

Role of the Regulatory Authorities in a Digital Environment

Digitalisation in BiH - Fame vs. Famine *Role of the Communications Regulatory Agency of Bosnia and Herzegovina*

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Why regulate?

"TV is becoming the cockroach of the internet apocalypse...whatever the internet revolution throws at it, TV survives and survives and survives. Its resilience is conspicuous at a time of turbulent change."

Ed Richards, CEO Ofcom, Oxford Media Summit, January 2011

General Remarks

- Political will as the most important element
- Independence of regulator
 - Why independent regulator?
 - Independent from whom?
 - Regulation of independence (international documents)
- Elements of independence:
 - legislation; composition, appointments and functioning; financial independence, accountability, transparency, personal stamina

Licensing of Digital Terrestrial Broadcasters

- Role of the regulator

- allocate and assign frequencies on the basis of objective, transparent, non-discriminatory, easy to understand and proportionate criteria

AVMS Directive

Technological neutrality

- Directive covers all AVM services, regardless of technology used
- Same criteria for all AVMS providers

AVMS Directive - continued

Two-tier regulation

- AVM services include LINEAR and NON-LINEAR services
- Regulation is extended to on-demand services (VoD) in order to ensure same rules for all AVM services, considering the ever growing size and influence of VoD, which, both content-wise and in a commercial sense, are competitor to traditional TV broadcasting
- Directive prescribes only a basic tier of regulation for VoD, since viewers have bigger control over service choices and time of reception

AVM service is:

- Service that has an audiovisual character
- Service with economic/commercial activity
- Provided via electronic communications network
- Service that has the characteristics of mass-media
- Service whose principal purpose is provision of audiovisual programs
- „TV-like“
- Under editorial responsibility of its provider

In Bosnia and Herzegovina

- AVMS provider = TV station + VoD provider
- ALL TV stations must have appropriate licence for TV broadcasting, regardless of modes of transmission
- ALL VoD providers must have approval for such services regardless of modes of transmission
- Licences and approvals carry certain rights and responsibilities, first and foremost due to protection of users

Regulation of Internet content

- Only AVM services which require licence or approval are regulated
- CRA does not regulate other content on Internet, such as:
 - content of informational portals, electronic publications – except if AVM service
 - electronic versions of newspapers and magazines
 - private users pages, bloggs, Facebook...

Recap on DTT in BiH

- Early preparatory work – preparation of Strategy from 2005 – 2007, adoption in 2009, planned switch-over date 01.12.2011.
- Strategy not implemented, activities delayed
- Technical data:
 - ✓ DVB-T standard with MPEG-4 compression system
 - ✓ criteria and the procedure for selecting the multiplex operators are being prepared
 - ✓ no official decision on how to employ digital dividend, planned to use it for telecom (mobile) services
 - ✓ no strategy for pay TV platforms yet

Recap on DTT in BiH

- Action plan not adopted
- Strategy changed – new switch-over date 01.12.2014
- 2010, CRA decision - MUX A for PBS's; decision renewed annually, last time in 2015, no implementation
- Several tender procedures for digitalization of three cities for PBS's failed
- 2011 – Council of Ministers of BiH adopted the decision related to financing of digitalisation via Programme of multiannual capital investments for the period from 2011 – 2014, in the amount of ca. EUR 18.5 mil.

Recap on DTT in BiH

- Non-adoption of Action Plan lead to almost complete blocking of the entire process
- Paralysis of public campaign process
- Usage of frequencies in other RF spectrums for introduction of IV generation of mobile telephony?
- Continued technical interferences

Activities of the Agency

- Permanent contacts with the Ministry of Traffic and Communications
- Permanent contacts with PBSs
- November 2014 – round table discussion (proposal, main change DVBT2, MUX A also for commercial broadcasters)
- Increased public warnings about the consequences of missing the deadline

Present

- Several international interferences recorded, actions taken
- No allocation of new analogue frequencies

Present

- PBS equipment is to be installed shortly for connecting three main cities; after that it is expected to have the second stage of purchase approved
- Still no real actions taken, no solution yet for commercial broadcasters
- If the DVBT2 proposal is adopted, an option is to migrate commercial broadcasters to MUX A which might partly alleviate the problem

Thank you for your attention

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