[DE] Principles for Future Regulations in the Telecommunications Field

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On 27 March 1995, the Federal Ministry of Posts and Telecommunications issued a position paper, laying down a number of important principles for future general regulations on telecommunications. The paper reflects the Ministry's current thinking on these questions. When it has been discussed, the next stage will be drafting by experts of a new telecommunications act, with market regulation as its main emphasis. The principles are essentially based on the guidelines laid down in Part II of the European Commission's Green Paper on the Liberalisation of Telecommunications Infrastructure and Cable Television Networks of 25 January 1995, and take account of the factors governing full liberalisation of the telecommunications market, which is scheduled for 1 January 1998. The paper is intended to contribute to the European debate and to help shape developments within the EU. The following specific principles are laid down: Access to the markets covered by the present network and telephone service monopolies should be by licence only.

To ensure fair and viable competition, special conditions and regulations should apply to telecommunications concerns in dominant market positions.

The universal service principle should be respected in working out the future general regulations. Important aspects of this are minimum standards of service, quality and tarif regulation. Network operators should be entitled, in accordance with the law on competition, to conclude agreements on co-operation between their networks. The conditions applying in such cases must respect the principles of open network access.

Every licence holder should in future be free to make use of public communications channels.

Frequencies should be regulated by the Federation. This covers frequency allocation, preparation of frequency use plans, and granting of the right to use certain frequencies.

User numbers should be allocated by the regulating authority, which must draw up a national numbering plan to meet requirements.

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Approval, marketing and connection of user-end equipment should be governed by the current legal regulations.

Special regulations are needed to protect consumers, ensure confidentiality of communications and protect data.

An independant federal regulating body is to be set up within one of the federal ministries to implement the regulations.

Eckpunktepapier des BMPT zur Formulierung wesentlicher Festlegungen zum künftigen Regulierungsrahmen im Telekommunikationsbereich vom 25.03.1995 (16 S.).

Position Paper of the Federal Ministry for Posts and Telecommunications on important principles for the future general regulations in the telecommunications field of 25 March 1995 (16 pages)

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