

<p>Draft name</p> <p>Regulation of the Minister for Digital Affairs on the technical and operational requirements for digital radio receivers</p> <p>Lead ministry and cooperating ministries</p> <p>Ministry of Digital Affairs</p> <p>Person responsible for the draft at the level of Minister, Secretary of State or Undersecretary of State:</p> <p>Michał Gramatyka – Secretary of State at the Ministry of Digital Affairs</p> <p>Contact details for the draft supervisor:</p> <p>Rafał Radłowski, Head of Unit at the Department of Telecommunication in the Ministry of Digital Affairs, Rafal.Radlowski@cyfra.gov.pl</p>	<p>Drafted on</p> <p>27 December 2024</p> <p>Source:</p> <p>Art. 406(7) of the Act of 12 July 2024 – Electronic Communications Law (Journal of Laws, item 1221)</p> <p>Number on the list of works of the Ministry of Digital Affairs: 14</p>
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REGULATORY IMPACT ASSESSMENT

1. What issue is being addressed?

The draft Regulation lays down the technical and operational requirements for receivers for the reception of digital radio services broadcast in the DAB+ system in the VHF band III (174-230 MHz) in Poland.

The implemented solutions are based on conclusions of the Digital Radio Receiver Profiles recommendation issued by the WorldDAB Forum on 31 March 2020, taking into account new versions of standards and experience gathered during several years of DAB+ broadcasting in Poland.

2. The recommended solution, including planned intervention tools and expected impact

The draft regulation is a preparation for the effective introduction of digital radio broadcasting, which will be possible if consumers are equipped with digital radio receivers that meet the requirements laid down in the draft regulation.

Furthermore, the draft Regulation will allow for better organisation of the market of receivers. The draft regulation takes into account the technical and operational solutions already applied by equipment manufacturers.

3. How has this problem been solved in other countries, in particular OECD/EU Member States?

DAB+ radio broadcasting has been used on a regular basis in the following countries: Australia, Austria, Azerbaijan, Belgium, the Czech Republic, Denmark, France, Germany, Gibraltar, Greece, Vatican City, Ireland, Italy, Kuwait, Malta, Monaco, the Netherlands,

Norway, Poland, Slovenia, South Korea, Spain, Sweden, Switzerland, Tunisia, Ukraine, Great Britain (<https://www.worlddab.org/country-information>).
 Moreover, nearly 27 countries have introduced test DAB+ radio broadcasting and have been taking regulatory measures with regard to digital radio, with a view to implementing continuous DAB+ broadcasting.

4. Entities affected by the draft

Group	Size	Data source	Impact
Digital radio receiver manufacturers	no data		The entry into force of the regulation may contribute to appropriate production planning and to an increase in sales of digital radio receivers. At the same time, the draft regulation has no direct financial impact on manufacturers of DAB+ radio broadcast receivers, because such receivers are already manufactured and sold.
Consumers	The number of analogue receivers in households and passenger cars amounts to 36.5 million (a total of households and passenger cars).	Central Statistical Office Local data bank	The entry into force of the regulation will allow consumers to make informed choices with regard to devices (as part of natural equipment replacement) which will make the correct reception of DAB+ broadcast programmes possible. The draft regulation has no direct financial impact on consumers.

Network operators	The number of radio network operators amounts to 140.	The Office of Electronic Communications (Lists of existing licences for the use of broadcasting devices by radio-broadcasting stations.)	The publication of the minimum requirements for receivers has no direct impact on network operators and will contribute to better planning and development of DAB+ radio broadcasting networks.
Broadcasters	The number of radio broadcasters in Poland amounts to 147.	National Broadcasting Council (The list of broadcasting licences — terrestrial [currently in force]).	Implementation of the new requirements for receivers does not automatically bring about changes for broadcasters. Setting minimum requirements for DAB+ radio receivers will allow broadcasters to increase the number of programmes in the future and may bring new broadcasters to the market.

5. Information on the scope, duration, and summary of consultation results

Pursuant to the provisions of Article 5 of the Act of 7 July 2005 on lobbying activities in the process of lawmaking (Journal of Laws of 2017, item 248; and of 2024, item 1535), the draft regulation was made available in the Public Information Bulletin on the website of the Minister for Digital Affairs.

In addition, in accordance with § 52(1) of Resolution No 190 of the Council of Ministers of 29 October 2013 – Rules of Procedure of the Council of Ministers (Polish Official Gazette [Monitor Polski] of 2024, item 806), the draft regulation has been made available in the Public Information Bulletin on the website of the Government Legislation Centre, in the Government Legislative Process service.

The draft was opened to a 14-day public consultation with the following entities:

- 1) Polska Izba Informatyki i Telekomunikacji [Polish Chamber of Information

Technology and Telecommunications];

- 2) Krajowa Izba Gospodarcza Elektroniki i Telekomunikacji [National Chamber of Commerce for Electronics and Telecommunications];
- 3) Polska Izba Komunikacji Elektronicznej [Polish Chamber of Electronic Communications];
- 4) Krajowa Izba Gospodarcza [National Chamber of Commerce];
- 5) Krajowa Izba Komunikacji Ethernetowej [Polish Chamber of Ethernet Communication];
- 6) Polska Izba Radiodfuzji Cyfrowej [Polish Chamber of Digital Radio Broadcasting];
- 7) Polska Izba Handlu [Polish Chamber of Commerce];
- 8) Izba Gospodarki Elektronicznej [Polish Chamber of Digital Economy];
- 9) Krajowa Izba Gospodarki Cyfrowej [National Chamber of Digital Economy];
- 10) Polskie Towarzystwo Informatyczne [Polish Information Processing Society];
- 11) Stowarzyszenie Inżynierów Telekomunikacji [Polish Association of Telecommunication Engineers];
- 12) Fundacja Panoptykon ['Panoptykon' Foundation];
- 13) Związek Pracodawców Mediów Publicznych [Association of Public Media Employers];
- 14) Związek Pracodawców Mediów Elektronicznych Mediakom [The Mediakom Association of Electronic Media Employers];
- 15) Związek Pracodawców Branży Internetowej IAB Polska [Interactive Advertising Bureau Poland];
- 16) Związek Telewizji Kablowych w Polsce Izba Gospodarcza [Cable Television Association in Poland, Chamber of Commerce];
- 17) Związek Cyfrowa Polska [Digital Poland Association];
- 18) Sektorowa Rada ds. Kompetencji - Telekomunikacja i Cyberbezpieczeństwo [Sectoral Skills Council – Telecommunications and Cybersecurity];
- 19) Polska Rada Biznesu [Polish Business Council];
- 20) Naczelna Organizacja Techniczna [Polish Engineering Association];

The following entities were asked to present within 14 days their opinions on the draft:

- 1) Krajowa Rada Radiofonii i Telewizji [The National Broadcasting Council];
- 2) Prezes Urzędu Ochrony Konkurencji i Konsumentów [President of the Office of Competition and Consumer Protection];
- 3) Prezes Urzędu Komunikacji Elektronicznej [President of the Office of Electronic Communications];
- 4) Prezes Urzędu Ochrony Danych Osobowych [President of the Personal Data Protection Office];
- 5) Rzecznik Małych i Średnich Przedsiębiorców [Ombudsman for Small and Medium-Sized Enterprises];
- 6) Komisja Nadzoru Finansowego [The Polish Financial Supervision Authority];
- 7) Rzecznik Praw Obywatelskich [Commissioner for Human Rights];

local government units																				
other units (separately)																				
Sources of financing	The entry into force of the draft regulation has no impact on the public finance sector, including the State and local government budgets.																			
Additional information, including the identification of data sources and assumptions made in the calculation																				

7. Impact on the competitiveness of the economy and entrepreneurship, including the functioning of enterprises and impact on families, citizens and households

		Impact							
Time (in years) since entry into force of the amendments		0	1	2	3	5	10	<i>Total (0–10)</i>	
In monetary terms (in PLN millions, fixed prices for 2018)	large enterprises								
	micro-, small- and medium-sized enterprises								
	families, citizens and households								
	(add/remove)								
In non-monetary terms	large enterprises	A precise definition of the technical and operational requirements for digital radio receivers will enable market organization. Suppliers will have the possibility to adjust their products to the national requirements, and consumers will be able to choose a product whose basic functionalities will operate correctly throughout the country.							
	micro-, small- and medium-sized enterprises	The capabilities of digital radio receivers in the area of presenting textual and graphic content will facilitate the development of the advertising market.							
	families, citizens and households	The dissemination of digital radio receivers will make it possible to utilize the increased capacity of the DAB+ system and thus to improve programming by adding new thematic programmes (e.g. programmes for children, economics broadcasts, music shows, etc.). The functionalities of digital radio receivers will make it possible to create services targeted at persons with a							

		<p>limited comprehension of the Polish language or with hearing impairments, as such receivers enable not only voice transmission but also presentation of text and images. Good sound quality will also make the content more intelligible to people with hearing impairments.</p> <p>The draft regulation will have no impact on the competitiveness of the economy or on entrepreneurship, including the functioning of enterprises, or on the economic and social situation of families, persons with disabilities (except for those with hearing impairments) and the elderly.</p>
	(add/remove)	
Unmeasurable	(add/remove)	
	(add/remove)	

<p>Additional information, including the identification of data sources and assumptions made in the calculation</p>	
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8. Change of the regulatory burden (including disclosure obligations) resulting from the draft

not applicable

<p>Burdens are placed outside those strictly required by the EU (see the reverse compatibility table for details).</p>	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> not applicable
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<input type="checkbox"/> reduction in the number of documents <input type="checkbox"/> reduction in the number of procedures <input type="checkbox"/> shortening of the time to settle the matter <input type="checkbox"/> other:	<input type="checkbox"/> increase in the number of documents <input type="checkbox"/> increase in the number of procedures <input type="checkbox"/> extension of the time to settle the matter <input type="checkbox"/> other:
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<p>The implemented burdens are suitable for digitisation.</p>	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input checked="" type="checkbox"/> not applicable
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Comment:

9. Impact on the labour market

The draft Regulation has no impact on the labour market.

10. Impact on other aspects

natural environment
 regional standing and development
 ordinary, administrative or military courts

demography
 state property

x computerisation
 health

Discussion of the impact

No impact on other aspects.

11. Planned implementation of the provisions of the act

The regulation enters into force 14 days after the day of its announcement.

12. How and when shall the impact of the draft Regulation be assessed, and what measures shall be applied?

No evaluation of the draft's effects is foreseen.

13. Annexes (important source documents, research, analyses, etc.)

None.