

Draft name Draft Regulation of the Minister for Digitalisation on the extended scope of transmitting or transmitting/receiving radio equipment which may be used without a radio licence Lead ministry and cooperating ministries Ministry of Digital Affairs Person responsible for the draft at the level of Minister, Secretary of State or Undersecretary of State Michał Gramatyka, Secretary of State at the Ministry of Digital Affairs Contact details for the draft supervisor Agnieszka Czerwik-Gadowska, Senior Specialist in the Regulatory Division of the Telecommunications Department at the Ministry of Digital Affairs, tel.: 22 245 59 18, , email: agnieszka.czerwik-gadowska@cyfra.gov.pl	Date of preparation 06/08/2026 Source: Statutory authorisation – Article 145(4) of the Electronic Communications Act of 12 July 2024 (Journal of Laws of 2024, item 1221, Journal of Laws of 2025, items 637 and 820, and Journal of Laws of 2026, items 252 and 815) Number on the list of legislative works of the Minister for Digitalisation: 48
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REGULATORY IMPACT ASSESSMENT

1. What issue is being addressed?

The draft Regulation implements the statutory authorisation stemming from Article 145(4) of the Electronic Communications Act of 12 July 2024, hereinafter referred to as the ECA, authorising the Minister responsible for computerisation to determine the scope of transmitting or transmitting/receiving radio equipment which may be used without a radio licence, guided by the principle of increasing the number of types of such equipment, taking into account the need for a balanced frequency management, having regard to international regulations and specifying conditions for the use of transmitting or transmitting/receiving radio equipment which may be used without a radio licence, including in particular the frequency ranges used by such equipment, the maximum radiated power or the maximum magnetic field strength and the area of use of such equipment, as well as the types of radiocommunications services. This Regulation expands the list of transmitting or transmitting/receiving radio equipment which may be used without a radio licence, as set out in Article 145(2) and (3) of the ECA.

The draft Regulation was preceded by Regulation of the Minister for Digitalisation of 9 February 2022 on transmitting or transmitting/receiving radio equipment which may be used without a radio licence (Journal of Laws of 2022, item 567 and Journal of Laws of 2023, item 2567), which, pursuant to Article 104 point 15 – Provisions implementing the Act – of the Electronic Communications Act of 12 July 2024 (Journal of Laws 2024, item 1222 and Journal of Laws of 2026, item 252), is repealed with effect from the entry into force of the draft Regulation. The purpose of the draft Regulation is, in particular, to take account of the implementing decisions of the European Commission and of decisions, recommendations and reports of the European Conference of Postal and Telecommunications Administrations, hereinafter referred to as the CEPT (ECC/ERC – Electronic Communications Committee/European Radiocommunications Committee), specified in point 2.

The draft Regulation contains a number of amendments to the preceding Regulation of the Minister for Digitalisation, in particular, a series of additions and updates to the terms, designations, abbreviations and symbols used in the Regulation and its annexes, as well as of extensions and updates of the equipment range the use of which does not require a radio licence. In particular, the presentation of equipment which does not require permits has been changed.

2. Recommended solution, including planned intervention tools and expected impact

In the draft Regulation, compared with the previous regulation issued by the Minister for Digitalisation, the practice of setting out, in individual annexes, the operational parameters of equipment the use of which does not require a radio licence has been discontinued, in favour of references (included in newly structured tables) to EU and CEPT documents that set out conditions for the use of such equipment. This has improved the clarity of the text of the various annexes to the Regulation.

The draft Regulation also amended the layout of certain annexes, replaced certain titles and their content by way of applying a uniform approach referring to the relevant reference documents in all items of each of the annexes included in the draft. In addition, Annex 15 has been deleted and its content moved to Annex 16 and a new Annex 17 has been introduced, which sets out the conditions for the use of autonomous maritime radio devices (AMRD). Changes concerning titles and contents of the annexes have been presented in the table below.

Annex No.	Title in the previous Regulation	Title in the draft Regulation
1	Non-specific short-range devices	Conditions for use of non-specific short-range devices
2	Short-range devices for broadband data transmission systems	Conditions for use of short-range devices in broadband data transmission systems
3	Short-range devices in rail transport	Conditions for use of short-range devices in transport
4	Short-range radio determination devices	Conditions for use of short-range radio determination devices
5	Short-range model control devices	Conditions for use of short-range model control devices
6	Short-range devices for wireless microphones, assistive listening devices and wireless audio and multimedia streaming devices	Conditions for use of short-range assistive listening devices
7	Short-range RFID	Conditions for use of short-range RFID
8	Short-range devices in health care	Conditions for use of short-range devices in health care
9	Short-range devices for inductive applications	Conditions for use of short-range devices for inductive applications
10	UWB-technology based short-range devices	Conditions for use of UWB-technology based short-range devices
11	Conditions for use of automotive short-range radars	Conditions for use of automotive short-range radars
12	Types of satellite-earth station devices, <i>including 13 lists of devices of the following types: HEST, AES, ESV, HDAFSS, UEFSS, FES NGSO FSS, ESOMP, NGSO ESOMP, GSO ESIM, NGSO ESIM, VSAT, MES, MES under the control of satellite network and S-PCS</i>	Conditions for use of earth station equipment in satellite systems
13	Conditions for use of base station equipment for provision of MCV services on board	Conditions for use of equipment for MCV services
14	Conditions for use of base station equipment for provision of MCA services on board any aircraft	Conditions for use of equipment for MCA services
15	Conditions for use of short-range devices operating in the 874–874,4 MHz and 916,1–919,4 MHz frequency bands	Conditions for use of PMSE equipment
16	Conditions for use of PMSE equipment	Conditions for use of data tracking, localisation and collection devices
17		Conditions for use of AMRD

The draft Regulation takes into account, in particular, the provisions (most of which are new or amended) of the European Commission's implementing decisions and CEPT ECC decisions (listed in the order in which they are cited in the respective annexes) and CEPT ERC recommendations, namely:

A. the following implementing decisions of the European Commission:

1. Implementing Decision 2025/105/EU of 22 January 2025 amending Decision 2006/771/EC to update the harmonised technical conditions for the use of radio spectrum for short-range devices and repealing Implementing Decision 2014/641/EU on harmonised technical conditions of radio spectrum use by wireless audio programme making and special events equipment in the Union (OJ L 2025/105, 23.01.2025).

This Decision harmonises technical conditions for the use of spectrum for a wide range of short-range devices in application areas such as alarm systems, local communications, remote control, medical implants, and medical data collection, intelligent transport systems, audio PMSE equipment and the Internet of Things, including radio identification (RFID), as well as ground-based synthetic aperture radar (SAR) systems and security scanners. The resulting new uses of short-range devices are important in view of the increasing importance of such devices for the economy, rapid changes in technology, and changing social needs. The provisions of this decision are referred to in Annexes 1, 3, 4, 6, 8 and 15.

2. Implementing Decision 2025/650 (EU) of 26 March 2025 amending Implementing Decision (EU) 2018/1538 as regards the update of the harmonised technical conditions for short-range devices within the 874–876 and 915–921 MHz frequency bands (OJ L 2025/650, 1.04.2025).

This Decision harmonises the technical conditions for the use of the 874–876 and 915–921 MHz frequency bands for technically advanced radio frequency identification devices (RFID) and for the Internet of Things applications based on networked short-range devices in data networks. The provisions of this decision are referred to in Annexes 1, 2 and 7.

3. Implementing Decision (EU) 2024/1467 of 27 May 2024 amending Implementing Decision (EU) 2019/785 on the harmonisation of the radio spectrum for equipment using ultra-wideband technology in the Union (OJ L 2024/1467, 31.05.2024).

This Decision harmonises technical conditions for the use of spectrum by radio equipment using ultra-wideband technology ('UWB') in the Union. This decision also harmonises the availability of radio spectrum on uniform terms across the Union, thereby removing barriers to the widespread adoption of UWB technology, so as to enhance consistency between various regulations governing UWB technology in terms of limit values and interference mitigation techniques, as well as to ensure conditions conducive to innovative solutions in the field of UWB technology. The provisions of this Decision are referred to in Annex 10.

4. Commission Decision 2005/50/EC of 17 January 2005 on the harmonisation of the 24 GHz range radio spectrum band for the time-limited use by automotive short-range radar equipment in the Community (OJ L 21, 25.1.2005, p. 15, as amended).

This Decision aims to harmonise technical conditions for the provision and efficient use of the 24 GHz radio spectrum for automotive short-range radars. These devices help preventing car collisions. The provisions of this Decision are referred to in Annex 11.

5. Implementing Decision 2024/340 (EU) of 22 January 2024 on harmonised conditions for the use of radio spectrum for mobile communication services on board vessels (MCV services) in the Union, repealing Decision 2010/166/EU (OJ L 2024/340, 24.01.2024).

This Decision harmonises technical conditions for the availability and effective use of the 800/900 MHz, 1700/1800 MHz, 1900/2100 MHz and 2500/2600 MHz bands for systems providing mobile communication services on board vessels operating within territorial seas in the European Union, allowing the provision of advanced mobile communication services on board vessels (MCV services) in the European Union by means of various technologies, including non-active antenna systems (non-AAS) in the 5G NR standard and defines relevant harmonised technical conditions. The provisions of this Decision are referred to in Annex 13.

6. Implementing Decision 2022/2324 (EU) of 23 November 2022 amending Decision 2008/294/EC to include additional access technologies and measures for the provision of mobile communication services on aircraft (MCA services) in the Union (OJ L 307, 28.11.2022, p. 262).

This decision sets out the conditions to be satisfied by base stations for the provision of MCA services on board any aircraft. The provisions of this Decision are referred to in Annex 14.

7. Implementing Decision 2016/339 (EU) of 8 March 2016 on the harmonisation of the 2010–2025 MHz frequency band for portable or mobile wireless video links and cordless cameras used for programme making and special events (OJ L 63, 10.3.2016, p. 5).

This decision aims to harmonise the technical conditions for the provision and efficient use, on a non-

exclusive basis, of the 2010–2025 MHz frequency band for video PMSE equipment. The provisions of this Decision are referred to in Annex 15.

8. Implementing Decision 2022/2307 (EU) of 23 November 2022 amending Implementing Decision (EU) 2022/179 as regards designating and making available of the 5150–5250 MHz, 5250–5350 MHz and 5470–5725 MHz frequency bands in accordance with the technical conditions set out in the Annex (OJ L 305, 25.11.2022, p. 63).

This decision lays down harmonised technical conditions for WAS/RLAN in the 5150–5250 MHz, 5250–5350 MHz and 5470–5725MHz frequency bands, mandating the Member States to designate and make these bands available on a non-exclusive basis for the implementation of WAS/RLAN. The provisions of this Decision are referred to in Annex 2.

9. Implementing Decision 2025/913 (EU) of 20 May 2025 amending Commission Implementing Decision (EU) 2021/1067 as regards an update of technical conditions for the harmonised use of radio spectrum in the 5945–6425 MHz frequency band for the implementation of wireless access systems including radio local area networks (WAS/RLAN) (OJ L 2025/913, 22.5.2025).

The purpose of this Decision is to harmonise technical conditions for access to radio spectrum and efficient use of the 5945–6425 MHz frequency band by wireless access systems including radio local area networks (WAS/RLAN). The provisions of this Decision are referred to in Annex 2.

10. Commission Implementing Decision (EU) 2020/1426 of 7 October 2020 on the harmonised use of radio spectrum in the 5875–5935 MHz frequency band for safety-related applications of Intelligent Transport Systems (ITS) and repealing Decision 2008/671/EC (OJ L 328, 9.10.2020, p. 19) and Commission Implementing Decision (EU) 2026/1800 of 24 July 2026 amending Implementing Decision (EU) 2020/1426 as regards the introduction of wider frequency channels in the 5.9 GHz frequency band harmonised at Union level for safety-related applications of intelligent road transport systems (OJ L 1800, 28.7.2026).

This Decision harmonises the conditions for the availability and efficient use of the 5875–5935 MHz frequency band for safety-related applications of Intelligent Transport Systems (ITS). The provisions of this Decision are referred to in Annex 3.

11. Commission Implementing Decision (EU) 2026/883 of 21 April 2026 on the harmonisation of radio spectrum for use by radio determination applications in the 116–260 GHz frequency band (OJ L 2026/883, 23.4.2026)

This Decision harmonises technical conditions for the availability and efficient use of the radio spectrum in the 116–260 GHz frequency band within the European Union for radar applications, and sets out the technical requirements for those applications. The provisions of this Decision are referred to in Annex 4.

B. the following CEPT ERC Recommendation

ERC Recommendation 70-03 relating to the use of short range devices (SRD), approved in 1997 (Tromsø), latest amended on 5 June 2026. This recommendation, following the update and amendments made in 2026, sets out the CEPT member states' position on those frequency bands within the radio spectrum that may be used by short-range devices (SRDs) and serves as a reference document during the preparation of national regulations on the use of the radio spectrum. The provisions of this Recommendation are referred to in Annexes 1 to 4, 6 to 9, 11, 15 and 16.

C. the following CEPT (ECC/ERC/ECTRA) decisions and reports

1. ECC/DEC/(04)08 of 9 July 2004 on the harmonised use of the 5 GHz frequency bands for Wireless Access Systems, including Radio Local Area Networks (WAS/RLAN); latest amended on 1 July 2022. The provisions of this Decision are referred to in Annex 2.
2. ECC/DEC/(20)01 of 20 November 2020 on the harmonised use of the frequency band 5945-6425 MHz for Wireless Access Systems including Radio Local Area Networks (WAS/RLAN); amended 8 November 2024. The provisions of this Decision are referred to in Annex 2.

3. ECC/DEC/(08)01 of 14 March 2008 on the harmonised use of Safety-Related Intelligent Transport Systems (ITS) in the 5875-5935 MHz frequency band; latest amended on 7 March 2025. The provisions of this Decision are referred to in Annex 3.
4. ECC/DEC/(06)08 of 1 December 2006 on the conditions for use of the radio spectrum by Ground- and Wall- Probing Radar (GPR/WPR) imaging systems; updated on 26 October 2018. The provisions of this Decision are referred to in Annex 4.
5. ECC/DEC/(11)02 of 11 March 2011 on industrial Level Probing Radars (LPR) operating in frequency bands 6-8.5 GHz, 24.05-26.5 GHz, 57-64 GHz and 75-85 GHz; latest updated on 8 November 2024. The provisions of this Decision are referred to in Annex 4.
6. ECC/DEC/(21)02 of 5 November 2021 on the harmonised frequency band 76-77 GHz, technical characteristics, exemption from individual licensing and free circulation and use of High Definition Ground Based Synthetic Aperture Radar (HD-GBSAR); updated 1 July 2022. The provisions of this Decision are referred to in Annex 4.
7. ECC/DEC/(22)03 of 18 November 2022 on the harmonised frequency bands, technical characteristics, exemption from individual licensing and free circulation and use of specific radiodetermination applications in the frequency range 116 - 260 GHz; amended 8 March 2024 and amended 7 November 2025. The provisions of this Decision are referred to in Annex 4.
8. ERC/DEC/(01)11 of 12 March 2001 on harmonised frequencies, technical characteristics and exemption from individual licensing of Short Range Devices used for Flying Model control operating in the frequency band 34.995-35.225 MHz; latest updated on 10 June 2022. The provisions of this Decision are referred to in Annex 5.
9. ERC/DEC/(01)12 of 12 March 2001 on harmonised frequencies, technical characteristics and exemption from individual licensing of Short Range Devices used for Model control operating in the frequencies 40.665, 40.675, 40.685 and 40.695 MHz; latest updated on 10 June 2022. The provisions of this Decision are referred to in Annex 5.
10. ECC/DEC/(05)02 of 18 March 2005 on a harmonised frequency plan for the use of the band 169.4-169.8125 MHz; latest amended on 8 March 2024. The provisions of this Decision are referred to in Annex 6 and 16.
11. ECC Report 270 Sharing studies between Telecoil Replacement Systems (TRS) and Mobile Satellite Service (MSS) in the frequency range 1656.5-1660.5 MHz. The provisions of this Report are referred to in Annex 6.
12. ECC/DEC/(06)04 of 24 March 2006 on the harmonised use, exemption from individual licensing and free circulation of devices using Ultra-Wideband (UWB) technology in bands below 10.6 GHz; latest amended on 18 November 2022. The provisions of this Decision are referred to in Annex 10.
13. ECC/DEC/(07)01 of 30 March 2007 on the harmonised use, exemption from individual licensing and free circulation of Material Sensing Devices using Ultra-Wideband (UWB) technology; latest updated on 1 July 2022. The provisions of this Decision are referred to in Annex 10.
14. ECC/DEC/(04)10 of 12 November 2004 on the frequency bands to be designated for the temporary introduction of Automotive Short Range Radars (SRR); latest amended on 4 March 2022. The provisions of this Decision are referred to in Annex 11.
15. ERC/DEC/(99)06 of 10 March 1999 on the harmonised introduction of satellite personal communication systems operating in the bands below 1 GHz (S-PCS<1GHz); latest updated on 6 March 2026. The provisions of this Decision are referred to in Annex 12.
16. ERC/DEC/(99)05 of 10 March 1999 on Free Circulation, Use and Exemption from Individual Licensing of Mobile Earth Stations.(S-PCS < 1GHz). The provisions of this Decision are referred to in Annex 12.
17. ECTRA/DEC/(99)02 of 3 March 1999 on harmonisation of authorisation conditions in the field of Satellite Personal Communications Services (S-PCS) in Europe, operating in the bands below 1 GHz (S-PCS<1 GHz). The provisions of this Decision are referred to in Annex 12.
18. ECC/DEC/(25)02 of 27 June 2025 on low power devices communicating with satellites (LPD-S) within the frequency range 862-870 MHz. The provisions of this Decision are referred to in Annex 12.
19. ECC/DEC/(12)01 of 1 June 2012 on exemption from individual licensing and free circulation and use of satellite mobile terminals operating under the control of networks in the range 1 to 3 GHz;

latest amended on 4 March 2022. The provisions of this Decision are referred to in Annex 12.

20. ECC/DEC/(09)04 of 30 October 2009 on exemption from individual licensing and the free circulation and use of transmit-only mobile satellite terminals operating in the Mobile-Satellite Service allocations in the 1613.8 - 1626.5 MHz band. The provisions of this Decision are referred to in Annex 12.
21. ECC/DEC/(04)09 of 12 November 2004 on the designation of the bands 1518-1525 MHz and 1670-1675 MHz for the Mobile-Satellite Service; amended on 26 June 2009. The provisions of this Decision are referred to in Annex 12.
22. ECC/DEC/(06)09 of 1 December 2006 on the designation of the bands 1980-2010 MHz and 2170-2200 MHz for use by systems in the Mobile-Satellite Service including those supplemented by a Complementary Ground Component (CGC); amended 5 September 2007. The provisions of this Decision are referred to in Annex 12.
23. ECC/DEC/(05)09 of 24 June 2005 on the free circulation and use of Earth Stations on board Vessels (ESV) operating in Fixed Satellite service networks in the frequency bands 5925-6425 MHz (Earth-to-space) and 3700-4200 MHz (space-to-Earth); latest amended on 8 March 2019. The provisions of this Decision are referred to in Annex 12.
24. ECC/DEC/(19)04 of 6 March 2020 on the harmonised use of spectrum, free circulation and use of earth stations on-board aircraft operating with GSO FSS networks and NGSO FSS systems in the frequency bands 12.75-13.25 GHz (Earth-to-space) and 10.7-12.75 GHz (space-to-Earth); editorial update 28 May 2021. The provisions of this Decision are referred to in Annex 12.
25. ECC/DEC/(05)11 of 24 June 2005 on the free circulation and use of Aircraft Earth Stations (AES) in the frequency bands 14-14.5 GHz (Earth-to-space), 10.7-11.7 GHz (space-to-Earth) and 12.5-12.75 GHz (space-to-Earth); latest updated on 8 November 2024. The provisions of this Decision are referred to in Annex 12.
26. ECC/DEC/(05)10 of 24 June 2005 on the free circulation and use of Earth Stations on board Vessels (ESV) operating in fixed satellite service networks in the frequency bands 14-14.5 GHz (Earth-to-space), 10.7-11.7 GHz (space-to-Earth) and 12.5-12.75 GHz (space-to-Earth); amended on 8 March 2019. The provisions of this Decision are referred to in Annex 12.
27. ECC/DEC/(17)04 of 30 June 2017 on the harmonised use and exemption from individual licensing of fixed earth stations operating with NGSO FSS satellite systems in the frequency bands 10.70-12.75 GHz and 14.00-14.50 GHz; latest updated on 8 November 2024. The provisions of this Decision are referred to in Annex 12.
28. ECC/DEC/(18)04 of 6 July 2018 on the harmonised use, exemption from individual licensing and free circulation and use of land based Earth Stations In-Motion (ESIM) operating with GSO FSS satellite systems in the frequency bands 10.7-12.75 GHz and 14.0-14.5 GHz; latest updated on 8 November 2024. The provisions of this Decision are referred to in Annex 12.
29. ECC/DEC/(06)03 of 24 March 2006 on Exemption from Individual Licensing of high e.i.r.p. satellite terminals (HEST) operating with geostationary satellites and in the frequency bands 10.70-12.75 GHz or 19.70-20.20 GHz space-to-Earth and 14.00-14.25 GHz or 29.50-30.00 GHz Earth-to-space; latest amended on 18 November 2022. The provisions of this Decision are referred to in Annex 12.
30. ECC/DEC/(18)05 of 6 July 2018 on the harmonised use, exemption from individual licensing and free circulation and use of Earth Stations In-Motion (ESIM) operating with NGSO FSS satellite systems in the frequency bands 10.7-12.75 GHz and 14.0-14.5 GHz; latest updated on 8 November 2024. The provisions of this Decision are referred to in Annex 12.
31. ECC/DEC/(03)04 of 17 October 2003 on the Exemption from Individual Licensing of Very Small Aperture Terminals (VSAT) operating in the frequency bands 14.25-14.50 GHz Earth-to-space and 10.70-11.70 GHz space-to-Earth; amended on 8 March 2019. The provisions of this Decision are referred to in Annex 12.
32. ECC/DEC/(13)01 of 8 March 2013 on the use, free circulation, and exemption from individual licensing of Earth stations on mobile platforms (ESOMPs) in the frequency bands available for use by uncoordinated FSS Earth stations within the ranges 17.3-20.2 GHz and 27.5-30.0 GHz; latest amended on 2 July 2021. The provisions of this Decision are referred to in Annex 12.
33. ECC/DEC/(15)04 of 3 July 2015 on the harmonised use, free circulation and exemption from

individual licensing of Land, Maritime and Aeronautical Earth Stations On Mobile Platforms (ESOMPs) operating with NGSO FSS satellite systems in the frequency ranges 17.3-20.2 GHz, 27.5-29.1 GHz and 29.5-30.0 GHz; latest amended on 20 November 2020. The provisions of this Decision are referred to in Annex 12.

34. ECC/DEC/(05)08 of 24 June 2005 on the availability of frequency bands for high density applications in the Fixed-Satellite Service (space-to-Earth and Earth-to-space); latest amended on 18 November 2022. The provisions of this Decision are referred to in Annex 12.

35. ECC/DEC/(21)01 of 5 November 2021 on the use of the bands 47.2-50.2 GHz and 50.4-52.4 GHz by the fixed-satellite service (Earth-to-space); updated 4 March 2022. The provisions of this Decision are referred to in Annex 12.

36. ECC/DEC/(08)08 of 31 October 2008 on the harmonised use of GSM systems in the 900 MHz and 1800 MHz bands, UMTS systems in the 2 GHz band and LTE and 5G NR non-AAS systems in the 1800 MHz and 2.6 GHz (FDD) bands on board vessels; latest updated on 4 March 2022. The provisions of this Decision are referred to in Annex 13.

37. ECC/DEC/(22)02 of 1 July 2022 on regulation to operate Autonomous Maritime Radio Devices (AMRD) in CEPT. The provisions of this Decision are referred to in Annex 17.

3. How has this problem been solved in other countries, in particular, in OECD/EU Member States?

The Member States of the European Union are obliged to adapt their legislation to the changes resulting from the European Commission's implementing decisions and from the CEPT decisions and recommendations (ECC/ERC), which follows from the provisions of European Union law. The Regulation implements a number of implementing decisions of the European Commission and of the CEPT decisions and recommendations (ECC/ERC), binding on the Member States of the European Union, thus carrying out the action required by Community legislation, common to all EU Member States.

4. Entities affected by the draft

Group	Size	Data source	Impact
President of the Office of Electronic Communications	1	Article 138(2) of the ECA	The President of the Office of Electronic Communications as an administrative body competent for issuing radio licences (by decision).
Persons and enterprises using radio equipment and frequency bands indicated in the Regulation and distributing radio equipment.	—	—	The draft Regulation complements and extends the range of radio equipment that may be used without a radio licence.

5. Information on the scope, duration and summary of the consultation results

Pursuant to Article 5 of the Act on Lobbying Activities in the Process of Lawmaking of 7 July 2005 (Journal of Laws of 2026, item 936) and § 52(1) of Resolution No. 190 of the Council of Ministers of 29 October 2013 — Rules of Procedure of the Council of Ministers (Official Gazette of the Republic of Poland – Monitor Polski (M.P., item 404)), the draft Regulation was published in the Public Information Bulletin on the website of the minister responsible for digitalisation, and also on the website of the Government Legislation Centre on the Government Legislative Process tab.

The draft Regulation was submitted for a 14-day consultation to the following entities:

- 1) Prezes Urzędu Komunikacji Elektronicznej [President of the Office of Electronic Communications];
- 2) Prezes Urzędu Ochrony Konkurencji i Konsumentów [President of the Office of Competition and

Consumer Protection];

- 3) Prezes Urzędu Ochrony Danych Osobowych [President of the Personal Data Protection Office];
- 4) Prezes Głównego Urzędu Statystycznego [President of Statistics Poland (GUS)];
- 5) Rzecznik Małych i Średnich Przedsiębiorców [Ombudsman for Small and Medium-Sized Enterprises];
- 6) Prokuratoria Generalna Rzeczypospolitej Polskiej [General Counsel to the Republic of Poland];
- 7) Prezes Polskiego Komitetu Normalizacyjnego [President of the Polish Committee for Standardisation].

The draft Regulation was subject to a 21-day public consultation with the following entities:

- 1) Naczelna Organizacja Techniczna [Polish Engineering Association];
- 2) Federacja Związków Zawodowych Pracowników Telekomunikacji [Trade Union Federation of Telecommunications Employees];
- 3) Fundacja na rzecz innowacji finansowych FinTech [FinTech Foundation for Financial Innovation];
- 4) Fundacja Bezpieczna Cyberprzestrzeń [Safe Cyberspace Foundation];
- 5) Fundacja Hackerspace Kraków [Kraków Hackerspace Foundation];
- 6) Fundacja Nowoczesna Polska [Modern Poland Foundation];
- 7) Fundacja Open Allies [Open Allies Foundation];
- 8) Fundacja Panoptykon [‘Panoptykon’ Foundation];
- 9) Fundacja Projekt Polska [Polish Project Foundation];
- 10) Izba Gospodarki Elektronicznej [Polish Chamber of Digital Economy];
- 11) Krajowa Izba Gospodarcza Elektroniki i Telekomunikacji [Polish Electronics and Telecommunications Chamber of Commerce];
- 12) Krajowa Izba Gospodarcza [National Chamber of Commerce];
- 13) Krajowa Izba Komunikacji Ethernetowej [Polish Chamber of Ethernet Communication];
- 14) Internet Society Poland;
- 15) PKP TELKOL Sp. z o.o.;
- 16) PKP Polskie Linie Kolejowe S.A.
- 17) PKP S.A.;
- 18) Polska Izba Informatyki i Telekomunikacji [Polish Chamber of Information Technology and Telecommunications];
- 19) Polska Izba Komunikacji Elektronicznej [Polish Chamber of Electronic Communications];
- 20) Polska Izba Radiodifuzji Cyfrowej [Polish Chamber of Digital Radio Broadcasting];
- 21) Polska Izba Handlu [Polish Chamber of Commerce];
- 22) Polska Rada Biznesu [Polish Business Council];
- 23) Polski Związek Krótkofalowców [Polish Amateur Radio Union];
- 24) Śląska Federacja Przedsiębiorców Polskich [Silesia Federation of Polish Entrepreneurs];
- 25) Związek Pracodawców Mediów Publicznych [Association of Public Media Employers];
- 26) Związek Telewizji Kablowych w Polsce Izba Gospodarcza [Cable Television Association in Poland, Chamber of Commerce];
- 27) Związek Pracodawców Branży Internetowej IAB Polska [Interactive Advertising Bureau Poland];
- 28) Związek Pracodawców Mediów Elektronicznych i Telekomunikacji Mediakom [Association of Electronic Media and Telecommunications Employers ‘Mediakom’];

Furthermore, the following entities were requested to provide their opinion on the draft Regulation, having regard to the urgency of the matter, within a time limit of 21 days, in accordance with Article 19 of the Act on Trade Unions of 23 May 1991 (Journal of Laws of 2026, item 549) and Article 16 of the Act on Employers’ Organisations of 23 May 1991 (Journal of Laws of 2025, item 423):

- 1) Niezależny Samorządny Związek Zawodowy „Solidarność” [‘Solidarność’ Independent Self-Governing Trade Union];
- 2) Ogólnopolskie Porozumienie Związków Zawodowych [All-Poland Alliance of Trade Unions];
- 3) Forum Związków Zawodowych [Forum of Trade Unions];
- 4) Pracodawcy Rzeczypospolitej Polskiej (Employers of the Republic of Poland);
- 5) Confederation Lewiatan [Konfederacja Lewiatan];

- 6) Związek Rzemiosła Polskiego [Polish Craft Association];
- 7) Związek Pracodawców Business Centre Club [Business Centre Club Union of Employers];
- 8) Związek Przedsiębiorców i Pracodawców [Union of Entrepreneurs and Employers];
- 9) Federacja Przedsiębiorców Polskich [Federation of Polish Entrepreneurs];
- 10) Polskie Towarzystwo Gospodarcze [Polish Economic Society];

The draft Regulation was submitted for consultation to the Digital Affairs Council in accordance with the Act of on Computerisation of Activities of Entities Performing Public Tasks of 17 February 2005 (Journal of Laws 2025, item 1703, and Journal of Laws of 2026, item 160).

The draft Regulation does not require consultation with:

- 1) the Joint Commission of the Government and Local Government is not required, as it does not concern the issues concerning local government or those defining relations between local government and other public administration bodies;
- 2) the Council for Public Benefit Activities and the Council for Dialogue with the Younger Generation, referred to in the Act on Public Benefit Activities and Volunteering of 24 April 2003 (Journal of Laws of 2025, item 1338), as it does not concern the functioning of non-governmental organisations or public benefit activities and voluntary work;
- 3) the Social Dialogue Council, referred to in the Act on the Social Dialogue Council and other social dialogue institutions of 24 July 2015 (Journal of Laws of 2026, item 836), as it does not pertain to social and economic development, competitiveness of the Polish economy or social cohesion.

The results of the public consultation and opinion have been presented in the consultation report.

6. Impact on the public finance sector

(constant 2026 prices)		Impact over 10 years from the entry into force of the amendments [PLN million]											
		0	1	2	3	4	5	6	7	8	9	10	<i>Total (0–10)</i>
Total revenue		0	0	0	0	0	0	0	0	0	0	0	0
state budget		0	0	0	0	0	0	0	0	0	0	0	0
local government units		0	0	0	0	0	0	0	0	0	0	0	0
other units (separately)		0	0	0	0	0	0	0	0	0	0	0	0
Total expenditure		0	0	0	0	0	0	0	0	0	0	0	0
state budget		0	0	0	0	0	0	0	0	0	0	0	0
local government units		0	0	0	0	0	0	0	0	0	0	0	0
other units (separately)		0	0	0	0	0	0	0	0	0	0	0	0
Total balance		0	0	0	0	0	0	0	0	0	0	0	0
state budget		0	0	0	0	0	0	0	0	0	0	0	0
local government units		0	0	0	0	0	0	0	0	0	0	0	0
other units (separately)		0	0	0	0	0	0	0	0	0	0	0	0
Sources of financing													
Additional information, including the identification of data sources and assumptions made in	The entry into force of the draft Regulation will not impose any burden on the state budget or on the budgets of local authorities.												

the calculation								
7. Impact on the competitiveness of the economy and on entrepreneurship, including the functioning of enterprises, as well as the impact on families, citizens and households								
Impact								
Time in years since the entry into force of the amendments		0	1	2	3	5	10	Total (0–10)
In monetary terms (PLN million, constant [year] prices)	Large enterprises							
	Micro, small and medium-sized enterprises							
	Families, citizens and households							
	(add/remove)							
In non-monetary terms	Large enterprises	The entry into force of the draft Regulation will have a positive impact on large enterprises, including broadcasters and telecommunications operators, by enabling them to use a wider selection of equipment the use of which does not require prior obtaining of a radio licence. The proposed solutions will have a positive impact on the development of the economy.						
	Micro, small and medium-sized enterprises	The entry into force of the draft Regulation will have a positive impact on the micro, small and medium-sized enterprises sector by enabling them to use a wider selection of equipment the use of which does not require prior obtaining of a radio licence. The proposed solutions will have a positive impact on the development of the economy.						
	Families, citizens and households	The entry into force of the draft Regulation will have a positive impact on families, citizens and households by enabling them to use a wider selection of devices the use of which does not require prior obtaining of a radio licence.						
	(add/remove)	The entry into force of the draft Regulation shall have a positive impact on economic competitiveness and entrepreneurship. Failure to adopt the measures set out in the draft Regulation may result in certain devices being subject to the requirement to obtain a radio licence. The development and increase of the volume of radio equipment which may be used without a radio licence has a significant impact on the innovation of the economy.						
Unmeasurable	(add/remove)							
	(add/remove)							
Additional information, including the identification of data sources and assumptions made in the calculation								
8. Change in the regulatory burdens (including disclosure obligations) resulting from the draft								
☐ not applicable								
Burdens are placed outside those strictly required by the EU (see reverse side of the compatibility table for details).				☐ yes ☐ no ☒ not applicable				

☒ reduction in the number of documents ☒ reduction in the number of procedures ☒ shortening of the time to settle the matter ☐ other:	☐ increase in the number of documents ☐ increase in the number of procedures ☐ extension of the time to settle the matter ☐ other:
The introduced burdens are suitable for digitisation.	☐ yes ☐ no ☒ not applicable
9. Impact on the labour market	
This draft Regulation shall have no impact on the labour market.	
10. Impact on other aspects	
☐ natural environment ☐ regional standing and development ☐ ordinary, administrative or military courts	☐ demographics ☐ state property ☒ other: electronic communications
	☐ computerisation ☐ health
Discussion of the impact	As telecommunications matters fall within the government administration department, computerisation, the draft Regulation extending the range of devices which may be used without a radio licence shall contribute to a faster expansion of wireless systems, including radio and satellite local access networks and thus, indirectly, shall have a positive impact on the degree of access to such solutions.
11.Planned implementation of the provisions of the Act	
The Regulation shall enter into force on 10 November 2026.	
12. How and when will the impact of the draft be assessed, and what measures will be applied?	
The assessment of the effectiveness of the solutions and the detection of possible difficulties in their application are standard activities carried out by competent authorities in the field of telecommunications. A specific type of evaluation of the draft provisions is not planned.	
13.Annexes (important source documents, research, analyses, etc.)	
None	