[HU] Electronic Telecommunications Act Enters into Force

IRIS 2004-1:1/44

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On 1 of January 2004, the Act No. C of 2003 on Electronic Communications has entered into force. It replaces the Act No. XL of 2001 on Telecommunications (see IRIS 2001-7: 15). The new act provides a comprehensive regulatory framework for the Hungarian telecommunications sector, but - unlike its predecessor - excludes postal services from its scope, leaving this subject to a separate act.

The purpose of the new act is to enable effective competition on the telecommunications market by further liberalisation and to implement the set of new directives on electronic communications services of the EC adopted in 2002 (see IRIS 2002-3: 4).

One of the major novelties brought by the new act is the full-scale reform of the regulatory structure. The act establishes the Nemzeti Hírközlési Hatóság (National Telecommunications Authority) as a regulatory body for the sector, acting under the supervision of the government. The Authority consists of a Tanács (Council) and an Hivatal (Office). The Council - composed of seven members - is responsible for issuing regulatory decisions of strategic importance for the telecommunications sector. The role of the Office is to prepare the decisions of the Council and to carry out the administrative functions of the Authority. The act specifies detailed rules of procedure, giving strong rights to the new institution in its proceedings.

With the adoption of the Act on Electronic Communications the Parliament also amended an often debated provision of Act No. I of 1996 on Radio and Television Services (Broadcasting Act, see IRIS IRIS 2002-8: 8 and IRIS 1996-10: 15). For cable television network operators this act enlarges the possible extent of their area of service. The limit had originally been defined in one sixth of the population of the country. The amendment raises this limit to one third, enabling the major television programme distributing enterprises to further extend their area of service. Nevertheless, this amendment does not prejudice the application of the relevant competition regulation.

2003. évi C. törvény az elektronikus hírközlésről

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Act No. C of 2003 on Electronic Communications

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