



Czech Telecommunication Office

April 2021

Telegraphically

CTU organizes a webinar for municipalities

The issue of introducing high-speed Internet to municipalities is very important for the Czech Telecommunication Office. That is why we are organizing a webinar for municipalities on 22 April focusing on this topic, with an emphasis not only on the necessary legislation and its context, but also on practical issues. The event is organized in cooperation with the Ministry of Industry and Trade and the Broadband Competence Office. More information can be found on the [invitation with the program](#), which also contains a link to registration. It will also be possible to follow the webinar from a recording.

Information society in numbers

The Czech Statistical Office has released a publication entitled [Information Society in Numbers 2021 \(Informační společnost v číslech 2021\)](#), which maps the development of the digital society in the Czech Republic and in EU countries. It describes, among other things, changes in the use of the Internet in the past year as a result of the pandemic. For example, Czechs began to watch paid shows online, shop online or search for health information online more often. In 2020, 18% of Czech households were without the Internet, mostly households of senior citizens who are not interested in this technology or are unable to use it.

CTU has opened new frequency bands for Wi-Fi

CTU has made a new 5.8 GHz band available for Radio Local Area Networks (RLAN) and Wi-Fi. In addition, CTU now allows outdoor operation of RLANS in the 5.2 GHz band. This is an important step, as the use of these frequencies will help to improve the availability and quality of the Internet connection for end users. With regard to frequency sharing with other applications, registration of RLAN stations has been introduced. The use of the frequency bands can be monitored on the registration website at rlan.ctu.cz.

CTU will impose fines on providers who do not meet the conditions of the general authorization

The vast majority of Internet access service providers already correctly inform customers in their contract documents about the parameters of the service, as required by the [general authorization](#),

effective from 1 January 2021. This is a major development compared to February 2021, when less than four per cent of providers met the obligations.

Already more than 77% of currently active providers of Internet access services have their contract documents in accordance with General Authorization No. VO-S/1/08.2020-9. This 77% of providers represents more than 97% of the market. Almost all customers already have the mandatory information, which we discussed in detail, for example, in [Monitoring Report 9/2020](#) or [2/2021](#). More than 250 providers out of less than 2,000 providers originally audited during the first quarter of 2021 terminated, discontinued the offers of services or changed them to non-public or wholesale offers, so they are no longer included in the statistics.

There are about 400 providers left who, despite the assistance and education provided by CTU, have not yet met the conditions of the general authorization or have provided proper evidence of their compliance and will be fined. If they do not comply with the call to rectify the deficiencies sent to them within 30 days, they risk further penalties, which could be significantly higher.

CUSTOMERS, WATCH OUT FOR: WHAT MUST BE INCLUDED IN THE CONTRACT FOR THE INTERNET ACCESS SERVICE

For the service of Internet access at a fixed location, the contract or contractual document must specify the advertised speed, maximum speed, and also normally available speed which should be available 95% of the time and must not be stated as lower than 60% of the advertised speed, and the minimum speed which must not be lower than 30% of the advertised speed. In case of mobile Internet access, providers must provide information in the contract on not only the advertised speed but also on the estimated maximum speed. Whether for fixed or mobile access, providers must provide information in the contract on the definition of significant discrepancies from the agreed performance of the service and on the possibilities of exercising remedies. If the customer does not find this information in the contract documents, they should contact the operator.

Universal service

The selection committee set up to evaluate the applications submitted to the tender for the undertaking that will be obliged, within the universal service, to provide access of disabled persons to publicly available telephone service, the directory enquiry service, and to directories equivalent to that enjoyed by other end users, particularly by means of specially equipped telecommunication terminal devices pursuant to [Section 38\(2\)\(f\)](#) of the Electronic Communications Act, completed its activities on 22 March 2021.

It is a service whereby disabled persons can rent or purchase special terminal devices appropriate to their disability, at a better price than that at which such equipment is commonly available on the market.

Based on the evaluation of the results of the tender, the selection committee recommended that the obligation be imposed on O2 Czech Republic a.s., which was the only company to submit the application within the deadline specified in the tender notice and to meet all the requirements set out therein.

On 30 March 2021, O2 Czech Republic a.s. was sent a notice of the launch of administrative proceedings to impose the obligation in question, and the [public consultation](#) of the proposal for

imposition of the obligation was launched on 14 April. Comments can be submitted within 1 month of publication.

Not only the Czech Post is under CTU supervision

The measures that accompany the fight against the Covid-19 pandemic have resulted, among other things, in a massive expansion of online shopping. Many goods are not available in brick-and-mortar stores, and customers are therefore dependent on purchases through online shops, which logically means a greater involvement of operators providing or carrying out postal services. It is good to know which carriers of postal items are registered with CTU, because regarding them you can contact CTU, for example, with an objection to the handling of a complaint about their services.

The largest operator of postal services is still Czech Post (Česká pošta, s.p.), but the involvement of other parties is also increasing. In this context, however, CTU points out that not all postal item carriers are undertakings within the meaning of the Postal Services Act. The supervision by CTU (and related powers and responsibilities) applies only to registered entities authorized to carry out business in accordance with the said Act.

CTU currently [registers](#) 26 active undertakings in the field of postal services. In addition to Czech Post, these are, for example, DHL Express (Czech Republic) s.r.o., Direct Parcel Distribution CZ s.r.o., or Zásilkovna s.r.o., whose activities are also subject to the supervision by CTU. In case of these companies, customers often do not know that in case that a complaint has not been settled to their satisfaction, they have another defense option guaranteed by the Postal Services Act, i.e. to raise an objection to the handling of a complaint if the operator does not comply or settle the complaint about defects in the postal service provided, within 1 month of the date of delivery of the notice of settlement of the complaint or the expiration of the time limit for its settlement with no effect, otherwise the right to file an objection will expire.

Checked by CTU in March...

...compliance with terms and conditions of General Authorization No. [VO-R/12/12.2019-10](#) for the utilization of radio frequencies and operation of equipment for broadband data transmission in the 2.4 GHz to 71 GHz frequency bands

CTU carried out a total of 3 inspections. Defects in the effect of harmful interference to priority radiocommunications service stations (mobile networks and meteorological radar) were identified in 2 cases; they were resolved by a call to rectify the identified deficiencies and will subsequently be addressed in administrative proceedings.

... compliance with the conditions of General Authorization No. [VO-R/24/05.2019-4](#) to operate infrastructure facilities for the transmission of radio signals inside tunnels, buildings and trains

CTU carried out a total of 4 inspections. Defects - operation of equipment without the consent of mobile network operators - were found in all cases; they were resolved by a call to rectify the identified deficiencies and will subsequently be addressed in administrative proceedings.

... sources of interference with the operation of electronic communications equipment and networks, the provision of electronic communications services or the operation of radiocommunications services

In March, CTU completed a total of 125 investigations, of which there were 83 cases of interference with television reception, 15 cases of interference with GSM and LTE public mobile communications networks (in 5 cases the source of interference was the active element of TV reception) 9 cases of interference with a meteorological radar, 5 cases of interference with radio signal, and 13 cases of interference with various systems (aeronautical service station, integrated rescue system station, PCO panel receiver, short-range devices, amateur radio station, etc.). The investigation of complaints about poor TV reception revealed that in 45 cases the defect was in the viewer's equipment, in 9 cases it was due to the effect of shading, reflections or reception of signal in a non-covered area, in 22 cases the interference stopped or occurred sporadically. Four interference reports were cancelled by their submitters during investigation of the interference. In one case in the area of the Jeseník promontory, interference with the signal of a Polish TV transmitter was detected. In one case, a low resistance of the receiving television device to signals with close frequencies was found, and in one case, a failure of the local TV transmitter was found (resolved with its operator).

... pilot operation of LTE base stations in the 800 MHz band

As of 31 March 2021, 260 base stations were in pilot operation, and 17,093 stations were in permanent operation. In March, an LTE base station was not identified as the source of TV signal interference in any case.

4,244 - the number of decisions issued in March on the matter, of which 4,237 decisions concerned a dispute over payment (payment of the price for services).

2,422 - the number of administrative proceedings initiated in March concerning subscriber disputes between the person carrying out the communication activity and the subscriber. These are the disputes over payments and objections to the settlement of a complaint about the billing of the price or the provided publicly available electronic communication service.

Market analyses

Proposal for a Measure of General Nature determining the relevant markets in the field of electronic communications

The [public consultation](#) on the draft Measure of General Nature [No. OOP/1/0x.2021-x](#), identifying relevant markets in the electronic communications sector, including criteria for assessing significant market power, ended on 23 March 2021. CTU did not receive any comments during the one-month period during which the public consultation took place. Information on the list of relevant markets that are susceptible to ex ante regulation due to the proposed wording of the measures can be found in the last [Monitoring Report No. 3/2021](#) in the section on Market Analysis (page 9). CTU will now also consult the Office for the Protection of Competition on the measure of general nature in question.

Radio spectrum management

General authorizations

On 25 March, the CTU Council approved General Authorization [No. VO-R/12/03.2021-3](#) for the use of radio frequencies and for the operation of equipment for broadband data transmission in the bands 2.4 GHz to 71 GHz. The purpose of this update of the general authorization is to allow newly the use of radio frequencies by stations for broadband data transmission in the frequency bands of 5150-5250 MHz (without the current limitation to stations inside the building) and 5725–5850 MHz. This broadening is based on the need of general public to broaden frequency bands for broadband data transmission by WAS/RLAN systems. Simultaneously with this amendment, it newly introduces an obligation to report the use of radio frequencies in these bands when used for outdoor operation. The conditions for the use of frequencies by stations already covered by the existing general authorization remain unchanged.

On 30 March the CTU Council approved General Authorization No. [VO-R/10/03.2021-4](#) for the use of radio frequencies and for the operation of short-range devices. The reason for this update of the general authorization is the broadening of the frequency band for ITS (Intelligent Transport Systems) from 5.875–5.905 GHz to 5.875–5.935 GHz, on the basis of the Commission implementing decision.

FM RADIO BROADCASTING

The Chamber of Deputies supported the [proposed amendment](#) to the Act on the [Electronization of Procedures of Public Authorities](#), which is amending, inter alia, Act No. 196/2009 Coll. and Act No. 231/2001 Coll., on the Operation of Radio and Television Broadcasting. The proposed amendment concerns analogue licenses, which are due to expire on 10 October 2025. According to the approved amendment to the Act, if the government does not issue any decision on the transition to DAB+ by 10 October 2022, the transformation license will not expire and will be valid for three more years after the completion, if any, of the transition to digital broadcasting. The bill is now [awaiting discussion](#) in the Senate.

New Czech Radio programs were launched in the Aš area: ČRo Dvojka (96.3 MHz) and ČRo Plus (100.6 MHz).

5G IN 2GHZ BANDS

CTU [launched a public consultation](#) on the proposal of a part of the plan PV-P/6/XX.2021-YY, which regulates the conditions for the future transition to 5G technologies in the frequency bands for which licenses have been granted for the 3rd generation of UMTS mobile communications. Comments within the consultation can be submitted until 13 May 2021.

Postal services

In March, the Czech Telecommunication Office issued one new certificate of notification of business activities in the field of postal services for Vyzvedni.to s.r.o. Furthermore, Inkasní a kapitálová společnost s.r.o. announced the suspension of its activities and MUFF s.r.o. announced the termination of its business activities in the field of postal services.

An up-to-date list of all notified operators is available via the [search database](#) on the CTU website.

Czech Post raised the prices of registered and valuable letters and postal money orders

From 1 April 2021, Česká pošta, s.p. increased the prices of some universal domestic services. From that date, it has increased the prices of registered letters in the economy and priority categories and valuable letters by CZK 5, in all weight categories. Postal money orders A, B – in writing, B – data, C, D (including COD postal money orders A and C for all types of registered COD items) were also increased by the same amount, at each level according to the amount remitted.

Prices of ordinary economy and priority postal items remain unchanged. Czech Post increases the prices of its universal services within its legal obligation to provide these services at cost-oriented prices. The unit costs of provision of the universal postal services incurred by Czech Post are increasing due to the long-term decline in demand for these services. Because the total costs of Czech Post are fixed or even increasing (e.g. due to rising employee wages) to a great extent, when distributing these costs into decreasing volume of universal postal services provided, the unit costs are increasing in time.

The available data for the last 4 years shows that, for example, the number of transported registered letters mails in Czech Post decreased by approximately 20% and the number of delivered postal money orders by approximately 34%.

A similar development of long-term growth in the prices of universal postal services is seen in other European countries as well. For the sake of comparison, it can be stated that the prices of registered letters in the basic weight category in the EU range from approximately CZK 40 to more than CZK 230.

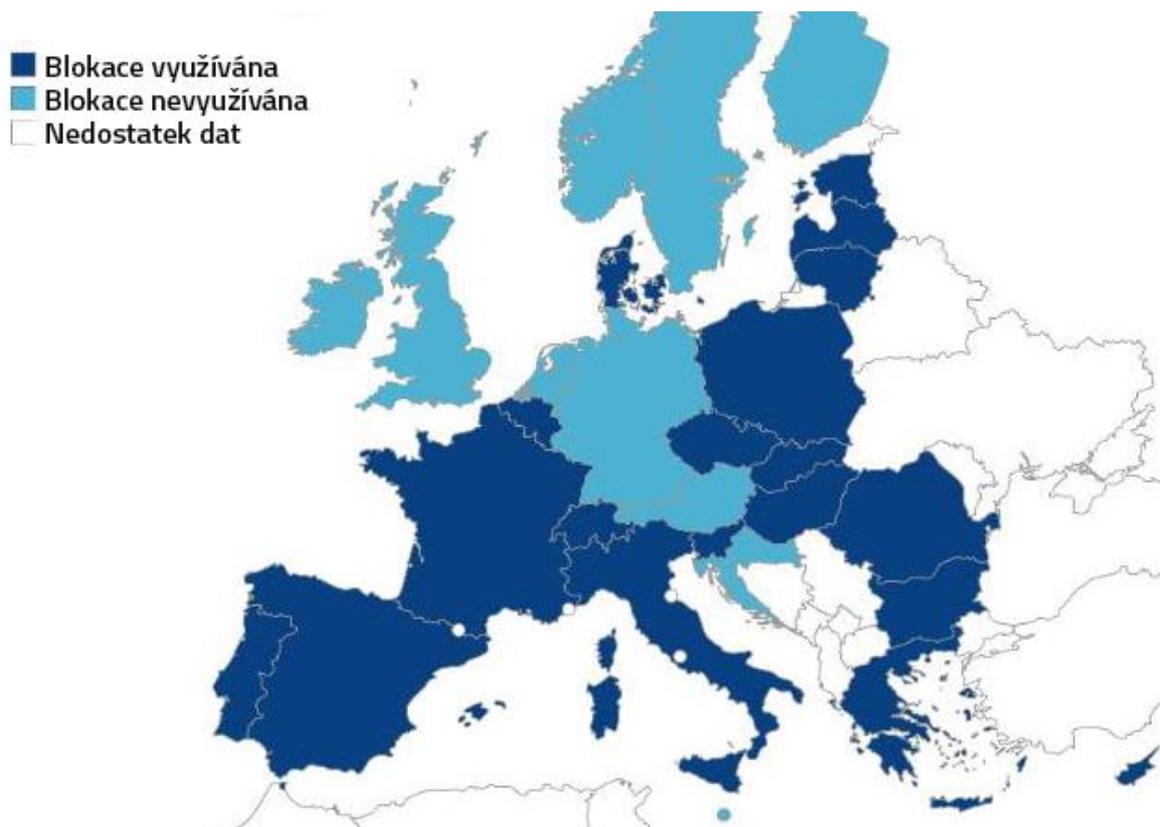
With respect to the newly proposed prices, CTU assessed primarily their affordability (using the published [methodology](#)), in particular with regard to consumer prices, inflation and average wage, and did not conclude that the newly proposed prices are unaffordable.

ON REQUEST OF THE MINISTRY OF FINANCE, WE MENTION AGAIN THE OBLIGATIONS OF OPERATORS: Blocking illegal gambling is the responsibility of connection providers

The Internet is increasingly becoming the place where gambling takes place. Participation in gambling carries a number of risks for players, and the operation of gambling is thus an activity that only entities with a basic permit issued by the Ministry of Finance are allowed to do. Internet connection providers (pursuant to the [Gambling Act](#)) are obliged to prevent access to the websites listed in the list of unauthorized online games, within 15 days of the date of publication of the website in this list.

Gambling is no longer limited to a casino. The Internet is often the place where one can participate in gambling. At the same time, according to the [EGBA Report](#), mobile devices are increasingly being used to participate in gambling.

Map: Use of website blocking as a tool to effectively prevent illegal gambling offers



Website blocking, as a tool to effectively prevent illegal gambling offers, is used in most Member States of the European Union (Belgium, Bulgaria, Czech Republic, Cyprus, Denmark, Estonia, France, Greece, Hungary, Italy, Latvia, Lithuania, Poland, Portugal, Romania, Slovakia, Slovenia, Spain). Source: [Evaluation of regulatory tools for enforcing online gambling rules and channelling demand towards controlled offers](#).

Providers must prevent access to websites that are on the "blacklist"

Internet access providers in the Czech Republic are the only entities that can technologically regulate this area, and therefore, pursuant to [Section 82 of the Gambling Act](#), they are obliged to prevent access to the websites listed in the list of unauthorized online games, within 15 days of the date of publication of the website in this list. The list of unauthorized online games is available on [the website of the Ministry of Finance](#). Currently, about 180 websites are registered on this list and others are being registered on an ongoing basis. The website is entered in the list of unauthorized online games at the moment of the completion of the administrative proceedings concerning the registration.

Legislative changes

MILITARY INTELLIGENCE ACT

On 31 March 2021, Act [No. 150/2021 Coll.](#) amending Act No. [289/2005 Coll.](#), on Military Intelligence, as amended, and certain other laws, was published in Volume 59 of the Collection of Laws.

This Act, which sets out the conditions for the implementation of cyber defense in the Czech Republic, includes an amendment to the Electronic Communications Act ([PART THREE](#) of the Act), which adds to the Electronic Communications Act a new [Section 98a](#) imposing, in connection with [Section 16d](#) of the

Military Intelligence Act, new obligations on legal entities or natural persons carrying out business activities providing a public communications network or providing a publicly available electronic communications service. Specifically, it is an obligation to set up and secure at designated points of the network an interface for the connection of a detection tool enabling targeted detection of phenomena indicating the existence of a cyber-attack or threat and their identification. For the fulfillment of obligations, the obligated person is entitled to reimbursement of effectively incurred costs from the Military Intelligence. The method of determining the amount of effectively incurred costs, the procedure for claiming them and the method of their payment shall be determined by an implementing regulation (decree) to be issued by the Ministry of Defense in cooperation with CTU. Legal entities or natural persons carrying out business activities providing a public communications network or providing a publicly available electronic communications service are obliged to provide Military Intelligence with other cooperation and assistance in conducting detection and are also obliged to maintain confidentiality of all facts of which they have learned in the course of their cooperation with Military Intelligence.

In connection with these new legal obligations under [Section 98a](#), the provisions of administrative offences of the relevant facts of the case are added to the Electronic Communications Act ([Section 118\(23\) new](#)) and limits are set for the imposition of fines according to the severity of the individual administrative offenses on the scale [Section 118\(24\) \(formerly subsection 23\)](#) of the Electronic Communications Act.

This Act shall enter into force on 1 July 2021.

TRANSPOSITION AMENDMENT TO THE ELECTRONIC COMMUNICATIONS ACT

On 7 April 2021, the guarantee Economic Committee of the Chamber of Deputies of the Parliament of the Czech Republic discussed a bill amending Act No. 127/2005 Coll., on electronic communications, and certain other acts (the so-called transposition amendment, maintained as [chamber of deputies document 1084](#)) and issued a resolution on the proposed amendments tabled before that committee. Further discussion of the bill (second reading) is proposed on the agenda of the 98th session of the Chamber of Deputies, which is convened from 13 April 2021.

Telecommunication regulation in the EU

European Commission

On 4 March, the EU Commission has adopted [legislative proposal](#) (Council Regulation) to establish the set of nine Joint Undertakings under Horizon Europe. The project called European partnership on Smart Networks and Services (SNS) shall deal with the research for further development of new mobile networks generation (6G). The project should be established by autumn 2021.

On 24 March, Summary of the [Opinion](#) of the European Data Protection Supervisor on the Proposal for temporary derogations from [Directive 2002/58/EC](#) for the purpose of combatting child sexual abuse online, was published.

On 26 March 2021, the EU Commission adopted document called [The Connectivity Toolbox](#), pursuant to the Connectivity Recommendation ([EU 2020/1307](#)). The Toolbox consists of a set of best practices agreed by Member States that are considered as the most efficient in allowing and encouraging operators to deploy very high capacity networks (VHCN) and in ensuring timely access to radio spectrum for 5G rollout. By 30 April 2021, Member States shall prepare national roadmaps to implement the Toolbox.

At the end of March, Czech Republic with its application eRouska has joined the Union-wide interoperability system – so called [Gateway](#), which ensures the communication among national applications developed for the fight against COVID-19.

Official Journal of the EU

On 31 March, Commission Recommendation [\(EU\) 2021/552](#) of 30 April 2021 on the form, content, time limits and level of detail to be given in notifications under the procedures set in Article 32 of Directive [\(EU\) 2018/1972](#) of the European Parliament and of the Council establishing the European Electronic Communications Code.

BEREC

BEREC welcomed EU Commission initiative [European Digital Decade: Digital goals for 2030](#), which is based on the Commission Communication of 9 March 2021, so called [Digital Compass 2030](#). BEREC is prepared to help EU Commission and Member States in their efforts to achieve a strong European digital sovereignty in the next decade.

On 6 April, BEREC published the first [summary report in 2021 in context of COVID-19 crisis](#). The report summarises information collected from national regulatory authorities by monitoring of regular networks to ensure internet access, regulatory and other measures. The situation of the first quarter seems to be stable. No network congestion or new pandemic issues were detected.

On 1 April, [9th BEREC Stakeholder Forum](#) was a virtual event due to uncertain situation caused by the COVID 19 pandemic. Main topics of the Stakeholder Forum were sustainability, Digital Compass (EU Commission strategy), end-user's rights and deployment of 5G networks. Finally, call for sending views and contributions to the Work Programme 2022 was opened. The video recording of the stakeholder forum is available on BEREC websites

Public consultation on the [draft BEREC Report on ex ante regulation of digital gatekeepers](#) will be open until 4 May. The report elaborates in detail BEREC opinion on legislative proposal of Digital Markets Act (DMA). It also consists of 4 attachments which summarize relevant BEREC knowledge about specific remedies definition, dispute resolution mechanisms, roles of national regulatory authorities and ex ante regulation generally.

On 28 April [BEREC Workshop](#) on market access in context of Digital Markets Act will take place online.