

Workshop on Electronic Communications Regulatory Framework

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Olivier. F. PASCAL
European Commission
DG Information Society and Media/International
Relations



Outline

- The European Digital Agenda (EDA)
- The revised EU regulatory framework for e-communications
- Critical issues in the Croatian context



European Digital Agenda (EDA) (1)

- Unveiled by European Commission on 19 May 2010
- One of the seven flagship initiatives of the Europe 2020 Strategy launched in March 2010
- Action areas are the following:
 - *A digital single market*: access to content online, online and cross border transactions, clear online users' rights, amended EU regulatory framework



European Digital Agenda (EDA)

(2)

- *ICT interoperability and standards*
- *Trust and security*: consumer protection cooperation (data security, spam..), cybercrime/cyber attacks, global information security targeted actions (renewed ENISA)
- *Fast and ultrafast internet access*: universal broadband coverage, deployment of NGA networks, open and neutral internet



European Digital Agenda (EDA)

(3)

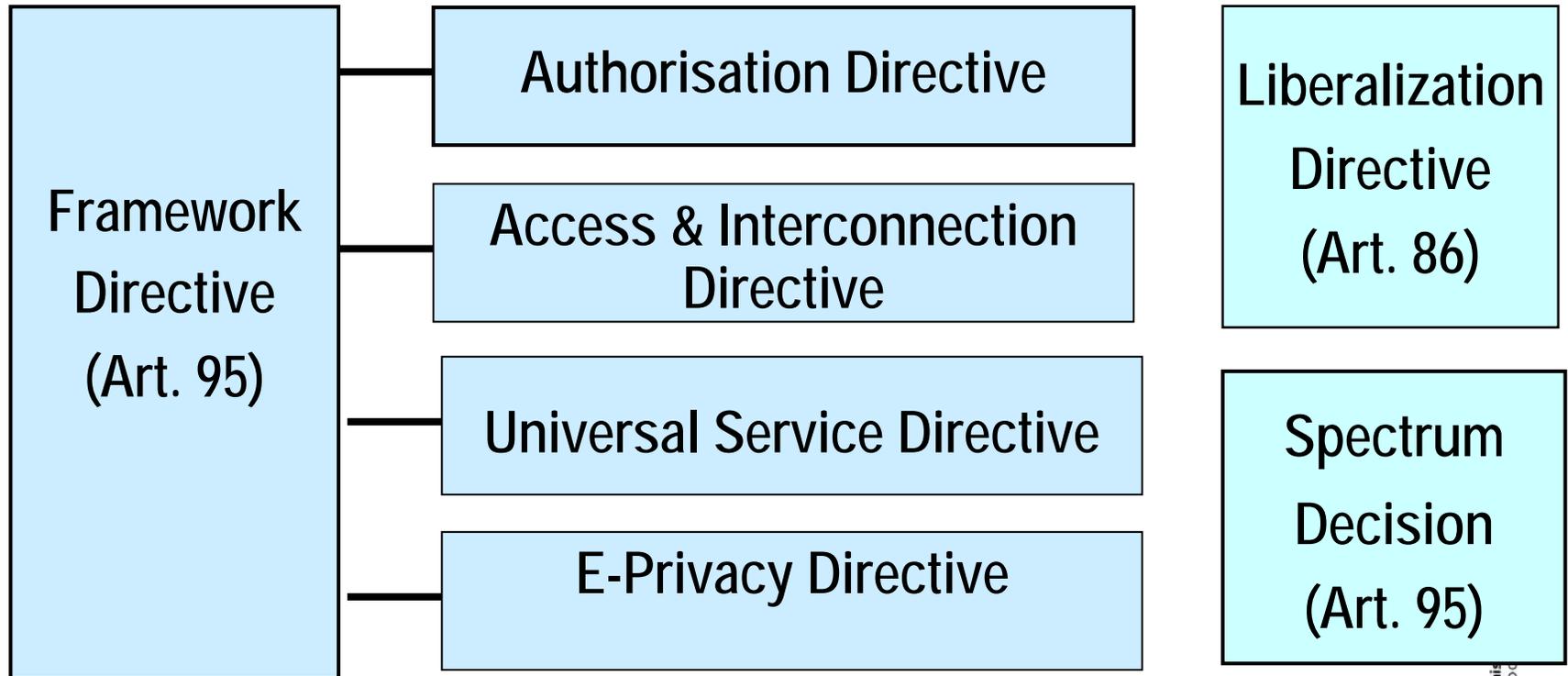
- *Research and innovation*: step up efforts to keep competitive edge in ICT and uptake of ICT based innovations.
- *Enhancing digital literacy, skills and inclusion*
- *ICT-enabled benefits for EU society*: environment, healthcare, ambient assisted living, cultural diversity, eGovernment, intelligent transport systems
- *International dimension*: internet governance, trade agreements



The EU regulatory Framework

Unbundling Regulation

Roaming Regulations

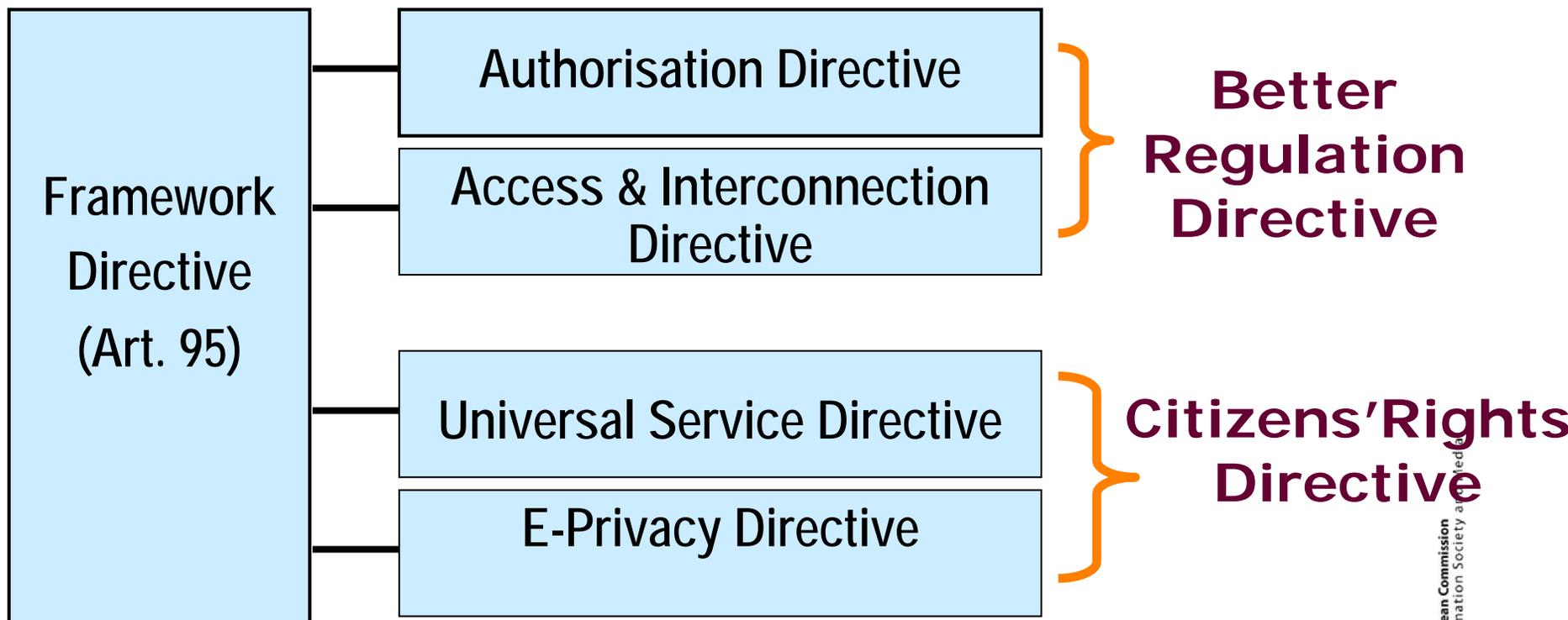


Decisions (ERG, 116)

Recommendation on relevant markets

The review of the EU framework

BEREC Regulation



The review of the EU framework- Timetable

- Formal adoption: 25 November (after final agreement between EP and Council on provision for citizens' rights relating to internet access)
- OJ/Entry into force: 18/19 Dec 2009
- 2 amending Directives:
 - ⇒ Existing directives are not repealed
 - ⇒ Provisions not amended remain in place
 - ⇒ Unbundling Regulation 2887/2000 is repealed
- Directives: transposition in national law: by 25 May 2011
- BEREC Regulation: binding and directly applicable in MS
 - 20 days after OJ publication (18.12.2009)



“Better regulation Directive” (1)

- Directive 2009/140/EC amending
 - Framework Directive 2002/21/EC
 - Access Directive 2002/19/EC
 - Authorisation Directive 2002/20/EC
- Repealing
 - Unbundling regulation 2887/2000
 - Publication: OJ L337, 18.12.2009, p.37



“Better regulation Directive” (2)

- NRA independence
- NGN/NGA
- Functional separation
- Spectrum policy
- Harmonisation procedures
- Regulation of Art 7a Framework Directive (remedies)



“Citizens’ Rights Directive” (1)

- Directive 2009/136/EC amending
 - Universal Service Directive 2002/22/EC
 - e-Privacy Directive 2002/58/EC
 - Regulation 2006/2004 on cooperation between national authorities responsible for enforcement of consumer protection law
 - Publication: OJ L337, 18.12.2009, p.11



“Citizens’ Rights Directive” (2)

- Universal service obligations
- Contracts and transparency
- Emergency calls, incl 112
- eAccessibility
- Number portability
- Copyrights
- Net neutrality



“Citizens’ Rights Directive” (3)

- Personal data breach notification
- Spam, spyware, phishing



Regulation 1211/2009 establishing the Body of European Regulators for e- Communications (**BEREC**) and “The Office”

OJ L 337, 18.12.2009, p.1

Main objective

Contribute to the development and better
functioning of the internal market for
electronic communications

How

- developing and disseminating best practice among NRAs
- assisting Commission and NRAs in the correct application of the framework
- issuing reports and advising European institutions on electronic communications within its competence



BEREC- main tasks (I)

linked to the Better Regulation Directive

- ✓ Deliver opinions in the context of:
 - expanded Article 7 procedures
 - Recommendation on relevant markets
 - identification of trans-national markets
 - further harmonisation
 - cross-border disputes
 - proposals to impose functional separation
- ✓ Assist NRAs in relation to the analysis of relevant markets



BEREC- main tasks (II)

linked to the Citizen's rights Directive

- ✓ To be consulted within 2 'comitology' procedures
 - access to '112' emergency call number
 - '116' numbering range (children's hotline in particular)
- ✓ Assist NRAs in relation to fraud or misuse of numbering resources



BEREC- main tasks (III)

general tasks

- ✓ Ensure the development of common rules for providers of cross-border business services
- ✓ Monitor and report on sectoral developments, including an annual report



BEREC - main bodies

Board
of
Regulators
(BoR)

Office

- Management Committee (MC)
- Administrative Manager (AM)

The work of BEREC may be organised into expert working groups



Policy follow-up to the Telecom Reform

- NGA Recommendation for Summer 2010
- Net neutrality: report to EP and Council by the end of 2010
- Universal service consultation: Communication foreseen after Summer 2010
- ePrivacy: access to and storage of data on user's terminal equipment/user's consent



Critical issues in the Croatian context (1)

- Transposition of provisions of the new telecom package:
 - NGA regulation
 - Spectrum policy coordination, incl digital dividend
 - Consumers' rights
 - Access to emergency services, incl 112
 - Preparation to BEREC workings



Critical issues in the Croatian context (2)

- Coordinated strategies with the European Digital Agenda (EDA)
- Follow-up to 2008 national broadband strategy
- Follow-up to digital switchover strategy
- Follow-up to adoption of new Electronic Media Act of 11 Dec 2009

