[CZ] Transition to Digital Broadcasting

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Following the plan for radio spectrum utilisation, the *Ceský telekomunikacni urád* (Czech Telecommunication Office), in December 2006, issued the Technical Plan for the Transition from Terrestrial Analogue Television Broadcasting to Terrestrial Digital Television Broadcasting ("Technical Transition Plan"). In the Technical Transition Plan the Czech Telecommunication Office laid down, in particular, the deadlines, conditions and procedures for the process of developing electronic communications networks for terrestrial digital television broadcasting, including the deadlines, conditions and procedures for the switch-off of terrestrial analogue broadcasting in the Czech Republic, pursuant to the provisions therein. The final date determined for the complete switch-off of the terrestrial analogue television broadcasting is 31 December 2012. On the basis of transition conditions the Transition Technical Plan sets out specific dates for the switch-off for individual areas.

In 2006, the Broadcasting Council awarded six digital TV licences (TV Barrandov, Febio TV, TV Pohoda, Z1, Ocko and RTA). Due to a lawsuit of *inter alia* TV Nova and Prima TV against this decision of the Broadcasting Council, the Prague Municipal Court withdrew the licences on the grounds of alleged formal inadequacies. It is now the task of the Broadcasting Council to decide again. However, until then the transition to digital broadcasting in the Czech Republic is blocked. Contrary to the situation of private broadcasters, the Czech public service broadcaster, Czech Television, has no need for a licence and will construct its digital network on its analogue frequencies in cooperation with the Czech Telecommunication Office. The main commercial broadcasters in the Czech Republic, TV Nova and Prima TV, have declined to agree to the Transition Technical Plan. They are expecting better conditions - i.e. more bonus licences.

At present, that which is being considered is that a new law should be created regarding the digitisation of television broadcasting, since the existing law does not fully fit the needs of digital broadcasting. The six companies that were awarded digital TV licences in the last year are now likely to turn to the European Commission for help. The Digital Televisions Association (ADT), a body that represents the six companies, estimated that the delay through the loss of the licences has so far cost them around CZK 1.4 billion (EUR 50 million).

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http://www.rrtv.cz/cz/files/judikaty/10Ca163-2006.pdf

Judgement of the Prague Municipal Court (n. 10 Ca 163/2006)

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