



News Release

Cable Europe: licence obligations should be the same for all market players and consistent with EU regulations

(Brussels, 7 June 2017) Cable Europe expresses its concern about the actions taken by Poland's government concerning the regulations aimed at improving the collection of radio and television licence fees. In the opinion of the Association, proposed solutions may be incompatible with the EU law and have a negative impact on competition on the Polish market.

Cable Europe's comments are prompted by the regulations pushed by the Polish legislature to include pay TV providers in the licence fee collection process. The proposed legislation obliges cable and satellite operators to transfer the personal data of their customers to a designated operator (Poczta Polska – Polish Post) so that the licence fees can be more easily collected.

Cable Europe shares the basic concerns and doubts regarding the compliance of the government's regulations with certain EU directives, expressed in a joint petition submitted to the European Commission by seven Polish telecommunication and media industry organisations. Cable Europe confirms that the amendment to the licence fee act:

- may constitute a breach of the provisions of the EU Council Regulation No 2015/1589 of 13 July 2015 laying down detailed rules for the application of the Article 108 of the Treaty on the Functioning of the European Union, by introducing new public aid without the required notification to the European Commission, as the proposed bill de facto introduces additional public aid by increasing the number of people the radio and television licence fees can be collected from;
- may infringe the regulations concerning the protection of individuals with regard to the processing of personal data and on the free movement of such data, laid down in the Articles 7 (e) and 6 (1b) of the Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995, by introducing an unjustified obligation to transfer personal data to Poczta Polska, which should be able to perform its fee collection tasks without using the databases of television service providers;
- may constitute a breach of the Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services, as it imposes additional obligations on television service providers, which are not provided for by the Directive.



According to Matthias Kurth, Executive Chairman of Cable Europe, regulatory changes raise concerns about the freedom of competition and the possible impact on the shape of the media services market in Poland: “As an industry organisation supporting competition in the media market, we will monitor the bill consultation process in the European Commission. We are also ready to support the Polish partners with our knowledge and experience in creating effective regulations that protect the rights of all stakeholders”.

About Cable Europe

Cable Europe is the trade association that connects leading broadband cable TV operators and their national trade associations throughout the European Union. The regulatory and public policy activities of Cable Europe aim to promote and defend the industry’s policies and business interests at European and international level. The European cable industry provides high speed broadband internet, TV services, and telephony to more than 63 million homes in the European Union. www.cable-europe.eu

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