



2026/1924

5.8.2026

COMMISSION DECISION (EU) 2026/1924

of 27 July 2026

on the compatibility with Union law of measures to be taken by Poland pursuant to Article 14(1) of Directive 2010/13/EU of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) ⁽¹⁾, and in particular Article 14(2) thereof,

Whereas:

- (1) By a letter dated 27 May 2026, Poland notified to the Commission certain measures that Poland was intending to take, pursuant to Article 14(1) of Directive 2010/13/EU and with the aim of updating and amending the measures currently in force in that Member State, which were declared compatible with Union law by Commission Decision (EU) 2015/163 ⁽²⁾. The measures to be taken are additional to the measures currently in force and establish an updated list of designated events, national or non-national, which Poland considers to be of major importance for its society.
- (2) The Commission verified that the measures set out in the letter dated 27 May 2026 are compatible with Union law, in particular as regards their proportionality and the transparency of the national consultation procedure that had been carried out.
- (3) In examining those measures, the Commission took into consideration the available data on the Polish audiovisual market, in particular as regards the impact of such measures on the television market.
- (4) On the basis of detailed evidence and viewing figures provided by the Polish authorities, the Commission assessed whether each additional event included in the list meets at least two of the following four criteria, which the Commission considers to be reliable indicators of the importance of certain events for society: (i) the event concerned has a special general resonance within the Member State and its significance is not limited to those who ordinarily follow the sport or activity concerned; (ii) the event concerned has a generally recognised and distinct cultural importance for the Member State's population, particularly as a catalyst of cultural identity; (iii) the national team is involved in the sport concerned in a major international competition or tournament; and (iv) the event concerned has traditionally been broadcast on free-to-air television and has commanded large television audiences in the Member State.
- (5) Volleyball Nations League matches played abroad and that involve the Polish national team are considered to be events of major importance for society. They have a special general resonance within Poland and their significance is not limited to those who ordinarily follow volleyball. Furthermore, they have traditionally been broadcast on free-to-air television and have commanded large television audiences in Poland.
- (6) Matches at quarter-final to final level in the men's Basketball World Championship and matches at 1/8 final to final level in the men's Basketball European Championship that involve the Polish national team are considered to be events of major importance for society. They have a special general resonance within Poland and their significance is not limited to those who ordinarily follow basketball. Furthermore, they involve the participation of the national team in a major international tournament.

⁽¹⁾ OJ L 95, 15.4.2010, p. 1, ELI: <http://data.europa.eu/eli/dir/2010/13/oj>.

⁽²⁾ Commission Decision (EU) 2015/163 of 21 November 2014 on the compatibility with Union law of the measures to be taken by Poland pursuant to Article 14 of Directive 2010/13/EU of the European Parliament and of the Council on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 27, 3.2.2015, p. 37, ELI: <http://data.europa.eu/eli/dec/2015/163/oj>).

- (7) The European Athletics Championships are considered to be events of major importance for society, as they are particularly popular with the general public. Their significance is not limited to those who ordinarily follow athletics and they involve the participation of the national team in a major international tournament. Additionally, they have traditionally been broadcast on free-to-air television and have commanded large television audiences in Poland.
- (8) The women's and men's singles semi-finals and finals at the Australian Open, French Open, Wimbledon and US Open that involve Polish players are considered to be events of major importance for society. They have a special general resonance within Poland and their significance is not limited to those who ordinarily follow tennis. Additionally, although the majority of tennis events are broadcast on encrypted satellite channels, there is nonetheless a clear interest in those Grand Slam tennis tournaments among the Polish public, with semi-finals and finals commanding large television audiences every time they are broadcast on free-to-air television.
- (9) Matches at 1/16 final to final level of the UEFA Conference League that involve Polish clubs are also considered to be events of major importance for society. Those events have a special general resonance in Poland, and their significance is not limited to those who ordinarily follow football. Additionally, there is a clear interest in those relatively new tournaments on the part of the Polish public, with matches commanding large television audiences every time they are broadcast on free-to-air television.
- (10) The matches in the top division of the men's Ice Hockey World Championship that involve the Polish national team are considered to be events of major importance for society. They have a special general resonance within Poland and their significance is not limited to those who ordinarily follow ice hockey. Furthermore, they involve the participation of the national team in a major international tournament.
- (11) In accordance with the principle of proportionality set out in Article 5 of the Treaty on European Union, the measures notified by Poland do not go beyond what is necessary in order to achieve the objective pursued, namely the protection of the right to information and a wide access of the public to television coverage of events, national or non-national, which Poland considers to be of major importance for society, taking into account: (i) the arrangements according to which the events concerned are to be broadcast; (ii) the definition of 'qualifying broadcaster' contained in Article 20b(1) of the Polish Broadcasting Act; (iii) the role of the national competent authority Krajowa Rada Radiofonii i Telewizji in the resolution of disputes; and (iv) the fact that, with regard to the newly designated events, the relevant measures will enter into force 12 months after their promulgation, thereby granting a grace period of an appropriate duration given the calendar according to which many of the events are scheduled. As a result, the effects of the designation of additional events on the right to property, as laid down in Article 17 of the Charter of Fundamental Rights of the European Union, do not go beyond the effects that are intrinsically linked to the inclusion of those events in the list referred to in Article 14(1) of Directive 2010/13/EU.
- (12) For similar reasons, the measures notified by Poland appear to be proportionate and to justify a derogation from the freedom to provide services, as laid down in Article 56 of the Treaty on the Functioning of the European Union. The overriding public interest justifying that derogation is to ensure a wide access of the public to broadcasts of events, national or non-national, which Poland considers to be of major importance for society. In addition, those measures do not constitute any discrimination or market foreclosure against other Member States' broadcasters, right holders or other economic operators.
- (13) The measures to be taken are compatible with Union competition rules. The definition of qualifying broadcaster in the Polish Broadcasting Act is based on objective criteria, which allow actual and potential competition for acquiring the rights to broadcast the events. In addition, the number of designated events is not such that it would distort competition in the downstream free-to-air and pay television markets. Therefore, the effects of the designation of additional events on freedom of competition do not go beyond those which are intrinsically linked to the inclusion of those events in the list referred to in Article 14(1) of Directive 2010/13/EU.
- (14) The Commission communicated the measures to be taken by Poland to the other Member States and presented the results of the assessment of those measures to the contact committee established by Article 29 of Directive 2010/13/EU. That committee adopted a favourable opinion,

HAS DECIDED AS FOLLOWS:

Sole Article

1. The measures to be taken by Poland, pursuant to Article 14(1) of Directive 2010/13/EU, notified to the Commission in accordance with Article 14(2) of that Directive on 27 May 2026, are compatible with Union law.
2. The measures referred to in paragraph 1, as taken by Poland, shall be published in the *Official Journal of the European Union*.

Done at Brussels, 27 July 2026.

For the Commission
Henna VIRKKUNEN
Executive Vice-President
