的權力，當然也會對報紙集團內容有一定的影響（Simmons, 2012）。

Jung（2002）分析美國時代雜誌（Time Magazine）的三次主要併購案，分別在 1989 年與華納集團（Warner Production）、1995 年與透納集團（Turner Broadcasting）、以及在 2000 年與美國線上（AOL：American on Line）。透過內容分析發現，即使是號稱獨立自主與專業的時代雜誌，在面對自家母公司的併購案時，也比對手新聞週刊（Newsweek）與美國新聞與世界報導（US News and World Report）有更多偏好這些併購案的新聞報導。

過去有些以新聞集團與擁有者梅鐸（Murdoch）為例子，批評大型媒體集團與政治人物的關係，是為了獲取更多的商業利益。從 2008 年美國歐巴馬總統上任後，新聞集團旗下的 24 小時 FOX 新聞頻道就不斷的猛攻民主黨政府，而在 2007 年併購華爾街日報，也是針對被視為要對抗親左派的紐約時報。McKnight（2010）認為梅鐸的保守主義的政治立場，獲取最大利潤並不是其經營媒體集團時的唯一目標，而是願意犧牲一定營收的狀況下，透過新聞集團媒體，長期提倡特定的意識形態與議題設定。

例如，雖然梅鐸告訴他的傳記作家 William Shacross，“所有的報紙經營都要以獲利為目的，如果不是如此，任何股東都可以把我革職的”，但事實上，新聞集團每年不斷的花費幾百萬美金補貼特定報紙。例如：從 1976 年以 \$37m 買了紐約郵報以來，每年預估虧損 \$15-20m，雖然在 1988 年賣出，但很快的在 1993 年又買回，至今的損失早就超過上百萬美元了。類似的狀況也在英國的 London Times 與澳洲的 Australian 報紙，也都是虧損多年，雖然梅鐸解釋是為了促進市場的競爭，但實際上是為了政治上的影響力，當然或許也可以解釋，在單獨報紙的營收或許是賠錢的，但對整體新聞集團來說，這樣的政治影響力，是可以確保其集團長久的獲利空間。

Davis & Craft (2000) 強調除了傳統記者在撰寫新聞時，需要注意的個人的利益衝突問題時，過去多年來，由於媒體集團不斷的與其他非媒體企業併購、策略聯盟或發展共同品牌等，建議更需思考企業機構的利益衝突的問題 (Institutional conflicts of interest)。例如：美國的三大電視網 ABC 在 2000 年時的晨間新聞中 (ABC's Good Morning America)，花了相當長的時間介紹面談由 Pets.com 出品的寵物襪子，原來在一個月前，ABC 的母公司 Disney 的網路公司 Go.com 才剛買了 Pets.com 的 5% 的股權。

媒體企業併購目的，就是希望能夠產生綜效 (synergy)，所謂的 1 加 1 會大於 2 的效益，因此，如何透過新聞媒體來達到交叉行銷、商品露出等目的，則將會層出不窮。雖然在傳統上，記者有其專業性來決定要如何決定議題、從什麼角度來產製內容，但是個別記者的專業性是否足以對抗企業組織的利益，即使是有媒體工會的支援，也仍有不少的困難 (劉昌德，民 94、民 97)。

研究問題 3：跨媒體的組織架構中，股東、董事會、主要所有權人、與專業經理人的彼此對媒體資源分配與經營規畫的影響力為何？一般媒體工作者在集團下的每日內容產製、傳輸至消費者端的過程中，能夠有多少的獨立自主的空間，那些權力會決定最後內容的生產？

三、研究方法：

1. 台灣跨媒體集團現況、與跨媒體指標建構：

長久以來，台灣一直都沒有詳細媒體產業數據的相關資料庫，主管機關網站中只有零星的電信服務與有線電視用戶數目，偶爾某一年會有產業委託研究計畫案，仍卻缺乏多年期有脈絡性的完整趨勢分析，對於要規劃長遠國家傳播與電信產業的主管機關 NCC 來說，實在很難想像是要如何在訊息有限的情況下思考公共政策。雖然主管機關沒有完整的資料庫，但由於目前網路與 wiki 方便搜尋，仍然能夠在網路上找到部分資料，而如果是上市公司，則可以有比較完整的歷年財務報表，不過最重要的，是要如何將這些跨媒體集團，包括旗下詳細的子公司組織結構整理，同時，內容、頻道與平台扮演的角色也不同，最後製作台灣跨媒體集團的圖像分布與系譜圖。

在了解目前的跨媒體集團現況後，當有新的跨媒體併購案發生時，要根據什麼原則來決定是否同意？大部分的國家早期主要是規範地區性的報紙與廣播電台、電視的所有權，但對於全國性的跨媒體的所有權或是市場佔有率的計算，則僅有部分國家有較清楚的規定如何決定權重，例如德國的 KEK，或是韓國也制定類似的指標，將媒體的使用率 (時間與依賴性) 與廣告收入的比重平均。

另外，內容與平台的市場壟斷力量也不同，水平、垂直與跨媒體的併購對市場的影響也有差異，不同媒體間的市場取代性計算是否合理等，都還有不少需要討論的。之前在幾次併購案中最大的爭議，是經常將不同市場數據加總，但卻沒有轉化為同一個分母基礎，會有錯用數據資料的問題。其實指標數據並不用很高，但重點是要明確了解這些指標數字背後的壟斷力量，在收集整理目前已有的媒體產業與使用者市場資料，建構出可以各方可以接受的併購指標後，才能合理的解釋未來併購案問題的爭議點。

2. 市場壟斷力量來源、內容差異性與解決策略：

在數位匯流與新科技不斷的發展之下，媒體市場中的企業興衰此起彼落，在未來，跨媒體之間不可能不出現併購，集團也可能愈來愈大。但到底跨媒體集團的壟斷力量是來自於擁有什麼資源，或是因為控制獨占系統平台等，過去都缺乏進一步的分析。舉例來說，台灣的電視頻道內容，雖然也是由多家集團所擁有，但至少還不是少數幾家所掌控的，但由於各地區的有線電視系統幾乎是一家壟斷，整體的市場也是幾家集團擁有，在決定那些頻道可以上架與費用時，便成為具決定性的壟斷力量，造成台灣數位化速度緩慢，新申請的衛星頻道無法上架，缺乏多元頻道內容等問題（曾國峰，民 98）。如果能夠增加新的系統競爭，例如中華電信的 MOD，或是跨區的新設系統，在能夠有效的競爭下，或許也可以減緩目前跨媒體集團的壟斷（曾國峰，民 99）。

其次，近幾年的併購案中，不管是公平會或是通傳會，都喜歡以多達數十項的附款的方式，通過媒體併購案。例如：規定兩家媒體的經理人不能相同，或是新聞內容不能分享、影棚不能共用等，但集團併購要的就是資訊分享、共用與經營效率的提昇，之前答應的承諾在實際媒體運作時，其實很難做到，不是換湯不換藥，不同經理人在特定議題仍一樣控制，或是合併後，主管機關也不會再來天天詢問新聞內容的共用問題，但併購案已經通過了，壟斷問題解決了嗎？

因此，本研究將訪問各大跨媒體集團的高階與中階經理人，在母集團的不同組織間，股東、所有權人是會影響其專業的媒體經營規畫。另外，也要訪問與觀察一般員工，了解他們在集團下的每日內容產製、傳輸至消費者端的過程中，是有那些權力決定了最後內容的生產，在威權或民主的企業組織中，員工們與專業經理人還有多少的獨立空間？在了解了這些市場壟斷力量的來源後，當併購案發生時，所要求的附款是否有意義，不要提一些不符合匯流趨勢的要求，或是主管機關沒有能力稽核的，不然就不要定這些負擔條件。如果該併購案已經採到影響市場競爭與言論的多元性，當併購後比之前的整體社會利益明顯減損時，就該擔負起責任否決，而不是以附款方式，好像已經要求集團配合很多事，但最後這些條件並無法發生效用。

圖二、NCC 同意大富併購凱擘、旺中併購中嘉的附負擔條款與附停止條件

大富併購凱擘承諾事項	
1	具體提出數位化時程
2	具體提升有線電視收視內容
3	合理調降收視費用
4	確實執行還款計畫
5	自製或代理節目，不得拒絕授權有競爭性業者
6	不得杯葛頻道業者到其他系統經營者上下架
7	未經許可不得新設新聞台、財經台、購物頻道
8	大富不得與台哥大互派兼任董監事及總經理
9	交易完成日前15日申請變更營運計畫
10	2018年以前蔡氏兄弟不得轉賣大富媒體
11	對業者上下架應有無差別待遇
12	大富各項新服務上市前，須先向NCC申請許可
13	蔡氏兄弟及台哥大總體訂戶不得超過全國總訂戶3分之1；相關企業供應頻道，不得超過可利頻道4分之1
14	聯貸部分，不得加重原系統台不當負債
15	大富必須成立專案小組掌控所有事項

資料來源：NCC 製表：張博寧

旺中併購案 NCC 附停止條件	
1.	旺中集團總裁蔡衍明與其相關集團應和中天新聞台完全切割。切割後中天新聞台受讓人不可以有申請人或關係人
2.	中視新聞台應申請變更為非新聞台
3.	中視應設立獨立編審制度

註：NCC 法務處長謝煥乾：完全切割指的是旺中及關係人、關係企業不能再擁有中天新聞台，關係人指四等類之內，關係企業包括子公司、孫公司

資料來源：蘋果日報

四、 結果與討論：

1. 台灣解嚴後至今，數位匯流媒體併購趨勢

不管是廣播、電視與報紙等，原本是彼此各有各的觀眾、播送與獲利的經營模式，不過，隨著數位匯流的整合，媒體產業之間的界限愈來愈模糊，文字、圖片、聲音與影像可以資源共享，同一平台可以同時呈現各種的多媒體內容，因此，產業需要更高的資本門檻與技術投入，才可能持續經營，因此形成各種類型的跨媒體併購案的不斷出現。

附錄表 1 整理解嚴後至今 20 多年的台灣媒體併購現象，早期以有線電視系統與行動通信的併購為主，由於產業開放時有較多的競爭家數，為了增加市場經濟規模與網路效益，因此開始大量的水平併購，也就是提供相同服務的經營者結合，例如，同一經營區的有線電視系統結合，以及不同經營區間的整合，出現中嘉、凱擘等大型 MSOs，或是遠傳併購和信，或是台灣大哥大併購東信、泛亞等。

除了水平整合擴大經營效率，減低成本外，由於好的內容才是消費者付費的主要原因，因此，愈來愈多的平台進入內容產業，例如有線電視系統垂直整合頻道業者，像是東森合併超級電視，或是系統介入國內外頻道代理產業的經營權等，都是為了掌控上游的內容供給。最後少數的 MSOs 與其垂直整合的頻道代理商，就決定了那些頻道能拿到多少的收視費用，要以多少的上架費才能佔到好的頻道播出位置，或是根本就無法上架，憂關所有頻道與收視用戶權益的上架分配，其實就只是幾個人決定的。

此外，近幾年的併購規模愈來愈大，也更跳脫傳統的媒體產業，引起爭議的就屬原本是在中國大陸發展，事業版圖橫跨食品、醫院、旅館與保險等的旺中集團，不但在 2008 年入主中時集團，更在 2011 年提出併購中嘉網路，而在開放 4G 經營後，同樣在中國經營食品的頂新集團，在標下 4G 頻寬後，也合併威寶電信，原本以科技代工為主的鴻海集團也入主亞太電信，而最近亞太董事長也入主台灣寬頻有線電視，擁有 70 萬的用戶，鴻海也間接的進入有線電視與電信產業。此外，美國 DMG 娛樂將併購東森集團，NCC 同意遠傳電信透過債務入主中嘉系統，跨媒體的併購案持續不斷的出現。

2. 台灣跨媒體併購特性與爭議

附錄表 1 可以看出近年媒體併購的幾個重要特性：首先，併購的金額愈來愈高，由於目前很多媒體都已集團化，因此，集團之間的併購規模就遠大於早期獨立媒體間的合併，此外，數位匯流造成原本的電信與網路業者需要跨入內容服務，而不管是 3G、或是近期的 4G 行動業者或是有線電視系統跨入寬頻服務，數位平台的產值規模動則上千億台幣，也影響各種不同內容上架機會。

其次，有愈來愈多買家是非傳統媒體、或電信業者，由於行動增值服務的應用愈來愈廣，不管是金融、通信、社群、娛樂、購物、數位學習...，消費者未來幾乎每天的所有事物都離不開網路服務，也因此吸引原本其他產業的進入。但由於跨不同產業的 know-how 是不同的，同時，很多內容產業也不容易從頭開始，因此手握大筆現金的業者便以併購既有的媒體集團為最可能的進入策略。

台灣過去二十多年的產業外移與代工的經濟模式，造就了一批原本在台灣의 中小企業，透過隨著中國市場與消費經濟的高速發展，變成大資本集團，著名例子像是鴻海、旺中、或是頂新集團。從旺中

併購中時集團、王雪紅入主 TVB、到近期台塑買下八大股份、鴻海入主亞太電信，與頂新併購威寶電信等，在中國市場有大量投資的資本家，擁有巨額資金或低利率的銀行借貸能力，媒體與電信產業是擴大集團版圖的重要目標（附錄表 2）。

除了看好未來是數位與行動資訊的時代外，台灣與中國特有的兩岸關係，對於在中國市場有鉅額投資的集團來說，如果也能夠在台灣媒體產業佔有發言聲音，具有議題設定，或是決定內容上架的權力的話，對於人治色彩仍重的中國市場來說，能夠有檯面下的政治影響力，絕對會是一個划算的投資，因此也增加評估台灣跨媒體併購的複雜性。

3. 集團下的各個媒體之間的橫向與垂直連繫，以及與其他產業間的關係？

外界擔心跨媒體集團是否會影響新聞產製的獨立性，受訪的旺中與聯合報集團的專業媒體人均表示，目前的媒體所有權人、董監事等並不會干涉日常媒體的運作，不過，跨媒體主管仍會有定期會議，像旺中集團擁有者也會抽空出席，有時會也討論到目前的新聞走向。而聯合報在搬至汐止一起辦公後，為了應付數位匯流，採訪人員的分派早就不以報社區分，幾個不同報紙的總編輯座位也都是安排在一起，以方便彼此之間的溝通。而旺中集團的電視與報紙目前仍分開作業，但跨媒體的主管定期會議結論，是會帶回各媒體執行的。

在數位匯流時代，除了透過水平整合擴大經營規模之外，就是將數位內容以不同形式的文本，經由各種平台傳送給消費者。因此，中時會併購中天、中視，也經營網路廣播，開設影視製作，甚至是藝人與模特兒經紀公司等，聯合報集團則是在搬至汐止總部時，就朝內容匯流與不同平台傳送的方向。當企業併購出現資源重疊時，也必然會有退場調整的現象。例如年代併購壹電視時，如果兩組記者的內容相似，很快的就變成一位記者拿兩支麥克風了，或是中天每日新聞提供給中視播出，中視的人力可能轉為製作深度報導等。

當初不同跨媒體併購的附負擔，要求各個媒體要保持新聞編採獨立性等，其實並不符合產業界的實務操作，最後的附加條款如果沒有遵守，好像也沒有特別追蹤處罰。當在數位內容產製的時代，跨平台的分享與共用，不管是因為要節省成本，還是要增加附價值，跨媒體集團一定會調整組織與製作流程，以產生最大綜效。當主管機關同意併購時，其實也就應該接受在同一集團之下的不同媒體平台，之後的多樣性一定會比之前要小，但如果有更多的媒體觸角可以延伸至其他平台，例如聯合報的 UDN 電視將會增加電視新聞的競爭，則整體的媒體競爭不見得會減少，只要在跨媒體併購的過程，並沒有因為掌握關係設備或資源，造成其他媒體改變獨立性即可。

愈來愈多的台灣媒體變成只是企業集團中的一小部分，如果產業類型差異太大，一般來說，平常的媒體產製運作時，集團經理人解釋其他產業並不會有太多的影響。例如，旺中的產險、飯店與中天、中視或中時，在平常並不會有太多的互動，但是否在特殊狀況會有不同的報導方式，例如產險公司出現危機，或是原本頂新集團是要購買中嘉系統，是否會因此影響其他媒體的報導角度？幾位新聞經理人大多回答不會，或是無傷大雅的置入行銷還可以接受，但如果牽涉到公共利益時，新聞媒體還是會秉著專業處理。單純靠媒體收入已經無法維持運作，例如聯合報集團非媒體營收已經在 2015 年時超過媒體的營收了，媒體變成只是大型企業集團組織的一部分。如果有利益衝突時，是否仍能保有其獨立性，在台灣幾乎是很難被相信的。

4. 台灣特有的中國投資企業併購媒體現象？

在數位匯流的趨勢下，媒體併購的規模愈來愈大，如果不是大型企業幾乎是沒有足夠資金投資併購。但相對於大部分的國家，數位匯流的併購大多是在電信、網路與媒體之間，而台灣近幾年來傳出併購媒體的，卻經常是其他完全不相關的產業類型企業。例如旺旺集團併購中時集團、HTC 王雪紅買 TVBS、或是台塑投資八大等，而由於很多企業財團都有到中國投資的現象，加上兩岸多年來的意識形態問題，在每一次的併購時都不斷的引起爭議。最近遠傳電信透過購買債務方式入主中嘉有線電視系統與頻道代理，或是開價買下東森電視集團的美國 DMG 娛樂也被質疑有中國資金，是中國確實透過各種方式滲透台灣媒體，或只是財團都剛好在中國有投資？台灣目前的黨政軍條款仍在，故只要國安基金投資購買任何一股台灣媒體的股份便違法，造成很多企業資金無法投入媒體產業，或是就會出現各種的繞道或變形方式，輾轉投資或併購台灣媒體的現象。

相較於媒體自律較為嚴謹與新聞專業的國家，併購前後雖然也不見得完全保有新聞編採的獨立性，但至少還維持應有的尊重，因此如果以量化內容分析，或是質性的敘事與語意分析，或許仍會有些偏頗，但還不至於太離譜。不過，在台灣的新聞媒體，原本的自律不足，也沒有足夠的公民監督，因此藍綠媒體分明，尤其是在選舉之前，媒體基本上就是意識形態的工具，當然也很多民眾選邊觀看，但也造成缺乏專業媒體的隱憂。

除了持續提昇媒體新聞專業能力外，與其擔心這些具有不同背景與意識形態的力量介入新聞專業，還不如應該落實法律應有的規範。例如，之前旺中或是遠傳要併購中嘉集團時，最大的問題是過去頻道代理商掌控上下架的權力，因此擔心當具所謂中資色彩的旺中或是遠傳集團在併購中嘉系統之後，是否會造成言論的寒蟬效應。確實過去不管是頻道無法在 MOD 上架，或是當最近的跨區有線電視無法以合理價錢購買頻道而退出市場，以至於既有業者維持其有線電視的壟斷力量，但公平交易委員會與 NCC 卻沒有足夠積極的作為來解決問題。

5. 跨媒體併購指標建構

2011 年旺中集團提出併購中嘉集團時，主管機關、學界與旺中都曾提到德國計算跨媒體集中度的 KEK 指標，本研究試著從各種不同的資料庫尋找其他國家的機制，希望比較不同制度的差異，但卻發現除了德國外，很少有國家制定類似的跨媒體集中度的指標。大部分的國家主要還是以同一市場的規範為主，例如，中華電信的 MOD，早期對有線電視系統的競爭不足，不視為同一市場，直到最近有更多的節目內容與收視品質，雖然是不同科技的傳輸方式，仍應該計算在同樣的多頻道電視產業。

原本集中度的測量是限制在同一市場來計算，如果要「跨不同」的媒體，便需要問應包含那些媒體，以及不同媒體的加權程度為何？都是需要有系統性的邏輯性，加減不同的媒體是需要足夠理由。例如，德國在 2006 年的 Axel Springer SG 及 ProSiebenSat Media AG 的審查案中，包含了電視權數 1、廣播為 2/3、報紙為 2/3、網際網路為 1/2、雜誌為 1/10 等，但是在部分台灣旺中集團併購中嘉的研究中，又加入有線電視系統、代理商與購物頻道，或許研究者是以目前旺中與中嘉集團涵蓋的所有跨媒體均納入計算，但代理商與系統商具有決定頻道是否能上架的權力，不應該透過加權後視為同一個市場，需要另外的計算。購物頻道除了其屬性不同外，也已包含在電視頻道之中，如果可以任意再分類，則

也可以再細分為新聞性頻道、兒童頻道或是電影頻道，再加上不同媒體也可以如此分類，將造成重覆計算的問題。

頻道內容與系統平台的壟斷力量並不相同，不應該是予相同的權重比值，德國學界也普遍認為，跨媒體集團的垂直壟斷，其中如為媒體平台擁有者，例如有線電視平台、網路頻寬平台的所有權等，其對意見市場的交互影響，則更甚於單一電視。在旺中併購案中，其實最大爭議的是否在併購之後，在跨不同媒體之間，是會因此讓壟斷力量延伸至原本應該競爭的市場？舉例來說，雖然中嘉系統僅占有線系統的25%不到，但在實際頻道是否能夠上架，是否有足夠的影響力，造成新進頻道或是既有的頻道，在考量因為能否上架與費用時，在特別議題上會有相同一致的聲音，或是沒有聲音？

由於跨媒體的類目較多，加權後的百分比總數變的較大，但由於這是沒有標準化的總數，需要在相同的基準上才能比較。以德國的例子來說，上述加權後的總數為 $88/30(1+2/3+2/3+1/2+1/10)=2.93$ ，如果跨媒體集團的加權百分比為 30%，應該還要除以 2.93 後的 10.24%才是在跨 5 種媒體市場下的市占率，但由於此時已經不是在單一市場下的占有率，因此壟斷的標準不應該與單一市場下的 30%或 50% 以上才認為具壟斷，在跨 5 種媒體有 10%或 20%就已經是很高的市場壟斷力了，當所跨的媒體愈多，判斷為壟斷所需要的標準化市占率就應愈低。

至於德國的 30%上限，是參考德國至少公共廣電集團都還有 30%的市場占有率，可以與跨媒體集團抗衡。但是台灣目前的公廣集團可能連 3%都不到，市場中非商業聲音的比率偏低，內容多元的種類更少，是否應該有更嚴格的上限比率少於 30%，或是應該思考在台灣的跨媒體市場的現況，到底是擁有什麼媒體、佔有多大的市場佔有率後，在怎樣的跨媒體集團運作後，才是導致市場壟斷的主要原因，則還需要進一步思考。Barnett（2009）認為除了還是需要維持市場結構的多元性外，如果併購趨勢是無法避免的，應該將「公共利益」的檢驗列入併購法案中，在通過各種併購個案時，可以各種的附款維持言論多元、與新聞的獨立與專業。

6. 台灣不同版本的跨媒體壟斷法有何差異？KEK 是否需要特定的委員會與審查流程？

附錄表 3 整理美國、英國與德國對反壟斷法的行政流程，雖然台灣的制度與美國在媒體併購程序、主管機關與行政機關的組織架構、管制法的架構較為類似，卻台灣主管 NCC 缺乏獨立性，在個案審查後的訴願機制受主管機關規範，也無併購程序中的聽證程序。英國規範在《通傳法》附則，美國則是依照《通訊法》授權，另定規範；反觀台灣媒體管制架構為參與模式，卻對跨媒體壟斷禁制無規範。德國部分市場認定雖無特別法規範，但對媒體的意見言論市場專設有 KEK，相較之下，台灣無特別法，也無特別委員會，雖然仿效美制，卻無明確的跨媒體禁制規範。

雖然目前主管機關與各政黨推出不同反壟斷特別法（附錄表 4），部分條文規定相關跨媒體的市佔率上限過去鎖碎，並不保有數位匯流產業變化的彈性，不是流於形式，就是可能不符市場運作機制，成對數位匯流的阻礙。整體來說，不管哪個國家，其媒體主管機關的管制架構、個案審查為何，皆是以個案為主，判準也是 case by case，媒體主管機關皆依法有其裁量權，然而台灣卻無，又要另訂僵硬的跨媒體壟斷法去區分機關間權責的問題與相關認定之問題，基本上的貢獻有限，還不如先完備 NCC 的行政裁量權，與其他法源依據中媒體持有人股權認定之相關規範等。

五、 結論：

以目前數位匯流的發展，跨媒體併購與集中的趨勢應該仍會持續，金額更可能會不斷提高，跨媒體集中度的指標是可以當做評估時的一項指標，再配合其他資訊來做整體的個案分析。之前台灣不同團體曾提出不同版本的「跨媒體壟斷法」，雖然立法目的在於避免出現壟斷媒體，但部分制度設計過於僵化，造成對有心推動數位媒體業者的障礙，不然就是計算與市場現況不合，無法發揮限制市場壟斷的目的。

另外，母集團可能是橫跨金融、食品、保險、資訊、電信，或是其他工業與各種產業可能，過去這種跨產業的併購通常由於不影響個別的集中度，因此通常沒有太大問題，但在台灣，由於資本家在中國市場也同時有巨額的投資，形成在社會公共利益的評估影響時，容易落入政治認同的不同解釋。不少評論認為只要是在中國重大投資的企業，就是會危害台灣言論自由市場，雖然後續很多媒體的表現確實也不盡理想，但只要不是掌握類似頻道上下架權力的，或是公平交易委員會或 NCC 應該主動解決 exclusive 頻道掌控問題，自由、開放、透明的台灣社會，應經由不同光譜的對話，才可能有未來共識的機會。

從世界各國很少制訂「跨媒體併購與集中度」的特別法來看，似乎多數還是希望在面對未來數位匯流的不確定性時，可以保有更多彈性應變的空間，認為既有的媒體產業規範，或是反托拉斯法已經能處理大多數的併購案與集中度過高的問題，在有明顯跨媒體爭議時，行政流程、司法系統、公聽會或是公民團體，也都能讓跨媒體併購對言論集中的影響降至最小，台灣應跳脫只是依賴制定一個跨媒體壟斷法案的迷思，但需要檢討目前的行政與司法體系，以及公民參與的過程是否沒有落實，不然再多的法案也是無法解決壟斷問題的。

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附錄表 1、解嚴後台灣歷年媒體併購案

	年份	併購案	類型	金額
1	2014	國基認購亞太電信約 14%股權	水平	116 億
2		台灣之星合併威寶電信	水平	
3	2013	葉家瑛購買民眾日報	跨產業	
4	2012	年代練台生併購黎智英壹電視	水平	14 億
5	2011	旺中寬頻併購中嘉網路	垂直	700 億
6		大富媒體收購富邦媒體科技 51%股權	跨產業	83.48 億
7		王雪紅入主香港 TVB(台灣 TVBS 之香港母公司)	跨產業	336 億元
8	2010	葉佳瑛購買新新聞周刊	跨產業 (保險→平面媒體)	4500 萬
9	2009	大富媒體併購凱擘大寬頻	跨媒體 (電信→有線電視)	568 億
10	2008	蔡衍明併購「三中」媒體	跨產業	204 億
11		台灣大哥大合併泛亞與東信	水平合併	
12	2007	泛亞電信 (已屬台灣大) 合併東信電訊	水平合併	
13		台灣大哥大併購台灣電訊	水平	15 億元
14		台信國際(台哥大 100%持股之孫公司)合併台灣固網	水平	397 億元
15	2006	飛碟趙少康併購中國廣播公司	水平	7 億
16		Yahoo!奇摩宣布收購無名小站	水平	7.11 億
17		美商凱雷集團收購東森媒體集團股份	外商投資	476 億元
18	2005	中國時報併購三中	跨媒體 (報紙→電媒)	93 億元
19		遠傳電信合併遠致電信	水平合併	20 億元
20		台灣固網收購台灣太平洋聯網科技股權	跨媒體 (電信→有線電視)	70 億
21	2004	台灣大哥大收購東信電訊	水平	24.5 億
22		遠傳電信併購和信電訊	水平	296 億
23	2003	南國有線合併高豐有線	水平	
24	2002	東森合併超級電視台	水平	
25		中國時報集團併購中天電視	跨媒體 (報紙→電視)	
26		台塑集團王文淵收購八大電視台 23%股權	跨產業(石化→電視)	4 億元

27	2001	「新頻道有線電視公司」與「彰化城有線電視公司」結合案		
28		雅虎台灣併購奇摩站	水平	53.25 億
30	2000	東森媒體集團併購民眾日報	跨媒體	3 億
31		象山集團收購中天、大地頻道		
32	1999	象山集團收購人人廣播電台		
33		凱雷集團收購台灣寬頻	跨國投資	64 億
34	1997	「太平洋集團」收購新竹「竹視」及汐止「觀天下」兩系統	水平	
35	1996	和信集團陸續併購有線電視系統	跨產業、水平併購	150 億
36	1994	(象山集團)木喬傳播併購傳訊電視(中天、大地頻道)	水平	6 億元
37	1991	力霸集團在全台進行有線電視系統投資併購活動	跨產業、水平併購	

附錄表三、美國、英國與德國的跨媒體併購案審查程序比較

國家	分類項		
美國 (程序正義為主)	併購程序	FCC、FTC、AD 各自依其法源做出判決。	
	法源依據	FCC	1. 根據《通訊法》之授權，FCC 分別在 2003 年與 2007 年有訂定跨媒體所有權規範。 2. 通訊傳播產業之結合有可能造成競爭減損或壟斷之虞時，FCC 可依據《克萊頓法》第 7 條及第 11 條進行調查。(但 FCC 仍有整體通訊傳播政策之考量，故即使可能減損競爭，只要其結合符合公共利益，FCC 仍能准其結合)
		貿易局 (FTC)	休曼法(Sherman Act of 1890)與克萊頓法(Clayton Act of 1914)
		反托拉斯處(AD)	休曼法 (Sherman Act)
	救濟程序	FCC	向 FCC 委員會議提起訴願，委員會依法裁決。 裁決後 30 日內，若能舉出原裁決所未及之新事證或新論點，則可向 FCC 提請重新裁決當裁決確定後，當事人若認為該決定違法或違憲，則可向聯邦法院提出訴訟，法院依審判結果，可確認該決議或將其酌予修正或全案退回 FCC 重新審議評。
		FTC	透過行政裁判官辦公室向 FTC 提請至委員會議複審，請求委員會審查該命令之妥當性 程序：(1) 公開口頭辯論；(2) FTC 委員會議進行內部裁決會議；(3) 若對於最終命令結果仍不服，當事人得進一步向聯邦上訴巡迴法院與最高法院提出上訴
重大個案	2009 年 Comcast 以 138 億美元買下 51%的 NBC Universal 股權 2014 Comcast (CCV-US)將宣布有意以 450 億美元，併購 Time Warner Cable (TWC-US)		
檢討機制與市場監督	每五年進行媒體集中化報告		
英國 (公共利益準駁)	併購程序	1. 當符合條件，「貿工部改組的商業企業暨管制革新部」部長能於決策前、後四個月內發出介入通知，通訊管理辦公室與公平交易局能同時介入，對決策有建議權。 2. 部長通知當事人並請其提出說明，公平交易局及 Ofcom 會向部長提出報告。 3. 在法定期間內（可以延長 20 個工作天）決定是否將案件送競爭委員會。 — 若不涉及媒體公共利益的考量部長認為沒有介入的必要，則本案回歸公平交易局，由其僅針對競爭議題做考量。 — 若部長決定有介入的必要，本案將送競爭委員會，競爭委員會必須在 24 週之內（必要時得延長八週）做成報告，其中必須考慮管制門檻、SLC 及媒體相關的公共利益。 4. （若需介入）競爭委員會內部有新聞報業專門小組，若系爭結合案涉及新聞報業之公共利益考量。 5. 部長在收到競爭委員會的報告後，必須決定系爭結合是否違反公共利益。	
	法源依據	1. 2002 年《企業法》(媒體產業併購有特別法：第 375 條五項新的「媒體公共利益考量」) 2. 2003 年《通傳法》，依照通傳法附則 Para. 1-Para. 6，設有跨媒體所有權的限制。	
	救濟程序	部長	向競爭上訴法庭 (Competition Appeal Tribunal, CAT) 上訴。
Ofcom		董事會下的公正小組職掌是，決定是否接受、處理、審議及裁決 程序：(1)舉行「聽證會」(具有法律效力)；(2) 公正小組決定是否指示 Ofcom 將案件的摘要及其決定公告；(3) 公正小組的決定即為終局，不受內部的審議或申訴	
公平局		1. 向競爭上訴法庭 (Competition Appeal Tribunal, CAT) 上訴。	

		(OFT)	2. 不服 OFT 依據消費者信用法 (Consumer Credit Act) 所做的決定，可以向獨立的小組 (independent panel) 申訴。	
	重大個案	新聞集團併購 BskyB		
	檢討機制與市場監督	每四年媒體集中化報告		
德國 (市占率、公共利益)	併購程序	依德國競爭防制法向聯邦卡特爾署提出結合申報；依據德國廣播電視邦際協約 (RStV) 之規定需向邦媒體主管機關提出結合申報，若涉及支配意見力量形成及確保意見多元化，則交由媒體集中化調查委員會 (KEK) 進行監督。		
	法源依據	聯邦卡特爾署	以《卡特爾法》範經濟競爭之管制，德國競爭法主要規範「需求市場」的概念，主要依第 19 條對於「共同控制市場地位」與「累積性控制市場」的推定。	
		KEK	《德國廣播電視邦際協約》；另一方面，KEK 對「支配意見市場」有舉證義務	
	救濟程序	聯邦卡特爾署	於不服卡特爾官署之處分者，可以基於新的事實與證據向該官署所在之邦高等法院提起上訴；不服邦高等法院判決者，除非是該判決有組織不合法、法官應迴避而未迴避、未給予當事人陳述意見之機會等程序瑕疵，否則必須經該邦高等法院同意，才能再向聯邦最高法院提起上訴。	
		KEK	直接向當地行政法院提出訴訟，不服判決者向邦及行政法院提出訴訟，最終三審為聯邦行政院法。	
	重大個案	2006 年 Axel Spring AG 及 ProSiebenSat.1 Media AG		
檢討機制與市場監督	德國另設有獨占委員會，主要任務為觀察德國整體及個別經濟部門之競爭，對競爭政策及一般管制提供政府諮詢性的意見			
台灣	併購程序	由國家通訊傳播委員會 (NCC)、公平交易委員會 (FTC) 依其職權審查個案		
	法源依據	NCC	《有線電視廣播法》、《廣播電視法》、《衛星廣播電視法》	
		FTC	《公平法》，具體防止媒體集中之規範，以公平法第二章的獨占、結合與聯合行為為典型。	
	救濟程序	不服兩機關判決者，對其主管機關提出訴願，不服訴願判決者可上訴至行政法院。		
	重大個案	旺旺併購二中案；台灣大哥大併購凱擘案；旺中併購中嘉案		
	檢討機制與市場監督	無。媒體規範的領域並無定期政策效果檢討的相關評估，也無長期針對媒體市場長期觀察的相關配套。		

附錄表四、不同版本的反壟斷特別法比較

	N C C	D P P	台大版	K M T
立法定位	反壟斷特別法與文化扶助	反壟斷特別法（抓大放小）	反壟斷特別法	反壟斷特別法
規範模式	§ 3 以通傳會為中心商請相關主管機關；無特別法概念，廣電的整合或聯合行為由「公平法」規範之 § 3 3 設立獨立理（監）事，其組織章程及製播規範須報請主管機關	§ 3 通傳會為中心，得商請公平會及行政院所屬機關依本法與相關法規辦理； § 2 媒體競爭行為優先適用本法，有特別法規範； § 8 另設「獨立董事」，由媒體員工的企業工會推舉人選、股東會選任之。	§ 3 另設委員會，並具有否決權。行政機關不得推翻其決議。 § 2 媒體競爭行為優先適用本法，有特別法規範，本法未規定者適用其他相關法律 § 1 1 由此條來看，似乎企圖以反壟斷法取代既有的廣電三法（至少取代有線廣播電視法）	§ 3 主管機關為通傳會，有關本法得商請公平會與行政院所屬機關辦理配合之； § 4 有關跨媒體轉讓，優先適用本法
規範精神與模式	以廣電規範為中心，向相關市場延伸管制，市場行為亦是規範對象；管制範圍包含「相關市場」，規範上下游與競爭行為	以廣電規範為中心；另立新法與舊三法平行適用管制範圍包含「相關市場」，規範上下游與競爭行為	§ 4 管制範圍包含「相關市場」，規範上下游與競爭行為（結合）	較傾向市占率模式。 然而在跨媒體的管制部分，僅依§ 1 1 增設主管機關原則例外的附款能力，卻無跨媒體的禁制紅線，基本上無規範能力
自律或共管機制 ¹	§ 3 2 編輯室公約，干預新聞自主納入主管機關評鑑及換照審酌 § 3 3 獨立理（監）事 § 3 4 設倫理委員會，民眾對內容之申訴，提交倫理委員會	§ 1 0 「編輯室公約」 § 1 8 公益訴訟	§ 3 以獨立委員會取代之	
資訊公開與公民參與	§ 5 要求「廣電事業、多系統經營者、頻道代理商」不得拒絕主管機關索取資料，不涉及隱私權下，主管機關得匯整公告之。§ 9 主管機關依職權舉行聽證、工聽、座談會、問卷調查、或請學術機關做研究，必要時得通知利害關係人進行言詞辯論。	媒體應一主管機關的要求，每年將資料送主管機關「備查」，且必須「公開」揭露在網路上§ 1 8 社團法人或財團法人可提起訴願或行政訴訟。	§ 1 8 主管機關每季定期調查第十七條規定得資訊。	§ 5 主管機關定期辦理市占率與接觸率調查。 結合案件不得拒絕主管機關對資訊之要求，涉及個人隱私、營業秘密不在此限。 主管機關在不涉及隱私下，應定期彙整公告 § 8 依職權舉行聽證、工聽、座談會、問卷調查、或請學術機關做研究。 § 9 有表決權或持有總股份 5% 以上者，須依照證交主管機關指定方式對外揭露資訊，並副知 N C C
規範對象	電媒—取得廣播、無線、有線、直播衛	電媒—系統、無線電視、新聞及財經類	§ 4 對象除媒體外，經營者的關係人所	§ 2

¹ N C C 版、D P P 版的編輯室公約為勞基法規定事項，因此須報請勞動主管機關核備。

	星境內外節目供應者執照者，新聞節目、頻道、製播新聞頻道；紙媒—報紙、日報、雜誌、週刊 經營行為：聯播、聯合經營、多系統經營者、頻道代理商（兩年以上合約的長期代理商；或三年以上的仲介頻道者）	道、全國性廣播 紙媒—全國性日報	經營的媒體持股亦包含在內。 規範媒體： 電媒—無線電視、無線廣播、有線廣播、衛星廣播電視節目事業 紙媒—全國性日報 頻道銷售代理業 媒體相關市場：上述規範媒體的閱聽眾市場（亦含網際網路、多媒體服務）； 節目製播上下游市場（節目受權、轉播權、付費電視上架全）；廣告市場	電媒—廣播、電視事業、有線廣播電視系統經營者（含播送系統）、直播衛星廣播電視服務、衛星廣播電視節目供應者 媒體事業（包含電信事業）—包含第一項之電媒、多媒體內容服務傳輸平台（MOD）、日報與網際網路內容供應者 跨媒體—第一款之各類廣播電視事業、多媒體內容服務傳輸平台之電信事業或網際網路內容事業供應者之任一事業與日報間之結合。 節目—新聞節目、新聞頻道（ 平媒—新聞紙、日報 經營行為—聯播、聯合經營
檢討機制	§ 4 9 主管機關每兩年提出傳播市場競爭雙年報及改進建議，並以適當方式公告之		每兩年一次檢討報告	§ 1 4 針對 1 2 條的附款內容，每年檢討其成效並做報告公告，主管機關審酌媒體事業履行情形，認定已排除或降低其支配性影響力後，得調整或解除部分或全部措施 § 1 7 每兩年提出通訊傳播市場競爭年報，及改進建議並公告之
併購個案的程序(程序正義)	§ 9 依職權舉行聽證、工聽、座談會、問卷調查、或請學術機關做研究。六個月內作出准駁，可延長三個月（最長 9 個月）	§ 1 2 強制聽證（最像美國模式） 主管機關受理後 1 5 日內將資料公開供公眾瀏覽，再依行政程序法舉行聽證會。 六個月內作出准駁，可延長一次（最長一年）	§ 1 5 審議委員會依職權調查，必要時舉行聽證程序或公聽會，而判斷標準為第 1 5 調相關規範 無審理期限限制	§ 8 主管機關可依職權舉行聽證、工聽、座談會、問卷調查、或請學術機關做研究。 3 個月內作出准駁，一次（最長 6 個月）
判決後申訴機制	正常訴願程序	正常訴願程序	§ 3 訴願得不經過行政院，直接進入司法審查程序	正常訴願程序
「整合 ² 」的定義與情形	§ 7（整合）與其他事業合併；廣電媒體經營人或關係人持有 2 0 % 以上股份，欲再收購其他廣電者；轉讓、出租主要財產、共同經營、聯合經營；長期頻道代理	§ 1 1（整合）與其他事業合併；獲取其他媒體股份、出資 10% 以上；承租其他媒體、共同經營、聯合經營或委託經營、或是共通控制關係	§ 4（第九項）結合 與他事業合併，獲取其他事業之股份或出資額達該事業的 25% 或有表決權；承租他事業；直接或間接控制他是業務經營或人事任免	§ 6（為「結合」概念） 與其他事業合併；持有或他類媒體事業股份或出資額有表決權或資本總額三分之一以上；受讓、承租他類媒體（共同持有、共同控制亦在此限內）
股權限制與關	§ 7、8 關係企業概念、援引公司法	§ 5 § 6 納入媒體經營者的適格性	§ 4	§ 7 關係企業概念、援引公司法

² 整合的概念還較模糊，但根據 N C C 與 D P P 版本，共同經營、媒體經營行為含約定、經營委託、代理頻道等均包含在內，並非傳統的股權轉移的「結合」關係，亦即整合包含正式的「結合」與非正式的經營關係。

係人限制		關係企業概念、援引公司法		
申請水平整合之條件	<p>§ 1 1 有線電視申報－持有股權 5 % 以上須申報；股權更動（股權或出資達 1 % 以上；單一股東累積資本或股權達 5 %；增資減資 1 0 %）；代理頻道契約更動、簽訂或中止 廣播電視－ § 1 1 廣播電視調幅（頻）不適用於上述，於股權或出資達 5 % 以上，或單一股東持有 2 5 % 以上股權或資本額，增減資達 2 5 % 以上才需申報。（若同時兩者兼營的多系統經營者，則依前項先申報） 頻道代理－ § 1 3 頻道代理商每年將代理的個別頻道民稱與授權契約送主管機關備查 § 1 3 電信監授權契約亦同 § 1 5（第 15 條的六項條件下），且無全國性日報、非多系統經營者或非頻道代理商可不申請主管機關核准整合</p>	<p>§ 1 3、1 4 僅設不予許可之紅線標準，不予許可以外者均依公共利益作為審查標準 禁止結合之情況：§ 1 3 一、系統與無線電視、新聞及財經頻道、全國性廣播或全國性日報之整合 二、系統與系統整合構成有線電視法第 2 1 條 三、無線電視與無線電視整合（不適用公廣） 四、整合後占有率達市場三分之一以上者。（但新設他媒體不在此限）</p>	<p>§ 1 4 營業額超過新台幣 100 億以上，或單一特定市場中具「控制性市場」地位之事業與關係人</p>	<p>§ 1 0 設定申報及申請核准門檻 § 1 1 設立例外核准條件 § 1 2 為達成 1 1 條之精神，主款機關可採取的附款措施，由規範內容來看： 一、結合後「一定時間」不得經營新聞頻道、或製播新聞節目。 二、</p>
水平整合的「禁制標準」	<p>* 不予整合：(亦不得共同持有或共同控制) § 1 6（廣播事業）廣播事業電台涵蓋率達全國人數 0.75 以上；年平均收聽率達該地區年平均收視率 15% 以上，獲全國年平均收聽率 10% 以上。 § 1 7（電視事業）年平均收視率達 5% 以上者 * 有條件許可－ § 1 6（廣播事業）該地區的年平均收聽率 5% 以上、未達 15%；年平均收聽率 5% 以上未達 10% § 1 7（電視事業）年平均收視率 3% 以上未達 5% 者</p>		<p>* 不得通過 § 5（無線電視） § 6 全國性無線廣播事業 § 7 有線電視 § 8 衛星廣播電視 § 9 全國性日報 § 1 0 頻道銷售代理事業 * 有條件許可 § 5</p>	
跨媒體的禁制標準	§ 1 8 ~ 2 5 仍限制頻道各數	§ 1 6、1 7 僅限制不公平競爭之行為，當行為發生主管機關可介入調處，調處不成則進入仲裁機關仲裁。	§ 1 1 不予許可標準： 傳播事業及其關係人直接或間接控制有線廣播電視事業，期訂戶數達全國總訂戶數 20%	

			關係人持全國性日報年平均發行量達20%以上 無線、有限、衛星、頻道代理收視率、占有率達20%以上 有線廣播電視事業及其關係人，直接或間接供應（控制）頻道超過可利用的十分之一 有線廣播電視事業及其關係人，直接或肩接供應（控制）頻道，其年均收視率占有率25%以上。	
市場計算	§6 年平均收視率、年平收視率、年平均閱讀率（以全國總人口作分母）		收視占有率，只申請之日起前一年內，某特定頻道的收視率占該年所有總頻道總收視率之百分比；媒體相關市場也納入計算(上下游)	§2 市占率：指一定期間內，媒體事業在國內的訂戶數，占該市場所有訂戶數的百分率，若訂戶數不確定則以廣告市占率計之 接觸率：指民眾於醫定時間內接觸不同媒體的比例
加權比重換算 收聽率	由主管機關經聽證後定之 §17（水平）、18（跨媒）			
溯及既往	X（原本有後來又刪除）	有 §22、23	未有明確規範	X

國科會補助專題研究計畫成果報告自評表

請就研究內容與原計畫相符程度、達成預期目標情況、研究成果之學術或應用價值（簡要敘述成果所代表之意義、價值、影響或進一步發展之可能性）、是否適合在學術期刊發表或申請專利、主要發現或其他有關價值等，作一綜合評估。

1. 請就研究內容與原計畫相符程度、達成預期目標情況作一綜合評估

達成目標

未達成目標（請說明，以 100 字為限）

實驗失敗

因故實驗中斷

其他原因

說明：

2. 研究成果在學術期刊發表或申請專利等情形：

研討會論文： 已發表 未發表之文稿 撰寫中 無

論文： 已發表 未發表之文稿 撰寫中 無

專利： 已獲得 申請中 無

技轉： 已技轉 洽談中 無

其他：（以 100 字為限）

3. 請依學術成就、技術創新、社會影響等方面，評估研究成果之學術或應用價值（簡要敘述成果所代表之意義、價值、影響或進一步發展之可能性）（以 500 字為限）

研究檢視解嚴後台灣媒體數位匯流與併購趨勢，同時整理目前媒體產業集中度與集團化程度，透過數據資料了解台灣目前媒體所有擁權關連與分布。研究發現近年來的集團化金額愈來愈大，跨不同產業背景的例子愈來愈高，來自具台商身份的集團愈來愈多，在特有的兩岸關係下，造成跨媒體集團的評估加入了更多政治因素，複雜化原本的影響與面向。雖然有評論擔心傾中媒體會愈來愈多，但台灣畢竟不是極權國家，需要管制的是壟斷言論市場的權力，而不是相異的不同意見。此外，本研究也回顧相關學術文獻與資料庫，試圖了解在傳統的反托拉斯法之外，是否還有其他處理跨媒體壟斷的特別法案，結果發現除了德國的 KEK 指標之外，絕大多數的國家並不以特別法來處理「跨媒體」的問題，以保有面對數位匯流的彈性，但若能落實應有的行政流程、公聽會與司法體系等的個案審查，仍然可以限制跨媒體併購與集中化的問題。

行政院國家科學委員會補助國內專家學者出席國際學術會議報告

103 年 12 月 4 日

報告人姓名	曾國峰 Kuo-Feng Tseng	服務機構及職稱	政大廣電系
會議時間 會議地點	Nov. 30th – Dec. 3rd 2014 Rio de Janeiro, Brazil	本會核定補助文號	NSC 102-2410-H-004 -138 -MY2
會議名稱	The 24th European Regional Conference of the International Telecommunication Society, “The Net and The Internet: Emerging Markets and Policies”		
發表論文 題目	The Index Construction of Cross-Media Concentration in the Digital Era: A comparative study		

報告內容應包括下列各項：

一、參加會議經過

從台北至里約參加為期四天的學術研討會，發表一篇數位時代跨媒體市場集中度指標建構與比較的論文。

二、與會心得

ITS 是國際電訊協會，討論的內容包括數位匯流下的電訊、媒體與網路的技術、經濟產業、政策法規與消費者行為，跨媒體產業集中的問題雖然在國際間經常出現，但不同國家所面臨的狀況並不相同，客觀指標建立有其需要性，但不同市場的特殊性與文化也需要納入討論，才能真正了解管制目的、功能與最後成效是否能落實的原因。

三、建議

大部分國家目前對跨媒體的管制較為寬鬆，一般來說對水平整合與垂直壟斷問題，有較為具體的規範，但較少處理跨媒體、或是媒體跨其他產業的情形。台灣近年來因為跨媒體併購公司，大多為在中國有巨額投資的企業，有些民眾擔心會因此影響媒體的獨立自主性，因此建議需要有更嚴格的管制。不過，目前的跨媒體集中度指標其實有不少的使用限制與誤用，在會議中討論時也發現國際上很少國家使用，建議應該回歸如何避免實際市場壟斷權力的濫用，並落實行政流程，加強公聽會與影響評估，而不是執著在指標數字上的大小而已。

四、攜回資料名稱及內容

會議手冊、論文、panel 的紙本與電子檔資料。

行政院國家科學委員會補助國內專家學者出席國際學術會議報告

105 年 1 月 31 日

報告人姓名	曾國峰 Kuo-Feng Tseng	服務機構及職稱	政大廣電系
會議時間 會議地點	June 24th – 27th 2015 San Lorenzo de El Escorial, Spain	本會核定補助文號	NSC 102-2410-H-004 -138 -MY2
會議名稱	The 26th European Regional Conference of the International Telecommunication Society , “What next for European telecommunications”		
發表論文 題目	Media Conglomerate Diversification and Interest Conflict in the Convergence Age		

報告內容應包括下列各項：

一、參加會議經過

從台北至馬德里近郊的聖洛倫索小鎮參加為期四天的學術研討會，發表一篇媒體集團多元化與利益衝突的論文。

二、與會心得

這幾年媒體集團規模愈來愈大，集團下的產業也不限於媒體，因此可能出現媒體報導是否會與集團利益衝突的問題。大部分的會議參與者表示，除了各國原本的規範外，媒體集團仍有基本的自律與公民團體的把關，雖然也會有違反新聞倫理的例子，但還不至於會有太離譜的狀況。不過，台灣由於藍綠統獨等不同光譜，以及跨媒體集團的關係企業在中國的大型投資，而傳統上媒體自律並不落實，併購媒體的新老闆認為媒體內容與其他產品並沒有大的不同，因此台灣特殊的媒體政治經濟與兩岸關係，是其他國家較難體的個案差異。

三、建議

這二年在文獻討論與研討會交流過程，發現每個國家媒體併購所衍生的問題並不相同，需要從不同歷史脈絡與發展中了解規範強度與方向，而不要因為其他國家有或沒有這些管制，則台灣是否就要有或不應該有。學術研究者需要能清楚理解問題核心，了解市場與行政運作的效果，透過適當的政策規範可解決市場失靈，達到落實社會公共利益，而不能憑感覺與情緒反應，管制不是只有零或壹的選擇，要能將有限的管制行政成本用在，落實在能解決問題的癥結點上。

四、攜回資料名稱及內容

會議手冊、論文、panel 的紙本與電子檔資料。

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**“The Index Construction of Cross-Media Concentration in the Digital
Era: A comparative study”**

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Abstract

In the convergence age of media, telecommunication and Internet, firms need more media contents, audiences or platforms to acquire the economics of scale or scope. Some critics argued that the traditional antitrust law handles the violation of horizontal and vertical merger & acquisition, but not for the conglomeration. If the conglomerate's shares are small in each individual market, whether the sum of the total shares will deter new competitors from entering the market requires further discussion. The KEK, the index of cross-media concentration used in German, is applied to examine the degree of multiple market concentration. However, this study found that for most countries they did not analyzed M&A cases by using the similar KEK index because there are many questions raised in the calculation and definition. Currently the antitrust law is practicable enough to keep the cross media competitive if the barrier could be removed and new entry could enter the market.

Key words: merger, acquisition, conglomerate, concentration, cross media, antitrust law

I. Introduction

Traditionally the antitrust law concerns the manipulative market power of the horizontal or vertical merger and concentration (Horwitz, 2005; Just, 2009; Shelanski, 2006). For those big conglomerates across different industries, it is hard to regulate their anti-competitive conducts and market structures since they belong to the separated industries or hard to evaluate the impact of the entry barriers. For example, the FCC would clearly set the limitation of cable system subscription in the deal of the merger of Comcast and Warner Brother. However, it is difficult to question whether those conglomerates might charge the unreasonable prices to control those programming channels from their competitors.

In the digital media age, it is harder to define the originally separated markets. The media compete for the same advertising and audience attention. There are more and more media conglomerates arising across mergers of the music, television, newspaper, telecommunication and Internet markets. They maybe are not big enough to violate the antitrust law in the individual market. However, they can perform great influence if you count all kinds of media together (Iosifides, 1997).

Some country regulatory, like KEK in German, began to calculate the index of the cross-media concentration by weighting the media availability, importance and influence. However, most of the countries still apply only the antitrust law in the same media market. As the convergence continuing and the mergers extending to telecommunication and the Internet industry, it is important to understand the real control powers of the cross-media conglomerates. Therefore, whether to construct a reliable regulatory tool and index might become vital in the future.

II. Literature Review

1. The trends of Mergers & Acquisitions

In the convergence age of media, telecommunication and Internet, firms require diversities of media contents to attract audiences, or merge as giant platforms to extend the market power of the economics of scale or scope. In figure 1, there are more and more mergers & acquisitions (M&A) announced worldwide in the media & entertainment industry. For example, in the 2014 year, there are several huge M&A cases

announced in the U.S., for example, Facebook to acquire WhatsApp for \$19 billion, Comcast to merge with Time Warner Cable for \$45.2 billion, and AT&T to buy DirectTV for \$48.5 Billion.

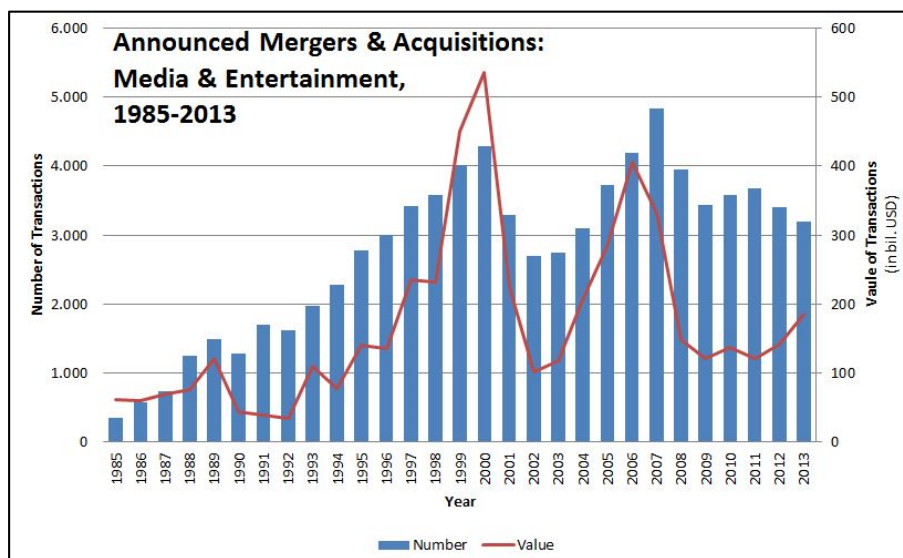


Figure 1, the worldwide announced mergers & acquisitions in the media and entertainment industry.

2. The Problem of Media Consolidation and Conglomeration

Many critics concern that the giant conglomerates may favor their own media contents and influence the free market of opinions (Group of Specialists on Media Diversity, 2008; Noam, 2009). For example, Jung (2002) suggested *Time* and *Fortune* favored their parent company in terms of valence or direction of coverage of merger, emphasis on the company, and amount of coverage. Similarly, Lee and Hwang also (2004) found that conglomerate ownership leads to a highly regarded newsmagazine showing favoritism toward the entertainment products of its parent corporation.

Besides, if the conglomerate also owns the journalistic companies, it will raise the institutional conflict of interest (Davis and Craft, 2000). For example, if the food product of the parent company violates the code of the law, could the affiliated journalistic company reports professionally and tries to dig the facts to beneficial to the society? McKnight (2010) even argued that Murdoch's News corporation is a media institution with a mission to exercise political influence in the US, UK and Australia.

Smith (2009) analyzed the newscasts of one of the US first duopolies, a single company to own two

television stations in the same media market to compare content qualities of the before and after consolidation newscasts. The results show the number of stories and time dedicated to local news increased significantly. However, the allocation of reporters to news coverage did not increase. Journalists would be working simultaneously in several media, including some in which they lacked training, and some felt that pressures on journalists working in multiple media would provide news of lower quality (Edwardson, 2007).

3. The Current Regulation of Cross Media Concentration

Many countries have implemented cross-media and other ownership restrictions to prevent excessive concentration of media assets and thus promote a diversity of sources of opinion. However, at the convergence age, the conglomerates expect to look for the scale efficiency and the regulatory agency began to reduce of restriction among the dual markets. For example, in 2003 year, the FCC brought newspaper into its relation of ownership rules when it proposed permitting to own a newspaper and a broadcast station under some circumstances. The commission created a sliding scale by which a newspaper also could control broadcast stations in area with at least four television stations (Edwardson, 2007).

The British media regulator Ofcom is recommending that local cross-media ownership rules are liberalized, with companies only barred from owning all three of: more than 50% of the local newspapers in a regional market, a radio station and the ITV license for the area. The recommendations will be welcomed by newspaper, TV and radio companies, which have been urging the government to liberalize local cross-media ownership rules as they struggle with plunging advertising revenues in the recession. However, the regulator has ruled out relaxing national cross-media ownership rules which restrict cross-ownership of ITV licenses and national newspapers.

Similarly proposed changes to the Australian cross-media regulation prohibiting the common ownership of commercial free-to-air television and radio services and daily newspapers in the same market (Papandrea, 2006). The replacement of the existing bans on cross-media ownership with the proposed minimum number of voices rule will undoubtedly lead to increased concentration of ownership of main media with a likely significant consequential impact on diversity.

For example, the German Commission on Concentration in the Media (KEK) proposed new measurements for media markets in view of the proposed acquisition of the broadcaster ProSiebenSAT1 by the press group Axel Springer Media in 2006. KEK developed a new weighting system which converted the market share of press, radio, the Internet into the equivalent in television audience share (Picard, 2009; Just 2009).

III. Research Question

Therefore, this study hopes to review the index of the cross-media concentration constructed and applied in German, to see what kind of media should be included and how to weigh their importance? Does the index can really provide enough regulatory information? How to interpret the number of the index? (Just, 2009)

IV. The Index Construction of Cross Media Concentration

Most countries concern the problems of cross-media concentration in the digital age, and they usually examine the impacts of merger & acquisition case by case. They analyze the case in the individual media market, or in the dual markets which share the similar audiences or advertisings. However, few of them deal with the conglomerate merger case across many different markets.

Currently this study only found that KEK used in the case of Axel Springer AG and ProSiebenSat.1 Media AG in German was the most popular index applied. The Korean Communication Commission (KCC) also calculated the similar index, except for the advertising market share was also considered. Recently, the Taiwanese's draft of the media antitrust law also includes the similar KEK index to calculate the cross-media market power (Figure 2). However, there are several concepts were used mistakenly by many scholars. The result of KEK (140%) was overstated.

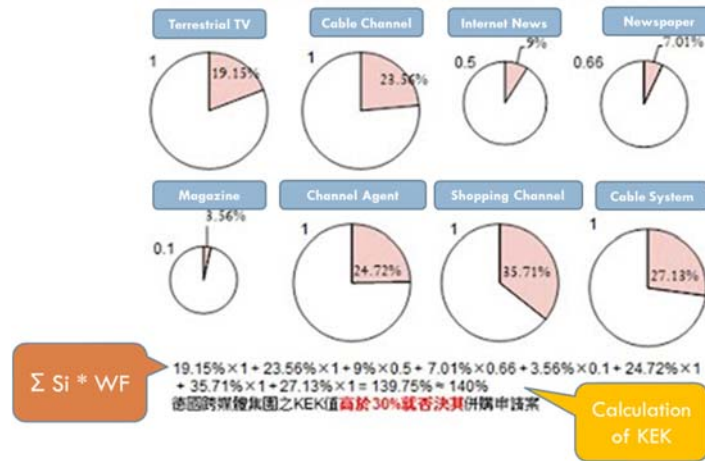


Figure 2, Example of Want Want China Times Merger Case KEK Calculation

1. The weighting factors

For various media, originally they are belonged to the separated markets. In order to compare the sharing in a single market, it is necessary to weigh for each medium. For example, in the KEK case, the weighting factor was 1 for TV, 2/3 for radio, 1/2 for Internet, 2/3 for newspaper and 1/10 for magazine, based on their power suggestion, impact potency and availability.

However, whether the factors are suitable for different countries and market should be discussed. For example, the penetration of radio is less than 30%, compared to 96% of television in Taiwan. Besides, the influence and advertising of television is much greater than those in radio, the weighting factor of radio may be reduced from 67% to 50% is more reasonable in the Taiwanese media market.

Table 1, the example to illustrate the problem of the weighting factors

Media	Market Share	Weighting Factor	Adjusted Share
Television	20%	1	20.0%
Radio	10%	2/3	6.7%
Newspaper	10%	2/3	6.7%
Internet	15%	1/2	7.5%
Magazine	5%	1/10	0.5%
Total		2.93	41.4%

2. What kind of media categories should be included?

In calculating the index of cross concentration, how many categories of media should be separated or included? For example, if the conglomerate own the terrestrial broadcasting station or 24 hour news station, whether the index only calculate the TV channel market share in the multichannel television industry, and the terrestrial broadcasting or 24 hour news industry should be treated separately or included in the same market?

If the index finally is normalized in the base of 100%, there should be no difference in either way. However, if the index is to add all different shares from the individual market, **the more categories included, the larger index is**. In addition, the content providers and the platforms should not consider as the similar players and weigh in the same market. For example, the cable system is the platform and has the power to decide whether to allow most channels to broadcast or not. This is the typical vertical integration, not the types of horizontal or conglomerate mergers.

Table 2, the example to illustrate the problem of the category numbers

Media	Market Share	Weighting Factor	Adjusted Share
Television	20%	1	20.0%
Radio	10%	2/3	6.7%
Newspaper	10%	2/3	6.7%
Internet	15%	1/2	7.5%
Magazine	5%	1/10	0.5%
Total		2.93	41.4%
Cable System	20%	1	20.0%
Shopping Channel	25%	1/2	12.5%
24H News Channel	15%	1	15.0%
Total		5.43	88.9%

3. To only sum market share or normalized?

After the individual market shares are multiplied by the weighting factors, some analysis **only sum up** those results as the index of cross media concentration. This is not correct because the index is not normalized and **the more market categories included, the bigger index is**. For example, instead of arguing

the adjusted market share as 41.4% in the total weighting factors as 2.93, the normalized index should be 13.6% (=41.4%/3.04, in Table 3), based on the market as 100%.

The 41.4% does not make any sense, because if there are more categories of media included, such as cable system or shopping channel, the total adjusted share will increase to 73.9%. As more and more different types of media accounted, the adjusted share will even larger than 100%. Therefore, the 73.9% index should be normalized as 16.4% (73.9%/4.54), based on the market as 100% too.

Table 3, the example to calculate the index of cross media concentration

Media	Market Share	Weighting Factor	Adjusted Share
Television	20%	1	20.0%
Radio	10%	2/3	6.7%
Newspaper	10%	2/3	6.7%
Internet	15%	1/2	7.5%
Magazine	5%	1/10	0.5%
Total		2.93	41.4%
Normalized			14.1%
Cable System	20%	1	20.0%
Shopping Channel	25%	1/2	12.5%
24H News Channel	15%	1	15.0%
Total		5.43	88.9%
Normalized			16.4%

4. How to interpret the index?

The total adjusted share 41.4% or 73.9% does not mean anything as mentioned above, how about the normalized 14.1% or 16.4%? Originally, the larger market share could be up to 25%. However, after weighting and normalizing, because of the smaller shares in other media markets, the normalized index is smaller than 25%. Except for the shares of individual markets are even, otherwise the normalized index will be much smaller than the biggest originally individual share.

However, the total market size consists of the television, radio, newspaper Internet to magazine and

the weighting factors added is 2.93. Although the adjusted market share is only 14.1%, the market power may be similar as the 20% in the television market only, or even bigger if there is integration among the conglomerates.

For example, in Table 4, the two conglomerates (A, B) have the same KEK 20%. However, their individual market shares in television, radio, newspaper, Internet and magazine are quite different. For conglomerate A, the sharing in each individual market is the same 20%, so the KEK is also 20%. However, since the conglomerates B, have very small share in some markets, the rest two or three market shares are very big. For example, the TV share is 50% and magazine is up to 70% in the conglomerate B.

On the other hand, for conglomerate E, if it does not own any business in the TV, radio, and newspaper markets, the normalized factor became 0.6 (instead of 2.93). Therefore, the KET increases from 20% to 67%, which is more reasonable to represent the market power of the conglomerate E.

Table 4, the example to interpret the index

Conglomerate	TV	Radio	Newspaper	Internet	Mag	KEK
Weighting Factor	1	2/3	2/3	1/2	1/10	
A	20%	20%	20%	20%	20%	20%
B	50%	1%	1%	1%	70%	20%
C	50%	-	-	-	70%	52%
D	1%	1%	1%	50%	70%	12%
E	-	-	-	70%	50%	67%

V. Conclusion

After reviewing most of the index available to calculate the cross-media concentration, this study found that very few countries had this kind of index constructed. The KEK index of German is the special case and there is a similar example discussing in the Taiwanese media antitrust law now. However, most countries still regulate only the merger of dual markets at once, especially for the broadcasting and

newspaper industry to maintain their diversities of opinion markets.

Although currently few countries had adopted this kind of index, it still can provide the measuring tool to understand the circumstance of the cross-media merger and concentration. However, there are still a lot of questions needed to be addressed, such as the weighting factors, the normalized process, and criteria to judge. The academics and the regulatory agents should continuously discuss the reasonable and reliable index. The index might not be used as the single regulatory standard, but could be added as an evaluation tool, applied with the other concentration ratio of CR4 and HHI.

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**“Media Conglomerate Diversification and Interest Conflict
in the Convergence Age”**

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Abstract

As more and more media merged by the conglomerates in the digital convergence age, the news department contributes just the small portion of revenues and needs the subsidy from other diversification. The institutional conflict of interests may arise among media and other businesses. This study analyzed two newspaper groups in Taiwan to find how they restructure their media organization, spaces, facilities and staffs; whether they apply innovative business model to generate new revenue streams; how they would deal with the dilemma between the revenue and the ethical problem.

I. Introduction

There are more and more giant media conglomerates in the digital era. Some achieve the goals through mergers and acquisitions, and the others set up new divisions from scratch (Winseck, 2010). In the digital convergence age, it is often assumed that a newspaper article might be expanded to a magazine article; which could become the basis for a hardcover book; which, in turn, could be a paperback; then, perhaps, a TV series; and finally, a movie. This conceptual advantage, termed synergy, has induced the diversification of many media companies (Jung & Chan-Olmsted, 2005).

Chan-Olmsted and Chang (2003) analyzed the top 7 global media conglomerates' product and geographic diversification strategies. They found that the complementary nature of content and distribution and the windowing process for media content products play a role. Except for the product diversification, most of the giant media set up services globally or merge local media corporations to create horizontal, vertical and diversification synergies.

Stephan (2005) argued two types of differential scope of diversification needed to be discussed: traditional economics of scope that grant the media firm a short-term competitive advantage over rivals, and dynamic scope effects that contribute to a sustainable competitive advantage. For example, the major benefit of diversification results from the media firms' competence to expand its stock of strategic assets and knowledge-based resources faster and at a lower cost than its single-business rivals, rather than simply amortizing existing assets.

However, most of the studies focused on the number of the diversification units (Jaemin & Chan-Olmsted, 2005), but few researches actually analyzed the details of everyday resources allocated among different organizations of the media conglomerates. Especially if the newsroom is also one of the units to compete for the resources, there may be some interest conflict arisen (Davis & Craft, 2000). Currently, there are more and more news media merged with the food, bank, insurance and hotel conglomerates in Taiwan and the freedom of speech might need to be further discussed.

II. Literature

1. The Trend of Media Conglomerate Diversification:

One of the motives for diversification that has been suggested is the transaction cost theory, which states that diversification facilitates the use of excess resources and thereby enhances efficiency. Other goals for the corporate diversification are to avoid the market failure and reduce the risk of management as well as the economic fluctuations (Amit and Livnat, 1988). Booz, Allen, and Hamilton (1985) defined *diversification* as a means of spreading the base of a business to achieve improved growth and/or reduce overall risk that may take the form of investments that address new products, services, customer segments, or geographic markets.

The element of synergy involves developing a single concept for various media and also reduces the risk of production. For example, a children's story may be packaged as a comic book, movie, music label, TV cartoon, and computer game. By doing this, media conglomerates can take advantage of simultaneous revenue streams, thereby generating as much profit as possible from a single idea (Croteau & Hoynes, 2001).

Another aspect of synergy involves cross-promotion. Media conglomerates have placed more emphasis on the promotion of their own subsidiaries' products such as TV programs or movies (Jung, 2002; Williams, 2002). The result is that conglomerates, with their enormous resources and diverse holdings, are able to develop and promote projects more extensively and efficiently than their smaller counterparts.

Media firms are faced with an increasing need to be less reliant on traditional advertising revenues and to develop additional revenue opportunities in new media systems. Chan-Olmsted and Chang (2003) believe that the trend toward global conglomerization will continue because global media conglomerates are in a more competitive position compared to the nondiversified media firms, because the formers have the resources to exploit content products via the repurposing process for distribution in multiple platforms

under different ad/fee structures, to perform cross-platform marketing with complementary distribution systems, and to be well positioned to deliver products in the developing broadband spectrum with their diverse holdings and partnerships.

Jung & Chan-Olmsted (2005) examine the impact of media firms' diversification on their financial performance based on the product and geographical diversification activities and performance of the top 26 media firms from 1991 to 2002. The empirical results generally indicate that related product and international diversification contributes to better financial performance. However, excessive diversification, which leads to a high degree of unrelated diversification, might decrease performance.

2. The Innovation of New Revenue Streams for the Digital Media

Media companies are experienced operators of the two-sided market model. However, the traditional two-sided revenue stream model in commercial media, with income from readers and advertisers, is difficult to adapt into digital markets. The core of their traditional revenue model is producing journalistic content that attracts readers who purchase newspapers, becoming targets for advertisements sold to companies and published in those newspapers (Barland, 2013).

However, media outlets are experiencing a decline in newspaper circulation and are struggling to develop new revenue streams within digital media. Newspaper publishers are accustomed to a two-sided revenue model geared towards readers and advertisers. In digital publishing, such two-sided revenue models must be further developed. Barland (2013) proposes a model in which journalistic content functions as an engine for digital traffic, and how that market position is used to promote other commercial digital services.

The point is to take advantage of the heavy online traffic that media houses have achieved; this traffic has been earned by journalistic content. Digital editions have been published with huge space allocations for advertisements, but are difficult to exploit commercially. The use of this capacity is at the core of the

concept of this two-sided market model. Journalistic content is produced and published in the newsroom, while the business departments of media outlets and/or parent companies get access to the advertisement space to promote their services. The difference from other advertisers is that the parent companies and media houses are also the owners of the promoted services (Barland, 2013).

An ethical aspect of this question is whether journalists and editors would prioritize online traffic and revenues from these services over journalistic ideals. Due to the ownership of the services within the same group of media houses, the “customer” here is not an external actor. It can be more difficult for an editorial staff to act independently of these close interests.

3. Emergence of Institutional Conflict of Interests:

The accelerated trend toward media cobranding, joint ventures, strategic alliances and mergers, and acquisitions with non-journalistic companies raises new ethical concerns about the entanglements created in the name of synergy. As traditional media companies buy stakes in Internet companies in equity swaps, the cross-ownership of media creates vast potential for real or perceived conflicts of interest (Davis & Craft, 2000). A crucial aspect of this "battle" that has rarely been explored is whether media content is affected when the focus is the merchandise and services offered by the corporate parent of a news outlet (Williams, 2002).

In other words, have the news media become a promotional tool? Because many media conglomerates own more than just news operations, the impact of such ownership invites investigation beyond traditional news stories of current events. For example, Lee & Hwang's (2004) findings suggest that conglomerate ownership leads to a highly regarded newsmagazine showing favoritism toward the entertainment products of its parent corporation.

Jung (2002) also examined how magazines covered media companies' mergers. Specifically, the coverage of three mergers involving Time Inc. was content-analyzed to see differences based on ownership

and magazine type. The findings suggest that Time and Fortune favored their parent company in terms of valence or direction of coverage of the merger, emphasis on the company, and amount of coverage. Other results showed the difference in how mergers were framed by news magazines and business magazines.

However, scholars such as Demers (1996, 1998, 1999; Demers & Merskin, 2000) have argued that the quality of news would not suffer under corporate ownership because large corporations have to adopt a system of highly specialized divisions of labor. News production, according to them, is under the stewardship of professional managers rather than corporate owners or publishers.

The influence of political or economic powers on news or editorial is sometimes not directly from statistic data, but in the certain issues. The biographers and critics of Rupert Murdoch have emphasized business activity as the overriding and even sole motivation. The dominant interpretation is that Murdoch is a businessman who is ultimately more interested in profit than politics. In practice, News Corporation has spent hundreds of millions of dollars over decades in advancing political goals by propping up loss making newspapers.

McKnight (2010) argued that the influence exercised by the news media of News Corporation is as much about setting a diffuse political and cultural agenda over the long term as it is about supporting (or opposing) a particular party or decision. Second, that attributing largely economic motives to Murdoch and News Corporation ignores the actual ideological beliefs that they seek to advance in favor of a simplistic economic determinism.

III. Research Questions

In order to survive in the digital convergence age, there are more and more independent media merged by the conglomerates in Taiwan. What are their business strategies of diversification and economics of scale? Will the conglomerates merge vertically or set up the new division from scratch? How would the conglomerates allocate their financial, human, facilities and other resources to maximize profits? Are there any conflicts of interests between the newsroom and other organizations in the conglomerates?

IV. Methodology

UDN (United Daily News) group and WWCT (Want Want China Times) group are the two major newspaper corporations in Taiwan. In recent years, they expand their territory to online service, television and other non-media business to compensate the revenue loss of newspapers. However, the two media have different strategies of diversification. UDN group sets up the new division totally by themselves, but WWCT usually merge new services outside the group.

In order to conduct the comparative case studies of the two media conglomerates, this study collects and reviews of newspaper, financial reports and academic database. Besides, this study interviewed managers of the conglomerates to understand their mind thinking behind the strategies. The researcher also observed the field of organization spaces and facilities to understand how the resources allocated.

V. Results and Discussion

1. Organization Structure, Space and Diversification

The WWCT is owned by a cookie manufacture group (Want Want Group) which invests in China since 1990s. According to the Forbes, currently the owner of the Want Want Group, Eng-Meng Tsai (\$9.6B US), is the richest person in Taiwan. The Want Want Group annual revenue is over 4 billion US dollars and stock value over 18 billion US dollars. Most of the assets and revenues come from China.

Originally Want Want Group did not have any invest in the media industry. However, in 2008, the Want Want Group merged the China Times Group, including 3 newspapers, several magazines and news online services. Later, it also merged one terrestrial broadcasting television station, 3 satellite television channels and then created the Want Want China Times Group (Figure 1). In 2011, the WWCT group even wanted to merge CNS, the second largest cable systems in Taiwan. However, because the communication scholars,

students and society were afraid of the highly media ownership concentration, the deal was conditionally passed but finally did not complete the merger deal.

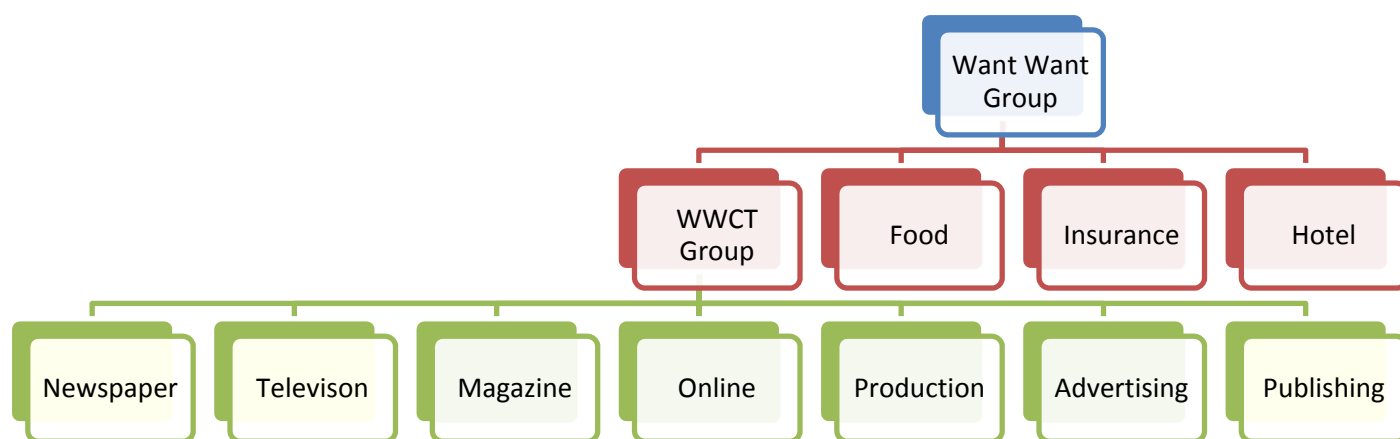


Figure 1, The Organization Structures of Want Want Group

Unlike WWCT group expanding organizations by merging, UDN group still consider news as their core values and extend their businesses related to the four newspapers. For example, UDN group develops digital media, including all kinds of Apps and online services for the newspapers, and also set up the online video accessing from everywhere (Figure 2). News reporters need to carry notebook and smart phone with them everywhere in reporting, and sometimes use 4G telecommunication network to live report, like small Satellite News Gathering (SNG).

Except for the divisions of digital media, UDN group also sets up the multi-businesses related to their news values, such as education, health care, art and electronic commerce. Those divisions actually sell products or services. For example, UDN Shopping is an electronic commerce platform, like Amazon to sell everything. UDN art agent arranges oversea art or cultural group to perform in Taiwan. This is similar as Barland (2013) mentioned that journalistic content functions as an engine for digital traffic, and how that market position is used to promote other commercial digital and other services.

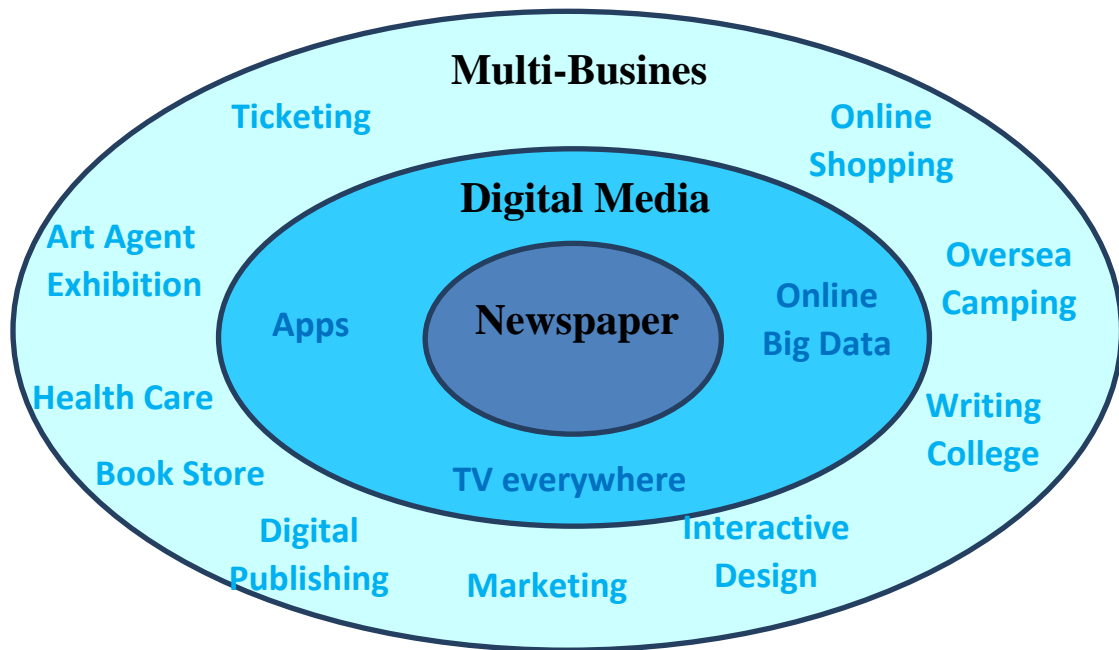


Figure 2, The Organizations of UDN Group

Because WWCT group expand the diversification through merger and acquisition, therefore most of the media companies were still located in originally different buildings and hard to communicate. On the other hand, in order to fulfill the goals of media convergence, UDN moved all of the divisions to the same building in 2009 (Figure 3). The editors and reporters of the four different newspapers are located in the same room and also share the same news in the editing system.



Figure 3, The Space and Location of UDN Group

The managers of either WWCH group or UDN group in different sub-companies or sub-divisions will have the regular monthly meeting to discuss the collaboration of strategies. However, since sharing the same working space, it is easy or comfortable to communicate to each other in UDN group. There is also the

system of rotation of jobs to train workers to be able to use digital media for their staffs in the group.

2. Innovation and Business Model

Both of the WWCH group and UDN group continuously spread new services and diversification. However, WWCH group usually expands through merger and acquisition, but UDN group creates new divisions related to their core value, digital and social media goals. For the past few years, there are many new Apps created for the UDN group. For example, the UDN plus (the interactive news for iPad), UDN News Database including all news and pictures since the year of 1951, and Data Journalism create innovative values based on the original news (Figure 4). Therefore, the revenue ratio of newspaper vs. non-newspaper had changed from 7:3 in 2011 to 5:5 in 2014.



Figure 4, The Innovation Example: iPad UDN plus, News Database, Data Journalism

On the other hand, although Want Want group quickly made revenues and cost balanced after merging China Times newspaper, most of the revenue streams come from the placement marketing of China, and there is limited investment of innovation. For the past few years, the only progress of China Times website was to integrate the contents of the WWCT group, including magazines, newspaper and television together. Except for the better user interface, the mind thinking to manage the website is still the same of ten years ago.

3. Institutional Conflict of Interests

There are a lot of criticisms to WWCH group since most of the businesses, such as food, liquors, hotel, hospital, real estate and insurance are in China. There are still existing historical and political conflicts between China and Taiwan. Although the owner considers himself without any political bias, most people in Taiwan recognize that WWCT news favor China when there is any controversy. This is the similar situation of News Corporation in the USA (McKnight, 2010). Therefore, in the past few years, several senior journalists left because of the institutional conflict of interests.

The strategy of UDN group is to make more revenues to support the core value of news which is hardly to rely on either advertising or audience subscription. For example, UDN group generate many news and reports related to health care. Instead of leaving news as history tomorrow, UDN group creates the website (health.udn.com) and manage all health news articles and pictures according to the types of diseases, health topics or expert column. The health news is not history anymore but knowledge in the database. People will find related information and stay in the website even longer. Then UDN group can analyze their key word and articles searching to provide the proper advertising for the UDN Shopping.

Many managers of UDN group accept for the product placement marketing as long as there is no harm to the public interest. For example, if there is the scandal related to the brand of Gucci, UDN may not actively report the news since it is a luxury and their advertiser. However, if there is a food safety problem related to the public health, UDN will still investigate the issues based on their news professionalism.

VI. Conclusion

This study finds that the newspaper conglomerates are enthusiastic about diversification or merging with other media in Taiwan, because it is not easy for them to make money just from the traditional newspaper industry. However, there are arguments of interest conflicts among the media conglomerates. The news department was integrated into the organization and might need to help promote the products of

the conglomerates (Dailey, Demo & Spillman, 2005). As there are more and more news media merged by other industries, such as the food, insurance and hotel in China, to maintain the real freedom of speech might become very difficult for WWCT group.

The example of UDN group continues to invest in newspaper as the core value and then transform those contents as other digital media formats, such as online services, Apps, television everywhere or database. UDN group establishes new businesses related to the news core and digital media, including the health care, art exhibition and education. The innovation of business model may not completely avoid the interest conflicts but at least it reduces the directly political influence and commodification.

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行政院國家科學委員會補助國內專家學者出席國際學術會議報告

105 年 1 月 31 日

報告人姓名	曾國峰 Kuo-Feng Tseng	服務機構及職稱	政大廣電系
會議時間 會議地點	June 24th – 27th 2015 San Lorenzo de El Escorial, Spain	本會核定補助文號	NSC 102-2410-H-004 -138 -MY2
會議名稱	The 26th European Regional Conference of the International Telecommunication Society , “What next for European telecommunications”		
發表論文 題目	Media Conglomerate Diversification and Interest Conflict in the Convergence Age		

報告內容應包括下列各項：

一、參加會議經過

從台北至馬德里近郊的聖洛倫索小鎮參加為期四天的學術研討會，發表一篇媒體集團多元化與利益衝突的論文。

二、與會心得

這幾年媒體集團規模愈來愈大，集團下的產業也不限於媒體，因此可能出現媒體報導是否會與集團利益衝突的問題。大部分的會議參與者表示，除了各國原本的規範外，媒體集團仍有基本的自律與公民團體的把關，雖然也會有違反新聞倫理的例子，但還不至於會有太離譜的狀況。不過，台灣由於藍綠統獨等不同光譜，以及跨媒體集團的關係企業在中國的大型投資，而傳統上媒體自律並不落實，併購媒體的新老闆認為媒體內容與其他產品並沒有大的不同，因此台灣特殊的媒體政治經濟與兩岸關係，是其他國家較難體的個案差異。

三、建議

這二年在文獻討論與研討會交流過程，發現每個國家媒體併購所衍生的問題並不相同，需要從不同歷史脈絡與發展中了解規範強度與方向，而不要因為其他國家有或沒有這些管制，則台灣是否就要有或不應該有。學術研究者需要能清楚理解問題核心，了解市場與行政運作的效果，透過適當的政策規範可解決市場失靈，達到落實社會公共利益，而不能憑感覺與情緒反應，管制不是只有零或壹的選擇，要能將有限的管制行政成本用在，落實在能解決問題的癥結點上。

四、攜回資料名稱及內容

會議手冊、論文、panel 的紙本與電子檔資料。

The 26th European Regional Conference of the International Telecommunication Society

“What next for European telecommunications”

San Lorenzo de El Escorial, Spain

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**“Media Conglomerate Diversification and Interest Conflict
in the Convergence Age”**

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Department of Radio and Television

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Abstract

As more and more media merged by the conglomerates in the digital convergence age, the news department contributes just the small portion of revenues and needs the subsidy from other diversification. The institutional conflict of interests may arise among media and other businesses. This study analyzed two newspaper groups in Taiwan to find how they restructure their media organization, spaces, facilities and staffs; whether they apply innovative business model to generate new revenue streams; how they would deal with the dilemma between the revenue and the ethical problem.

I. Introduction

There are more and more giant media conglomerates in the digital era. Some achieve the goals through mergers and acquisitions, and the others set up new divisions from scratch (Winseck, 2010). In the digital convergence age, it is often assumed that a newspaper article might be expanded to a magazine article; which could become the basis for a hardcover book; which, in turn, could be a paperback; then, perhaps, a TV series; and finally, a movie. This conceptual advantage, termed synergy, has induced the diversification of many media companies (Jung & Chan-Olmsted, 2005).

Chan-Olmsted and Chang (2003) analyzed the top 7 global media conglomerates' product and geographic diversification strategies. They found that the complementary nature of content and distribution and the windowing process for media content products play a role. Except for the product diversification, most of the giant media set up services globally or merge local media corporations to create horizontal, vertical and diversification synergies.

Stephan (2005) argued two types of differential scope of diversification needed to be discussed: traditional economics of scope that grant the media firm a short-term competitive advantage over rivals, and dynamic scope effects that contribute to a sustainable competitive advantage. For example, the major benefit of diversification results from the media firms' competence to expand its stock of strategic assets and knowledge-based resources faster and at a lower cost than its single-business rivals, rather than simply amortizing existing assets.

However, most of the studies focused on the number of the diversification units (Jaemin & Chan-Olmsted, 2005), but few researches actually analyzed the details of everyday resources allocated among different organizations of the media conglomerates. Especially if the newsroom is also one of the units to compete for the resources, there may be some interest conflict arisen (Davis & Craft, 2000). Currently, there are more and more news media merged with the food, bank, insurance and hotel conglomerates in Taiwan and the freedom of speech might need to be further discussed.

II. Literature

1. The Trend of Media Conglomerate Diversification:

One of the motives for diversification that has been suggested is the transaction cost theory, which states that diversification facilitates the use of excess resources and thereby enhances efficiency. Other goals for the corporate diversification are to avoid the market failure and reduce the risk of management as well as the economic fluctuations (Amit and Livnat, 1988). Booz, Allen, and Hamilton (1985) defined *diversification* as a means of spreading the base of a business to achieve improved growth and/or reduce overall risk that may take the form of investments that address new products, services, customer segments, or geographic markets.

The element of synergy involves developing a single concept for various media and also reduces the risk of production. For example, a children's story may be packaged as a comic book, movie, music label, TV cartoon, and computer game. By doing this, media conglomerates can take advantage of simultaneous revenue streams, thereby generating as much profit as possible from a single idea (Croteau & Hoynes, 2001).

Another aspect of synergy involves cross-promotion. Media conglomerates have placed more emphasis on the promotion of their own subsidiaries' products such as TV programs or movies (Jung, 2002; Williams, 2002). The result is that conglomerates, with their enormous resources and diverse holdings, are able to develop and promote projects more extensively and efficiently than their smaller counterparts.

Media firms are faced with an increasing need to be less reliant on traditional advertising revenues and to develop additional revenue opportunities in new media systems. Chan-Olmsted and Chang (2003) believe that the trend toward global conglomerization will continue because global media conglomerates are in a more competitive position compared to the nondiversified media firms, because the formers have

the resources to exploit content products via the repurposing process for distribution in multiple platforms under different ad/fee structures, to perform cross-platform marketing with complementary distribution systems, and to be well positioned to deliver products in the developing broadband spectrum with their diverse holdings and partnerships.

Jung & Chan-Olmsted (2005) examine the impact of media firms' diversification on their financial performance based on the product and geographical diversification activities and performance of the top 26 media firms from 1991 to 2002. The empirical results generally indicate that related product and international diversification contributes to better financial performance. However, excessive diversification, which leads to a high degree of unrelated diversification, might decrease performance.

2. The Innovation of New Revenue Streams for the Digital Media

Media companies are experienced operators of the two-sided market model. However, the traditional two-sided revenue stream model in commercial media, with income from readers and advertisers, is difficult to adapt into digital markets. The core of their traditional revenue model is producing journalistic content that attracts readers who purchase newspapers, becoming targets for advertisements sold to companies and published in those newspapers (Barland, 2013).

However, media outlets are experiencing a decline in newspaper circulation and are struggling to develop new revenue streams within digital media. Newspaper publishers are accustomed to a two-sided revenue model geared towards readers and advertisers. In digital publishing, such two-sided revenue models must be further developed. Barland (2013) proposes a model in which journalistic content functions as an engine for digital traffic, and how that market position is used to promote other commercial digital services.

The point is to take advantage of the heavy online traffic that media houses have achieved; this traffic has been earned by journalistic content. Digital editions have been published with huge space allocations

for advertisements, but are difficult to exploit commercially. The use of this capacity is at the core of the concept of this two-sided market model. Journalistic content is produced and published in the newsroom, while the business departments of media outlets and/or parent companies get access to the advertisement space to promote their services. The difference from other advertisers is that the parent companies and media houses are also the owners of the promoted services (Barland, 2013).

An ethical aspect of this question is whether journalists and editors would prioritize online traffic and revenues from these services over journalistic ideals. Due to the ownership of the services within the same group of media houses, the “customer” here is not an external actor. It can be more difficult for an editorial staff to act independently of these close interests.

3. Emergence of Institutional Conflict of Interests:

The accelerated trend toward media cobranding, joint ventures, strategic alliances and mergers, and acquisitions with non-journalistic companies raises new ethical concerns about the entanglements created in the name of synergy. As traditional media companies buy stakes in Internet companies in equity swaps, the cross-ownership of media creates vast potential for real or perceived conflicts of interest (Davis & Craft, 2000). A crucial aspect of this "battle" that has rarely been explored is whether media content is affected when the focus is the merchandise and services offered by the corporate parent of a news outlet (Williams, 2002).

In other words, have the news media become a promotional tool? Because many media conglomerates own more than just news operations, the impact of such ownership invites investigation beyond traditional news stories of current events. For example, Lee & Hwang's (2004) findings suggest that conglomerate ownership leads to a highly regarded newsmagazine showing favoritism toward the entertainment products of its parent corporation.

Jung (2002) also examined how magazines covered media companies' mergers. Specifically, the coverage of three mergers involving Time Inc. was content-analyzed to see differences based on ownership

and magazine type. The findings suggest that Time and Fortune favored their parent company in terms of valence or direction of coverage of the merger, emphasis on the company, and amount of coverage. Other results showed the difference in how mergers were framed by news magazines and business magazines.

However, scholars such as Demers (1996, 1998, 1999; Demers & Merskin, 2000) have argued that the quality of news would not suffer under corporate ownership because large corporations have to adopt a system of highly specialized divisions of labor. News production, according to them, is under the stewardship of professional managers rather than corporate owners or publishers.

The influence of political or economic powers on news or editorial is sometimes not directly from statistic data, but in the certain issues. The biographers and critics of Rupert Murdoch have emphasized business activity as the overriding and even sole motivation. The dominant interpretation is that Murdoch is a businessman who is ultimately more interested in profit than politics. In practice, News Corporation has spent hundreds of millions of dollars over decades in advancing political goals by propping up loss making newspapers.

McKnight (2010) argued that the influence exercised by the news media of News Corporation is as much about setting a diffuse political and cultural agenda over the long term as it is about supporting (or opposing) a particular party or decision. Second, that attributing largely economic motives to Murdoch and News Corporation ignores the actual ideological beliefs that they seek to advance in favor of a simplistic economic determinism.

III. Research Questions

In order to survive in the digital convergence age, there are more and more independent media merged by the conglomerates in Taiwan. What are their business strategies of diversification and economics of scale? Will the conglomerates merge vertically or set up the new division from scratch? How would the conglomerates allocate their financial, human, facilities and other resources to maximize profits? Are there any conflicts of interests between the newsroom and other organizations in the conglomerates?

IV. Methodology

UDN (United Daily News) group and WWCT (Want Want China Times) group are the two major newspaper corporations in Taiwan. In recent years, they expand their territory to online service, television and other non-media business to compensate the revenue loss of newspapers. However, the two media have different strategies of diversification. UDN group sets up the new division totally by themselves, but WWCT usually merge new services outside the group.

In order to conduct the comparative case studies of the two media conglomerates, this study collects and reviews of newspaper, financial reports and academic database. Besides, this study interviewed managers of the conglomerates to understand their mind thinking behind the strategies. The researcher also observed the field of organization spaces and facilities to understand how the resources allocated.

V. Results and Discussion

1. Organization Structure, Space and Diversification

The WWCT is owned by a cookie manufacture group (Want Want Group) which invests in China since 1990s. According to the Forbes, currently the owner of the Want Want Group, Eng-Meng Tsai (\$9.6B US), is the richest person in Taiwan. The Want Want Group annual revenue is over 4 billion US dollars and stock value over 18 billion US dollars. Most of the assets and revenues come from China.

Originally Want Want Group did not have any invest in the media industry. However, in 2008, the Want Want Group merged the China Times Group, including 3 newspapers, several magazines and news online services. Later, it also merged one terrestrial broadcasting television station, 3 satellite television channels and then created the Want Want China Times Group (Figure 1). In 2011, the WWCT group even wanted

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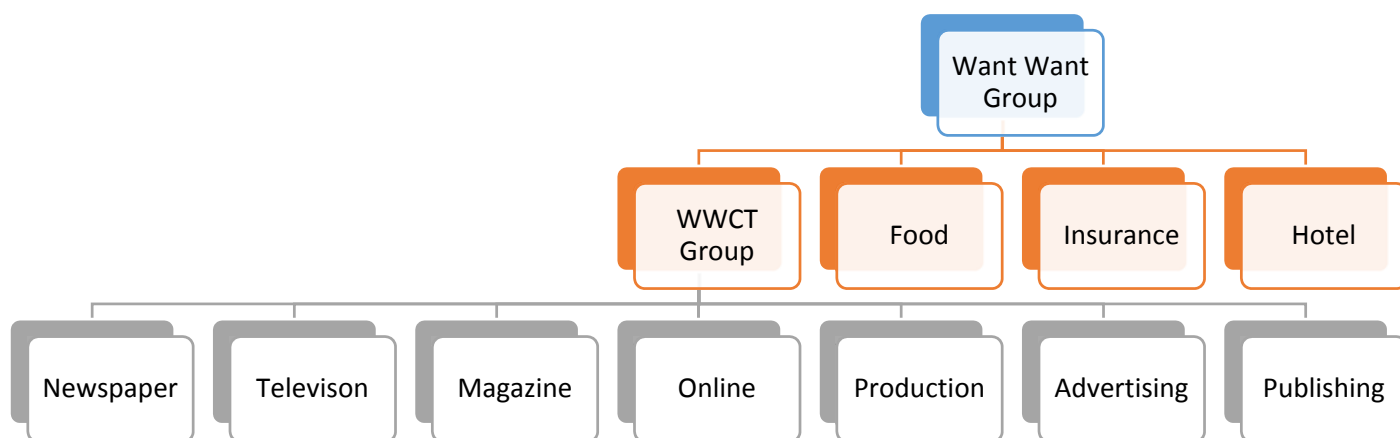


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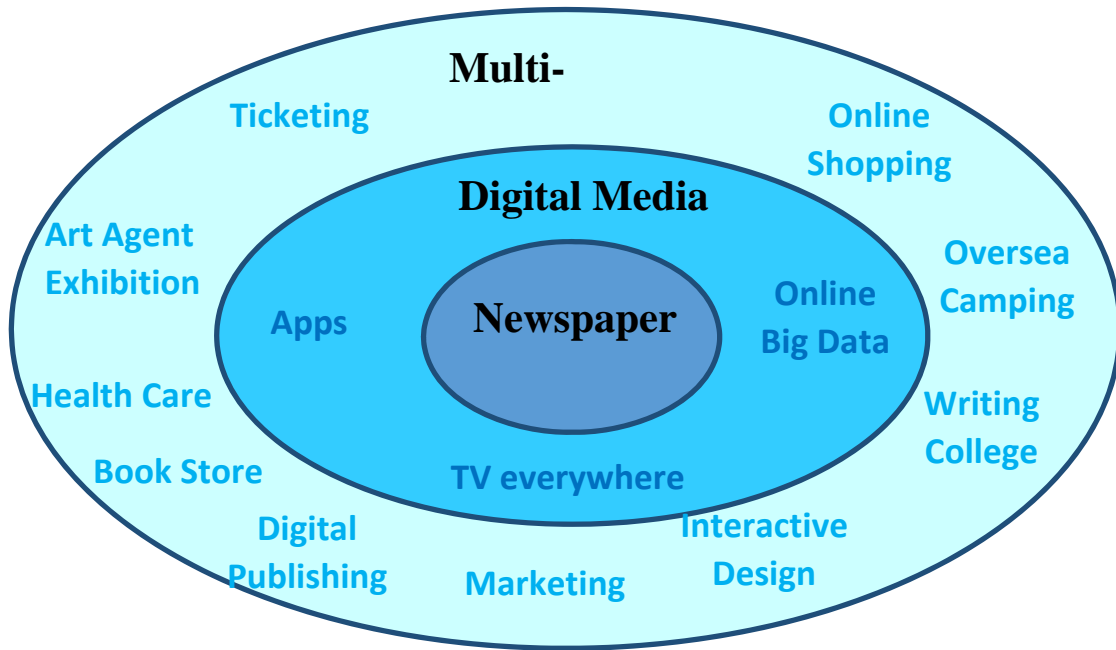


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The example of UDN group continues to invest in newspaper as the core value and then transform those contents as other digital media formats, such as online services, Apps, television everywhere or database. UDN group establishes new businesses related to the news core and digital media, including the health care, art exhibition and education. The innovation of business model may not completely avoid the interest conflicts but at least it reduces the directly political influence and commodification.

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科技部補助計畫衍生研發成果推廣資料表

日期:2016/01/31

科技部補助計畫	計畫名稱: 跨媒體集團併購問題: 指標建構、壟斷評估與解決策略
	計畫主持人: 曾國峰
	計畫編號: 102-2410-H-004-138-MY2 學門領域: 傳播法規與制度
無研發成果推廣資料	

102年度專題研究計畫研究成果彙整表

計畫主持人：曾國峰		計畫編號：102-2410-H-004-138-MY2				計畫名稱：跨媒體集團併購問題：指標建構、壟斷評估與解決策略	
成果項目		量化			單位	備註（質化說明： 如數個計畫共同成果、成果列為該期刊之封面故事...等）	
		實際已達成數（被接受或已發表）	預期總達成數（含實際已達成數）	本計畫實際貢獻百分比			
國內	論文著作	期刊論文	0	0	100%	篇	
		研究報告/技術報告	0	0	100%		
		研討會論文	0	0	100%		
		專書	0	0	100%	章/本	
	專利	申請中件數	0	0	100%	件	
		已獲得件數	0	0	100%		
	技術移轉	件數	0	0	100%	件	
		權利金	0	0	100%	千元	
	參與計畫人力（本國籍）	碩士生	2	2	100%	人次	
		博士生	0	0	100%		
博士後研究員		0	0	100%			
專任助理		0	0	100%			
國外	論文著作	期刊論文	0	0	100%	篇	
		研究報告/技術報告	0	0	100%		
		研討會論文	2	2	100%		
		專書	0	0	100%	章/本	
	專利	申請中件數	0	0	100%	件	
		已獲得件數	0	0	100%		
	技術移轉	件數	0	0	100%	件	
		權利金	0	0	100%	千元	
	參與計畫人力（外國籍）	碩士生	0	0	100%	人次	
		博士生	0	0	100%		
博士後研究員		0	0	100%			
專任助理		0	0	100%			
其他成果 （無法以量化表達之 成果如辦理學術活動 、獲得獎項、重要國 際合作、研究成果國 際影響力及其他協助 產業技術發展之具體 效益事項等，請以文 字敘述填列。）		透過至其他學校演講與工作坊，將研究成果與更多社群討論互動。					

	成果項目	量化	名稱或內容性質簡述
科 教 處 計 畫 加 填 項 目	測驗工具(含質性與量性)	0	
	課程/模組	0	
	電腦及網路系統或工具	0	
	教材	0	
	舉辦之活動/競賽	0	
	研討會/工作坊	0	
	電子報、網站	0	
	計畫成果推廣之參與(閱聽)人數	0	

科技部補助專題研究計畫成果報告自評表

請就研究內容與原計畫相符程度、達成預期目標情況、研究成果之學術或應用價值（簡要敘述成果所代表之意義、價值、影響或進一步發展之可能性）、是否適合在學術期刊發表或申請專利、主要發現或其他有關價值等，作一綜合評估。

1. 請就研究內容與原計畫相符程度、達成預期目標情況作一綜合評估

達成目標

未達成目標（請說明，以100字為限）

實驗失敗

因故實驗中斷

其他原因

說明：

2. 研究成果在學術期刊發表或申請專利等情形：

論文： 已發表 未發表之文稿 撰寫中 無

專利： 已獲得 申請中 無

技轉： 已技轉 洽談中 無

其他：（以100字為限）

3. 請依學術成就、技術創新、社會影響等方面，評估研究成果之學術或應用價值（簡要敘述成果所代表之意義、價值、影響或進一步發展之可能性）（以500字為限）

研究檢視解嚴後台灣媒體數位匯流與併購趨勢，同時整理目前媒體產業集中度與集團化程度，透過數據資料了解台灣目前媒體所有擁權關連與分布。研究發現近年來的集團化金額愈來愈大，跨不同產業背景的例子愈來愈高，來自具台商身份的集團愈來愈多，在特有的兩岸關係下，造成跨媒體集團的評估加入了更多政治因素，複雜化原本的影響與面向。雖然有評論擔心傾中媒體會愈來愈多，但台灣畢竟不是極權國家，需要管制的是壟斷言論市場的權力，而不是相異的不同意見。此外，本研究也回顧相關學術文獻與資料庫，試圖了解在傳統的反托拉斯法之外，是否還有其他處理跨媒體壟斷的特別法案，結果發現除了德國的KEK指標之外，絕大多數的國家並不以特別法來處理「跨媒體」的問題，以保有面對數位匯流的彈性，但若能落實應有的行政流程、公聽會與司法體系等的個案審查，仍然可以限制跨媒體併購與集中化的問題。