**NATIONAL BROADCASTING COUNCIL**

**Communication**

**of the National Broadcasting Council**

**on the financial & economic situation of the public media,**

**dated 12 September 2012**

In view of the statements made in the media by the Minister of Administration and Digitisation competent for the development of electronic services and by the Minister of Culture and National Heritage competent for audiovisual policy affairs, who are expecting within the next 2-3 years the enforcement of new regulations concerning financing the public media, the National Broadcasting Council has concluded that:

1. The present difficult economic and financial situation of public broadcasters, resulting mainly from the decreased subscription fee inflow particularly over the past 3 years, is inconsistent with the institutional rules of financing the public media in Poland and with the interpretation of the Constitutional Tribunal, which has emphasized that the subscription fee is the most important source of income, and it is the State’s duty to ensure adequate institutional and enforcement guarantees for its collection. The obligation to guarantee permanent, secure and transparent financing to the public media so that they could pursue their mission, has been acknowledged in many EU documents.
2. The Council is understanding of the projected works on legislative changes which are to introduce a new system of financing the electronic media, and this will certainly require adequate analysis, consultation and notifications. Working out such a concept, agreeing on it with the European Commission and implementing it into the legal system is a long-term process. The 2-3 years’ perspective, being a realistic one, means that the works should start as soon as possible. Although the Council has no legislative initiative, it is the right centre of competence on this matter, and it is ready to contribute its essential knowledge to support all legislative proposals concerning the new system of financing the public media.
3. The Council shares the view of the Ministers that the State’s financial support for the public media is necessary during the next years. This aid is already being launched by the Minister of Culture and National Heritage by means of allocating funds for specific mission-related projects. A permanent programme of supporting the public television and radio from the State budget is necessary.
4. The Council has been taking every effort to ensure that the agreement with Poczta Polska in terms of the subscription fee collection is more effective. It is essential to enjoy the support from the Minister of Administration and Digitisation, the Poczta Polska supervisor, and from the Minister of Finance, who enforces the collection of overdue subscription fees under the administrative legal procedure. The sound cooperation on this matter allows to presume that the decrease of the subscription fee income will be stopped this year and that this income is going to be higher than in the previous year.  
   The National Broadcasting Council is sustaining its willingness of cooperation, and is declaring its technical help for the development of new legal solutions.

Jan Dworak

Council Chairman