[PL] Telecommunications Authority Established

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Hanna Jedras
Dept. of European Integration and International Relations National Broadcasting Council of Poland

On 27 October 2000 the Prime Minister designated a president of the Office of Telecommunications Regulation (OTR) for a five year-term.

Established under the Act of 21 July 2000 on Telecommunications, the OTR and its statutory 16 regional units established in each województwo (administrative district) of Poland will become fully operational by 1 January 2001. The new authority, a regulatory body for the strategic sector of telecommunications, will be in charge of awarding licences for telecommunications operators, supervising and ensuring compliance with authorisation conditions, resolving interconnection and tariffs disputes as well as frequency reservation for digital radio and television.

The competence of the OTR is far-reaching in terms of covering a wide range of the telecommunications environment - the new regulatory body partly takes over the powers of the Ministry of Post and Telecommunications, State Radiocommunications Agency and State Telecommunications and Post Supervision.

According to ongoing discussions in the academic world, the power that will be assigned to the president of the OTR might probably give rise to conflict with the regulations concerning the area of frequency assignment which are laid down in the Broadcasting Act. The scope of application and functioning of Art. 22 of the Telecommunications Law, especially its paragraph. 2 with sub-paragraphs 2 and 4, in reference to the frequency reservation could show the need for intense legal interpretation. This may slow down in future the process of granting multiplex licences.

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