

**NOTIFICATION PURSUANT TO ARTICLE III:3 OF THE
GENERAL AGREEMENT ON TRADE IN SERVICES**

The following notification has been received from the delegation of Poland.

1. **Member notifying:**

Poland

2. **Notification under:**

Article III, paragraph 3 of the General Agreement on Trade in Services

3. **Date of entry into force:**

1 January 2001

Duration:

Indefinite

4. **Agency responsible for implementation and enforcement of the measure:**

Ministry of Infrastructure
Office of Telecommunications Regulation

5. **Description of the measures:**

Measure

- (i) mode of supply covered by the measure: 1, 2, 3, 4
- (ii) effect on trade in services: liberalizing measure
- (iii) impact of the measure on commitments in the Member's schedule:

On 1st January 2001 the act of 21 July 2000 Telecommunications Law came into force which introduced changes to the polish sector of communications services.

According to the provisions of this act, the operation of public telephone networks, of public networks intended for the broadcasting of radio or television programming shall require a telecommunication authorization. The above shall not apply to telecommunications activities or the use of radio equipment by:

- organizational units or divisions supervised by or subordinated to the Minister of Defense and organizations supervised by or subordinated to the minister competent for internal affairs, for their own purposes,
- organizational divisions subordinated to the minister competent for internal affairs, with regard to the networks operated to these divisions for the purposes of the chancelleries of the President, Parliament, Senate and the government administration,
- foreign military units and organizational divisions of foreign government authorities, temporarily residing in territory of the Republic of Poland, in pursuance of treaties to which the Republic of Poland is party, during the time of such stay,
- organizational divisions of the State Protection Office for their own purposes,
- organizational divisions subordinated to the minister competent for internal affairs for their own purposes,
- diplomatic representations, consular offices, special foreign missions and representations of international organizations enjoying privileges and immunities derived from acts, treaties and international custom, domiciled in the territory of the Republic of Poland - exclusively within the scope related to their diplomatic activities,
- organizational divisions of the Penitentiary Service for their own purposes.

No authorization shall be required for the operation of:

- public telephone networks, where the entire telecommunications infrastructure and all network termination points are located within the area of a single gmina,
- fixed public telephone networks using numbering resources provided by an authorized operator in pursuance of agreement on the provision of numbering which may lay down the conditions for the use of the numbering provided,
- public radio and television distribution network installed in a single residential building, designed for the broadcasting of radio or television programming.

The minister competent for posts and telecommunications may lay down by ordinance the types of telecommunications activities meeting the criteria stipulated in this act, which shall not require authorizations, aiming to limit the scope of telecommunications activities performed under authorizations.

Authorized operators shall not refuse the interconnection of their telecommunications networks with the telecommunications networks of other operators where the latter had been deployed in accordance with the law.

Until 31 December 2002 it shall be prohibited to:

- (1) provide international telephony service,
- (2) provide international services using networks operated by foreign undertakings or companies with foreign interest.

These above shall not apply to the company Telekomunikcja Polska S.A., or to its legal successors or organizations formed in the aftermath of its division or transformation, as appropriate for their respective scopes of activity and service areas.

These provisions shall not apply to services, which are not international telephony services, provided with the use of radio equipment assuring radiocommunications with a range extending beyond the borders of the Republic of Poland.

6. **Members specifically affected, if any:**

None

7. **The texts are available from:**

Official Journal of Laws of 2000 No. 73, item 852.
