



Czech Telecommunication Office

June 2021

Telegraphically

An amendment to the Electronic Communications Act proceeds to the Senate

On 16 June, the Chamber of Deputies approved the amendment to the Electronic Communications Act in its third reading by a large majority of the deputies present (maintained as [Chamber of Deputies document 1084](#)) to support stricter rules on nuisance marketing calls, which will strengthen consumer protection. The aim is also to cultivate the business environment in the field of direct marketing. More information can be found in an [interview](#) with Lukáš Zelený, member of the CTU Council. The legislation can now proceed to the Senate.

77% higher data usage per SIM

CTU published its [2020 Annual Report](#). It shows, for example, that mobile data usage continued to grow. An average monthly usage per SIM card using mobile data services increased by 77% year-on-year. In the first half of 2020, average prices per actual minute called fell by around 15% compared to 2019. An average price per megabyte (MB) of mobile data actually used also decreased. It fell by 28.5% over the same period.

Warning of fraudulent phone calls

CTU warns against the so-called spoofing, i.e., fraudulent practices consisting, among other things, in spoofing telephone numbers. Attacks typically take the form of a fraudulent phone call, in which the caller impersonates a representative of a banking institution (often at a non-standard hour) and tries, under pressure for imaginary reasons, to persuade the called party to make a bank transfer. More information can be found on the [website](#) of CTU.

End of the universal service obligation to provide public payphones: The auction of the telephone booth will serve charity

On 17 June 2021, the operator O2 dismantled the last telephone booth in the village of Hlubyně in the Příbram region in the presence of journalists and representatives of CTU. In the Czech Republic, the era of making telephone calls from telephone booths, which began in 1911, is definitely coming to an end. On the occasion of the removal of the last booth, O2 is launching a charity auction of items related to making telephone calls from public payphones. Proceeds from the auction will be donated by the operator to digital education of children.

A decline in the importance of public payphones can be demonstrated in the total number of these devices and telephone traffic from them. Since 2001, the total number has been gradually declining, first by about a thousand devices a year, and since 2008 the decline has accelerated. However, the drop in traffic was much more dramatic, in 2020 falling to just 2% of 2006 volume. Over the last five years, the traffic has decreased by 90%. At the end of 2020, the universal service within which the operator operated telephone booths in municipalities with less than 200 inhabitants was terminated.

In the last century, the public payphone service was an effort to improve the level of service to the population. With the rise of mobile phones, it gradually became a burden and its public operation and subsidization began to lack economic sense. The service born 110 years ago can no longer keep up with the fast pace of modern technology, which will soon be joined by the full use of 5G networks to provide an even wider range of available services. CTU also supports and educates municipalities in the construction of high-speed internet networks so that as many inhabitants as possible have an option to use modern electronic communications at an appropriate level, says Hana Továrková, CTU Council Chair.

Report on the fulfilment of the Česká pošta's obligations: The pandemic year managed successfully, deficiencies persist

Activities of the Česká pošta in 2020 were affected by the Covid-19 pandemic, states the Summary Report on the Fulfilment of Obligations Imposed on the Postal Licence Holder, Česká pošta, s.p. for the Year 2020. In its activities, the Česká pošta acted in such a way as to ensure that the performance of its duties is limited as little as possible as a result of Covid-19. After the overall assessment of the year 2020, CTU can conclude that despite identified deficiencies, in the year under review the Česká pošta complied with its legal obligations arising from the postal licence granted to it. The entire Summary Report on the Fulfilment of Obligations Imposed on the Postal Licence Holder, Česká pošta, s.p. for the Year 2020 is available on [CTU's website](#).

And what were the most significant deficiencies?

Within the supervisory activities, in 2020 CTU again identified problems on the part of Česká pošta in fulfilling its obligation to make at least one delivery to an address every business day. CTU considers non-compliance with the specified conditions for delivery of postal items to be one of the most serious misconducts of the Česká pošta. In the vast majority of cases, these are the deficiencies that occur repeatedly. Therefore, CTU again focused its attention on this area and carried out inspections which proved the misconduct of the Česká pošta. Therefore, CTU will deal with this area again in 2021, and will continue to focus its inspection activities on it.

The number of all submissions concerning dissatisfaction with the provision of the universal service which customers of the Česká pošta made directly with CTU decreased by 26.98% year-on-year. The number of submissions relating to the quality of postal items delivery decreased significantly in 2020, namely by 43.17%.

Based on the results of its supervisory activities, in 2020 CTU initiated 35 administrative offence proceedings against the Česká pošta regarding the violations of its legal obligations under Section 37a of the Postal Services Act or Section 24 of the Consumer Protection Act. Of the administrative offence proceedings dealt with by CTU in 2020 in relation to the universal services, 61 administrative

proceedings (including administrative proceedings from 2019) were decided by a final decision, and the Česká pošta was fined a total of CZK 455,900.

Postal services: Initiation of a review under the Postal Services Act

Pursuant to [Section 37\(4\)](#) of the Postal Services Act, CTU launched a review of the level of quality and method of providing and facilitating universal services and their general availability throughout the Czech Republic according to the basic quality requirements, and a review of the need to impose the obligation to provide and facilitate universal services.

Based on the results of the review, CTU will issue a reasoned intention to impose or not to impose an obligation to provide some or all of the universal services in all or in part of the national territory, which will be submitted for public consultation. Thereafter, CTU will be able to open a tender for the postal licence holder for the period from 1 January 2023 to 31 December 2027. Currently, the postal licence holder, according to decision [ref. No. ČTÚ-70 580/2017-610/V. vyř.](#) dated 12 December 2017, is Česká pošta, s.p.

The end of cheap postal items from China is near

An [amendment to the Value Added Tax Act](#), which introduces into the Czech law the already approved European Union legislation affecting the rules for incoming postal items from countries outside the European Union with a value of up to 22 euros, was originally to be approved by 1 July 2021. Until now, these postal items have been exempt from VAT. Newly, postal items containing goods for private use by natural persons with a value of EUR 0.1 to EUR 150 will have to be cleared through customs and VAT will be charged. The EUR 45 limit for VAT exemption on gift postal items remains the same, but the postal items will now also have to be cleared through customs. For postal items for private use with a value of up to EUR 150, the recipients of the postal items can file the customs declaration themselves via [customs administration application](#), or they can use the representation by the Česká pošta. However, the amendment has yet to be considered by the upper chamber of the Czech Parliament, whose [next session](#) is scheduled for 1 July; therefore, the Customs Administration of the Czech Republic [will not](#) yet collect VAT upon imports of low-value postal items (up to EUR 22). More detailed information is available on the [website of the Customs Administration of the Czech Republic](#).

End of the obligation to mark priority postal item with D+1

In the monitoring report of [February 2020](#), we drew attention to the need to visibly mark priority delivery postal items with abbreviation D+1 on the address side. Now it is sufficient for a sender to request priority carriage at the time of posting the postal item.

In May, the decision on the change of postal terms and conditions entered into legal force, on the basis of which, with effect from 1 June 2021, the condition consisting in marking postal items with text D+1 by the sender in the case of services of Ordinary Letter and Registered Letter carried in a priority mode was removed from the postal terms and conditions of Česká pošta, s.p.

If the sender now requires priority carriage of postal items, it is sufficient if they indicate this fact when posting the postal item, or places a postage stamp of an appropriate value on the postal item. Marking

with a D+1 sticker or text thus remains purely at the sender's discretion; the post office will then mark the postal item itself.

The difference between priority and economy mode of carriage is that postal items carried in the economy mode are not carried in the fastest way, and priority is given to priority postal items, which are typically delivered by post by the next day. However, even for priority postal items, the Česká pošta generally does not guarantee the delivery time, with the exception of priority letters up to 50g, where the implementing decree to the Postal Services Act sets that at least 92% of such postal items must be delivered on the first business day following the day of posting.

Universal service - special terminal equipment devices

On 8 June, the CTU Council imposed an obligation on O2 Czech Republic a.s. to provide disabled people with access to the publicly available telephone service, to the directory enquiry service and to directories. This access must be equivalent to that enjoyed by other end users, in particular through specially equipped telecommunications terminal equipment (pursuant to Section 38(2)(f) of the Electronic Communications Act).

O2 Czech Republic a.s. is obliged to comply with the terms of the decision imposing the obligation from 17 July 2021.

Imposition of the obligation was preceded by a public consultation which was launched on 14 April 2021. No comments were raised during the consultation. The Office for the Protection of Competition did not raise any comments on the subsequent decision and the party to the proceedings (O2) did not make use of its right to acquaint itself with the information serving as a basis for the decision within the prescribed time limit.

Thanks to this imposed universal service, people with disabilities can get special terminal equipment devices from this operator for a very affordable purchase price (CZK 455) or rent (CZK 29.50 per month). For the sake of completeness, we would like to add that people with disabilities are also entitled to the state allowance for telecommunications services (which can be used for fixed or mobile calls), which is, however, the subject of another universal service that is currently also provided by O2. The state allowance is CZK 200 per month.

Who is entitled to a special phone (as well as a state allowance for telecommunications services):

Holders of the ZTP/P disability certificate, holders of the ZTP disability certificate on the grounds of total or practical deafness and persons dependent on the assistance of another natural person with degree of dependence II, III, IV according to the Social Services Act are entitled to a special terminal equipment device. Of course, these people are entitled even if they are minors, their parents or guardians substituting parents apply on their behalf - they must prove that they have a caring relationship with the child in order to get the special equipment device or discount. More detailed information, including the information on the necessary documents can be found [here](#).

How should disabled people proceed when applying for special terminal equipment device (the procedure when applying for the allowance for services is similar):

Fill in the application form [here](#) and submit it at a store of O2 or send it to the address of O2 Czech Republic a.s. If you are unsure, visit any branch, call the special ZTP (disabilities) line at 800330061 or send an e-mail to ztp.slevy@o2.cz.

For more information visit directly the [website](#) of the operator on whom the said obligation to provide special terminal equipment at a discounted price was imposed.

Checked by CTU in May...

...compliance with the conditions of General Authorization No. [VO-R/12/03.2021-3](#) for use of radio frequencies and operation of equipment for broadband data transmission in 2.4 GHz to 71 GHz frequency bands

CTU carried out a total of 3 inspections. Defects were identified in all cases, consisting in harmful interference with priority radiocommunications service stations (meteorological radars) and use of indoor frequencies outside a building, which were resolved by a call to rectify the identified deficiencies and which 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 transmission of radio signals inside tunnels, buildings and trains

CTU carried out a total of 3 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 May, CTU completed a total of 129 investigations, of which there were 101 cases of interference with television reception, 9 cases of interference with GSM and LTE public mobile communications networks (in 8 cases the source of interference was an active element of TV reception), 2 cases of interference with a meteorological radar, 7 cases of interference with radio and satellite signal, 3 cases of interference with the amateur radio service, and 7 cases of interference with various systems (medical equipment, radio relay link, modulation receiver of FM radio transmitter, short-range devices, etc.). The investigation of complaints about poor TV reception revealed that in 64 cases the defect was in the viewer's equipment, in 7 cases it was due to the effect of shading, reflections or reception of signal in a non-covered area, in 20 cases the interference stopped or occurred sporadically. Nine interference reports were cancelled by their submitters during the investigation of the interference. In one case, there was no interference (the complaint was about the propagation of unspecified vibrations).

...the use of radio frequencies without authorization

CTU carried out 3 inspections focusing on the use of frequencies without authorization. All of the inspections revealed the use of frequencies without individual authorization; the cases were referred for resolution in administrative proceedings.

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

As of 30 May 2021, 184 base stations were in pilot operation, and 16,807 stations were in permanent operation. In May, an LTE base station was not identified as a source of TV signal interference in any case.

5,185 - the number of decisions issued in May on the matter, of which 5,166 decisions concerned a dispute over payment (payment of the price for services).

2,646 – the number of administrative proceedings initiated in May 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 communications service.

Operators correct the misleading information on charging for calling the 1221 number

CTU has carried out an inspection of whether the operators correctly inform about the price of calls to the 1221 number. This information hotline is operated by the Ministry of Health of the Czech Republic and is used for public inquiries related to the Covid-19 disease. It is one of the tools of the "Smart Quarantine", and calls to it are presented as free by its operator. CTU found that the price lists of some providers lacked information about the price of calls to the 1221 number.

In this context, it should first of all be noted that the 1221 number is not a number to which, according to the Decree on numbering plans for electronic communications networks and services, calls should be free of charge, and CTU therefore has no power to impose an obligation on providers not to charge for calls to this telephone number.

However, providers, whether or not they charge money for calls to this number, are obliged to state the price of the call, even if it is zero, i.e. free, in their contracts. CTU examined the contract terms and conditions of more than 100 telephone service providers and found deficiencies in 20 of them, consisting in the failure to state the price of calls to this number. The operators are gradually correcting these deficiencies.

In the event that a customer is charged money for calling the 1221 number in a manner that is not specified in the price list, the customer may contact the provider with a complaint and, where appropriate, CTU with a request to initiate proceedings concerning an objection to the handling of the complaint.

Radio spectrum management

GENERAL AUTHORIZATIONS

On 3 June, CTU launched a public consultation [on draft general authorization VO-R/10/xx.2021-y](#) to use radio frequencies and to operate short-range devices. The reason for the update is the addition of the 733-758 MHz frequency range for use by wireless microphones.

REFARMING

On 27 May 2021, CTU launched a [public consultation](#) on the requests to change radio frequency allocations in the 3400-3800 MHz frequency band on the basis of the refarming commitments. Comments can be submitted until 27 June 2021.

Legislative changes

TRANSPOSITION AMENDMENT TO THE ELECTRONIC COMMUNICATIONS ACT

On 16 June 2021, the Chamber of Deputies of the Parliament of the Czech Republic, at its 104th session, discussed and approved in its third reading the Government Bill amending Act No. 127/2005 Coll., on Electronic Communications and on Amendments to Certain Related Acts (Electronic Communications Act), as amended, and certain other Acts (Chamber of Deputies document No. 1084), as amended - [here](#).

Telecommunications regulation in the EU

European Commission

On 12 May, as a follow-up to its [Digital Decade](#) Communication (Digital Compass) of 9 March, the European Commission launched a [public consultation](#) on the formulation of a set of principles to promote and uphold EU values in the digital space (so called Digital Principles). The consultation is open until 2 September. Main aim of the public consultation is to define a set of principles that will guide EU and Member States in designing digital rules and regulations. The set covers area such as access to internet services, to a secure and trusted online environment, to digital health services and administration, where ethically a human and its needs should be at the forefront. The contributions to the public consultation will feed into a proposal from the Commission for a joint inter-institutional declaration on Digital Principles of the European Parliament, the Council, and the Commission.

The proposal is expected by the end of 2021.

On 19 May, Member states, the European Union Agency for Cybersecurity (ENISA) and European Commission were testing the procedures for prompt and effective cyber crisis management in the EU to face large-scale cross border cyber-attacks. CySOPEX 2021 is the first EU exercise for the recently established EU CyCLONE - Cyber Crises Liaison Organisation Network. Also another exercise will take place this year. More information you can find in the [press release](#).

BEREC

[The 47th BEREC Plenary meeting](#) took place on 10 and 11 June 2021. The following documents were approved for publication:

[BoR \(21\) 70](#) BEREC Annual Reports 2020

[BoR \(21\) 71](#) Report on termination rates at the European level - January 2021

[BoR \(21\) 82](#) BEREC Guidelines on Geographical surveys. Verification of information and Public Consultation Report

[BoR \(21\) 85](#) BEREC Position on the interplay between the EECC and the EC's proposal for a Digital Markets Act concerning number-independent interpersonal communication services

[BoR \(21\) 86](#) BEREC Report on WACC parameters 2021

[BoR \(21\) 89](#) BEREC Study on consumer behaviour and attitudes towards Digital Platforms

Two documents were approved for [public consultation](#):

[BoR \(21\) 87](#) Draft BEREC Opinion on the General Authorisation regime (pursuant to Article 122.3 EECC) – Questionnaire addressed to interested stakeholders

[BoR \(21\) 88](#) Draft BEREC Report on COVID-19 crisis – lessons learned regarding communications networks and Services for a resilient society

On 18 and 19 May, BEREC organized two online workshops, which recorded videos can be viewed. The first one concerned [the end-users in the context of the Digital Markets Act \(DMA\)](#). Its aim was to gather input and discuss how the DMA proposal could better protect and empower end-users. The second one was dedicated to [IPv6 deployment across Europe](#).

On 3 June, BEREC online [workshop on 5G](#) took place, particularly focused on new business models and value chains and innovation.