[PL] Standpoint on the Launching of Mobile Television in the DVB-H Standard

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On 22 April 2008, the Polish National Broadcasting Council (NBC), a State regulatory authority in the field of broadcasting, presented its standpoint in reference to the launch of mobile television in the DVB-H standard.

This position has been presented within the framework of public consultations announced by the President of the Office of Electronic Communications on the documentation of the tender of frequency reservation for the purpose of launching mobile television.

The NBC expressed its support for the envisaged launching of a DVB-H platform, being the subsequent stage of the development of television. NBC also expressed its involvement in ensuring legal clarity and security of the launching process, leading to a strengthening of competition on the market and providing consumers with an enriched programme offer.

The NBC expects also that due to this process, new television programme services will be created for the users of mobile devices.

The NBC’s standpoint stressed that:

- there is no legal basis for the exclusion of the application of content regulation (Broadcasting Act) with reference to mobile television;

- in case of enabling the reception of the television programme services - as defined in the Broadcasting Act – by mobile platforms of delivery in the DVB-H standard, NBC is a responsible authority in this area;

- mobile television services, being a linear form of audiovisual media service, shall respect all the standards set in the Audiovisual Media Service Directive, the technical platform of television broadcast being irrelevant in this respect;

- in the light of existing national provisions, “providing a DVB-H service”, in a way that has been demonstrated during experimental emissions of mobile television in Poland, constitutes digital, terrestrial retransmission of television programme services.

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- such an operator of a mobile TV platform will not be broadcasting programme services, but merely enabling access to them via mobile devices, in other words such an operator will conduct retransmission;

- introducing into the signal of a mobile multiplex a new programme service i.e. one that has not yet obtained for a given channel a broadcasting license for some other distribution platform, will require a broadcasting license;

- there is no need to modify existing broadcasting licenses, because introducing a programme service into the digital multiplex does not require such a license modification nor obtaining additional permission from the audiovisual regulatory authority. This remains in the area of contractual relations of the licensee. Still, retransmission of a given programme service should be confirmed in the decision on frequency reservation given to the mobile platform operator by the President of the Office of Electronic Communications.

Stanowisko z dnia 22 kwietnia 2008 roku KRRiT w sprawie uruchomienia telewizji mobilnej w standardzie DVB-H

http://www.krrit.gov.pl/

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