[HU] DTT/DAB Service Provider Fined

IRIS 2010-1:1/28

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In a decision of 15 October 2009 *Nemzeti Hírközlési Hatóság* (Hungarian National Communications Authority - NHH) imposed a fine of HUF 40 million (approx. EUR 150,000) on the provider of national DTT and DAB services Antenna Hungária Zrt, AH. The decision was made on the basis of the assessment of AH's compliance with the terms of its DTT/DAB licence agreements.

AH concluded the licence agreements on providing DTT and DAB services with the NHH at the end of 2008 (see IRIS 2008-9: 14). By these agreements AH undertook a number of obligations beyond paying licence fees. Such obligations are for example:

- to reach pre-defined percentages of DTT and DAB network coverage in accordance with a schedule fixed by the relevant licence agreement;

- to play an active role in consumer information campaigns;

- to be actively involved in the distribution of set-top boxes;

- to introduce two new national free-to-air television channels as a part of the DTT offer.

Following the launch of DTT and DAB services the NHH first assessed the compliance of AH with the conditions defined in the licence agreements in April this year. The assessment led to the conclusion that AH was behind schedule in fulfilling many of its commitments listed above. However, at that time NHH only warned AH to comply with the licence agreements and did not impose any other sanction.

In autumn NHH conducted a new round of assessment. This revealed, inter alia, that

- AH has not introduced the expected two new national free-to-air television channels yet;

- AH has not introduced a proper scheme to make available set-top boxes for consumers on easy terms;

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- the website launched by AH providing consumer information related to the digital switchover does not comply fully with the criteria described in the licence agreement.

Given that the revealed shortcomings are related to the key success factors of digital switchover (namely to attractive content on digital platforms and awareness among consumers) the Board of the NHH decided to impose a fine on the DTT service provider for breaching its material obligations as defined in the licence agreements.

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http://www.nhh.hu/dokumentum.php?cid=21228

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