



SPECTRUM MANAGEMENT & ALLOCATION TO REMAIN A NATIONAL PREROGATIVE

Brussels, 24 September 2008 –Today the European Parliament (EP) has taken a decisive step towards updating the regulation of telecoms markets and a better protection of the consumer. When adopting in first reading the parliamentary reports on the Electronic Communications Package, Members of the EP (MEPs) have progressed on responding to the technological challenges lying ahead while at the same time taking measures to promote national audiovisual and media policies.

Ross Biggam, Director General of the ACT, commented: “The European Parliament has recognised the important role of Member States when it comes to regulating the telecommunications market in the future. This relates particularly to the allocation and management of spectrum. Given the heterogeneity of European media markets, we believe that these should remain national”.

The Electronic Communications Framework was presented by the European Commission in 2007 to update the telecommunications rules. The Package affects commercial broadcasters both in terms of access to infrastructure and distribution of content. Some of the most important provisions are spectrum allocation and spectrum trading, the digital dividend, the suggested new Authority to coordinate activities in the sector and provisions for better consumer protection.

Digitisation enables a more efficient use of spectrum and allows broadcasters to offer better and new services. By 2012, all EU countries should have switched off analogue transmission. The allocation of spectrum freed up by the move to digital is part of the report presented by the **French MEP Catherine Trautmann**. Although some issues require further attention and debate, the ACT welcomes the Trautmann report as it clarifies a series of critical issues:

- **Management and allocation of spectrum:** Commercial broadcasters welcome the decision that competence over spectrum management and allocation should remain with the national level.
- **Review of licences for frequencies:** While the initial proposal had called for a compulsory review for existing frequencies after five years, MEPs have recognised the important role of planning investments within a longer review period: a review after five years is no longer compulsory but an issue to be decided at Member State level.

- **Future Authority:** ACT members support the report by the Spanish MEP Pilar del Castillo which suggests that the future Authority – the so-called BERT – should have limited powers in the field of spectrum and over content-related issues.
- **International organisations & national frequency plans:** Commercial broadcasters support the call by MEPs to take into account the work of international and regional organisations dealing with radio spectrum management, such as the International Telecommunications Union (ITU) and the World Radio Conference in Geneva in 2007. The reference to the national frequency allocation plans is also a positive step.

The report by British MEP Malcolm Harbour looks at means of how to improve consumer protection in the future telecommunications market. The ACT members welcome the EP's efforts in this field, particularly those ones relating to greater transparency for consumer contracts.

When commenting on the adoption of the Framework in first reading and referring to the **digital dividend**, Ross Biggam, Director General ACT, said: "Based on the different amount, demand and availability of released spectrum in the Member States, we do not see a "one-size fits-all" solution when it comes to the digital dividend. It should thus be up to the Member States to decide what is appropriate for their markets".

About the ACT:

The Association of Commercial Television in Europe (ACT) is a trade association representing the interests of the commercial broadcasting sector in Europe. The ACT has twenty eight member companies active in 34 European countries operating more than 400 free-to-air and pay-tv channels and distributing several hundred channels and new services. For further information, please see: www.acte.be

Press contact:

Ross Biggam

Director General

Phone: +32-2-738 76 13

GSM: +32-477-407 733

E-mail: rb@acte.be

Utta Tuttlies

Head of Communications

Phone: +32-2-738 76 18

GSM: +32-495 – 24 64 67

E-mail: ut@acte.be