



4.23. PL - Poland²⁷⁰

4.23.1. Key findings

- Quotas for linear television broadcasting services have been and will continue to be increased between 2019 and 2024, and VOD quotas were introduced in 2021.
- Specific accessibility measures are mandated for linear broadcasters (through media regulation issued by the national media regulatory authority (*Krajowa Rada Radiofonii i Telewizji* – KRRiT). The same is not true for VOD providers: the Broadcasting Act does not detail what specific measures these services must implement to meet the accessibility quota.
- Polish legislation takes a top-down regulatory approach, setting general quotas that audiovisual media service providers are expected to achieve over time. For the moment, there is no public information pertaining to the drafting process of action plans.
- However, this leaves room for audiovisual media service providers to go further than the floor set by the regulation should they so choose. Audiovisual media service providers may use self-regulation to implement accessibility obligations. For instance, there is an agreement authorising on-demand audiovisual media services and children's television programmes to engage in self-regulation.²⁷¹

4.23.2. Legal framework: primary and secondary legislation

National legislation	Details
Article 7 (1) AVMSD	
Article 18a, paragraph 1 of the Broadcasting Act (as amended in 2021 by the act implementing the directive 2018/1808) Act of 11 August 2021 amending the Broadcasting Act and the Cinematography Act, Official Journal 1676. ²⁷² (Broadcasting	Article 18a.1 Television broadcasters must ensure programmes are accessible to persons with visual or hearing impairments by providing appropriate accommodations to at least 50% of quarterly broadcast time, excluding advertising and teleshopping. Article 18a.2 This calls for secondary legislation to set exact quotas for television broadcasters.

²⁷⁰ The summary on Poland incorporates feedback from Albert Woźniak, an expert from the Department of Strategy of the National Broadcasting Council (*Krajowa Rada Radiofonii i Telewizji* – KRRiT) during the checking round with national regulatory authorities.

²⁷¹ This agreement is available (only in Polish) at: <https://lewiatan.org/udogodnienia-dla-osob-z-niepelnosprawnosciami-dolacz-do-porozumienia-dostawcow-vod/>

²⁷² <https://lexlege.pl/ustawa-o-radiofonii-i-telewizji/>



<p>Act) (<i>Ustawa o radiofonii i telewizji</i>)</p> <p>Article 18a, paragraph 2 Broadcasting Act</p> <p>Media Regulation of 13 April 2022 issued by the Regulatory Authority (KRRiT)²⁷³ (secondary legislation)</p> <p>Article 47g, paragraph 1 Broadcasting Act</p> <p>Article 47g, paragraph 6</p> <p>Media Regulation of 17 May 2022 issued by the Regulatory Authority (KRRiT)²⁷⁴</p>	<p>Regulation 13/4/22 sets out which accessibility measures broadcasters should apply to various programmes (including sports, children's, music, news, and current affairs programmes). It excludes obligations to provide accessibility measures for broadcasters whose audience is less than 0.5 million viewers, or an audience share of less than 1%, calculated as a channel's average audience share in the preceding year, or on which the total transmission time of advertising and telesales does not exceed 72 minutes between 6 a.m. and 6 p.m. and 36 minutes between 6 p.m. and midnight.</p> <p>Article 47g.1 On-demand audiovisual media service providers shall ensure programmes are accessible to persons with visual or hearing disabilities by ensuring accessible content in their catalogues, increasing from 5% in 2022 to 30% by 2026.</p> <p>Article 47g.6 This calls for secondary legislation to set exact quotas for VOD service providers.</p> <p>Regulation 17/5/22 sets a floor for specialised VOD service providers whose catalogues consist of more than 50% news and current affairs programmes, sports, children's, or music programmes. For such specialised providers, at least 5% of the catalogue must have technical accessibility measures applied.</p> <p>The regulation also sets out exceptions where the quota obligations in Article 47g.1 may be lessened or not apply at all, including services where subscriber numbers did not reach two million in the previous calendar year and those offering specialised catalogues such as musical concerts.</p>
<p>Article 7 (2) AVMSD</p>	
<p>Article 18a paragraph 1, 1b, 47g paragraph 5 Broadcasting Act</p>	<p>Article 18a 1. Television broadcasters will report to the KRRiT the details of accessible programmes.</p> <p>Article 18a.1b, 47g.5 Both broadcasters and VOD service providers must submit annual reports to the KRRiT regarding the implementation of the requirements of 18a.1 and 47g.1, respectively, by 31 March for the previous calendar year.</p>
<p>Article 7 (3) AVMSD</p>	
	<p>For the moment, there is no public information pertaining to the drafting process of action plans.</p>

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<https://www.gov.pl/web/krrit/pozostale-rozporzadzenia#:~:text=Rozporz%C4%85dzenie%20Krajowej%20Rady%20Radiofonii%20i%20Telewizji%20z%20dnia%2013%20kwietnia%202022%20r.%20w%20sprawie%20udogodnie%C5%84%20dla%20os%C3%B3b%20z%20niepe%C5%82nosprawno%C5%9Bciami%20w%20programach%20telewizyjnych.%20pdf%20240%20KB>

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<https://www.gov.pl/web/krrit/pozostale-rozporzadzenia#:~:text=Rozporz%C4%85dzenie%20KRRiT%20z%20dnia%2017%20maja%202022%20r.%20w%20sprawie%20ni%C5%BCszego%20udzia%C5%82u%20lub%20zwolnienia%20z%20obowi%C4%85zku%20zapewniania%20audycji%20z%20udogodnieniami%20dla%20os%C3%B3b%20z%20niepe%C5%82nosprawno%C5%9Bciami%20w%20katalogach%20audiowizualnych%20us%C5%82ug%20medialnych%20na%20%C5%BC%C4%85danie>



Article 7 (4) AVMSD	
Article 6 paragraph 2 (15) Broadcasting Act	This tasks the KRRiT with setting up and maintaining a point of contact for providing information and receiving complaints.
Article 7 (5) AVMSD	
Article 18a paragraph 1a; Article 47g paragraph 4 Broadcasting Act	Audiovisual media service providers must provide emergency information in an accessible manner, if at all possible.

4.23.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Yes.</p> <p>Public and private broadcasters are treated identically by Regulation 13/4/22.</p> <p>General programming: In 2022-2023, at least 30% of programming will be provided with subtitles or sign language translation. In 2024 and thereafter, at least 43% will be provided with subtitles or sign language translation.</p> <p>Children's programming channels (more than 50% of broadcast time aimed at children): In 2022-2023 at least 21% of programming provided with subtitles or sign language translation. In 2024 and thereafter, at least 30% to be provided with subtitles or sign language translation.</p> <p>Sports programming channels (more than 50% of broadcast time devoted to sport): In 2022-2023, at least 14% of programming provided with subtitles or sign language translation. In 2024 and thereafter, 20% of programming to be provided with subtitles or sign language translation.</p> <p>News and current affairs programming channels (more than 50% of broadcast time devoted to news and current affairs): In 2022-2023, at least 17.5% of programming provided with subtitles or sign language translation. In 2024 and thereafter, 25% of programming to be provided with subtitles or sign language translation.</p> <p>Music programming channels (more than 50% of broadcast time devoted to music): In 2022-2023, at least 17.5% of programming provided with subtitles or sign language translation. In 2024 and thereafter, 25% of programming to be provided with subtitles or sign language translation.</p> <p>VOD providers are obliged to increase the accessibility of their catalogues, but there is no imposition of specific measures or quotas</p>



	<p>as such. Benchmarks are: 2022 – 5% accessible content; 2023 – 10%; 2024-2025 – 20%; 2026 and thereafter – 30%.</p> <p>The charter of obligations of the public broadcaster also imposes obligations to ensure that political programming is provided in an accessible format.²⁷⁵</p>
Accessibility measures (visual impairments)	<p>Yes.</p> <p>General programming: In 2022-2023, at least 5% of programming provided with audio description. In 2024 and thereafter, at least 7% to be provided with audio description.</p> <p>Children’s programming channels (more than 50% of broadcast time aimed at children): In 2022-2023, at least 14% of programming provided with audio description. In 2024 and thereafter, at least 20% to be provided with audio description.</p> <p>Sports programming channels (more than 50% of broadcast time devoted to sport): In 2022-2023, at least 3.5% programming provided with audio description. In 2024 and thereafter, 5% of programming to be provided with audio description.</p> <p>VOD providers, see above.</p>
Accessibility measures developed by self- or co-regulatory process	<p>The KRRiT encourages audiovisual media service providers to go beyond the set floor of the regulation.</p>
Reporting to the NRA – frequency	<p>Yes, annually.</p>
Designated point of contact for information and complaint	<p>Yes.</p> <p>The National Broadcasting Council maintains an online point of contact for information and complaints.²⁷⁶</p>

4.23.4. Law in practice: selected examples²⁷⁷

Measures and quotas are set out by the KRRiT, as presented in the table above. Types of measures and quotas are the same for public and private broadcasters.

²⁷⁵ Charter of obligations for the public broadcaster for the years 2020-2024 <https://www.gov.pl/web/krrit/tvp-sa---projekt-zmiany-karty-powinnosci-na-lata-2020-2024>

²⁷⁶ <https://www.gov.pl/web/krrit/media-bez-barier3>

²⁷⁷ Examples as provided by the national expert.