



APEK

Post and Electronic Communications
Agency of the Republic of Slovenia

APEK – Converged Regulator for Electronic Communications, Electronic Media, Postal Services and Railway Traffic in Slovenia

**Trilateral Workshop on Programme Monitoring,
Ljubljana, 10 December 2013**

- Office for Telecommunications (part of Ministry of Traffic)
- Broadcasting Council (1994)
- Independent Agency for Telecommunications and Broadcasting (ATR, the converged NRA, 2001)
- ATR becomes regulator of Postal Market (ATRP, 2002)
- APEK (change of name in 2004)
- APEK's remit completed with regulation of railway traffic (2010, active from August 2011)
- In 2011 full AVMS regulation added (from 17.11.2011)



- **Electronic Communications**
Market regulation,
Spectrum Managing & Numbering,
Dispute resolution,
Compliance
- **Electronic Media (AVMS + Radio)**
Licensing
Monitoring
Local „PSBs“
- **Postal services**
- **Railway traffic**

- **Spectrum policy implementing:**

 - Digital dividend

 - Introduction of LTE

- **Economic issues and price control:**

 - Economic analysis of electronic communications markets

 - Price models and methodology (LRIC, FAC)

 - Accounting separation

- **Legal issues:**

 - Administrative disputes against the regulatory decisions

 - Public tenders

 - General Acts/Secondary legislation

- **Surveillance/compliance:**

 - Misdemeanour procedures



- General policy implementing powers
- Information collecting powers
- Monitoring
- Enforcement/Powers of sanction
- Dispute/complaints handling

Regulatory Competences:

- Electronic Communications Act & Digital Broadcasting Act (RC, TC, Broadcasting Spectrum management)
- Mass Media Act (Broadcasting content & monitoring)
- Audiovisual Media Services Act (AVMS)
- Act on RTV Slovenia (PSB)
- Postal Services Act
- Railway Traffic Act

Organization:

- Decision establishing APEK
- Statutes of APEK

HR & Payment:

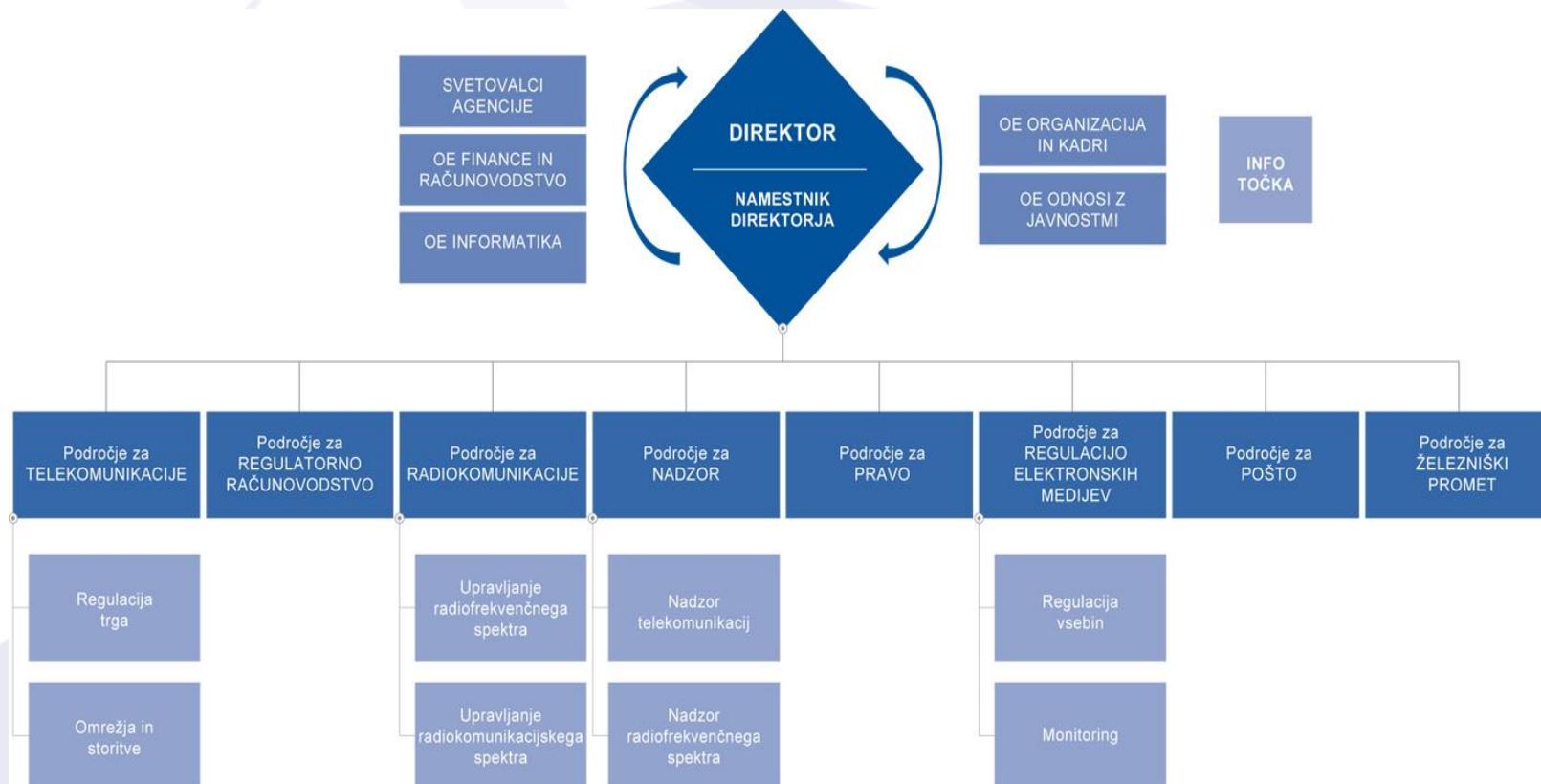
- Labour Act
- Public Administration Employees Act (general part only)
- Public Sector Salary System Act

Legal Procedures:

- Administrative procedures Act
- Supervision Act
- Administrative Disputes Act

- **Fees** collected from stakeholders:
 1. EC operators/service providers (EC Act)
 2. Frequency license holders (EC Act)
 3. Numbering space license holders (EC Act)
 4. Postal services providers (Postal Services Act)
 5. TV and VOD providers (AVMS Act) - no financial resources yet, the legal basis adopted, waiting for the Government approval of the tariff
 6. Railway services providers (Railway traffic act) - no financial resources yet, the legal basis adopted, waiting for the statutory acts

- Individual decision-making organ: Director General
- APEK's Council (5 members, not establish yet): supervision
- 8 Departments, 78 staff members





■ **Departments:**

- Telecommunications (Market regulation, Network and services)
- Radiocommunications (BC Spectrum management, Frequency management)
- Electronic Media (Program Monitoring and Media Licensing)
- Postal Market
- Railway traffic
- Supervision (Spectrum supervision, Market supervision)
- Legal division
- Regulatory accounting

■ **Services:**

- Human Resources
- Finance and Accounting
- IT

■ **Individual consultants:**

- Agency advisers (AVMS, International relations)
- PR

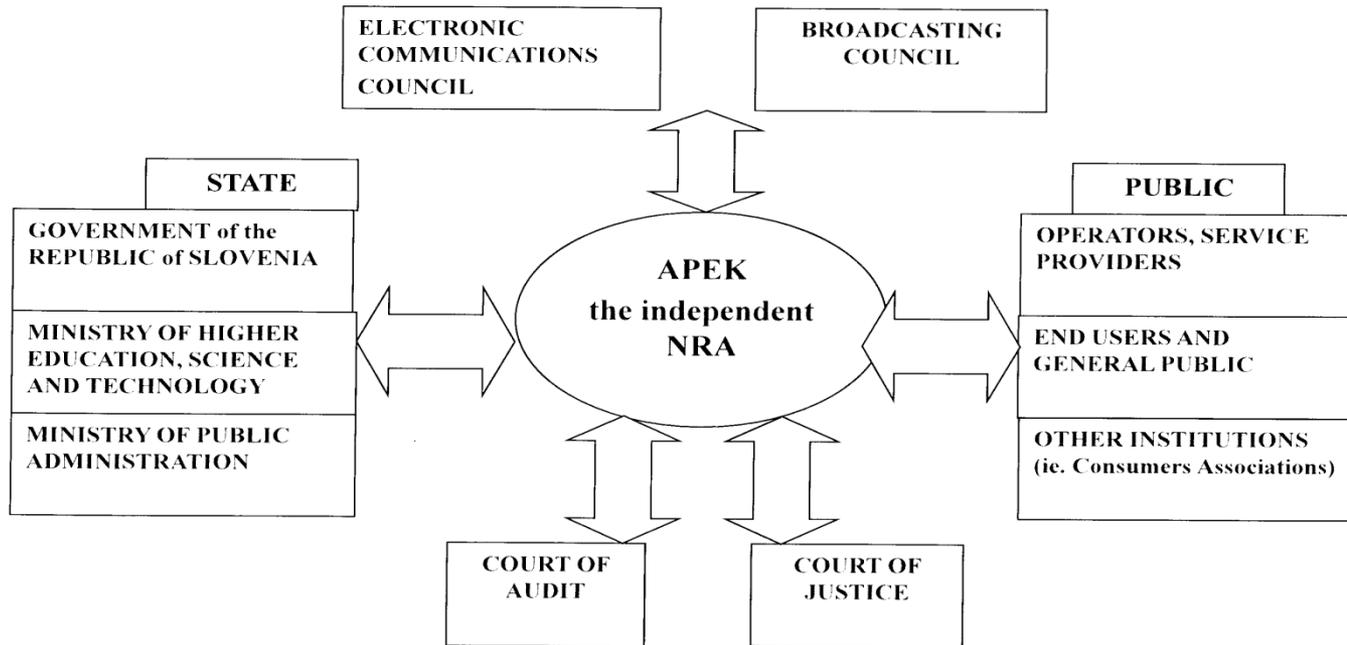
- Annual plan, statutes, reports (approved by Government)
- Transparency provisions (on obligatory publishing, access to public information, relations with media, public consultations)
- Government (appointment of the DG, indirect financial and organisational influence)
- Electronic Communications Council (advisory role)
- Broadcasting Council (advisory role)
- Court of Audit (APEK may be subject to auditing)
- Administrative Court (judicial review)

Important:

- No one, apart from a court, can overturn the APEK's decisions.
- Any party in the APEK's proceeding can lodge an appeal against APEK.



Interactions with environment





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TV market

700.000 TV households, most of them digital

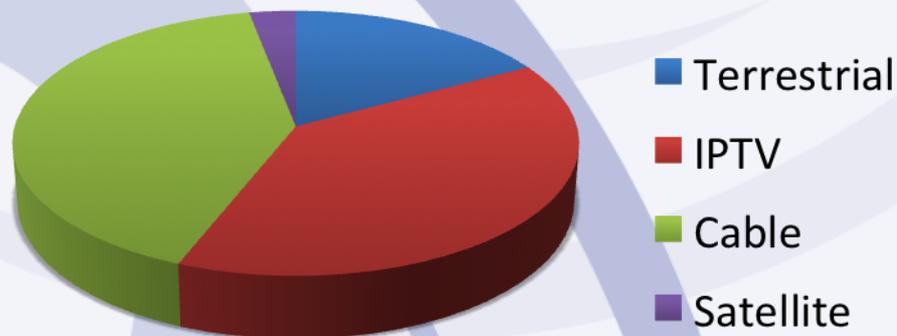
DSO completed end of 2010, further shrinking of DTT expected

8 FTA channels on 2 national mux
(5 national, 3 regional, 8 vacant places)

TV advertising market
dominated by 1 player

The biggest telco
launched generalist
TV channel in 2012

TV Reception



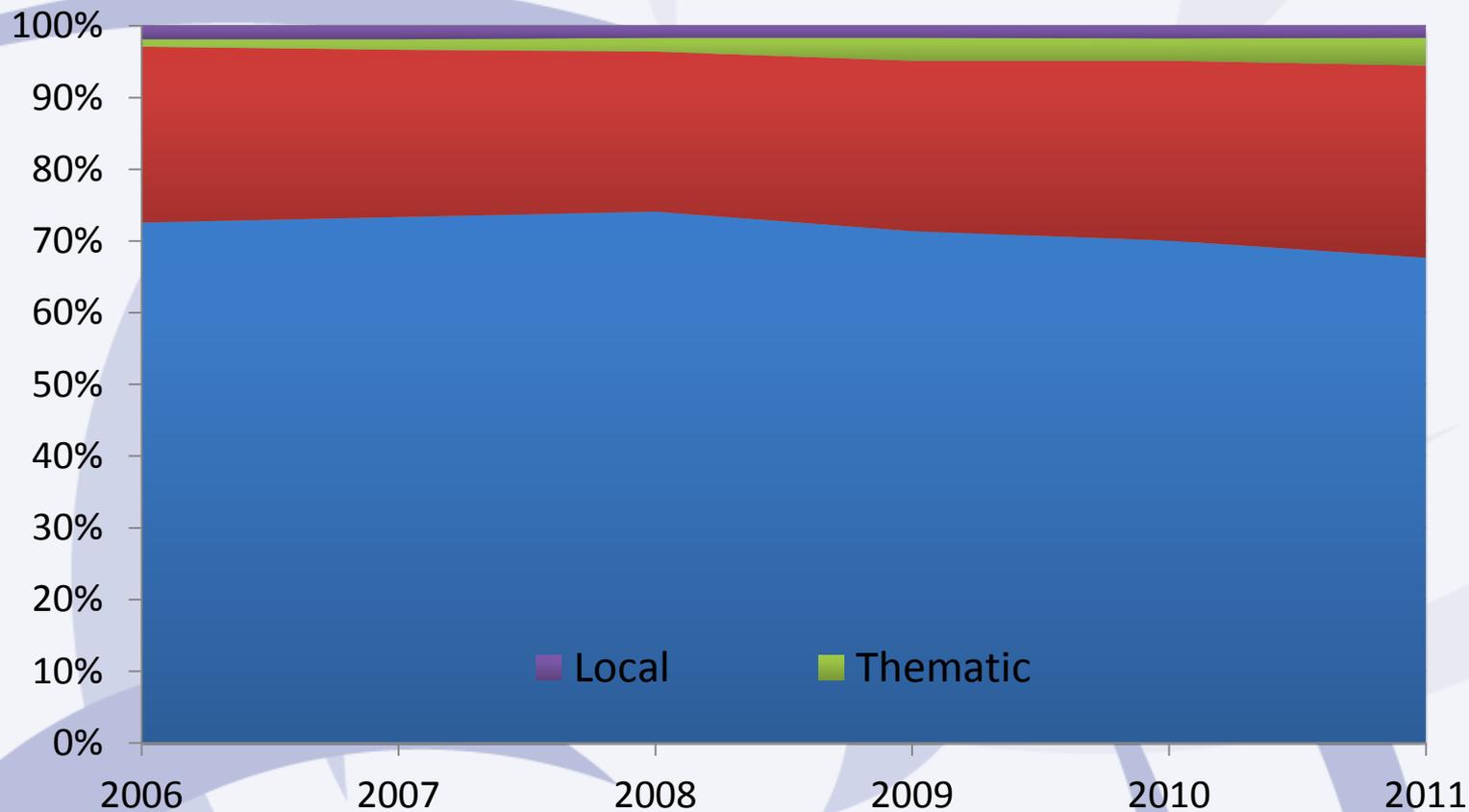
Source: AGB Nielsen, spring 2011



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Viewership shares



Source: AGB Nielsen, 2012

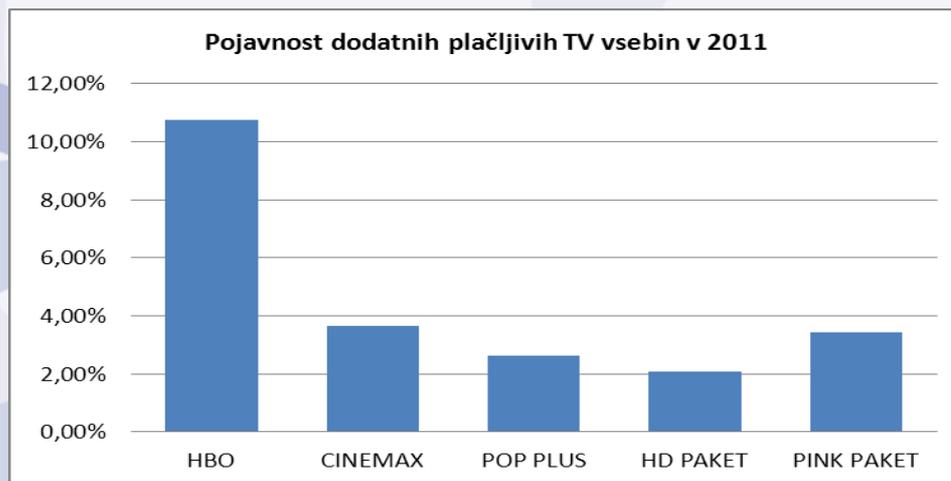


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On-demand and Pay TV

Pay TV shares



Source: AGB Nielsen, 2011

VOD on cable, IPTV and web based Voyo
(supported by Phillips and Samsung TV sets)
cca 20 providers (MAVISE)
growth of online viewing



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Radio Market

90 radio stations

7 public, 6 local, 10 regional, 1 student

listening to commercial radio since 2007 constantly growing

listening to public radio services slightly decreasing

96% of listeners use classical radio set or car radio,
increasing share of listening via the Internet and mobile phones

problems:

less advertising money, particularly

for local advertising,

uncontrolled resale of radio frequencies,

lack of level playing field





- Establishing systematic monitoring of market developments in radio, TV, VOD and OTT
- Setting a sound future oriented supervision policy
- Upgrade and adaptation of programme monitoring methodology
- New licences for DTT platform
- Digitalization of radio
- Fair system of issuing of the remaining FM frequencies
- Cooperation with the policy maker in revision of the media legislation