[NL] National Media Council Recommends New Information Policy

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There is a gradual shift towards a society that is based on cheap and fast exchange of information, as well as a growing supply of information services (facing a relative constant demand by citizens). The number and capacity of means of information transport are increasing in terms of infrastructure and telecommunication services. Moreover, every infrastructure can be used for the transport of nearly every type of information or communication service.

Thanks to technological changes, transfrontier service provision and economies of scale, the number of market players is increasing. The market of supply and demand for information and telecommunication services is on its way to become a 'normal' market where general competition rules play an important role. Because of these developments the need for governmental intervention changes. The general aims of a new information policy, according to the Media Council should be: · guaranteed access to a broad diversity of affordable information and communication services for all citizens: producers as well as users of information; · fair competition within all levels of information transport and information production, provided that limitations are possible in case of matters of public interest.

New information policy should be coherent in regards to the issues of information transport, information production and competition.

Information transport All information should be available through network services. These network services have a free choice of an underlying infrastructure for the delivery of services, no matter what the nature or content of these services may be. In order to reach this goal there should be regulation on: universal service, interconnection, obligation-to-deal for infrastructure providers and must carry rules for certain information services.

Information production The provision of information services like broadcasting should be free. Licensing is not necessary and a broad variety of information services should be available. Government must have instruments to promote the availibility of services and citizens must have access to the information services. Therefore, individual subsidies, must-carry and price control through universal service obligations might be necessary. Competition policy The Media Council holds the opinion that, apart from the earlier mentioned obligations for providers

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of transport services, market structure and market conduct should only be submitted to general competition law. The latter has enough flexibility to deal with the developments in the information industry. Specific competition regulation like cross-ownership rules is superfluous and can even be considered as a barrier of entry.

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