[CZ] Amendment of the Law on Electronic Communication

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The Czech Parliament recently approved amendments to the Law on Electronic Communication.

The essence of the amendments lies in an introduction and withdrawal possibility concerning the allocation of radio frequencies. Until now the authorities were not able to modify or withdraw an allocation of radio frequencies. As a result, parts of the frequency spectrum were sometimes blocked. Now, it is possible to withdraw unused frequencies.

Another change involves the financing of universal services. Universal services have been funded in two ways: By the operators - a fund of universal services to which operators contribute - and by the State - with regard to the costs for disabled persons. But the universal service is a legal requirement to perform certain duties in the public interest. The State should therefore need to reimburse the businesses for their expenses. Thus, the new law provides for the unification of the financing of universal services from the State budget.

The new legislation lifted the ban on cross-ownership in the Law on Radio and Television Broadcasting. The Law prevented electronic communications businesses from obtaining a license to operate also in the fields of radio and television broadcasting. The competition in the media market was limited in this way. Furthermore, restrictions on the ownership of electronic communications networks for the transmission of radio and terrestrial digital broadcasting according to the Law on Radio and Television Broadcasting were annulled. The limitation on entrepreneurs to own or operate more than two networks previously impeded free competition in the market for electronic communications.

The competence of the Council for Radio and Television Broadcasting (RRTV) to make changes to the set of technical parameters of broadcasters has been specified. The provisions on the transition from analogue to digital television broadcasting address the situation where the television broadcaster operates simultaneously on the same territory with both analogue and digital broadcasting. RRTV obtains the permission to initiate administrative procedures of restrictions to the set of technical parameters, namely limitations to analogue broadcasting.

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There is also an amendment to the Copyright Act: the payments for the use of copyright-protected content due to the reception of digital television through joint television antennas were annulled. The reception of analogue television broadcasting was not subject to this payment until now.

Several obligations have been adopted for the public Czech Television's switchover to digital television broadcasting. The legislation restricts the duplication of analogue and digital terrestrial television broadcasting in one area outside the framework provided for by the Government Plan on the technical transition to digital television broadcasting.

Zákon č. 153/2010 Sb. kterým se mění zákon č. 127/2005 Sb. o elektronické komunikaci a některé další zákony

http://www.sbirka.cz/POSL4TYD/10-0540.htm

Law No. 153/2010 Coll. Amending the law No. 127/2005 Coll. on electronic communications and some other laws dated 21 May 2010

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