Telecommunications : competitive environment (amend. Directives 90/387/EEC, 92/44/EEC)

1995/0280(COD) - 12/09/1996 - Council position

The common position of the Council incorporates, in whole or in part, 5 of the 8 amendments accepted by the Commission in its modified proposal. Furthermore, the Council made the following changes to the Commission proposal: - Clarifications concerning universal service by: . inclusion of a reference to 'taking account of any future evolution', with regard to guaranteeing the provision of universal service; . addition of a reference to sharing of net cost of universal service obligations; . inclusion of a reference to the financing of universal service, in accordance with the Interconnection Directive; - alignment with other Directives: a number of definitions ('users', 'telecommunications services', 'universal service', 'essential requirements' and 'interconnection') were changed with a view to aligning them with the proposal for the Interconnection Directive and/or Licensing Directive. Moreover, the common position points out that this Directive is without prejudice to the provisions of the Treaty on public security, public policy and public morality; - tariff principles: the common position specifies that the requirements of costs orientation and transparency may be relaxed in competitive markets. The Council also specified that the requirement for the independence of the national regulatory authorities is without prejudice to the institutional autonomy and constitutional obligations of Member States. Finally, in relation to commitology, provision is made for a regulatory committee type IIIa.