Council of the European Union: Telecoms Package Adopted

IRIS 2002-3:1/5

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On 14 February 2002, the Council of the European Union approved the new Telecoms Package (see IRIS 2002-1: 5). This legislative package harmonises telecommunications and media legislation across the EU. Member States have 15 months to implement the package into their national laws. The Information Society Commissioner Erkki Liikanen stated that the package completes the internal market for the information society - delivering a better deal for consumers in terms of price, quality and value for money - and that it also provides greater transparency and legal certainty for all market players.

The Telecoms Package consists of the following elements: a Framework Directive, an Authorisation Directive, an Access Directive (see article infra), a Universal Service Directive and a Decision on a regulatory framework for radio spectrum policy.

The package is technology-neutral, which means that all transmission networks are treated in an equivalent manner. It ensures that market players are regulated only where necessary and in a consistent manner across the EU. For instance, the Commission will be able to require a national regulatory authority (NRA) to withdraw a draft measure where it concerns the definition of relevant markets or the designation (or not) of undertakings with significant market power, and where such decisions would create a barrier to the functioning of the internal market.

The Commission announced that it would in the near future issue the following measures linked to the implementation of the new regulatory framework:

- Guidelines on market definition and the assessment of significant market power, to assist NRAs in applying the new regulations;

- a Recommendation on Relevant Product and Service Markets within the electronic communications sector, identifying the market segments where sector-specific regulation may be appropriate;

- a Decision establishing a "European Regulators Group", composed of national regulators and the Commission, which will foster cooperation to ensure consistency in regulatory decision-making across the EU; and

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- a Decision establishing a "Radio Spectrum Policy Group", composed of national and Commission representatives, to assist and advise on coordinating radio spectrum policy and efficient use of the spectrum.

A definitive text for the Data Protection Directive has not yet been agreed upon (see article infra).

"Telecoms package will bring better deal for consumers", Press Release IP/02/259 of 14 February 2002

http://europa.eu/rapid/pressReleasesAction.do?reference=IP/02/259&format=HTML&aged=1&language=EN&guiLanguage=fr

Directive of the European Parliament and of the Council on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive), PECONS 3670/01, adopted on 4 February 2002

http://ec.europa.eu/information_society/topics/telecoms/regulatory/new_rf/documents/03670en1_corr_vers.pdf

Directive of the European Parliament and of the Council on the authorisation of electronic communications networks and services (Authorisation Directive), PE-CONS 3671/01, adopted on 4 February 2002

http://ec.europa.eu/information_society/topics/telecoms/regulatory/new_rf/documents/03671en1.pdf

Directive of the European Parliament and of the Council of ..... on a common regulatory framework for electronic communications networks and services (Framework Directive), PE-CONS 3672/01, adopted on 4 February 2002

http://ec.europa.eu/information_society/topics/telecoms/regulatory/new_rf/documents/03672en1.pdf

Directive of the European Parliament and of the Council on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive), PE-CONS 3673/01, adopted on 4 February 2002

http://ec.europa.eu/information_society/topics/telecoms/regulatory/new_rf/documents/03673en1.pdf

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