



REGULATORY IMPACT REPORT ON THE DRAFT ROYAL DECREE ADOPTING MEASURES TO PROMOTE DAB+ TECHNOLOGY IN THE TERRESTRIAL DIGITAL AUDIO BROADCASTING (DAB) SERVICE

EXECUTIVE SUMMARY SHEET

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| Proposing ministry/ body | Ministry of Digital Transformation and the Civil Service. State Secretariat for Telecommunications and Digital Infrastructure | Date | 19 December 2025 |
| Title of the regulation | Royal decree adopting measures to promote DAB+ technology in the terrestrial digital audio broadcasting (DAB) service. | | |
| Type of report | Normal <input checked="" type="checkbox"/> Abbreviated <input type="checkbox"/> | | |
| TIMELINESS OF THE PROPOSAL | | | |
| Subject | <p>The draft approves measures to promote DAB+ technology in the terrestrial digital audio broadcasting (DAB) service.</p> <p>Royal Decree 1287/1999 of 23 July 1999 approved the National technical plan for terrestrial digital audio broadcasting. Its main purpose was to ensure the orderly introduction of digital technology into the radio broadcasting sector (digital audio broadcasting [DAB] technology).</p> <p>Its successive amendments have sought to promote the implementation of digital technology and to adapt the operating conditions of this audiovisual media service (AVMS) to the technological and economic situation of the sector at various times.</p> <p>Subsequently, the European Electronic Communications Code, adopted in December 2018 and transposed into our current General Telecommunications Law 11/2022 of</p> | | |



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| | <p>28 June 2022, included constraints relating to the interoperability of car radio receivers, establishing that receivers integrated into a new category M vehicle presented for sale or rent in the European Union must include a receiver capable of receiving and reproducing at least the broadcasting services offered via terrestrial digital broadcasting.</p> <p>This measure also shows the interest at European level in terrestrial audio broadcasting services using digital technologies.</p> <p>Despite all this, the audience for terrestrial DAB AVMS in Spain remains comparatively small compared to other forms and technologies of radio audio broadcasting in our country.</p> <p>One of the mechanisms available to relaunch the terrestrial DAB AVMS service in Spain consists in incorporating and extending the latest technologies available in this service, such as DAB+ technology.</p> <p>DAB+ technology permits more efficient use of the spectrum, optimises audio signal coding by making it more robust against interference, allows advanced audio formats (multichannel sound) and makes it possible to incorporate certain functionalities such as the automatic safety alert (ASA) system.</p> <p>Hence why this regulation adopts a series of measures to promote DAB+ technology in terrestrial DAB AVMS.</p> |
| Objectives pursued | <p>The objectives of the draft are as follows:</p> <ul style="list-style-type: none">• to establish measures for the promotion of DAB+ technology in the DAB AVSM with specific coverage obligations for the public body at State level;• to establish the technical specifications of broadcasts and the number of radio channels in each terrestrial DAB network;• to establish the technical management of terrestrial DAB networks; |



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| | <ul style="list-style-type: none">• to introduce the automatic safety alert (ASA) functionality;• to ensure more effective and efficient use of the radio spectrum in the field of terrestrial DAB;• to promote technological innovation and the most advanced and competitive services and technologies, particularly DAB+ technology and associated functionalities. |
| Main alternatives considered | <p>The DAB AVMS does not enjoy the same penetration in Spain as the terrestrial frequency modulation (FM) audio broadcasting service. The measures that have been adopted in our country have achieved limited deployment, which also means that there are only a limited number of receivers.</p> <p>On the other hand, the availability of frequencies for FM radio broadcasting is increasingly limited, and at European level, there is a commitment to the DAB AVMS.</p> <p>Among the measures to promote this service is the adoption of DAB+ technology over the current DAB. This technology makes more efficient use of the radio spectrum, offers features such as ASA, and provides more robust signal encoding against interference.</p> <p>Given all of the above, regulatory inaction is deemed not to be an option.</p> <p>When addressing the process of incorporating these technological innovations into DAB services in Spain, the option could have been taken to radically modify the DAB radio services market, although it has been deemed appropriate to approach the implementation of DAB AVMS gradually, beginning with the introduction of DAB+ technology at national level so as to allow for smooth adaptation of the receiver base by users and promoting adoption of the technology in other areas as and when each competent body deems it appropriate.</p> <p>Thus, with the aim of promoting the implementation of this technology, the Spanish Radio and Television Corporation (RTVE) shall exploit the full capacity of the MF-I network</p> |



for provision of the public service of national-level terrestrial DAB, which should gradually cover 80 % of the population within 30 months. Moreover, the main communication routes will be progressively covered by this technology

In order to encourage the penetration of the service and enable investment in this technology, coverage obligations are maintained for the time being for current licence holders of the national-level DAB AVMS, who will operate the audio broadcasting channels authorised under their licences through the MF-II network.

Use of the FU-E network (national level) is configured to carry out tests of technological capabilities and experimental uses and may also be used, where appropriate and by ministerial order, to configure territorial disconnections depending on the technological development of DAB+ technology, technological innovation in different standards of terrestrial DAB services and changes in the radio market in Spain.

At regional and local level, in order to facilitate the flexible adoption of this technology according to the needs and characteristics of each territory, it is provided that the competent authority for audiovisual matters in the autonomous community or city may decide at any time the date as of which broadcasts on regional networks in its autonomous community or city will be made exclusively using DAB+ technology, as well as the date on which this technology will be used exclusively on local networks planned in that autonomous community or city.

In addition, an incentive is introduced for efficient use of the radio spectrum, such that in the event that, within 36 months of the entry into force of the royal decree, the regional single-frequency network that each autonomous community and city has planned in accordance with Article 3(2)(a) and Annex II of the National technical plan for terrestrial digital audio broadcasting (Annex to Royal Decree 1287/1999 of 23 July 1999 approving the National technical plan for terrestrial digital audio broadcasting) is not being operated by any licence holder authorised to provide the service, that network shall cease to be reserved for that autonomous community or city and may be used for the planning of new networks or the



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| | <p>modification of existing ones, regardless of their territorial scope.</p> <p>It has been deemed most appropriate to approve a royal decree that includes the aforementioned measures for the gradual adoption of DAB+ technology, with the regulatory repeals and amendments to Royal Decree 1287/1999 of 23 July 1999 approving the National technical plan for terrestrial digital audio broadcasting, included in the Repealing Provision and the First Final Provision of the text, respectively.</p> |
| CONTENT AND LEGAL ANALYSIS | |
| Type of regulation | Royal Decree |
| Structure of the regulation | The draft consists of a preamble, seven articles, two transitional provisions, one repeal provision and five final provisions. |
| Reports collected | <p>This provision shall be subject to the procedure laid down in Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services and to the provisions of Royal Decree 1337/1999 of 31 July 1999 regulating the provision of information in the field of technical standards and regulations and of regulations on Information Society services.</p> <p>Reports received:</p> <ul style="list-style-type: none">- Report of the National Commission on Markets and Competition, in accordance with Article 5(2)(a) of Law 3/2013 of 4 June 2013 establishing the National Commission on Markets and Competition. <p>Reports to be collected:</p> |



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| | <ul style="list-style-type: none">- Report of the Technical General Secretariat of the Ministry of Digital Transformation and the Civil Service, in accordance with the provisions of Article 26(5), fourth paragraph, of Law 50/1997 of 27 November 1997, The Government.- Reports of the Ministry of Economy, Trade and Enterprise, the Ministry of Finance, the Ministry of Territorial Policy and Democratic Memory and the Ministry of Social Rights, Consumer Affairs and Agenda 2030, in accordance with the provisions of Article 26(5), first paragraph, of Law 50/1997 of 27 November 1997, The Government.- Report of the Spanish Council for Consumers and Users.- Report of the Office of Coordination and Regulatory Quality of the Ministry of the Presidency, Relations with the Courts and Equality, pursuant to the provisions of Article 26(9) of Law 50/1997 of 27 November 1997, The Government.- Report of the Council of State. |
| <p>Procedures for prior public consultation and hearing</p> | <p>Prior to the preparation of this draft legislation, on 8 July 2025, a meeting was held with sector stakeholders, during which a presentation was made on the general aspects of the measures to be adopted to promote the technological development of DAB. Comments were gathered during this meeting and have been taken into account in the preparation of the draft royal decree.</p> <p>The public consultation procedure provided for in Article 133(1) of Law 39/2015 of 1 October 2015 on the Common Administrative Procedure of Public Administrations was conducted via the web portal of the Ministry of Digital Transformation and the Civil Service between 9 and 28 July 2025.</p> <p>The public hearing and information procedure provided</p> |



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| | <p>for in Article 133(2) of Law 39/2015 of 1 October 2015 on the Common Administrative Procedure of Public Administrations was conducted via the web portal of the Ministry for Digital Transformation and the Civil Service between 2 October and 4 November 2025.</p> <p>A specific claims procedure was conducted with the autonomous communities in accordance with the provisions of Article 7 of the Regulation on the use of the public radio domain, approved by Royal Decree 123/2017 of 24 February 2017, between 2 October and 4 November 2025.</p> | |
| IMPACT ANALYSIS | | |
| ADAPTATION TO JURISDICTIONAL PRIORITY | <p>The royal decree is issued by virtue of the exclusive State competence in the field of telecommunications provided for in Article 149(1.21) of the Spanish Constitution.</p> | |
| ECONOMIC AND BUDGETARY IMPACT | <p>General impact on the economy</p> | <p>The royal decree will have a positive impact on economic growth and innovation.</p> |
| | <p>With regard to competition</p> | <p><input type="checkbox"/> the regulation has no significant impact on competition</p> <p><input checked="" type="checkbox"/> the regulation has a positive impact on competition</p> <p><input type="checkbox"/> the regulation has a negative impact on competition</p> |
| | | <p><input type="checkbox"/> it entails a reduction in administrative burdens.</p> |



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| | | <input type="checkbox"/> it incorporates new administrative burdens. <input checked="" type="checkbox"/> it does not affect administrative burdens. |
| | With respect to budgets, the regulation: <input type="checkbox"/> affects State budgets <input type="checkbox"/> affects the budgets of other territorial administrations | <input type="checkbox"/> entails an expense <input type="checkbox"/> entails a revenue |
| GENDER IMPACT | The regulation has the following gender impact: | Negative <input type="checkbox"/> None <input checked="" type="checkbox"/> Positive <input type="checkbox"/> |
| OTHER IMPACTS CONSIDERED | SOCIAL IMPACT | The royal decree will promote the development of DAB services to advanced standards, including DAB+ signal encoding, which allows for more efficient use of the spectrum. In addition, it will permit gradual implementation of the ASA (automatic safety alert) functionality. |
| | IMPACT ON CHILDHOOD, ADOLESCENCE AND THE FAMILY | The royal decree has a positive impact in that it includes the possibility of incorporating the ASA functionality. |
| | IMPACT ON EQUAL OPPORTUNITIES, NON-DISCRIMINATION AND | The royal decree has a positive impact, in that it includes the possibility of |



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| | UNIVERSAL ACCESSIBILITY BY PERSONS WITH DISABILITIES. | incorporating the ASA functionality. |
| OTHER CONSIDERATIONS | | |



A. TIMELINESS OF THE PROPOSAL.

1. RATIONALE.

- *Reasons for the proposal.*

The draft approves measures to promote DAB+ technology in terrestrial DAB services. Among the measures to promote this service is the adoption of DAB+ technology over the current DAB. This technology makes more efficient use of the radio spectrum, offers features such as ASA, and provides more robust signal encoding against interference.

In 2025, Royal Decree 250/2025 of 25 March 2025 approving the National technical plan for terrestrial digital television and regulating certain measures to promote the technological development of terrestrial digital television was published.

In line with measures to promote terrestrial digital television broadcasting services, the situation of terrestrial DAB services has been analysed, and it has been deemed appropriate to promote terrestrial DAB AVMS using more efficient radio technology and features such as ASA, which, once implemented, will represent a major advance in communicating more directly with citizens in emergency situations or situations requiring prevention measures to be taken.

Similarly, the proposal supports the introduction into the European Electronic Communications Code, adopted in December 2018 and transposed into our current General Telecommunications Law 11/2022 of 28 June 2022, of constraints relating to the interoperability of car radio receivers, establishing that receivers integrated into a new category M vehicle presented for sale or rent in the European Union must include a receiver capable of receiving and reproducing at least the radio broadcasting services offered via terrestrial digital radio broadcasting.

This measure also shows the interest at European level in terrestrial audio broadcasting services using digital technologies.

Furthermore, the DAB AVMS does not enjoy the same penetration in Spain as the terrestrial frequency modulation (FM) audio broadcasting service.

The measures that have been adopted in our country have achieved limited deployment, which also means that there are only a limited number of receivers.



On the other hand, the availability of frequencies for FM radio broadcasting is increasingly limited, and at European level, there is a commitment to the DAB AVMS.

With the aim of promoting the implementation of this DAB+ technology, the Spanish Radio and Television Corporation (RTVE) shall exploit the full capacity of the MF-I network for provision of the public service of national-level terrestrial DAB, which should gradually cover 80 % of the population within 30 months. Moreover, the main communication routes will be progressively covered by this technology.

Use of the FU-E network (national level) is configured to carry out tests of technological capabilities and experimental uses and may also be used, where appropriate and by ministerial order, to configure territorial disconnections depending on the technological development of DAB+ technology, technological innovation in different standards of terrestrial DAB services and changes in the radio market in Spain.

In order to encourage the penetration of the service and enable investment in this technology, coverage obligations are maintained for the time being for current licence holders of the national-level DAB AVMS, who will operate the audio broadcasting channels authorised under their licences through the MF-II network.

At regional and local level, in order to facilitate the flexible adoption of this technology according to the needs and characteristics of each territory, it is provided that the competent authority for audiovisual matters in the autonomous community or city may decide at any time the date as of which broadcasts on regional networks in its autonomous community or city will be made exclusively using DAB+ technology, as well as the date on which this technology will be used exclusively on local networks planned in that autonomous community or city.

In addition, an incentive is introduced for efficient use of the radio spectrum, such that in the event that, within 36 months of the entry into force of the royal decree, the regional single-frequency network that each autonomous community and autonomous city has planned in accordance with Article 3(2)(a) and Annex II of the National technical plan for terrestrial digital audio broadcasting (Annex to Royal Decree 1287/1999 of 23 July 1999 approving the National technical plan for terrestrial digital audio broadcasting) is not being operated by any licence holder authorised to provide the service, that network shall cease to be reserved for that autonomous community or city and may be used for the planning of new networks or the modification of existing ones, regardless of their territorial scope.



With regard to the National technical plan for terrestrial digital audio broadcasting, approved by Royal Decree 1287/1999 of 23 July 1999, all sections remain in force except for those indicated in the repealing provision of the text and the amendments established in the first final provision.

- *Identification of the groups affected*

The draft affects all **providers of DAB services**, whether they have national, regional or local coverage and whether they are public or private. The following in particular are directly affected at National level: 'Onda Digital S.A. [public limited company] (now C.R.B. Digital, S.A.); 'Radio Popular, S.A.' (now Cadena de Ondas Populares Española – COPE); 'Sociedad Española de Radiodifusión, S.A.' (Unión Radio Digital, S.A.); 'Sauzal 66, S.L. [limited company]'; 'Uniprex, S.A.'; 'Unión Ibérica de Radio, S.A.' (now Uniprex, S.A.); 'Unedisa Comunicaciones, S.L.'; 'Recoletos Cartera de Inversiones, S.A.' (now Unidad Editorial Internet, S.L.); 'Sociedad de Radio Digital Terrenal, S.A.'; 'Prensa Española de Radio por Ondas, S.A.' (now e-media Punto Radio, S.A.U. [single shareholder limited company]), which must develop DAB+ signal coding.

Finally, the draft affects **citizens in general**, as it concerns a technology that is more robust against interference, thereby permitting more efficient use of the radio spectrum and enabling the introduction of ASA functionality.

Considering the recognised importance of radio broadcasting at European level as a means of affording the population broad access to a wide range of information and content and facilitating the transmission of individual and public opinions, it is also necessary to ensure the technological development of the terrestrial DAB service.

- *Public interest issues.*

The draft addresses the necessary process for the technological development of the terrestrial DAB service in the simplest and most flexible way possible.

The draft guarantees the continuity of the full current offering of national, regional and local channels.

- *Annual Regulatory Plan*

The draft could not be included in the 2025 Annual Regulatory Plan.



2. OBJECTIVES

The objectives of the draft are as follows:

- to establish measures for the promotion of DAB+ technology in the DAB AVSM with specific coverage obligations for the public body at State level;
- to establish the technical specifications for broadcasts and the number of radio channels in each digital terrestrial radio broadcasting network;
- to establish the technical management of terrestrial DAB networks;
- to introduce the automatic safety alert (ASA) functionality;
- to ensure more effective and efficient use of the radio spectrum in the field of terrestrial DAB;
- to promote technological innovation and the most advanced and competitive services and technologies, particularly DAB+ technology and associated functionalities.

3. PRINCIPLES OF SOUND REGULATION.

This regulation has been drafted and processed according to the principles for good regulation set out in Article 129 of Law 39/2015 of 1 October 2015 on the Common Administrative Procedure of Public Administrations. The following in particular:

In particular, with regard to the principle of necessity, this regulation addresses the necessary process for the technological development of the DAB service, in particular, for the implementation of DAB+ technology that provides greater efficiency in the use of radio spectrum, greater robustness against interference and functionalities or capabilities such as ASA and multichannel sound.

Regarding the principle of proportionality, this regulation guarantees the continuity of the entire current offering of terrestrial DAB channels at national, regional and local levels.



This royal decree guarantees legal certainty, since it is aligned with European Union legislation requiring efficient use of the spectrum and incorporates and sets standards at both international and European levels.

With regard to the principle of transparency, the reasons justifying this regulation have been explained, submitting the text to the public hearing and information process provided for in Article 133 of Law 39/2015 of 1 October 2015.

Finally, the principle of efficiency is upheld, as this regulation enables the introduction of the most efficient coding techniques.

4. ALTERNATIVES.

As mentioned above, the European Electronic Communications Code included constraints relating to the interoperability of car radio receivers, establishing that receivers integrated into a new category M vehicle presented for sale or rent in the European Union must include a receiver capable of receiving and reproducing at least the broadcasting services offered via terrestrial digital broadcasting.

In addition, it is in the public interest to develop advanced terrestrial DAB standards such as DAB+ technology, which provides greater robustness against interference, more efficient use of the radio spectrum and the possibility of incorporating the ASA functionality.

Therefore, the alternative of regulatory inaction is not deemed possible.

When addressing the process of incorporating this technological innovation into terrestrial DAB services in Spain, the option could have been taken to radically change the market for these services, although it was considered appropriate to ensure the continuity of the entire current range of terrestrial DAB channels at national, regional and local level.

Likewise, the incorporation of DAB+ technology could have been designed in a much more aggressive manner, imposing this technological advance directly in all areas. However, a more restrained and gradual introduction has been chosen, permitting promotion of this technology alongside a progressive increase in the number of users with receivers.

In view of the above, State-level promotion was chosen for both the public entity and holders of audiovisual licences for terrestrial DAB AVMS.



The Spanish Radio and Television Corporation shall exploit the full capacity of the MF-I network to provide a national-level terrestrial DAB service, which should gradually cover 80 % of the population within 30 months. Moreover, the main communication routes will be progressively covered by this technology.

In order to encourage the penetration of the service and enable investment in this technology, coverage obligations are maintained for the time being for current licence holders of the national-level DAB AVMS, who will operate the audio broadcasting channels authorised under their licences through the MF-II network.

Use of the FU-E network (national level) is configured to carry out tests of technological capabilities and experimental uses and may also be used, where appropriate and by ministerial order, to configure territorial disconnections depending on the technological development of DAB+ technology, technological innovation in different standards of terrestrial DAB services and changes in the radio market in Spain.

At regional and local level, in order to facilitate the flexible adoption of this technology according to the needs and characteristics of each territory, it is provided that the competent authority for audiovisual matters in the autonomous community or city may decide at any time the date as of which broadcasts on regional networks in its autonomous community or city will be made exclusively using DAB+ technology, as well as the date on which this technology will be used exclusively on local networks planned in that autonomous community or city. Said competent body shall decide on the number of channels reserved for provision of the terrestrial DAB public service and for provision of licensed services respectively, as well as the coverage objectives.

In addition, an incentive is introduced for efficient use of the radio spectrum, such that in the event that, within 36 months of the entry into force of the royal decree, the regional single-frequency network that each autonomous community and city has planned in accordance with Article 3(2)(a) and Annex II of the National technical plan for terrestrial digital audio broadcasting (Annex to Royal Decree 1287/1999 of 23 July 1999 approving the National technical plan for terrestrial digital audio broadcasting) is not being operated by any licence holder authorised to provide the service, that network shall cease to be reserved for that autonomous community or city and may be used for the planning of new networks or the modification of existing ones, regardless of their territorial scope.

It has been deemed most appropriate to approve a royal decree that includes the aforementioned measures for the gradual adoption of DAB+ technology, with the regulatory repeals and amendments to Royal Decree 1287/1999 of



23 July 1999 approving the National technical plan for terrestrial digital audio broadcasting, included in the Repealing Provision and the First Final Provision of the text, respectively.

B. CONTENTS, LEGAL ANALYSIS AND DESCRIPTION OF THE PROCESSING.

1. CONTENTS.

The draft consists of a preamble, seven articles, two transitional provisions, one repeal provision and five final provisions.

The content of the draft is discussed below:

- *Articles of the royal decree*

The provisions of the royal decree mainly establish the technical specifications for broadcasts and the number of channels in each terrestrial DAB network and regulate measures to promote the technological development of terrestrial DAB at all levels: national, regional and local.

Article 1 establishes the purpose of the royal decree aimed at adopting measures to promote DAB AVMS through the introduction of DAB+ technology.

Article 2 establishes the technical specifications for broadcasts and the number of channels in each terrestrial DAB network.

Article 3 establishes measures to promote DAB+ technology in the national-level terrestrial DAB AVMS.

This service shall be provided via the networks specified in the National technical plan for terrestrial digital audio broadcasting.

The Spanish Radio and Television Corporation (RTVE) shall exploit the full capacity of the MF-I network with obligations to gradually cover the population and certain communication routes.

Licence holders of terrestrial DAB AVMS with national-level coverage shall operate the radio audio broadcasting channels authorised by their licences via the MF-II network.



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The coverage of the MF-II network must reach at least 20 % of the population and higher targets may be set if the service's audience share exceeds 10 % of the overall radio audience.



Use of the FU-E network is configured to carry out tests of technological capabilities and experimental uses, and may also be used, where appropriate and by ministerial order, to configure territorial disconnections depending on the technological development of DAB+ technology, technological innovation in different standards of terrestrial DAB services and changes in the radio market in Spain.

Article 4 establishes measures to promote DAB+ technology in terrestrial DAB AVMS at regional and local levels.

This service shall be provided via the networks specified in the National technical plan for terrestrial digital audio broadcasting.

Initially, the regional and local terrestrial DAB services will be provided using DAB technology. Each licence holder authorised to provide the service may voluntarily and unilaterally decide to provide the service using DAB+ technology, in which case they may not exceed the conditions established in the licence and, in particular, may not enjoy a greater number of terrestrial DAB AVMS.

The competent authority for audiovisual matters in the autonomous community or city may decide at any time the date as of which broadcasts on regional or local networks in its autonomous community or city will be made exclusively using DAB+ technology. Likewise, said competent body shall decide on the number of channels that are reserved for provision of the public terrestrial DAB service and for licensed provision of the service, respectively, and the coverage targets.

Similarly, at this time, the competent body must decide whether all channels reserved for the terrestrial DAB service are assigned to a single network, the other networks being automatically left unexploited, whereby they may then be used for planning new networks or modifying existing ones regardless of their territorial scope.

Finally, if within 36 months the regional single-frequency network is not being operated by any licence holder authorised to provide the service, that network shall cease to be reserved for that autonomous community or city and may be used for planning new networks or modifying existing ones, regardless of their territorial scope.

Article 5 regulates the technical management of terrestrial DAB networks.



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Entities sharing the capacity of the networks defined in the National technical plan for digital terrestrial audio broadcasting must designate a network manager.



Article 6 regulates the Automatic Safety Alert System.

This automatic alert system for hazardous situations must be incorporated into those networks for which the development of DAB+ technology is mandatory on a date to be determined by the head of the Ministry for Digital Transformation and the Civil Service.

Article 7 establishes the characteristics of terrestrial DAB receivers.

Receivers capable of receiving and reproducing terrestrial DAB services via various technologies must permit easy and direct access to DAB services broadcast via these technologies and include functionalities enabling users to easily change settings and default settings.

- *Transitional, repealing and final provisions*

The first transitional provision refers to amendment of the licences granted for the provision of DAB AVMS, which may be made at any time by the competent body.

The second transitional provision refers to amendment of the licences granted for use of the public radio spectrum, which may be made ex officio by the State Secretariat for Telecommunications and Digital Infrastructure.

The single repealing provision repeals: section 1, section 3, last paragraph, section 4, last paragraph, section 5, section 6, section 7 and section 8 of the first additional provision and Article 2.3 of the Annex (National technical plan for terrestrial digital audio broadcasting) to Royal Decree 1287/1999 of 23 July 1999 approving the National technical plan for terrestrial digital audio broadcasting.

The first final provision amends Articles 6 and 7 of the annex (National technical plan for terrestrial digital audio broadcasting) to Royal Decree 1287/1999 of 23 July 1999 approving the National technical plan for terrestrial digital audio broadcasting.

The second final provision amends the Regulation governing common telecommunications infrastructure for access to telecommunications services in the interior of buildings, approved by Royal Decree 346/2011 of 11 March 2011.

The third final provision authorises the Secretary of State for Telecommunications and Digital Infrastructure to amend the frequency blocks



established in the National technical plan for terrestrial digital audio broadcasting.

The fourth final provision provides for *regulatory development and implementation in favour of the* head of the Ministry for Digital Transformation and the Civil Service and the head of the State Secretariat for Telecommunications and Digital Infrastructure.

And **the fifth final provision** provides that the royal decree will enter into force three months after its publication in the *Official State Gazette*.

2. LEGAL ANALYSIS

- *Background and relationship with other regulations*

In relation to administration of the public radio domain, Article 85(1) of the General Telecommunications Law 11/2022 of 28 June 2022, establishes the following:

'Article 85. Administration of the radioelectric public domain.

1. The radio spectrum is a public commodity, owned and managed by the State. This administration shall be exercised in accordance with the provisions of this Title and the international treaties and agreements to which Spain is a party, taking into account the regulations applicable in the European Union and the resolutions and recommendations of the International Telecommunication Union and other international organisations.

In turn, Article 85(4) of Law 11/2022 of 28 June 2022, the General Telecommunications Law, provides that:

'4. The administration of the public-radio domain aims to establish a legal framework that ensures harmonised conditions for its use, and that allows its availability and efficient use, and covers a set of actions including the following:

- (a) Planning: Preparation and approval of the utilisation plans.
- (b) Management: Establishment, in accordance with prior planning, of the technical conditions for operation and granting of rights of use.



(c) Monitoring: Technical verification of emissions, detection and elimination of interference, technical inspection of radio installations, equipment and apparatus, as well as the control of the placing on the market of the latter.

It also includes the protection of the radioelectric public domain, consisting, among other actions, of broadcasting without substantive content on those radio frequencies and channels whose rights of use, in the corresponding territorial scope, have not been granted, regardless of whether said radio frequencies or channels are subject in practice to occupation or effective use.

(d) Application of the penalty system'.

Finally, and much more specifically, Article 86 of Law 11/2022 of 28 June 2022, the General Telecommunications Law, establishes that it is for the Government to approve the national technical plans for broadcasting and television, within the exclusive competence of the State for the planning, management and control of the public radioelectric domain recognised under Article 149(1.21) of the Spanish Constitution.

Through Royal Decree 1287/1999 of 23 July 1999 he approved the National technical plan for terrestrial digital audio broadcasting. Its main purpose was to ensure the orderly introduction of digital technology into the radio broadcasting sector (digital audio broadcasting [DAB] technology).

Its successive amendments have sought to promote the implementation of digital technology and to adapt the operating conditions of this audiovisual media service (AVMS) to the technological and economic situation of the sector at various times.

Subsequently, the European Electronic Communications Code, adopted in December 2018 and transposed into our current General Telecommunications Law 11/2022 of 28 June 2022, included constraints relating to the interoperability of car radio receivers, establishing that receivers integrated into a new category M vehicle presented for sale or rent in the European Union must include a receiver capable of receiving and reproducing at least the broadcasting services offered via terrestrial digital broadcasting.

This measure also shows the interest at European level in terrestrial audio broadcasting services using digital technologies.



Despite all this, the audience for terrestrial DAB AVMS in Spain remains comparatively small compared to other forms and technologies of radio audio broadcasting in our country.

One of the mechanisms available to relaunch the terrestrial DAB AVMS service in Spain consists in incorporating and extending the latest technologies available in this service, such as DAB+ technology.

DAB+ technology permits more efficient use of the spectrum, optimises audio signal coding by making it more robust against interference, allows advanced audio formats (multichannel sound) and makes it possible to incorporate certain functionalities such as the automatic safety alert (ASA) system.

Hence why this regulation adopts a series of measures to promote DAB+ technology in terrestrial DAB AVMS.

- *New aspects introduced by the draft*

On the one hand, DAB+ technology improves the efficiency of public radio spectrum use while providing a signal that is more robust against interference and offering additional features to be incorporated over time, such as the Automatic Safety Alert (ASA). All of this will benefit citizens in their access to this type of AVSM.

Each of the actions to be carried out, as provided for in this royal decree, is designed to contribute to the final objective of adopting DAB+ technology for the networks established at national level under the National technical plan for terrestrial digital audio broadcasting. It also allows for flexible, gradual incorporation of this technological development by those licence holders who so desire, with the competent autonomous community or local body also being able to set a date for technological change by the autonomous community and local networks as it sees fit.

To advance this objective, coverage obligations are imposed on the Radio and Television Corporation in terms of both population and communication routes.

Furthermore, other measures are included aimed at achieving more efficient use of the spectrum, so that if specific regional or local networks are not exploited, they will no longer be reserved for that autonomous community or city and may be used for planning new networks or modifying existing ones, regardless of their territorial scope. The same applies to regional single-frequency networks, if they are not operated within 36 months of the y into force of the royal decree.



This measure ensures the continuity of all existing terrestrial DAB AVMS licences and the corresponding territorial disconnections.

In accordance with the above, this regulation establishes that the DAB AVMS licensing service shall be provided via the networks planned in the Technical plan approved by Royal Decree 1287/1999 of 23 July 1999.

The ASA system has been introduced and will have to be incorporated into networks at national level.

With the aim of promoting the implementation of this DAB+ technology, the Spanish Radio and Television Corporation (RTVE) shall exploit the full capacity of the MF-I network for provision of the public service of national-level terrestrial DAB, which should gradually cover 80 % of the population within 30 months. Moreover, the main communication routes will be progressively covered by this technology.

Use of the FU-E network (national level) is configured to carry out tests of technological capabilities and experimental uses and may also be used, where appropriate and by ministerial order, to configure territorial disconnections depending on the technological development of DAB+ technology, technological innovation in different standards of terrestrial DAB services and changes in the radio market in Spain.

In order to encourage the penetration of the service and enable investment in this technology, coverage obligations are maintained for the time being for current licence holders of the national-level DAB AVMS, who will operate the audio broadcasting channels authorised under their licences through the MF-II network.

At regional and local level, in order to facilitate the flexible adoption of this technology according to the needs and characteristics of each territory, it is provided that the competent authority for audiovisual matters in the autonomous community or city may decide at any time the date as of which broadcasts on regional networks in its autonomous community or city will be made exclusively using DAB+ technology, as well as the date on which this technology will be used exclusively on local networks planned in that autonomous community or city.

With regard to the National technical plan for terrestrial digital audio broadcasting, approved by Royal Decree 1287/1999 of 23 July 1999, all sections remain in force except for those indicated in the repealing provision of the text and the amendments established in the first final provision.



The purpose of this royal decree is therefore to adopt measures to promote the technological change of the DAB service to DAB+.

- *European Union law*

At European Union level, the European Electronic Communications Code, adopted in December 2018 and transposed into our current General Telecommunications Law 11/2022 of 28 June 2022, introduces constraints relating to the interoperability of car radio receivers, establishing that receivers integrated into a new category M vehicle presented for sale or rent in the European Union must include a receiver capable of receiving and reproducing at least the broadcasting services offered via terrestrial digital broadcasting. This measure also shows the interest at European level in terrestrial audio broadcasting services using digital technologies.

- *List of regulations that are hereby amended*

The first final provision amends Articles 6 and 7 of the Annex (National technical plan for digital terrestrial audio broadcasting) to Royal Decree 1287/1999 of 23 July 1999.

- *List of regulations repealed.*

The entry into force of the draft will mean repealing: section 1, section 3, last paragraph, section 4, last paragraph, section 5, section 6, section 7 and section 8 of the first additional provision and Article 2.3 of the Annex (National technical plan for terrestrial digital audio broadcasting) to Royal Decree 1287/1999 of 23 July 1999 approving the National technical plan for terrestrial digital audio broadcasting.

3. DESCRIPTION OF THE PROCEDURE.

The following procedures were followed in the processing of this royal decree:

- Prior to the preparation of this draft legislation, on 8 July 2025, a meeting was held with sector stakeholders, during which a presentation was made on the general aspects of the measures to be adopted to promote the technological development of DAB. Comments were gathered during this meeting and have been taken into account in the preparation of the draft royal decree.



- The public consultation process took place between 9 July 2025 and Monday 28 July 2025.
- The public hearing and information procedure provided for in Article 133(2) of Law 39/2015 of 1 October 2015 on the Common Administrative Procedure of Public Administrations was conducted between 2 October and 4 November 2025 via the web portal of the Ministry for Digital Transformation and the Civil Service.
- A specific claims procedure was conducted with the autonomous communities between 2 October and 4 November 2025 in accordance with the provisions of Article 7 of the Regulation on the use of the public radio domain, approved by Royal Decree 123/2017 of 24 February 2017.
- This provision has been subject, between XXX 2025 and XXX 2025, to the procedure laid down in Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services and to the provisions of Royal Decree 1337/1999 of 31 July 1999 regulating the provision of information in the field of technical standards and regulations and of regulations on Information Society services.

It shall consist of a certificate issued by the Ministry of Foreign Affairs, European Union and Cooperation stating that notification 2025/xxxx/ES relating to the royal decree adopting measures to promote DAB+ technology in terrestrial DAB proposed by the Ministry for Digital Transformation and Public Administration, has been submitted to the procedure established under Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and rules on information society services, with the deadline for comments set at 16 January 2025. Having consulted the European Commission's database, it is hereby certified that neither the European Commission nor any Member State has issued any requests for additional information, comments or reasoned opinions.

- A report dated 11 November 2025 has been received from the National Commission on Markets and Competition, in accordance with the provisions of Article 5(2)(a) of Law 3/2013 of 4 June 2013, establishing the National Commission on Markets and Competition.



- A report issued on XX XX 2025 has been received from the Technical General Secretariat of the Ministry for Digital Transformation and the Civil Service, in accordance with the provisions of Article 26(5), fourth paragraph, of Law 50/1997 of 27 November 1997. Its comments have been incorporated into the text of the draft legislation and into the Regulatory impact analysis report (MAIN).
- Reports have been received from the Ministry of Economy, Trade and Enterprise, the Ministry of Finance, the Ministry of Territorial Policy and Democratic Memory and the Ministry of Social Rights, Consumer Affairs and Agenda 2030, in accordance with the provisions of Article 26(5), first paragraph, of Law 50/1997 of 27 November 1997, The Government. Its comments have been incorporated into the text of the draft legislation and into the Regulatory impact analysis report (MAIN).
- In addition, a report dated XX XX 2025 has been received from the Consumer and User Council.
- A report will be obtained from the Office of Coordination and Regulatory Quality of the Ministry of the Presidency, Relations with the Courts and Equality, pursuant to the provisions of Article 26(9) of Law 50/1997 of 27 November 1997, The Government,
- A report will be obtained from the Council of State.

C. IMPACT ANALYSIS.

1. COMPLIANCE OF THE REGULATION WITH THE DISTRIBUTION OF POWERS.

- *Analysis of the attribution of powers.*

With respect to the distribution of powers, it is issued under the protection of the **exclusive State competence in telecommunications matters, provided for in Article 149(1)(21) of the Spanish Constitution.**



- *Analysis of regional and local participation in preparing the draft*

As stated above, the draft shall be submitted to the hearing procedure provided for in Article 133(2) of Law 39/2015 of 1 October 2015 the Common Administrative Procedure of Public Administrations.



Likewise, a specific procedure for allegations shall be carried out with the autonomous communities under the provisions of Article 7 of the Regulation on the use of the public radio domain, approved by Royal Decree 123/2017 of 24 February 2017.

2. ECONOMIC AND BUDGETARY IMPACT.

- *Overall economic impact*

The royal decree is intended to have positive effects on economic growth and innovation.

No significant impact on users of DAB AVSM is expected given that access to the entire range of current services is guaranteed.

Nor are there expected to be any impacts on manufacturers or distributors of receivers, insofar as the requirements introduced continue to be in line with those established in Royal Decree 1287/1999, following the trends in the technological development of this equipment, with the main purpose of ensuring that those offered on the Spanish market do not lag behind that trend.

In addition, the established phases of technological development allow for gradual implementation, providing sufficient flexibility and minimal economic impact for all parties.

- *Impact on market competition*

The project will have positive effects on market competition, as more efficient use will be made of the radio spectrum with the introduction of this technology and new networks can be planned within a certain time frame as spectrum that is not currently in use will be freed up.

The reorganisation of licence-holders for the national-level MFI and MFII networks does not have an impact, as this reorganisation permits those affected to obtain economies of scale.

Nor is any significant impact on competition expected for holders of terrestrial DAB licences, given that the same number of programmes will be maintained as at present and better use will be made of the spectrum for future planning as the unexploited spectrum allows for new networks or modifications to existing ones.



- *Budgetary impact.*

It has no direct impact, since it makes no changes either to the amount of spectrum or the use for which it is intended.

On the other hand, technological development processes such as that provided for in this royal decree are normally carried out by market agents themselves. The possibility of providing for some kind of aid mechanism for this development can only be determined if it is provided for in the General State Budget and in the event of a wide-ranging and far-reaching technological change that could actually entail significant windfall costs for the sector.

3. GENDER IMPACT

For the purposes of the provisions of Article 19 of Organic Law 3/2007 of 22 March 2007 on effective equality between women and men, and Article 26.3(f) of Law 50/1997 of 27 November 1997, The Government, it is noted that the project **has a zero gender impact**, in so far as its content does not include any measure likely to undermine equal opportunities for men and women.

Moreover, bearing in mind that the main recipients are the operators of audiovisual services, both public and private, these will have a corporate viewpoint, without obligations or 'burdens' that for them derive from the draft being neither linked or even tangentially related to the possibility of undermining the measures envisaged in Organic Law 3/2007 of 22 March 2007 for effective equality between men and women.

4. SOCIAL IMPACT

The regulation is intended to have a **significant social impact by developing DAB AVMS at national level, with coverage for the public entity of 80 % of the population and the main communication routes.**

From an audiovisual point of view, it guarantees the continuity of the full current offering of national, regional and local channels.



5. IMPACT ON CHILDHOOD, ADOLESCENCE AND THE FAMILY.

In accordance with the provisions of Article 22(d) of Organic Law 1/1996 of 15 January 1996 on the Legal Protection of Minors, partially amending the Civil Code and the Law on Civil Procedure, as amended by Law 26/2015 of 28 July 2015 amending the system for the protection of children and adolescents and Article 2(1)(f) of Royal Decree 931/2017 of 27 October 2017, the draft legislation has no impact on this matter.

In accordance with the 10th additional provision of Law 40/2003 of 18 November 2003 on the protection of large families, introduced by the fifth final provision of Law 26/2015 of 28 July 2015 amending the system of protection for children and adolescents, the content of the project has no impact on the family.

6. IMPACT ON EQUAL OPPORTUNITIES, NON-DISCRIMINATION AND UNIVERSAL ACCESSIBILITY BY PERSONS WITH DISABILITIES.

The draft regulation has a positive impact on equal opportunities, non-discrimination and universal accessibility for persons with disabilities, in that it includes the possibility of incorporating radio services such as ASA for better protection in hazardous situations.

7. IDENTIFICATION OF ADMINISTRATIVE BURDENS.

It does not affect.

8. EX POST EVALUATION

Having regard to the provisions of Article 28(2) of the Government Law, Royal Decree 931/2017 of 27 October 2017 regulating the Regulatory Impact Analysis Report and Article 3 of Royal Decree 286/2017 of 24 March 2017 regulating the Annual Regulatory Plan and the Annual Regulatory Evaluation Report of the General State Administration and establishing the Regulatory Planning and Evaluation Board, it is noted that this draft is not provided for in the 2024 Annual Regulatory Plan, considering that since it constitutes the incorporation of a series of technological innovations, it is not necessary for the regulation to be subject to ex post evaluation.