Mobile and personal communications

1995/2228(COS) - 14/12/1995 - Text adopted by Parliament, single reading

The European Parliament approved this proposal for a Commission directive whilst pointing out that: - the Article 90(3) procedure, while warranted as a means of preventing regulatory barriers to competition, is not intended as a substitute for legislative instruments provided for by the Treaty, and in particular Article 100(a) thereof, in order to determine the rules by which an economic sector of the Union operates; - the provisions of this directive must apply, in particular, to interconnection and interoperability of telecommunications services, to the rules applicable to universal service, and to numbering and directory services; - any exceptions to the opening up of the telecommunications market must be rejected unless it is justified, in an explicit and transparent manner, by the need to carry out structural adjustments. The principal amendments to the proposal concern the following points: - Member States may limit the number of licences only on the basis of essential requirements in relation to the limitation of the frequency spectrum (and in accordance with Article 3(b) of the directive); - without prejudice to future harmonization of national interconnection systems, in the context of ONP, they shall ensure the right of interconnection between the mobile communications systems; similarly, they shall guarantee access to the points of interconnection to the public fixed network in the licences in accordance with rules and by means of interfaces which place no restriction on the full utilization of the potential functions of the interconnected systems; - they shall ensure that interconnection conditions are transparent, in particular in respect of book-keeping by operators running both fixed networks and mobile communications systems, and justified economically by the cost of providing the interconnection service; - where a Member State has already granted DCS 1800 licences at the time of entry into force of the present Directive, the granting of new licences for existing GSM or DCS 1800 operators may take place only in conditions of reciprocity; - with regard to derogations for Member States with less developed networks, requests must include a detailed description of the planned adjustments and a timetable for their implementation. The Commission will take a reasoned decision within a time period of three months on the principle, implications and duration of the additional period to be granted.