[DE] End of debate on Telecommunications Bill

IRIS 1996-7:1/17

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In IRIS 1996-2, p.14, we reported that there was political agreement on a new Telecommunications Act. On 27 June 1996 the Bundestag adopted the Telecommunications Bill. The Bundesrat was expected to approve it on 5 July. The Act can then be brought into force.

The Act comes after some debate, in which it was eventually possible to clarify the questions which still remained and reach an agreement with the somewhat divergent position of the Bundesrat. The Media Committee of the Bundesrat and the Bundestag finally reached agreement on 14 June.

The vocal and network monopoly of Deutsche Telekom AG is to be completely abolished by 31.12 1997.

From 1 January 1998 anyone may then be authorised to offer the public telecommunications services. For services offered on a commercial basis, the Bill provides for a licence fee. As soon as the Act comes into force alternative networks may be made available for services already liberalised.

The duties, status and instruments of the regulatory authority, whose tasks include price regulation, administration of numbers and the regulation of companies dominating the market to favour equal opportunity in competition. The activity of the regulatory authority should have the support of an advisory body, whose members should include representatives of the Länder.

The Bill sets out the procedures for interconnection and co-operation among the networks of the various operators, and provides for free access of users to the various networks.

The Bill includes regulations on the allocation of frequency bands, on setting up the plan for the use of frequencies, and on the allocation of frequencies. In this respect the Bill sets out clearly the Länder's responsibility for allocating broadcasting frequencies.

It has also been agreed that the public highway may be used for telecommunications cables free of charge, at the expense of the municipalities.

In accordance with European recommendations, there is provision for a basic supply covering the area with universal services at reasonable prices. More

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specific details are to be dealt with in the corresponding official regulation. The final section of the Bill sets out the provisions concerning telecommunications secrecy, data protection, security, and penalties (prison sentences and fines).

Entwurf zum Telekommunikationsgesetz.

Telecommunications Bill.

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