



Office of the Director of
**Telecommunications
Regulation**

MEDIA RELEASE

Wednesday 6th March 2002

ODTR review of new EU Directives on providing communication services

The ODTR today (Wednesday 6th March) issued a consultation paper on replacing licences which are currently issued for a variety of services with a standard general authorisation. The change proposed is required under the terms of a new EU regulatory framework set out in a series of Directives which are to be implemented by mid 2003.

At present the ODTR issues licences for telecom services (fixed, mobile and fixed wireless) broadcasting transmission, television distribution (cable, MMDS, deflectors) and a variety of services which use radio frequencies. The conditions associated with the licences differ between the various services. Under the provisions of the EU Directives, all services, including some services and networks which are not currently subject to licensing in Ireland such as satellite television, would be subject to the same rules from June 2003. Where the use of radio frequency is involved, it will still be necessary for the ODTR to grant rights on an individual basis and spectrum will continue to be allocated for specific purposes, e.g. mobile or private radio. However, the conditions would also be standardised as far as possible.

The move from licences to authorisations will require a change in the governing legislation. The Department of Public Enterprise has indicated that it will bring forward amending regulations to give effect to the terms of the EU Directives. In order to prepare for the transition, the ODTR is seeking the comments of interested parties.

According to the Regulator, Etain Doyle “The development of the new framework has taken nearly 3 years. Detailed implementation has to take place within 15 months. My priority is that this period is used to best effect to provide the regulatory tools best suited to the conditions of the Irish market. This paper begins the process of consultation on a number of aspects of the new framework. I look forward to receiving the views of as wide a range of interests as possible.”

Views on these proposals should be submitted to the ODTR by 12th April 2002. The consultation document is available on the ODTR web site at www.odtr.ie.

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Notes for the Editor

In 1999, the EU Commission undertook a major review of the state of regulation of the telecommunications sector in the European Union and following this developed its proposals for a new framework. This has been subject to public consultation and discussed within the Commission, European Parliament and the Council of Ministers. The final texts were agreed on 14 February 2002. The

texts of the Directives will be published shortly in the Official Journal at which point they will enter into force. The texts as adopted are available on the European Union website at http://europa.eu.int/information_society/topics/telecoms/regulatory/new_rf/index_en.htm. A period of 15 months is provided for during which Member States are required to transpose the provisions into national law and make the necessary administrative arrangements to give effect to the new framework. The operative date for Member States to apply the Directives will be at the end of the 15 month period, i.e. a common date throughout the EU.

A major feature of the new Directives is the extension of the scope of the framework to all electronic communications networks and services. This means that from June 2003, television distribution will be subject to the same regulatory framework as, for example, voice telephony. The task for the ODTR is to ensure that the transition from separate licences with individual and unique conditions to a scheme of general authorisations is managed in a manner which fully addresses all aspects of the new EU framework and causes as little disruption to the market as possible.