

## Current Events

New Rates for Radiocommunications

Internet access conditions

2 European Union

3 Safer Mobile Phones

3 News from other countries

4

5

7

## AUDIOTEXT ACCESS BARRED

The rules governing audiotext access changed on 25 August and such services are now subject to barring by default. The measure affecting this telecommunications service results from Decree-Law 95/2001 of 20 August and took effect five days afterwards.

The new rules impose the obligation of barring by default on support service providers, which are preferentially providers of fixed telephone service, although providers of mobile service are also covered. Subscribers enjoy the right to have access to such service, but only if explicitly requested.

The law, approved by the Portuguese Parliament, also enhances the powers of the *Instituto das Comunicações de Portugal* (ICP) and increases the applicable fines across the board.

The ICP is now able to suspend for up to two years a provider's use of a prefix. It may also revoke the registration of audiotext providers that either fail to comply with the requirement that a voice message indicate the price and nature of the audiotext service in question, or fail to respect the announced service characteristics. The prefix 601 is maintained for generic audiotext services; 607 is applicable to televoting services; 608 to telesales; 646 to competitions and pastimes and 648 to erotic services.

Law 95/2001 actually serves to modify three prevailing diplomas. The affected measures are Decree-Law 177/99 of 21 May, which regulates the system governing access and pursuit of the activity of audiotext service provider (modified for the first time); Decree-

Law 474/99 of 8 November, which approves the regulation on the provision of fixed telephone service; and Decree-Law 175/99 of 21 May, which regulates advertising for audiotext services.

With regard to access, barring is now compulsory, i.e., the service may only be provided upon explicit request by the subscriber. However, audiotext televoting services (corresponding to the 607 prefix) are exempted and freely accessible; a subscriber must on the contrary request that they be barred.

The price charged for audiotext televoting services is fixed, regardless of call length. The length is in turn limited to the time needed for users to make a choice; the call is then automatically disconnected by the provider.

The applicable fines have also been greatly increased, rising in accordance to whether the sanction is the responsibility of individuals or corporations, with the respective values ranging from between PTE 500,000 and 5 million, and between PTE 3 million and 10 million, in the case of Decree-Law 177/99 of 21 May. Under terms of Decree-Law 175/99 of 21 May, the applicable fines now range from PTE 500,000 to 2 million and between PTE 1.5 million and 10 million respectively.

Regarding contracts signed before the new legislation took effect, support service providers are given 90 days to assure, with the exception of televoting services, the free-of-charge implementation of barring by default.

SEE [www.icp.pt/info/noticia.asp?id=1778&ida=183](http://www.icp.pt/info/noticia.asp?id=1778&ida=183)

## DIGITAL TERRESTRIAL TELEVISION - FINAL DECISION

Portuguese Infrastructure Minister Ferro Rodrigues ratified on 17 August the classification results on the list prepared by the Appraisal Committee for candidates to operate the Digital Terrestrial Television (DTT) platform.

The only licence at stake on a national scale was awarded to the *Plataforma de Televisão Digital Portuguesa, S.A.* (PTDP). In second place was the rival *Oni Plataformas - Infocomunicações*, in accordance with the provisional classification made public on 17 July.

The criteria for comprehensive assessment of the candidacy proposals were set by the Appraisal Committee in line with the tender regulations stipulated in Administrative Rule 346-A/2001 of 6 April. They specifically concern the following: the contribution towards information society development and the rapid spread of DTT; the quality of the technical plan; the contribution towards development of a sustainable economic activity; the promotion of a competitive and innovative supply; the quality of the financial and economic plan; and lastly the overall quality and coherence of the proposal.

Another Digital Terrestrial Television tender should also be launched by the end of the year, concerning the assignment of new television channels.

SEE [www.icp.pt/info/noticia.asp?id=1767&ida=182](http://www.icp.pt/info/noticia.asp?id=1767&ida=182)

# Communications in Portugal

## CURRENT EVENTS

### UMTS equipment

In wake of its 31 July 2001 deliberation on the implementation of third generation mobile systems in Portugal (IMT2000/UMTS), the *Instituto das Comunicações de Portugal* (ICP) consulted about 30 manufacturers and industry representatives to determine the foreseeable dates to begin the commercial exploitation of network infrastructure equipment, terminal equipment and dual UMTS/GSM equipment. The Chamber of Commerce and Industry of the Portuguese Industrial Association and the National Association of Electronic and Electric Material Industries were likewise invited to submit their comments by 14 September. See [www.icp.pt/info/noticia.asp?id=1742&ida=183](http://www.icp.pt/info/noticia.asp?id=1742&ida=183).

### Consultation on manual for telecommunications infrastructures in buildings

The manual on the system governing Infrastructures for Telecommunications in Buildings is in consultation until 4 October. Comments on the manual, which includes diverse technical documentation, namely the plan for future technical specifications and rules, should be sent by electronic means to [ited.manual@icp.pt](mailto:ited.manual@icp.pt). Interested parties may also consult documentation mentioned in the manual at the ICP's public attendance services in its Lisbon headquarters and in Barcarena, Madeira and the Azores.

### Postal services in competition

September 17 marks the end of the 30-day time limit that article 28 of Decree-Law 150/2001 of 7 May sets for entities that provide postal services without licence or authorisation to acquire same from the ICP. The CTT - *Correios de Portugal* (Portuguese Postal Service) should thus, and in accordance with paragraph 2 of article 26 of the same measure, indicate to the Institute by 12 September the non-reserved postal services not covered by the universal postal service it provides. The full text of the measure is available at <http://www.icp.pt/legisuk/lei.asp?item=243>. See also [www.icp.pt/info/noticia.asp?id=1765&ida=182](http://www.icp.pt/info/noticia.asp?id=1765&ida=182).

### SINCRER - Sharing of remote infrastructures

The ICP approved in a July 5 deliberation the methodology for sharing remote infrastructures for spectrum monitoring and control

(SINCRER), to be established with the telecommunications operators upon request by same. The new rules may be consulted at [www.icp.pt/info/noticia.asp?id=1761&ida=182](http://www.icp.pt/info/noticia.asp?id=1761&ida=182).

### Accreditation of ICP laboratories

The ICP has proceeded with the transition affecting its accredited laboratories, in accordance with norm NP EN ISO/IEC 17025 and within the time limit set by the Portuguese Institute of Quality at the October 2000 Meeting of Accredited Laboratories. The operation must be complete by 1 January 2002. The single quality system now adopted for all the Institute's labs replaces the two systems previously in effect.

### Audiovisual/Telecommunications Convergence

A working group comprised of personnel from the ICP and the *Instituto da Comunicação Social* (ICS - Institute of the Media) has been set up under terms of a June 26 joint order from the Ministries of the Presidency and of Infrastructure, with the aim of determining the strategic orientation for convergent development of the audiovisual and telecommunications sectors. The group met for the first time on 28 August.

### Website construction guide

Following the report published in the last edition of *Spectru* (page 2), the Ministry of Science and Technology has published a guidebook on the subject of "good practices for the construction of websites for direct and indirect state administration", an initiative that fulfils Council of Ministers Resolution 22/2001, specifically the Internet Initiative. The websites of public bodies are now subject to assessment every six months and, according to the guide, should focus on citizens and their needs as users of public services. The document thus provides 38 recommendations for the design and operation of websites.

### eGovernment in Portugal

The study "eGovernment in Portugal - Digital Offer of the Portuguese State" elaborated by Vector 21 and sponsored by Pricewaterhouse Coopers Consulting is available at <http://www.vector21.com/pd/estudosmercado/>.

## POSTAL SERVICE QUALITY IN 2001

Most Portuguese consumers are satisfied with the quality of service provided by the Postal Service (CTT - *Correios de Portugal*) in the current year, reveals a study on "Perception of Postal Service Quality - 2001" carried out by the *Instituto das Comunicações de Portugal* (ICP). About 45 percent of respondents gave the postal services provided by the CTT a rating of between 14 and 16 (equivalent to 'Good') on a scale of 1 to 20. Some 35 percent rated the service between 10 and 13 ('Reasonable') and 17 percent between 17 and 20 ('Very Good'). The most critical, who rated the CTT between 1 and 9 ('Very Bad' and 'Bad'), did not account for more than 3 percent of the total. In its recommendations, the ICP suggests that the historic postal service provider increase awareness of the new post codes (40 percent of respondents claimed they did not use them, in part due to a lack of information on same), besides providing more information on the characteristics, prices and quality standards of its services, and on the standard delivery times for regular and priority mail. In order to cut waiting time in post offices, the CTT should likewise promote sales alternatives for stamps, namely through vending machines, and study an eventual increase in the number of mail collection points.

# Communications in Portugal

## NEW RATES FOR RADIOCOMMUNICATIONS

The new rates applicable to use of radiocommunications networks and stations were recently approved by Infrastructure Ministry Administrative Rule 667-A/2001, published in the July 2 edition of the *Diário da República* (Gazette of the Republic) and taking effect on the day after publication.

This administrative rule results from application of paragraph 7 of article 19 of Decree-Law 151-A/2000 of 20 July, which profoundly changed the regime applicable to the licensing of radiocommunications networks and stations.

The new rules aim to simultaneously improve efficient use of the scant space available on the radio spectrum and the cost/benefit relationship of said use by holders of the corresponding licences.

Changes to radio rates are being gradually introduced, with private land mobile service the first radiocommunications service category subject to the necessary adjustments.

In the case of this specific service, the underlying logic of the licensing framework was subject to major changes; it is now governed by a “network

license” and not, as previously, by an “equipment or station license”.

Regarding sound broadcasting, a consequence of revocation of Decree-Law 130/97 of 27 May resulting from the new Radio Law (Law 4/2001 of 23 February) is that this service is now covered by the general radiocommunications regime; the applicable radio rates are thus included in this administrative rule.

The services excluded from the context of application of Decree-Law 151-A/2000 concern the amateur and personal radio-citizens band (CB) services, which are not covered by this administrative rule.

### RADIO LAW

The requirement for uninterrupted broadcasting 24 hours a day and the prohibition of permit transfers, whether by sale or cession, are a reality since 24 August, the date when the above-mentioned norms of the new Radio Law - Law 4/2001 of 23 February - took effect. ◀

## INTERNET ACCESS CONDITIONS

The deliberation adopted by the Board of Administration of the *Instituto das Comunicações de Portugal* (ICP) on 21 February 2001, which approved the new internet access conditions, was ratified by order of the ICP president on 22 August 2001, in accordance with terms of the Code of Administrative Procedure. The ‘ratification’, or order in this case, is here understood to be the administrative act by which the competent body, the ICP Board via its president, decides to give sanction to vicious detected in an act already put to practice - the deliberation of 21 February.

The order, which was passed on to *PT Telecomunicações, S.A.*, and the other interested parties, now explicitly refers to grounds for the non-existence of prior hearings of interested parties. It explains the said grounds and indicates all adjustments subsequently applied to that deliberation.

Note that *PT Comunicações, S.A.*, had in due time contested the ICP deliberation referred to in the order now ratified; the legal case is currently undergoing the normal procedures at the Administrative Court of the Lisbon circuit. ◀

## ACTION PLAN FOR INCLUSION

The “National Action Plan for Inclusion - 2001-2003”, an initiative of the Ministry of Labour and Solidarity, emphasises the importance of promoting measures and instruments within the scope of the knowledge and information society that help prevent the risk of social exclusion. The document indicates that the information society, considered one of the “transversal axes” of national progress, “will provide a significant contribution towards balanced development of the country and strengthened social cohesion”.

The document particularly highlights the vital role of training in information technologies and the framing, via the eEurope 2002 Action Plan, of what is held to be a national priority, i.e., accelerated internet use promoted by the Internet Initiative.

Outstanding among the various instruments that aim to achieve these goals are the so-called ‘S@ber +’ (know more) actions of the Multimedia for All Project and the School Internet Programme (under way since 1998, aiming to link all primary schools to the internet by the end of 2001), besides the establishment of free-access Internet Spaces in all municipalities and public internet access facilities in all local councils.

The “Millennium Generation” programme, in which the *Instituto das Comunicações de Portugal* participates, aims to provide certified base training in knowledge and information technologies to 60,000 young Portuguese, certification of basic citizenship competency in same (by 2006, some 2 million citizens will be able to carry out essential operations, such

as text processing and the use of internet and electronic mail). This, along with the National Initiative for Citizens with Special Needs, completes the range of instruments meant to strengthen social inclusion. ◀

## NEWLY ENACTED LEGISLATION

• **Law no. 95/2001** (I Series-A of the *Diário da República* of 20 August) - A first modification of Decree-Law no. 177/99 of 21 May, which regulates the regime governing access to pursuit of the activity of audiotext provider; of Decree-Law no. 474/99 of 8 November, which approves the Regulation for the Operation of Fixed Telephone Service; and Decree-Law no. 175/99 of 21 May, which regulates the advertising of audiotext services.

• **Infrastructure Ministry Notice** (III Series of the D.R. of 17 August) - Declares the conformity of the Analytical Accounting System of the CTT - *Correios de Portugal* for the year 1999.

• **Infrastructure Ministry Decree-Law no. 223/2001** (I Series-A of the D.R. of 8 August) - Establishes the procedures to follow in the contracting of construction work and the provision and execution of services in the sectors of water, energy, transports and telecommunications. ◀

# Communications around the World

## EUROPEAN UNION

### PUBLIC HEARING ON THE 7<sup>TH</sup> IMPLEMENTATION REPORT

A public hearing on the 7th report on implementation of the telecommunications regulatory framework in the 15 European Union member-states will be held in Brussels on 28 September. The agenda of the meeting is available at [http://www.europa.eu.int/information\\_society/topics/telecoms/implementation/annual\\_report/hearings/index\\_en.htm](http://www.europa.eu.int/information_society/topics/telecoms/implementation/annual_report/hearings/index_en.htm).

### TARIFF REBALANCING IN SPAIN

The European Commission in mid-August again sent to Spain a reasoned opinion on the matter of tariff rebalancing, following up on a process that dates back to 1998. The Commission holds that *Telefónica* is charging competing operators monthly line rental fees that are higher than those practised with the historic Spanish operator's end clients. Spain had already been subject to a first reasoned opinion in December 2000 and now has two months to respond to the Commission. If the latter does not accept the reasons given by Spain, then that country will be obliged to appear before the Court of Justice of the European Union.

At [http://europa.eu.int/rapid/start/cgi/guesten.ksh?p\\_action.gettxt=gt&doc=IP/01/1226|0|RAPID&lg=EN](http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/01/1226|0|RAPID&lg=EN).

### ECHELON DEBATED

The report on the illegal communications reception system known as Echelon, adopted on 3 July by the European Parliament's Temporary Committee on Echelon, should be discussed in plenary session on 5 September. The document, which easily passed in committee (27 votes for, 5 against and 2 abstentions) concluded that the existence of an illegal communications interception system was undeniable, and that it was managed by at least five countries, among them the United States and United Kingdom. However, it found that no proof of economic espionage existed. The report puts forth 44 recommendations, among them one emphasising the need to quickly develop and adopt encryption in European communications, which should now be studied by members of the European Parliament.

See <http://www2.europarl.eu.int/omk/OMEuoparl?PROG=AGENDA&L=EN&LEVEL=2&PUBREF=/EP/TEXT+AGENDA+20010905+SIT+DOC+SGML+V0/EN#dd1> and [www.europarl.eu.int/committees/echelon\\_home.htm](http://www.europarl.eu.int/committees/echelon_home.htm).

### INFORMATION SOCIETY DEBATED BY EUROPEAN PARLIAMENT

Also on 5 September, the European Parliament is scheduled to debate a report on the processing of personal data and the protection of privacy in the electronic communications sector, as well as a second report on the Commission Communication on the "creation of a more secure information society by improving the security of information infrastructures and the fight against computer crime - eEurope 2002".

See <http://www2.europarl.eu.int/omk/OMEuoparl?PROG=AGENDA&L=EN&LEVEL=2&PUBREF=/EP/TEXT+AGENDA+20010905+SIT+DOC+SGML+V0/EN#dd1>.

### COMMENTS ON THE MARKET POWER CONSULTATION

The European Commission published on 1 August the comments resulting from the June public consultation on the draft guidelines for market analysis and the calculation of significant market power, under terms of article 14 of the draft directive for a common regulatory framework for electronic

communication networks and services.

See [http://isnewlook/information\\_society/topics/telecoms/regulatory/publicconsult/comments/index\\_en.htm](http://isnewlook/information_society/topics/telecoms/regulatory/publicconsult/comments/index_en.htm).

### AUTHENTICATION OF ELECTRONIC SIGNATURES

"Identrus" is the name of the global network for the authentication of electronic signatures and other aspects related to financial transactions and e-commerce. It involves about 20 European and non-European banks and was on 1 August given the green light by the European Commission. With this security guarantee, e-commerce gains new impetus, as banks now function as the certifying authorities. The system is open; the Commission thus considered that it does not violate community competition rules.

At [http://europa.eu.int/rapid/start/cgi/guesten.ksh?p\\_action.gettxt=gt&doc=IP/01/1165|0|RAPID&lg=EN](http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/01/1165|0|RAPID&lg=EN).

### NEW OPERATORS SURVEY

The Commission has addressed an enquiry on the opening of the local loop to new telecommunications operators; the deadline for responses is 15 September. The questionnaire covers topics such as business strategy, the supply of services, and licences and authorisations. Details at [http://europa.eu.int/comm/competition/antitrust/others/sector\\_inquiries/local\\_loop/questionnaire\\_new\\_entrants.pdf](http://europa.eu.int/comm/competition/antitrust/others/sector_inquiries/local_loop/questionnaire_new_entrants.pdf).

### EUROPE-USA DIGITAL GAP

"Europe is now only 12 months away from the USA with regard to internet use", the European Commissioner for Enterprise and Information Society, Erkki Liikanen, said during an August 16 speech at the Alpbach Forum, a gathering of politicians, economists and scientists in the Austrian city of the same name. According to data presented on the occasion by the Commission, some "70 percent of small and medium-sized companies and 33 percent of families in Europe access the internet". However, Liikanen admitted that most companies are unaware of the benefits of e-commerce. In Eastern Europe, with the exception of Estonia, the digital gap vis-à-vis the United States is greater, with a lag equivalent to two or three years.

### eBUSINESS CAMPAIGN

An eBusiness campaign organised by the Euro Info Centres (EICs) is set to begin on September 14 and aims to help small and medium-sized companies adopt electronic business solutions. The initiative is connected with action 5 of the GoDigital Action Plan. More information at <http://europa.eu.int/ISPO/ecommerce/godigital/EICebusinesscampaign.htm>.

### ECTA WANTS MORE FLAT RATES

The European Competitive Telecommunications Association (ECTA) has urged regulatory authorities and the European Commission to promote preferential internet access based on flat rates, namely with regard to narrow band access, which the association would like to be seen as a complement to broad band. At <http://www.ecta.com/>.

### "CONSUMER VOICE" ON LINE

The monthly bulletin of the European Commission's Directorate General of Health and Consumer Protection, "Consumer Voice", is now available on the internet in English, French and German, at [http://www.europarl.eu.int/comm/dgs/health\\_consumer/newsletter](http://www.europarl.eu.int/comm/dgs/health_consumer/newsletter).

# Communications around the World

## SAFER MOBILE PHONES

On July 26 the European Commission published a new electromagnetic safety standard (EN 50360) in the Official Journal of the European Communities (OJEC) - a measure that responds to growing concern over the effects of exposure to radiation from mobile terminals.

The new limits are indicative and set a maximum variation of between 300MHz and 3GHz. The previous values (based on recommendation 1995/519/EC on limits to electromagnetic radiation, approved by the Council of Ministers of Telecommunications last 12 June) varied between 0Hz and 300GHz.

This standard was defined by the European Committee for Electrotechnical Standardisation (CENELEC) of the European Commission, based on the maximum electromagnetic radiation limits put forward by the International Committee on Non-Ionising Radiation Protection (ICNIRP) and applicable

SEE [http://europa.eu.int/rapid/start/cgi/guesten.ksh?p\\_action.gettxt=gt&doc=IP/01/1190/0|RAPID&lg=EN](http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/01/1190/0|RAPID&lg=EN)

SEE <http://europa.eu.int/comm/enterprise/rte/index.htm>

to the commercialisation of cellular phones in the European Union. The respective limits will be subject to revision by the end of the year.

Recent data from a European Parliament report indicates that terminals sold by manufacturers within the community emit radiation at an average of 50% below the maximum allowable levels. Regarding radiation from cell phones, re-transmitting antennae and base stations, the European Union follows the Radio and Terminal Telecommunication Equipment Directive (1995/5/EC) and is developing new tests on dummy heads that contain sophisticated sensors enabling precision measurement of the "specific absorption rate" (SAR) for human exposure to electromagnetic fields, particularly for the most sensitive tissues. The Mobile Manufacturers Forum has agreed to begin publishing the SAR values of mobile phones produced by its manufacturers.

## POSTAL SERVICES UNDER DISCUSSION

### "POSTAL" GROUP OF THE BELGIAN PRESIDENCY

Discussion of the Postal Directive that will lead to sector liberalisation was the focus of the first meeting of the Belgian EU presidency's "Postal" Group, held on 20 June in Brussels.

Representatives of the 15 member-states paid particular attention to the scenarios and final date for the liberalisation of specific services, and to the issue of outgoing cross-border mail.

The European Commission emphasised that the Directives are mechanisms for harmonisation between countries and should thus not be substantially altered. Taking into account the gradual liberalisation of postal services, it thus suggested defining an initial period with set limits on liberalisation, to be agreed upon by the member-countries. Some countries could subsequently proceed with liberalisation, if they so desired, as all would be in the same situation at the start.

Lastly, the presidency gave notice that it plans to send a new proposal to the member states at the beginning of September, taking into account positions assumed at the meeting and the amendments of the European Parliament. This will facilitate discussion at the October Council of Ministers, and, if possible, the reaching of a political agreement on the directive.

### UPU HIGH LEVEL GROUP

A plenary meeting of the High Level Group of the Universal Postal Union (UPU) was held on 5-6 June in Berne and reviewed the themes of the four subgroups - mission, structure and composition, decision-making method, and financing of the Union - in order to compile information in a single document to be sent to the UPU Board of Administration for analysis at its October meeting.

### SEMINAR ON POSTAL SERVICES

The European Commission organised a June 3 seminar in Brussels, focusing on postal services in the context of implementation of Postal Directive 97/67/EC. The conclusions of studies on the conditions governing access to universal postal service and networks were presented, along with those on the cost-accounting systems of universal service providers.

These studies are being undertaken by consultant firms, with interviews and questionnaires addressed to operators, regulators and consumer associations, among others.

SEE [www.upu.int](http://www.upu.int)

## UNIVERSAL SERVICE IN COUNTRIES ON THE ROAD TO MEMBERSHIP

Does universal telecommunications service exist in the 13 countries currently negotiating membership in the European Union? How can these universal service obligations be realised and what could hamper sector liberalisation in those countries? To answer these questions, the European Commission sponsored a recently-concluded study on these and others associated to the vital topic of communications.

One of basic requirements the 13 countries from Eastern Europe must guarantee during the integration process is the conformity of their laws and practices with the *acquis communautaire*. Universal service currently plays a key role in the telecommunications sector. Outstanding among the various directives setting out obligations in this area are the directive on the offer of open network/vocal telephony and the directive on interconnection, as well as the draft directive on universal service and consumer protection, still under discussion in the context of 99 Review.

The authors recommend in their conclusions that during the enlargement process states should have the option of transition conditions that include amendment or alteration (amendment of the above-mentioned draft directive is viewed as being an "alternative practice").

SEE [http://europa.eu.int/information\\_society/topics/telecoms/international/uso/Main%20Report.pdf](http://europa.eu.int/information_society/topics/telecoms/international/uso/Main%20Report.pdf)

*SPECTRU IS PUBLISHED BY*

Instituto das Comunicações de Portugal (ICP)

*HEADQUARTERS:*

Av. José Malhoa, 12 - 1099-017 Lisboa

WEB ADDRESS: [www.icp.pt](http://www.icp.pt) E-MAIL ADDRESS: [info@icp.pt](mailto:info@icp.pt)

*DIRECTOR* Luís Nazaré

*PRODUCTION MANAGER:*

Companhia dos Riscos, DESIGN LDA

[www.companhia-riscos.pt](http://www.companhia-riscos.pt) [geral@companhia-riscos.pt](mailto:geral@companhia-riscos.pt)

## OJEC – OFFICIAL JOURNAL OF THE EUROPEAN COMMUNITIES

- **Media Training (C232/145)** - Common position on a training programme for professionals in the European audiovisual programmes industry, adopted by the Council on 13 December 2000. Published on 17 August.
  - **European Parliament Resolution and amendments (C232/301)** - Concerning the proposal for a directive amending Postal Directive 97/67/EC. Adopted on 14 December 2000 and published on 17 August.
  - **European Parliament Resolution and amendments (C232/341)** - Concerning the proposal for a Council decision adopting a multiannual programme on the use of European digital content in global networks and to promote linguistic diversity in the information society. Adopted on 14 December 2000 and published on 17 August.
  - **Judgement of the Court of 21 June 2001 (2001/C227/07)** - Against Luxembourg for non-compliance, due to failure to implement Directive 89/552/EEC concerning the pursuit of television broadcasting activities. Case C-119/00, published on 11 August.
  - **European Parliament Resolution and amendments (C223/73)** - Concerning proposals for a regulation to protect individuals with regard to the processing of personal data by community institutions and bodies and the free movement of such data. Adopted on 14 November 2000 and published on 8 August.
  - **Commission Communication (2001/C208/04)** - On radio and telecommunications terminal equipment and mutual recognition of their conformity. Published on 26 July.
  - **Consolidated measures adopted by the member-states (2001/C208/05)** - Concerning the pursuit of television broadcasting activities, under terms of Directives 89/99/552/EEC and 97/36/EC of the European Parliament and of the Council. Published on 26 July.
  - **Common Action of the Council (2001/555/PESC)** - Concerning the creation of a European Union Satellite Centre. Published on 25 July.
  - **European Parliament Resolution and amendments** - Concerning changes to the proposal for the regulation of the European Parliament and of the Council on the separate supply of access to subscriber lines. Adopted on 26 October 2000 and published on 12 July.
  - **Notification of Agreement on Reims II (2001/C195/07)** - Concerning payment of terminal charges between public postal operators and the improvement of postal service quality. Published on 11 July.
  - **TSI Programme (2001/C191/11)** - Call for proposals for indirect RTD actions under the specific programme for research and technological development on a user-friendly information society (1998-2002). Published on 7 July.
  - **Commission Decision (2001/497/CE)** - Of 15 June. Concerning contractual clauses applicable to the transfer of personal data to third countries, under terms of Directive 95/46/EC. Published on 4 July.
  - **Amended Proposal for a European Parliament and Council Directive (2001/C180E/27)** - Amending Postal Directive 97/67/EC with regard to the further opening to competition of Community postal services. Published on 26 June.
  - **Directive 2001/29/EC (L167/10)** - Of 22 May. Concerning harmonisation of certain copyright aspects linked to the information society. Published on 22 June.
  - **Opinion of the Economic and Social Committee (2001/C155/03)** - Of 28 May. On the proposal for a regulation of the European Parliament and of the Council, concerning implementation of the .eu top-level internet domain. Published on May 29.
- Note:** The Eur-Lex portal for European Union Law, launched on June 28, can be consulted at <http://europa.eu.int/eur-lex/en/index.html> . ◀

SEE <http://europa.eu.int/eur-lex/en/oj/index-list.html>

## CO-OPERATION WITH GUINEA-BISSAU

In keeping with its policy of co-operation with Portuguese-speaking African countries, the *Instituto das Comunicações de Portugal* (ICP) hosted an August 20-24 visit by a counterpart delegation from Guinea-Bissau's *Instituto Nacional das Comunicações* (INCGB), in the context of a training programme on the "registry and licensing of services and operators for public-use telecommunications networks".

Topics under focus included the organisation of attendance service and respective archive, codification of registration and licence numbers, forms used, publication of registered and licensed bodies, charges levied and analysis of practical cases. ▶

## COMMISSION ACCUSES MICROSOFT

Following an investigation of the Windows 2000 operating system begun in February 2000, the European Commission adopted on 30 August a Statement of Objections alleging that the Microsoft Corporation may have violated community antitrust rules by limiting consumer choice and hampering innovation. The Commission accuses Microsoft of illegal practices with the aim of expanding the company's dominant position in personal computer operating systems for low-end server systems. It also charges that Microsoft abused by incorporating the Media Player, a sound and image application, into the Windows operating system.

This is the second Statement of Objections against Microsoft, which has two months to respond to the allegations. The first was sent to the company a year ago. ▶

SEE [http://europa.eu.int/rapid/start/cgi/guesten.ksh?p\\_action=gettd=gt&doc=IP/01/1232|0|RAPID&lg=EN](http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action=gettd=gt&doc=IP/01/1232|0|RAPID&lg=EN)

## NEWS FROM OTHER COUNTRIES

**DENMARK - National Telecom Agency (Telestyrelsen)** - The lead-up to the 21 September auction for attribution of four third generation mobile licences has been marked by the low level of interest shown by telecommunications operators. The deadline for bids to be received is 5 September; the licenses should be formally issued at the beginning of October. Details at [www.tst.dk/index\\_uk.htm](http://www.tst.dk/index_uk.htm).

**GUINEA-BISSAU - Ministério do Equipamento Social (MES)** - The deadline for submission of applications for a GSM mobile license falls in the middle of September. In addition to the international public tender for attribution of a licence to a fixed operator, a second GSM licence has been reserved for the current fixed network operator, Guiné Telecom. Additional information at <http://www.icgb.org/index.html.en>.

**FRANCE - Conseil Supérieur de l'Audiovisuel (CSA)** - The CSA launched a public tender for the operation of Digital Terrestrial Television (DTT). The tender timetable envisages that applicants should submit proposals by 29 November. The list of accepted proposals will be released in December and the winners announced in March 2002. The French government expects the new network to be operational by Christmas 2002, with 85 percent of the population having access to a total of 33 channels. At [www.csa.fr/html/auto0.htm](http://www.csa.fr/html/auto0.htm) and [www.csa.fr/pdf/TNTpresse240701.pdf](http://www.csa.fr/pdf/TNTpresse240701.pdf).

**FRANCE - Autorité de Régulation des Télécommunications (ART)** - The Paris Court of Appeals has pronounced a verdict on the case opposing France Telecom (FT) and the operator 9 Telecom Réseau, rejecting FT's appeal and thus ruling in favour of the latter. The case concerns the issue of third-party invoicing.

At [www.art-telecom.fr/communiqués/communiqués/2001/17-08-2001.htm](http://www.art-telecom.fr/communiqués/communiqués/2001/17-08-2001.htm). ART published on 2 August a recommendation vis-à-vis the historic operator's offer of leased lines for data transmission.

At [www.art-telecom.fr/communiqués/communiqués/2001/29-2001.htm](http://www.art-telecom.fr/communiqués/communiqués/2001/29-2001.htm).

On 31 July, the French regulatory authority launched a public consultation on the entry into force of average long run incremental costs (LRICs) as references with regard to interconnection charges for the incumbent party. Additional information at [www.art-telecom.fr/publications/cp-cmilt4.htm](http://www.art-telecom.fr/publications/cp-cmilt4.htm).

**SPAIN - Comisión del Mercado de las Telecomunicaciones (CMT)** - The CMT adopted on 9 August a resolution on modification of the reference interconnection offer of Telefónica.

At [www.cmt.es/cmt/centro\\_info/interc/content.html](http://www.cmt.es/cmt/centro_info/interc/content.html).

**IRELAND - Office of the Director of Telecommunications Regulation (ODTR)** - On 31 August, the ODTR launched a public consultation, open until 12 October, which aims to study possibilities for providing digital terrestrial television on a local or regional basis. Details at [www.odtr.ie/docs/pres310801.doc](http://www.odtr.ie/docs/pres310801.doc).

**THE NETHERLANDS - Commission of the Independent Post and Telecommunication Authority (OPTA)** - Following Germany, the Netherlands has at the highest level recognised the possibility of co-operation between future UMTS operators. In a joint statement, the Netherlands Competition Authority (Nma), OPTA and the Ministry of Transport, Public works and Water Management indicated that they would allow such co-operation to go forward as long as desired levels of competition were maintained between individual parties. The government has, for example, forbid the sharing of frequencies and networks. It also invited comments on a draft memorandum; the deadline for submissions ended on 17 August. See [www.opta.nl/english/englishopta.asp](http://www.opta.nl/english/englishopta.asp).

**FINLAND - Ministry of Transport and Communications** - A Finnish government statement noted an atmosphere of pessimism at the late August launch of digital television. It thus pledges to stimulate the sector with a new measure in October. Details at [www.mintc.fi/www/sivut/english/default.html](http://www.mintc.fi/www/sivut/english/default.html).

**FINLAND - Finnish Communications Regulatory Authority (FICORA)** - On 1 September, the former Finnish national regulator, the Telecommunications Administrations Centre (TAC), changed its name to the Finnish Communications Regulatory Authority. FICORA has taken on expanded responsibilities that include the regulation of electronic communications and information society services. Details at [www.ficora.fi/englanti/ajankohti/ajankoht.htm](http://www.ficora.fi/englanti/ajankohti/ajankoht.htm).

**UNITED KINGDOM - Office of Telecommunications (OFTEL)** - The British regulator is to maintain its obligation to provide universal service, according to information released on 30 August and following a consultation on the matter. In other words, British Telecom and Kingston Communications are obliged to offer basic telephone services at sustainable prices. Extension of these requirements to mobile and broad band services is under study.

See [www.oftel.gov.uk/press/releases/2001/pr59\\_01.htm](http://www.oftel.gov.uk/press/releases/2001/pr59_01.htm).

A plan to control electromagnetic interference was announced on 24 August and is subject to consultation until 16 November.

At [www.oftel.gov.uk/publications/licensing/2001/rf0801.htm](http://www.oftel.gov.uk/publications/licensing/2001/rf0801.htm).

OFTEL indicated on 9 August that it was studying the adoption of new measures to improve consulting procedures with consumers and industry.

At [www.oftel.gov.uk/press/releases/2001/pr56\\_01.htm](http://www.oftel.gov.uk/press/releases/2001/pr56_01.htm).

**UNITED KINGDOM - Postal Services Commission (Postcomm)** - On 24 June Postcomm launched a consultation that is a first step towards the introduction of financial sanctions against operators that do not comply with the conditions set in their licences. See [www.psc.gov.uk/](http://www.psc.gov.uk/).

**BRAZIL - Agência Nacional de Telecomunicações (ANATEL)** - On 16 August, the Brazilian regulator declared that the auction for attribution of a national licence for C band mobile personal service had been cancelled due to a lack of interested operators. At [www.anatel.gov.br/biblioteca/Releases/2001/release\\_16\\_08\\_2001%284%29.pdf](http://www.anatel.gov.br/biblioteca/Releases/2001/release_16_08_2001%284%29.pdf).

ANATEL is soon to launch public consultation on two internet access models that use single tariffs as a means to generalise use.

At [www.anatel.gov.br/biblioteca/Releases/2001/release\\_10\\_08\\_2001%286%29.pdf](http://www.anatel.gov.br/biblioteca/Releases/2001/release_10_08_2001%286%29.pdf).

In an attempt to avoid a repetition of riots in Brazilian prisons, ANATEL plans to begin testing mobile phone blockers in the state prisons of Minas Gerais, São Paulo, Rio de Janeiro, Paraná and the Federal District by the end of September. More information at [www.anatel.gov.br/biblioteca/Releases/2001/release\\_09\\_08\\_2001%284%29.pdf](http://www.anatel.gov.br/biblioteca/Releases/2001/release_09_08_2001%284%29.pdf).

The regulation on multimedia communication service was approved on August 2. Details at [www.anatel.gov.br/biblioteca/Releases/2001/release\\_13\\_08\\_2001%284%29.pdf](http://www.anatel.gov.br/biblioteca/Releases/2001/release_13_08_2001%284%29.pdf).

**UNITED STATES - Federal Communications Commission (FCC)** - The US regulatory authority released data on high-speed Internet access services on August 9. According to the FCC, such connections increased by 63 percent in the second half of 2000 and currently comprise 7.1 million lines, of which 5.2 million are used by residential and small company clients.

More at [www.fcc.gov/Bureaus/Common\\_Carrier/News\\_Releases/2001/nrcc0133.html](http://www.fcc.gov/Bureaus/Common_Carrier/News_Releases/2001/nrcc0133.html).

# WHITE PAPER ON EUROPEAN UNION GOVERNANCE

Renovation of the political structure is at the centre of prevailing debate in the European Union. The White Paper on Governance in the EU, adopted by the Commission on 25 July and published on 7 August reflects on the need for political reform that clarifies the role of each community institution, increases citizen participation and prepares for enlargement of the Union. First and foremost, the document, in public consultation until the end of March 2002, aims to increase confidence in the Union in wake of Ireland's recent rejection of the Treaty of Nice.

At the beginning of 2000, the Commission chose European government reform as one of the Union's four strategic priorities. The White Paper, to result in a report on performance by the end of 2002, is meant to answer the 'disenchantment' the document recognises is felt by many Europeans.

The document advocates five principles - openness, participation, responsibility, efficiency and coherence - rules that in turn strengthen the principles of proportionality and subsidiarity, the pillars of European integration.

The proposals put forward also call for the adoption of more transparent and efficient consultation mechanisms (the telecommunications package currently under discussion in the European Parliament and in the Council is studied as an example to follow). Simplification of processes, particularly in the legal area, is also viewed as a measure worth adopting. The complexity and detail of current European legislation suggests that implementation will be slow: for example, in 2000 the member-states were only able to transpose five of the total of 83 directives concerning the internal market. Regulation is indicated as being a solution, with the Commission announcing its intention to propose the establishment of new regulatory agencies (the criteria governing their constitution will be determined next year) and to present at the Laeken European Council (marking the close of the current Belgian presidency) an action plan for better regulation. Any comments on this document may be sent by 31 March 2002 to the European Commission at [sg-governance@cec.eu.int](mailto:sg-governance@cec.eu.int).

SEE [http://europa.eu.int/comm/governance/index\\_en.htm](http://europa.eu.int/comm/governance/index_en.htm)

| LICENSES IN 2001   |            |              |   |            |
|--|------------|--------------|---|------------|
| FIXED TELEPHONE SERVICE                                    |            |              | PUBLIC TELECOMMUNICATIONS NETWORKS                                  |            |
| Licensed Service Providers                                 | Date       | Access Codes | Licensed Operators  | Date       |
| TeleMilénio - Telecomunicações, Sociedade Unipessoal, Lda. | 2001.01.19 | 1073         | Global Metro Networks Portugal - Sociedade de Telecomunicações, Lda | 2001.01.19 |
| Companhia Portuguesa Rádio Marconi, S.A.                   | 2001.02.02 | 1075         | TeleMilénio - Telecomunicações, Sociedade Unipessoal, Lda.          | 2001.01.19 |
| NetVoice - Comunicações e Sistemas, Lda.                   | 2001.03.01 | 1025         | CABLETEL - Serviços de Telecomunicações, S.A.                       | 2001.03.08 |
| CABLETEL - Serviços de Telecomunicações, S.A.              | 2001.03.08 | 1066         | Belgacom Portugal, S.A.   | 2001.04.06 |
| COLTEL - Serviços de Telecomunicações, Unipessoal, Lda.    | 2001.04.20 | —            | TVTel Grande Porto - Comunicações, S.A.                             | 2001.04.12 |
| REFER TELECOM - Serviços de Telecomunicações, S.A.         | 2001.06.21 | —            | COLTEL - Serviços de Telecomunicações, Unipessoal, Lda.             | 2001.04.20 |
| Diniz & Ávila - Comunicações, S.A                          | 2001.07.31 | 1015         | REN - Rede Eléctrica Nacional, S.A.                                 | 2001.05.17 |
|  |            |              | TCN (Portugal) - Instalação e Manutenção de Redes, Unipessoal, Lda. | 2001.05.24 |
|  |            |              | REFER TELECOM - Serviços de Telecomunicações, S.A.                  | 2001.06.21 |

## IN SEPTEMBER 2001

### EU

- Seminar on postal services (5)
- Economic/Telecommunications Questions Group (13-14; 20-21)
- Economic/Postal Services Questions Group (10 and 17)
- Licensing Committee (26)
- Public hearing on the 7th implementation report/ Portugal (28)

### CEPT

- Plenary (20-21)
  - JWG-UIT (17-18)
- ### ERC
- WG FM PT 41 (4-5)
  - Conference Preparation Group - CPG (4-6)
  - Regulatory Questions - PT1 (10-11)
  - WG Frequency Management PT 32 - Band sharing 1.5GHz (12-14)
  - WG Frequency Management (24-28)

### ECTRA

- PT Numbering (20-21)

### ECTRA/ ERC

- Joint Satellite Group (12-14)
- CAF-R (11)

### CERP

- WG UPU Matters (18)

### UIT

- Spectrum Management - CE 1 (3-7)
- Networks and Services - CE 2 (4-14)
- WG Terrestrial Broadcasting - WP 6E (19-26)
- PT-PP02 (26-27)
- PT-WTDC 02 (28)

### IRG

- WG ULL (4)
- Plenary (10-11)
- Seminar IRGnet (13)
- Seminar IRGIS (14)
- WG AMP (17)
- WG Mobile Access (24)

### ETSI

- MESA Project - Specifications for broad band public security equipment (18-20)
- WG 5 - Radio and Telecommunications (25-26)
- CT Security (27-28)

### CENELEC

- SC 46XC - Type 6 communication cables for structured networks (6-7)

### ICP

- Consultative Council (18)

- Co-operation/ ICGB Training programme (17-28)

### EVENTS

- *Legal Aspects of e-Commerce* - 10 to 14, Palma de Mallorca
- *eWork 2001* - 12 to 14, Helsinki
- *Social and economic cohesion in the information society* - 13 to 14, Bruges
- *The Path to 4G Mobile* - 13 to 14, Helsinki
- *Roaming for Next Generation Mobile Services* - 17 to 19, London
- *OFTEL Internet Forum* - 19, London
- *WIPO - II International Conference on Electronic Commerce and Intellectual Property* - 19 to 21, Geneva
- *Local Vision, Global Mission: Second Roundtable on Telecommunications in China* - 20 to 21, Beijing
- *5th Annual Conference on Competition* - 21, Florence
- *Number Portability 2001* - 24 to 26, Prague
- *Mobile Commerce World Europe 2001* - 25 to 27, London
- *Orbit/Comdex Europe 2001* - 25 to 28, Basel, Switzerland
- *Interactive Television in Portugal (APDC)* - 26, Lisbon
- *2001 European Conference on Wireless Technology* - 27 to 28, London
- *The Sustainable Information Society "Values and Everyday Life"* - 27 to 28, Kouvola, Finland