



Czech Telecommunication Office

September 2021

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## Telegraphically

### Special prices for people with disabilities

CTU has launched a [public consultation](#) of its intention to further impose an obligation to allow people with disabilities to choose prices or pricing plans so that they can access and use partial services and the publicly available telephone service. The service consists in providing a benefit of CZK 200 per month for a defined group of persons. Comments can be submitted within 10 business days of the publication of the invitation. The time limit for submitting comments has been shortened so as not to interrupt the provision of the service from 1 January 2022.

### Fraudsters impersonate the Czech Post

In early September, the financial administration [warned](#) of fraudulent text messages (SMS) and emails that have recently appeared in cyberspace. This time the attackers pretend to be the Czech Post and pretend to be ready to pay the recipient a sum of money via a fake link "cekposta.cz". However, the victim is in fact only robbed of confidential banking information. We recommend you not to respond to such messages and not to click on any links that appear in these messages.

### Change of the CTU workshop date

In the [last](#) monitoring report, we reported on a workshop on the draft procedure for the review of the partial service of reasonable access to the Internet within the universal service. The workshop was supposed to take place on 15 September, but for organizational reasons it will not take place on the announced date. The event is now scheduled for Tuesday, October 5. As usual, the invitation with relevant background material will be sent by CTU well in advance through the individual associations.

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## CTU launches the NetTest measurement tool and the campaign “Pay only for the real speed”

**On 17 September 2021, Czech Telecommunication Office has launched the NetTest, a new tool for measurement of quality and speed of Internet access service. The launch was accompanied by an information campaign with the aim to invite consumers to be aware of their rights in the field of Internet access services. They should be informed about the obligations of providers, be able to measure and control the speed declared in their contract and, in case of need, be able to raise a claim regarding the quality of the service provided.**

The campaign includes a TV and radio spot, a longer educative video as well as a brochure, which will provide all the information on how to measure the actually achieved speed, when to raise a claim and

how to submit a claim (incl. how to raise an objection against a claim settlement if you are dissatisfied with its settlement)

The NetTest, the tool for measuring quality of Internet access service in the form of actually achieved download and upload speed and the response time (ping), can be found at <https://nettest.cz> website. A significant advantage of the NetTest tool is the possibility to use a certified measurement function which performs automatically a pre-defined process with a result projected into a PDF document. This document can then be used for raising a claim, if necessary.

### How to measure speed of Internet access properly

Be careful, that there is no application running on the desktop background and only your computer is connected to the Internet, via cable not via Wi-Fi, during the measurement. You should also use the newest updated version of operating system and Internet browser. By Internet at a fixed location do at least 6 measurements within 90 minutes (do a measurement every 10 to 15 minutes). Save each measurement result; the more tests, the higher the objectivity of the overall assessment. When using certified measurement function by NetMetr, the pre-defined process is fully automated with a result projected into PDF document. You can find more information in the brochure [www.ctu.cz/plattezaskutecnourychlost](http://www.ctu.cz/plattezaskutecnourychlost).

*„We believe that it is the certified measurement function that will significantly facilitate to the ordinary users making a complaint, because the worries of saving the result and having the necessary document for service providers will disappear,“* said Hana Továrková, CTU Council Chair.

### Obligations of Internet access service providers and the accompanying campaign

Since 1 January 2021, Internet access service providers are obliged to provide specific Internet access speed parameters. They can be found in the documents that make up the content of the contract, e.g. in the contract itself, in a valid price list or in the operating conditions.

Together with the launch of NetTest, CTU also launches a campaign “Pay only for the real speed”. Consumers can find all the relevant information at CTU website [www.ctu.cz/plattezaskutecnourychlost](http://www.ctu.cz/plattezaskutecnourychlost). The campaign will include a 30-minutes spot run by Česká televize (Czech TV) and Český rozhlas (Czech Radio), then the two-minute educative video that can be found on above mentioned website, as well as on CTU’s YouTube channel, and updated brochure which will lead consumers through the whole process, step-by-step.

### The main face of the campaign is Mr. Otakar Brousek, jr.:

*“Formerly, there was no consumer protection at all and one could not be heard. Unfortunately, many people still think that not much has changed in this respect; that there is no place to turn to, to ask or no means of defence. Thanks-God for projects like this which are popping up. Even if the only message was that I could raise a claim in case I did not get what I’d paid for. Capacity building in this area, for elderly generation above all, is very beneficial. I have my personal experience, regarding my mum and also myself personally, that it is quite easy to fall for a misleading offer.”* His personal experience was the reason why he found the CTU campaign important.

## Inspections and penalties continue to be imposed on providers who still fail to comply with the terms of the general authorization

In [April](#), we reported that the vast majority of customers already have the mandatory information resulting from the [General Authorization](#), which clearly defines the allowable discrepancies between advertised and actual Internet access speeds. The monitoring of compliance with this general authorization is followed by the ongoing monitoring of those providers of Internet access services that have not yet modified their contract documents to include precisely specified service parameters (for more information on providers' obligations, see e.g., [Monitoring Report 2/2021](#)). Already more than 91% of currently active providers of Internet access services have their contract documents in accordance with the general authorization, with these 91% representing more than 99% of the market. It can therefore be said that the vast majority of customers already have the mandatory information on the quality conditions of the service offered. The follow-up inspection will therefore focus on the last 170 or so providers of electronic communications services that have not yet complied with their obligations, even after CTU has imposed a sanction. In case of continued non-compliance, the provider faces further sanctions.

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## The amendment to the Electronic Communications Act has been approved

**On 15 September 2021 the Chamber of Deputies discussed the so-called transposition amendment to the Electronic Communications Act (Chamber of Deputies Document [1084](#)), which had been returned to it by the Senate with amendments. The Chamber of Deputies insisted on its original proposal for the amendment, with 137 out of 142 deputies in favour and none against. This transposes the [European Electronic Communications Code](#) into Czech law. First of all, it is about strengthening consumer protection and unifying it within the European market.**

Quick and easy change of Internet providers, strengthening privacy protection, supporting people with disabilities more conceptually or setting conditions for easier deployment of electronic communications networks. These are just some of the changes brought about by this amendment.

### Relief from unsolicited nuisance calls

One of the most obvious changes from the Senate version, and not just for consumers, is stricter rules on nuisance marketing calls. Currently, a person who does not wish to be harassed by marketing calls must actively express their disagreement in the so-called public directory. The new principle will be reversed. It will automatically be assumed that marketing calls cannot be made because the subscriber does not want to receive them. If a subscriber would like to be contacted by these types of calls, they will instead be able to grant active consent. It is a regulation supported by the Office for Personal Data Protection and a solution that successfully exists in many other EU Member States.

Other important changes include facilitating market entry to undertakings by reducing some barriers and providing better conditions for easier deployment of electronic communications networks and provision of services.

## Checked by CTU in August...

...compliance with terms and conditions of 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

CTU carried out a total of 20 inspections. Defects were identified in 18 cases, consisting in harmful interference with priority radiocommunications service stations (meteorological radar), use of indoor frequencies outside a building and failure to comply with other terms of the general authorization, which were resolved by a call to rectify the identified deficiencies and which 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 April, CTU completed a total of 95 investigations, of which there were 74 cases of interference with television reception, 5 cases of interference with GSM and LTE public mobile communications networks (in one case the source of interference was the active element of TV reception), 5 cases of interference with a meteorological radar, 3 cases of interference with radio and satellite signal, and 8 cases of interference with various systems (RR link, WiFi station, short-range devices, etc.). The investigation of complaints about poor TV reception revealed that in 51 cases the defect was in the viewer's equipment (most often a technical fault of the receiving antenna), in 7 cases it was due to reception of signal in a non-covered area, in 7 cases the interference stopped or occurred sporadically. Five interference reports were cancelled by their submitters during investigation of the interference. In four cases, the source of the interference was found to be a surge protector of a high-voltage line in the South Moravian Region, which caused interference to 4 viewers due to a fault.

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

As of 31 August 2021, 237 base stations were in pilot operation, and 16,830 stations were in permanent operation. In August, an LTE base station was not identified as a source of TV signal interference in any case.

... compliance with the conditions of an individual authorization for the use of radio frequencies

Two inspections of compliance with the conditions of an individual licence to use frequencies were carried out. In one case, a violation of the conditions of the individual licence was detected and the operator will be subject to administrative proceedings.

...the use of radio frequencies without authorization

CTU carried out 6 inspections focusing on the use of frequencies without authorization. Five inspections revealed use of frequencies without individual licence; the cases were referred for resolution in administrative proceedings.

1,599 – the number of administrative proceedings initiated in August concerning subscriber disputes between the person carrying out the communication activity and the subscriber. These are the

disputes over payments and objections against a claim settlement about the billing of the price or the provided publicly available electronic communications service.

4,140 - the number of decisions issued in August on the matter, of which 4 112 decisions concerned a dispute over payment (payment of the price for services).

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## Beware of incorrectly entered contact details

**Unfortunately, CTU has encountered carelessness in providing the necessary information not only in connection with payments for services provided, but also in connection with the provision of contact details directly in the contract for the provision of electronic communications services.**

When dealing with consumer complaints, CTU often encounters the fact that the customers concerned have been issued with a reminder for failure to pay for the services used within the specified time limit, although they have stated that they have duly paid for the service within the specified time limit and are not aware of any omission in this respect.

These situations are usually easily clarified by an investigation carried out with the relevant operator where, for example, it has been found that the consumer decided to pay for the services provided by direct debit, but inadvertently provided the operator with an incorrect account number, which caused the operator to be unable to debit the required amount from the account.

However, mere carelessness in entering the account number may mean an unpleasant financial burden for the consumer in the form of chargeable reminders to pay the amount due and, in extreme cases, interruption or termination of services.

An example of incorrect contact details in a contract for the provision of electronic communications services could be a situation where a consumer has incorrectly entered his or her e-mail address in the document and thus could not (among other things) be properly informed about a unilateral change to the contract made by their operator.

Since the consumer chose their e-mail address in the contract as the primary method of contact with their operator, they did not learn in time about the upcoming change consisting in an increase in the price of the services provided and thus could not exercise their legal right to withdraw from the contract with his operator without any penalty under the terms of the Electronic Communications Act.

Therefore, CTU appeals to all consumers to be cautious when entering the above-mentioned details and to make sure that they are correct. In this way, they can avoid a number of unpleasant consequences that can arise from even minor carelessness, as the examples above illustrate.

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## The Telecommunication Academy is very active

**The Telecommunication Academy is a project of the Czech Telecommunication Office, which serves to educate senior citizens in the field of electronic communications and postal services. Since its inception, it has been based mainly on personal presentations by our lecturers to senior citizens - within the so-called "University of the Third Age", senior citizens clubs, associations, homes, etc. At the time of pandemic, it was necessary to look for other channels to reach the target group, and that is how educational videos were created. These are now "in a new guise", shorter and always focused on one specific issue. The topic of the first new video is making a complaint about damaged mail.**

Thanks to the new formats, the Telecommunication Academy is becoming more accessible to general public. The damaged postal item video is not a video intended solely for seniors citizens. As Pavla

Zichová, the director of the Telecommunication Academy project, points out, the general public has little awareness of, for example, the short complaint periods that some operators have for damaged postal items.

[The new educational video](#) on postal services can be found on [YouTube channel](#) of the Telecommunication Academy.

However, the Telecommunication Academy also continues in the standard mode, i.e. with personal presentation for senior citizens. For example, on 7 September 2021, a presentation for the elderly took place at the Akord cultural center in Ostrava-Zábřeh, and on 23 September 2021, the lecturers of the Telecommunication Academy will visit the Omega cultural center in the Brno-sever district. The topic of the presentation will be “Colour” lines, emergency calls and voice services.

## ABOUT THE TELECOMMUNICATION ACADEMY

The Telecommunication Academy of the Czech Telecommunication Office has been operating since 2017. During that time we have organized more than a hundred presentations. We work with community care service homes, clubs and homes for the elderly, and community centers. We also give presentations at universities of the third age, e.g. at Charles University, at the Mining College in Ostrava or at the U3V of the Kroměříž region. For more information visit the Academy’s [website](#) and [Facebook](#).

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## Universal services of the Czech Post

### Request for reimbursement of the net costs of providing universal services for the year 2020

On 30 August 2021 Česká pošta, s.p. filed a request for the payment of the net costs representing unfair financial burden for the year 2020 in the maximum possible amount of CZK 1,500,000,000. Total net costs for the year 2020 were quantified by Česká pošta, s.p. in the amount of CZK 1,869,691,252. On the date of submission of the request, an administrative proceeding was initiated in which CTU will verify the correctness and completeness of all submitted documents, compliance of the calculation with the Postal Services Act and Decree No. 466/2012 Coll. Pursuant to the Postal Services Act, reimbursement of the verified net costs for the year 2020 will be made from the state budget up to a maximum of CZK 1,500,000,000. The reimbursement is subject to approval by the European Commission for the period 2018 to 2022. The proceedings in this case are conducted before the European Commission under file No. [SA.55208](#), and have not been completed at the date of the request for the payment of the net costs for the year 2020 .

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## Telecommunications regulation in the EU and in the world

### Official Journal of the EU

On 24 August, [Decision No. 1/ES/2021 of 28 July 2021 of the Joint Committee](#) set up under the Agreement on Mutual Recognition between the European Community and Japan related to the registration of a conformity assessment body under the Sectoral Annex on Telecommunications Terminal Equipment and Radio Equipment [2021/1397], was published.

## ITU

From September to December 2021, [ITU Digital World 2021](#) will take place online under the auspices of the UN. This year's ITU Digital World will take the form of high-level debates led by experts on the core issues affecting the ICT sector. Main aim of this global platform is above all to share knowledge and best practices on this topic both from the public and private sector across countries around the world. Look at the [complete calendar](#).

## UPU

From 9 to 27 August 2021, [27th Universal Postal Congress](#) (Universal Postal Union - UPU) took place in Abidjan.

Congress is the supreme authority of the UPU operating within the UN system of international organisations. Plenipotentiaries from the UPU's 192 member countries take place every 4 years and shape the future of postal sector. The results of the Congress particularly include the update of the UPU Acts, which have the character of multilateral international agreements between the UPU member countries, and they set binding uniform rules for international postal traffic. Their provisions are reflected in the postal terms of basic services.

Also with regard to persistent pandemic, the Congress was held partly as a hybrid, for the first time in its history, i.e. in addition to the physical participation of the delegates directly in Abidjan, more than 1000 representatives of Member countries participated online. Czech Republic was represented by CTU Council Chair at high-level at the Congress.

Main outcomes of the Congress include approval of more than 200 amendments to the UPU Acts, focused mainly on expanding and improving quality and reliability of international postal services, as well as the approval of so-called Abidjan World Postal Strategy, defining main programme objectives for 2022 – 2025. Four main programme objectives are focused particularly on guaranteeing free movement of postal items within the single postal market, ensuring cooperation among main players in the postal market, supporting effective technological cooperation and ensuring customers' needs. Member countries also elected 2 new representatives to lead UPU. Masahiko Metoki from Japan was elected as the next UPU Director General and Marjan Osvald from Slovenia became the next Deputy Director General. In this vote, CTU Council Chair represented also the Republic of Moldova by proxy, whose representative wasn't able to attend the meeting in person.

Also the discussion on reforming the organisation for efficiency gains, in particular by opening it up to wider sector postal players, was launched during the Congress. This issue has not been concluded, but further steps which should be completed at an extraordinary Congress in 2023 were agreed.