

## **Co-Regulation in practice**

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### The Danish experience

- Self regulation/co-regulation where possible
- Background and practice

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## **The Danish/Nordic Model**

- Co-regulation on the labour market for a 100 years
- In the tele-laws during last 7 years: *If the industry reaches a result acceptable to everyone, and does so within a certain time span, - then the law-makers will leave it to co-regulation / light regulation.*
- The Minister of Communications urges the industry to rule itself, but has the authority/title to engage

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## Co-regulation versus the EU

- Co-regulation is basically the principle of subsidiarity applied to a certain industry. It is known on the national as well as on the EU level.
- The EU directives and the shift of regime imply no significant changes to the Danish model

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## Examples of Co-regulation in the form of industry agreements

- Antenna masts (1998)
- Operator preselect (1998)
- Number portability fixed (1999)
- Number portability mobile (2001)
  
- Raw Copper (1999)
- Colocation (1999)
- Service provision (1999)

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### Examples of industry agreement (Cont.)

- Right of way - cable digging (2001)
- SMS - content enriched (2001)
- MMS interconnect (2003)
- Warnings register - dubious debtors (2001)
- **Consumer Complaint Board (2003)**
- Other consumer related self-constraints

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### Industry drivers for agreements

- Industry unity conception
- Scarce resources and environment protection
- More relevant and ready to use contracts
- Consensus on terminology and concept
- An image of responsibility and trustworthiness for the customers
- Authorities not into details

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## Conditions for industry agreements

- Watch out for competition authorities
- Apply for an exception
- Inform the NRA
- No public recognition (as a law)
- Ideally all operators behind
- Costs the industry MEUR 1,5 a year

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## Potential benefits in practise

- Sharing of knowledge between new and old operators
- Creates consensus in the Industry
- Quicker realisation - ready-to-use results
- Relevant solutions
- Saves public resources!
- Image enhancing!

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### Potential weaknesses in practice

- No power for law enforcement
- Resource rich operators eventually greater influence
- Negotiating power eventually influenced by other bilateral business relations
- Eternal suspicion of co-ordinated behaviour or pricing

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### Conclusion

- Co-regulation, light regulation is a benefit for the customer, the regulator, the operator
- Fulfills a real need
- Must be open for all parties to use
- 7 years and growing - also under the new EU regime
- The incumbent and newcomers are strong supporters!

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- **Telecommunication Industries Association in Denmark, TI**
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### **About TI -**

### **Telecommunication Industries Association in Denmark**

TI evolved as a consequence of the Danish tele liberalisation in 1996 as a forum for industry agreements and knowledge sharing between operators.

- TI includes the incumbent operator as a member
- Now around 50 operators in Denmark
- The TI office of 2 persons
- TI runs working groups for the operators
- TI is a member of the Confederation of Danish Industries

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