

Statement of IAB Polska

The Association of Internet Industry Employers IAB Polska hereby expresses its concern linked to the proposed amendments to the National Broadcasting Act of 29 December 1992, expressed in the draft act of July 7, 2021 on the amendment of the National Broadcasting Act (Sejm's paper no. 1389). Especially those referring to the scope of Article 35.

The proposed changes violate the constitutionally guaranteed protection and respect for duly acquired rights and the protection of related interests. They significantly interfere with the capital structure of the Polish media market and, on top of that, they are being introduced through a deputy draft and, therefore, without any consultation with the public and those directly concerned. An introduction of solutions significantly changing the conditions of a license for broadcasting radio and television channels which, on top of that, will apply to entities already conducting such activity and holding valid licenses, is absolutely incomprehensible.

Authors of the draft highlight in its reasons that it is meant to counteract threats to the nation's safety. They do not, however, specify the manner in which the proposed amendment would fulfill this goal, as well as what actions of countries from outside of the European Economic Area require such sudden interference with the structure of the Polish media market.

The possible result of introducing proposed changes is the risk of violating the pluralism and freedom of the media. These principles constitute protection against spreading misinformation. In turn, this may lead to increasing the danger for the nation's safety in the context of hybrid actions, referred to in the reasons for the draft, thus triggering consequences completely opposite to those initially intended.

In the opinion of IAB Polska, the authors of the draft did not correctly identify the real threats present on the media market. A rushed regulation, with the current wording of the draft, may at best lead to blocking investment in the Polish television market.

We are asking for the works on the draft to be ceased and for an additional analysis to be conducted, in consultation with the entrepreneurs operating on the media market. This will allow for optimal solutions to be worked out and for the abovementioned threats and violations to be eliminated.