

## Telecomms

### Implementation Of The EC Telecomms Licencing Directive

#### IMPLEMENTATION OF THE EC LICENSING DIRECTIVE (97/13/EC)

##### MODIFICATIONS TO THE LICENCES OF:

[FIBREWAY LIMITED](#) PDF (208KB)

[FIBERNET \(UK\) LIMITED](#) PDF (227KB)

[INFOLINES PUBLIC NETWORKS LIMITED](#) PDF (213KB)

[NWP COMMUNICATIONS LIMITED](#) PDF (214KB)

1 You will be aware of the exercise to revise telecommunication licences in accordance with the requirements of a number of EC Directives, including principally the Licensing Directive, Revised Voice Telephony Directive (RVTD) and the Interconnection Directive (ICD), which give effect to the single market in telecommunications. In September 1999 the licences of all Public Telecommunication Operators (PTOs) were modified by statutory instrument to reflect in particular the requirements of the Licensing Directive. The Department has also modified the remaining telecommunication licences including the four above which comprise a group known as "non-PTOs with telecommunication code powers.

2 The **Licensing Directive** creates a common framework for the granting of licences with the aim of ensuring that conditions in licences are objective, proportionate, transparent and non-discriminatory. The UK telecommunications licensing arrangements already largely complied with the requirements of the Licensing Directive. Changes to licences have therefore been mainly to bring together in licences conditions which had previously been included in separate Regulations implementing the Interconnection Directive and Revised Voice Telephony Directive, and the need to ensure non-discrimination between licences. This means that any differences between conditions in licences, and therefore the degree of regulation that a licensee is subject to, or may be subject to, where operators are undertaking the same or essentially similar telecoms activities, has to be justified. The aim of the **Revised Voice Telephony Directive** is to ensure the availability throughout the EU of good quality fixed public telephone services and to define the set of services to which all users should have access in the context of universal service at an affordable price. The DTI's consultation paper of April 1998 set out the scope of the RVTD including its application to public pay telephones. The **Interconnection Directive** which has been the subject of a number of consultations, provides a general framework for securing throughout the EU the interconnection of public telecommunication networks and the interoperability of services within and between Member States. Its aim is to harmonise across Member States the conditions for open and efficient interconnection of and access to public telecommunication networks and publicly available telecommunication services.

3 The telecommunications code is usually not applied to a licence unless it is one in respect of which section 8 of the Telecommunications Act 1984, containing certain mandatory conditions, applies. The exception to this is where, under the powers of section 10(2)(b) of the Telecommunications Act 1984, it appears to the Secretary of State that the running of the system will benefit the public and that it is not practicable for the system to be run without the application of the code. The above licences were granted on this basis. [Infonines Public Networks](#) and [NWP](#) provide public call box services and the licences have been modified to reflect the requirements of the Licensing Directive and the Revised Voice Telephony Directive (RVTD), but not the Interconnection Directive (ICD) which is not applicable. The [Fibernet \(UK\)](#) and [Fibreway](#) licences do not authorise the provision of switched voice telephony services to the public and therefore reflect the requirements of the Licensing Directive and the Interconnection Directive, but not the RVTD which is not applicable.