

Implementation of new EU Directives – What will apply on 25 July 2003?

Four new EC Directives will be implemented in the UK on 25 July, by the Communications Act 2003. The following is intended to provide an overall snapshot of the legislation, conditions and other documents that are intended to be in place on 25 July 2003.

| | Effective 25/7/03? | Comments |
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| <u>Legislation</u> | | |
| Communications Act | Yes | Also see: Commencement Order SI2003/1900 (C.77) Advanced Television Services SI2003/1901 Wireless Telegraphy etc SI2003/1902 RTTE SI 2003/1903 Universal Service SI 2003/1904 |
| <u>Conditions and Directions</u> | | |
| Abolition of licensing regime and new authorisation regime | Yes | (Note that while the licensing regime will be abolished, the obligations in some licence conditions may continue to exist after 25 July 2003 – see below) |
| New general conditions | Yes | The Director will formally make these to come into effect on 25 July 2003. |
| New conditional access conditions | Yes | It is planned that the Director will formally make these to come into effect on 25 July 2003 |
| New universal service conditions | Yes | The Director will confirm new universal designations and conditions under the Electronic Communications (Universal Service) Regulations 2003 and these will take effect from 25 July 2003 by virtue of paragraph 7 of Schedule 18 of the Act. |
| New SMP conditions | No | After 25 July draft measures for each market review will be notified to the European Commission and other NRAs under Art 7(3) of the |

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| | | Framework Directive and the relevant provisions in the Act. Subject to Commission's power to veto under Art 7(4) new SMP conditions will not be in place until Sept/Oct at the earliest. |
| New Access Related Conditions (except conditional access). | No | After 25 July these draft measures will be notified to the European Commission and other NRAs under Art 7(3) of the Framework Directive and the relevant provisions in the Act. Subject to Commission's power to veto under Art 7(4) these new Access Related conditions will not be in place until Sept/Oct at the earliest. |
| Some existing licence conditions | Yes | Some licence conditions will be continued pursuant to Schedule 18, paragraph 7 of the Act until Oftel has completed the work referred to above. |
| Some existing interconnection directions | Yes | Some interconnection directions will be continued pursuant to Schedule 18, paragraph 20 of the Act until Oftel has completed the work referred to above. |
| Existing Premium Rate Services condition | Yes | Existing PRS conditions will be continued pursuant to Schedule 18, paragraph 7 of the Act. New PRS conditions under clause 120 of the Act will be notified to the Commission after 25 July. Subject to 3 months consultation. Therefore, earliest new condition in place end Oct. |
| National telephone numbering plan | Yes | The Director will formally make these "official" documents under the relevant general conditions to come into effect on 25 July 2003. |
| Metering and billing direction | Yes | |
| Number portability functional specification | Yes | |

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| Approved relay direction | Yes | The Director will formally make these under the relevant general conditions to come into effect on 25 July 2003. |
| Emergency planning document | Yes | |
| Direction re: numbering application forms | Yes | |
| Direction about payphones | Yes | The Director will formally make this to come into effect on 25 July 2003 once the new universal service conditions are in force |
| <i><u>Policy statements</u></i> | | |
| Access guidelines | Yes | Published 13/9/02 http://www.oftel.gov.uk/publications/in_d_guidelines/acce0902.htm |
| New dispute resolution procedures | Yes | Published 28/2/03, effective from 1/4/03 http://www.oftel.gov.uk/publications/eu_directives/2003/eud0203.htm |
| Guidelines on interconnection | Yes | Published 23/5/03 http://www.oftel.gov.uk/publications/eu_directives/2003/intercon0503.htm |
| New guidelines on consultation | Yes | To be published |
| Policy statement on information gathering as required under Clause 145 of the Communications Bill | Yes | These policy statements are a requirement under the Act. |
| Policy statement on persistent misuse as required under Clause 131 of the Communications Bill | Yes | |