



Poland's new law to support development of telecommunication services and networks

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For many governments, 2009 was a test to discover how well they could overcome the global financial crisis — and the Polish Administration was no exception. The government of Poland created a so-called “stability plan” which focused on new regulations in many fields, but especially in telecommunications. The basis and main objectives were very simple: to help create a society based on technology and effective management.

Today we are witnessing shifts in our industrial sectors: new trends are followed by new approaches, influenced by the financial crisis. To take advantage of the potential of new technologies, Poland is putting the emphasis on policy to support the development of telecommunication services and networks.

The aims of the new law

On 3 November 2009, Poland's Council of Ministers approved a draft new law on supporting the development of telecommunication services and networks. A bill is likely to be considered by the Polish parliament by the end of January 2010. The new law was developed under the “Digital Poland” initiative established by Polish Prime Minister Donald Tusk to promote Internet access for all citizens. It should be emphasized that, in framing the law, Poland was able

to take advantage of excellent and innovative regulations of our fellow members of the European Union.

The proposed Act on “Support for the development of telecommunication services and networks” will help to achieve the goals of the Stability and Development Plan to enhance the Polish economy in the light of the world financial crisis. One of the most important elements of the plan is encouragement of more investment in the telecommunication sector. Information and communication technologies (ICT) are one of the most important factors for stimulating economic growth and employment.

The main aim of the bill is to improve the investment process, increase competition in the telecommunication market and, in consequence, help to eradicate digital exclusion, both social and geographic. Under the new law, local authorities would be able to undertake economic activity in the telecommunication field and to build their own infrastructure, subject to certain conditions. Such activity by local authorities would not be permitted to disturb competition in the telecommunications market. Also, the bill includes the regulation that local authorities must provide access to, and share, their infrastructure and networks on an equal and transparent basis with all interested parties.

The bill regulates economic activity in telecommunications by utilities within the public sector, such as those that supply energy, water and sewage systems. And it states that telecommunication businesses must be given access to the relevant technical infrastructure owned by the public utilities. The new regulations also enlarge the category of entities that can demand rights of way for access to real estate for the purpose of telecommunications.

Regional broadband networks are another important element of the proposed new law. It eases the investment path so that funds from the European Union can be utilized for broadband projects by local authorities in Poland, within the fixed time limit for spending the funds.

Promoted by the new law, the expansion of broadband will enable more people to use advanced online services



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A better future

Thanks to the new law, it will be easier to invest in modern telecommunication infrastructure in Poland, including the development of next-generation networks (NGN). The expansion of broadband will enable more people to use advanced online services such as e-commerce, e-banking, and e-education. Competition in the market will increase, and, as a result, development of the Polish information society and eradication of the digital divide is expected to follow.

The Polish Government will work as much as possible with the private sector in order to ensure that the new regulations meet the needs of those who implement them on a daily basis. Our next step will be to promote the new law, as part of a cooperative project between the private sector and government at all levels, national and local, called the "Communication and education plan to promote the development of telecommunication services and networks".

This plan is dedicated to all interested parties, including the general public. Conferences, workshops, and seminars will be organized, and guidance published for future investors. The overall aim will be to exchange ideas and solutions for the development of broadband infrastructure and ICT throughout Poland. We look forward to a great success, and a great future!