



ERG (09) 19

VOIP – ACTION PLAN TO ACHIEVE CONFORMITY WITH ERG COMMON POSITION

June, 2009

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Introduction

In 2007, ERG adopted a Common Position¹ on the regulation of VOIP, replacing the Common Statement of 2005. The CP was at the same time both complex and ambitious. It made a comprehensive analysis of ex-ante regulation applied to VOIP services and set out clear recommended approaches on 15 separate points. The CP very much took a forward-looking approach. At the time, there was significant variation across Europe in the approach to regulation of VOIP. It was recognised at the time that regulation was completely in conformity with the CP in few, if any, Member States and that a significant action programme would be needed to achieve the greater degree of conformity with the CP which would be necessary in order for regulation to be harmonised. The arguments for a good level of harmonisation are particularly strong in this case since VOIP is perhaps the prime example of a genuinely pan-European service, one which can in practice be offered to customers anywhere in Europe from a base anywhere.

It was also clear in 2007 that such an action programme could not be achieved particularly quickly. This was partly because there was much to be done but, more particularly, because some of the changes would be under the responsibility of the national Ministries, which were not of course party to the Common Position. The best that the NRA could do in such cases would be to seek to persuade the relevant Ministry of the need for change and, if successful, provide any necessary assistance to the Ministry in making the change.

ERG Members have committed under the “Madeira Declaration” of 2005 to bring national regulation into line with ERG Common Positions as far as possible and to provide reasons where not. This report records the current state of implementation of the action programme. It is based on responses from 28 NRAs in the European Economic Area plus BAKOM (Switzerland). It assesses the current state of conformity on the 15 points mentioned above and identifies where further changes are in train or under review. Finally, in cases where there are no immediate plans to achieve conformity, the reasons for this are analysed.

Current state of conformity – summary

Annex A of the Report summarises actions taken by NRAs to increase conformity since the CP was adopted.

A summary of the state of conformity on each point of the Common Position is tabulated for each of 29 members of ERG in Annex B. For most points of the Common Position, conformity is achieved in the great majority of Member States. The most significant exceptions are noted below. Where there is not conformity, limitations of the national law² is most frequently given as the reason. In some of these cases there is partial conformity, for example for Category 4³ VOIP providers or

¹ ERG (07) 56 rev2

² For example, in some cases NRAs have powers to regulate only “category 4” VOIP services or services which satisfy the definition of “publicly available telecommunications service” set out in the Regulatory Framework whereas the ERG CP applies more generally.

³ See paper ERG (07) 56 rev2 for explanations of the terms “category 2”, “category 4” and “PATS”

for those who fulfil the “publicly available telecommunications services (PATS)” test. National transposition of the revised Framework should significantly reduce non-conformity, for example as a result of the revised definition of PATS. In other cases, NRAs have catalysed earlier changes to national legislation which will lead to conformity over the coming months.

Overall, progress towards achievement of conformity appears to be reasonable, bearing in mind the obstacles to be surmounted, noted above. However, there is still a significant amount to be achieved in a few areas, discussed in more detail below.

Where an NRA reports partial or complete non-conformity, this does not imply that the national law is out of line with the requirements of the European Regulatory Framework. The Universal Service Directive allows Member States a margin of discretion over how the Directive is transposed into national law. The Common Position, while being consistent with the USD, amounts to a stricter regulatory regime than required by the minimum set of obligations under the Directive.

Section 1 – access to emergency services

ERG considered that all providers of public VOIP services which permit calls to be made to the PSTN should permit users to access the emergency services (point 1.1 of the CP). (This is one of the examples where the CP is stricter than the Directive, as discussed in the previous paragraph.) In practice, NRAs report that all “category 4” VOIP providers are expected to provide access to emergency services. But, contrary to the Common Position, “category 2” providers are only obliged to provide access in about half the member states. In many of these member states, the national law is an obstacle to conformity with the Common Position. This should be addressable in new legislation implementing the results of the Framework Review.

In a few member states, the absence of localisation is stated as a reason for non-provision of emergency access – but this does not appear to provide an objective justification. Even without localisation, the emergency response centre has the opportunity to seek information from the caller on his location. From a public policy perspective, it appears preferable that emergency calls can be made, even if the location of the caller cannot readily be determined in a proportion of cases.

In most Member States, Emergency Response Centres are guaranteed information (point 1.4) on whether or not the user address associated with a particular number can be relied on as the location of the caller or not (i.e. fixed or potentially nomadic use). This is achieved by different techniques in different MS. For example, in some MS, nomadic use is possible only for numbers in specified ranges. Non-conformity on this point normally arises from constraints in the national law

Information to all subscribers on limitations in the quality of their service (point 1.5) is obligatory in most member states but, in the case of VOIP, applies only to PATS or cat 4 VOIP providers in some countries.

The priority, quality and availability of emergency calls from VOIP customers (1.6 of the CP) were not seen as a particular problem. This is guaranteed by national regulation in the majority of MS. In others, regulatory controls are in the process of being introduced. Other NRAs had no specific rules but reported that problems had not been observed in practice.

Section 2 – nomadic voice services

Points 2.1, 2.2 and 2.4 of the Common Position provide, in turn, that nomadic services should be permitted, that geographic numbers should be available for this service and that such geographic numbers should be usable both inside and outside the relevant geographic area.

Conformity is achieved in most MS on the first point although, in a small number, nomadic services do not exist.

For the majority, geographic numbers are generally available. However, 3 MS no longer have geographic numbers of any description. In these MS, all numbers assigned for the use of fixed line subscribers can be used nomadically, without restriction. A few others permit nomadic use only from designated non-geographic numbers.

Conformity on point 2.4 is rather poor; it is common for nomadic use of geographic numbers to be limited to the relevant exchange area.

By contrast, several NRAs permit geographic numbers to be used anywhere without restriction although this is not a requirement of the CP.

In several member states, non-conformity arises from the definition of a “geographic number” in national law. Changes in this area would normally be a Ministry responsibility, outside the direct control of the NRA. In other Member States a change to the national numbering plan would be required which is inevitably not a short-term task.

Number portability, consumer protection, network integrity

A high level of conformity was reported for the majority of these items (3.1-5.1) with most non-conformities arising from limitations in national legislation and in any case delivering partial conformity. These limitations caused a greater level of (partial) non-conformity on the right to a directory listing (4.3) and the obligation to take steps, as far as practical, to achieve network integrity.

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ANNEX A – Action taken by NRAs to improve national conformity with the Common Position

Member State	
AGCOM Italy	Revision of the national numbering plan is planned to allow full nomadism with geographical numbers. Other national bodies involved with access to emergency services and localization of the users need to be involved in this revision process.
ANACOM Portugal	A comprehensive programme to adjust national regulation to improve conformity with CP will be effective from 1 January 2010. This programme covers service provider obligations in respect of access to emergency services and network integrity, nomadic use of geographic numbers, and rights to a directory listing for VOIP subscribers
ANCOM Romania	New regulations have been introduced to improve conformity in respect of access to emergency calls, use (including nomadic use) of geographic numbers for VOIP and transparency for customers concerning limitations of VOIP service compared to traditional telephony. The national legislation will be reviewed further in accordance with the new regulatory framework on electronic communications.
APEK Slovenia	APEK amended the General Act on the Transparency and Publication of Information, to deal with transparency concerning any limitations in the service of call to the single European emergency call number “112”, in particular of assuring the information on the location of the caller. Also in progress is the process of amending the Rules on the Quality of Service for the Single European Emergency Call Number “112” to ensure that service providers are obliged to act in accordance with the relevant elements of the Common Position. In addition, the Agency is planning to update the numbering plan in order to enable nomadism outside geographic areas in autumn at the latest. Full compliance is in the hands of the Ministry or the Parliament. Accordingly, the Agency has made recommendations to the Ministry. Matter still under review.
ARCEP France	Since the adoption of the common position, technical solutions have been implemented to provide caller location to emergency services with limited exceptions for technical reasons. A common working group (ARCEP and operators) is studying the possibility of making all numbers nomadic. There may be an interim solution for PSTN followed by a long term solution for NGN. A decree of 12/01/09 obliges operators to adopt specific measures to ensure the routing of emergency calls even in case of dysfunction of the

	network.
BAKOM Switzerland	All the recommendations of the ERG CP on VoIP were already implemented in the Swiss telecom regulation before the publication of the document.
BIPT Belgium	The Royal Decree of 27 April 2007 has been amended to allow number portability for all geographical numbers in line with the Common Position. Operators have to inform their customers individually four times a year with regard to difficulties or absence of access to emergency services. The provision of location data for emergency calls with nomadic services remains an issue under consideration.
BNetzA Germany	In the beginning of 2009 the German Emergency Calls Ordinance came into force. VoIP service providers will be obliged to provide more transparency for customers about limitations in the access of emergency services in the course of 2009.
CMT Spain	CMT has elaborated a report addressed to the responsible Ministry bringing the ERG Common Position to its attention. The report makes reference to the level of compliance of the Common Position in the Spanish case and proposes specific actions in order improve conformity.
COMREG Ireland	ComReg intend to carry out further work in relation to category 2 but this currently requires a change to the national legislation which is reliant on a revision of the framework regulations. In advance of transposition of the framework regulations, ComReg plans to consult on VoIP in the context of the new regulatory framework.
CRC Bulgaria	The approved <i>Ordinance on rules of allocation and the procedures of primary and secondary assignment for use, reservation and withdrawal of numbers, addresses and names</i> allows CRC to assign geographical numbers to undertakings providing telephone services at a fixed location. irrespective of the used technology (incl. VoIP).
CTU Czech Republic	The Act on Electronic Communications, which entered into force in year 2005, allows a high level of conformity with CP already. Changes to increase conformity will be considered in connection with implementation of the new regulatory framework in the year 2009 or onwards.

ECA/ETSA Estonia	Discussions with the responsible Ministry are planned to address the few remaining non-conformities
EETT Greece	Very little change to regulation in Greece was necessary to achieve conformity with the Common Position. A minor necessary change concerning the provision of emergency calls has been put in place.
FICORA Finland	After the adoption of the Common Position, FICORA has carried out a comprehensive study and has published a memorandum on the application of communications legislation to VoIP services in Finland. For almost all points the conformity of national legislation and technical regulations with CP could be verified already in 2007. The provision of information on the type of user (fixed or nomadic) to the emergency services, however, requires the involvement of other national bodies.
MCA, Malta	At the time of adoption of the ERG Common Position the Maltese regulatory framework, including applicable decisions issued by the MCA were compliant with the Common Position to the extent that this refers to Category 4 VoIP services. The remaining areas of non compliance have to be addressed through changes to national legislation which are expected to be made by no later than end 2010.
NCAH Hungary	NHH has consulted on changes to VOIP regulation to improve national conformity and is currently preparing a proposal for the approval of the Ministry which is responsible for making any necessary legal changes. NHH expects this process to be complete in 2010.
NPT Norway	Regulation has been updated to permit nomadic use of geographic numbers. Mandatory access to emergency services from CAT 2 services will be reviewed in 2009.
NITA Denmark	<p>NITA has carried out an analysis of the VoIP field, including special circumstances related to calls to 112. Relevant legislation in relation to the rules for positioning and routing of emergency calls and in relation to the rules for information about opportunities for calls to 112 has been updated, in particular in respect of VOIP.</p> <p>Agreement has been reached between industry, emergency authorities, the Danish National Police and the universal provider on handling (priority, quality & availability) of 112 calls.</p>

OCECPR Cyprus	OCECPR since 2008 has implemented changes to the general authorisation conditions to ensure that VOIP service providers provide access to emergency services and notify their customers of any VoIP service limitations. The national numbering allocation scheme has also been amended to allow use of geographic numbers for nomadic (VoIP) use.
OFCOM UK	In order to achieve complete conformity, Ofcom has implemented changes to the general authorisation conditions to ensure that all VOIP services which allow users to call PSTN numbers provide access to the emergency services.
PTA Iceland	In 2008, PTA introduced changes to our PSTN/ISDN regulations relating to numbering plans, numbering allocation, number portability and CLI (caller line identification). VOIP services are covered by these provisions.
PTS Sweden	<p>In 2007 PTS issued General Advice that serves as PTS's recommendations as to how security work can be carried out in order to fulfil the requirements laid down by the Electronic Communications Act.</p> <p>Although full nomadism is possible in practice already, PTS has started a review that among other aspects also will consider the possibility to update regulation to make explicit provision for full nomadism.</p> <p>As of 1 October 2008, regulation concerning the transfer of emergency calls and the provision of localisation information to the public emergency service applies to all telecom operators that offer a public telephony service.</p> <p>PTS continuously supervises the compliance concerning availability to the emergency service. Work is also ongoing to set a Swedish standard ITS25, Guidelines for calls to emergency number 112 in Sweden using SIP.</p>
RRT Lithuania	RRT have made a Public consultation on VoIP. RRT is going to adopt a practical „Guidance for VoIP service providers“. The guidance aims to clarify the position of the RRT with the regulatory treatment of VoIP services in Lithuania and improve implementation of VoIP regulation and conformity with the ERG Common Position.

RTR Austria	Coordination with the Ministry regarding the nomadic use of geographic numbers in progress.
SPRK Latvia	There is no distinction from regulatory perspective whether the service provided is IP or PSTN based. In 2009 SPRK will initiate an action plan to further nomadic usage of geographic numbering.
TOSR, Slovakia	TOSR has adopted practical guidance for market players " <i>Regulatory approach on VoIP services</i> ". The guidance is non-binding but should improve implementation of VoIP regulation and conformity with the ERG Common Position.
UKE Poland	UKE carried out a detailed analysis of national legislation conformity with the ERG Common Position on VoIP which was submitted to the Ministry, together with conclusions. On 26 Nov 2008 public debate on the subject was held at UKE. The aim of the debate was to answer the question whether regulation, in particular concerning numbering, number portability, access to emergency services and consumer rights, should be reviewed taking account of the current status of VoIP development in Poland.

ANNEX B – STATE OF NATIONAL CONFORMITY FOR EACH POINT OF THE COMMON POSITION

1. Access to emergency services

1.1 All category 2 and 4 VoIP Telephony Service providers should be obliged to provide access to emergency services

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	Yes (CAT 4)	Category 4 now, CAT 2 from 1.January.2010	
ANCOM Romania	Yes (CAT 4)	No review before new legislation	Conformity for category 2 requires change in the law – responsibility of Ministry
APEK Slovenia	Yes		
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	Yes (CAT 4)	No review before new legislation	A category 2 type of service is considered ECS and thus not submit to providing mandatory access to emergency services. Change of national law required; NRA can only propose change to Minister.
BNetzA Germany	Yes		
CMT Spain	Yes (CAT 4)	Category 4 only. Plans to include CAT 2: CMT has informed the relevant Ministry	Conformity requires change in the law

		about the ERG CP, proposing specific actions to improve conformity	
COMREG Ireland	Yes (CAT 4)	Consultation on VoIP Framework planned for publication in Q2 2009	CAT 2 providers are requested to provide access on best efforts basis. Non-conformity for CAT 2 is based on the narrow definition of PATS
CRC Bulgaria	Yes (CAT 4)	No review before new legislation	Conformity for category 2 requires change in the law – responsibility of Ministry
CTU Czech Republic	Yes (CAT 4)	No review before new legislation	Conformity of category 2 requires change in the law. CTU does not suppose to propose such a comprehensive change of legislation, because there is no way how to provide information about caller's location in CAT 2 (information about caller's location is a necessary part of emergency services).
EETT Greece	Yes		
ETSA Estonia	Yes (CAT 4)	No plans to change.	
FICORA Finland	Yes		
MCA, Malta	Yes (CAT 4)	Expect to implement for CAT 2 in legislation planned to implement revised European Framework	Need to have a legislative amendment to be able to impose this on category 2 undertakings
NCAH Hungary	Yes (CAT 4)	Under review	NHH is considering to propose an amendment of Act No. 100 on electronic communication in

			order to include a requirement for CAT 2 to access emergency services. Prior to decision, an impact assessment and national consultation are to be carried out. The amendment is expected in year 2010.
NITA Denmark	Yes		
NPT Norway	Yes (CAT 4)	Under review in 2009	
OCECPR Cyprus	Yes		
Ofcom UK	Yes		
OPTA Netherlands	Yes (CAT 4)	No review before new legislation	In NL just for CAT 4 VoIP. Our Ministry of Economic Affairs will fix this with the implementation of the review.
PTA Iceland	Yes		
PTS Sweden	Yes (If considered a PATS, a condition that is also applicable to the other answers in 1)		
RRT Lithuania	Yes (CAT 4)	RRT is considering possibility to oblige CAT 2. At the moment we have ongoing Public consultation on VoIP (closing term is at the end of February).	
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes (CAT 4)	No plans to change.	
UKE Poland	Yes		

Conclusion 1.1:

- **There is full conformity for VoIP category 4.**
- **14 Member States are non compliant in the case of VoIP category 2. The main reason is the need to change the national law in order to consider VoIP category 2 as telephony services or the impossibility to provide localization.**
- **Generally VoIP category 2 non conformity cases are expected to be removed after a change in national legislation to implement the new regulatory framework.**

1.2 Routing should be provided to the locally responsible PSAP to the extent allowed by the technology (this question refers to both calls from fixed or potentially nomadic terminals)

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	YES in practice: (there is no such legal obligation but the current system adopted by the access provider is compliant with this statement of the CP)	Formal legal obligation is planned.	Change to law is responsibility of Ministry
Anacom Portugal	Yes		
ANCOM Romania	Yes		
APEK Slovenia	Yes in practice	Regulation being introduced	
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	Yes (PATS)	Expected end April 2009	Actual wording in the Belgian electronic communications act is "to the extent available". A modification in the act is under way to make the wording "to the extent technically feasible"
BNetzA Germany	Yes		
CMT Spain	Yes		
COMREG Ireland	Yes		
CRC Bulgaria	Yes		
CTU Czech Republic	Yes		
EETT Greece	Yes in practice		
ETSA Estonia	Yes		
FICORA Finland	Yes		

MCA, Malta	Yes		
NCAH Hungary	Yes		
NITA Denmark	Yes		
NPT Norway	Yes		
OCECPR Cyprus	Yes		
Ofcom UK	Yes		
OPTA Netherlands	Yes in practice. In NL there is no legal obligation to route emergency calls to the nearest PSAP. Correct handling of emergency calls is a responsibility of the Ministry which has made arrangements with all operators as to which PSAP emergency calls should be routed.	No review before new legislation.	There is no indication that this will be changed, since it works well given the size and population density of NL
PTA Iceland	Yes		
PTS Sweden	Yes in practice An Identification Plan of Municipalities is used to map the origin of the call (geographical area) and type of access (PSTN, PLMN, IP-based etc.) into a specific code. This code is subsequently used to route the call to the appropriate emergency centre (PSAP) of which there are 18 in Sweden.		

RRT Lithuania	Yes		
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes		
UKE Poland	Yes		

Conclusion 1.2:

- **All Member States except one conform fully to this element of the Common Position. One NRA has reported conformity only for PATS VoIP services. Although this aspect of the CP is not explicitly limited to PATS services, the limitation appears to be of no significance in practice, given the current state of technology.**

1.3 Information about the caller's location should be provided to the extent allowed by the technology

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	Yes		
ANCOM Romania	Yes		
APEK Slovenia	Yes (PATS)	Regulation being introduced	
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	Yes (PATS)	Expected end April 2009	Actual wording in the Belgian electronic communications act is "to the extent available". A modification in the act is under way to make the wording "to the extent technically feasible"
BNetzA Germany	Yes		
CMT Spain	Yes (PATS)	CMT has informed the relevant Ministry about the ERG CP, proposing specific actions to improve conformity	Conformity requires change in the law
COMREG Ireland	Yes		
CRC Bulgaria	Yes		
CTU Czech Republic	Yes		
EETT Greece	Yes		
ETSA Estonia	Yes		
FICORA Finland	Yes		
MCA, Malta	Yes		

NCAH Hungary	Yes	Under review for nomadic use	See note at 1.1
NITA Denmark	Yes		
NPT Norway	Yes		
OCECPR Cyprus	Yes		
Ofcom UK	Yes		
OPTA Netherlands	Yes		
PTA Iceland	Yes		
PTS Sweden	Yes		
RRT RRT Lithuania	Yes		
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes		
UKE Poland	Yes (PATs)	No plans	

Conclusion 1.3:

- **All Member States except 4 conform fully to this statement of the Common Position. In 4 cases there is conformity only for PATs VoIP services. In practice the distinction seems to be of no significance at present – see comment on 1.2.**

1.4 Telephony service providers should be obliged to provide the emergency response centre with information on whether the call originates from a fixed or a potentially nomadic user (Note: this element of the CP logically refers only to category 4 VoIP services where a CLI is provided to the PSAP)

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change	Where the PSAP receives a call from a geographic number, please confirm whether or not it receives information about possible nomadic use of that number
AGCOM Italy	Yes (A specific number range for full nomadic services is used. When the PSAP receives the caller's number, first digits of the number show the caller's nomadic character (prefix "55"))			The adoption of a specific number range for full nomadism indicates that the call originates from a potentially nomadic use.
Anacom Portugal	Yes			
ANCOM Romania	Yes			
APEK Slovenia	No	Regulation being introduced	Conformity requires change in the law – responsibility of Ministry.	No currently, but procedure of changing the ministerial Decree on quality of calls to the single European emergency call number »112« (Official Gazette RS, no. 118/04) is in progress.
ARCEP France	Yes			

BAKOM Switzerland	Yes			
BIPT Belgium	Yes in practice		<p>Change of national law required to remove legal ambiguity concerning "nomadcity" before any specific measures can be introduced. NRA can propose change to Minister.</p> <p>The electronic communications act of 13 June 2009 identifies only FIXED and MOBILE networks and services ; the concept nomadcity is introduced in the royal decree with regards to numbering of 27 april 2007 ; a change of the electronic communications act is necessary to lift this ambiguity.</p>	<p>For the moment, specific geographic numbering blocks are assigned to nomadic VoIP and no number portability is allowed.</p> <p>As of 01 July 2009 number portability will be allowed : as a consequence the geographic numbers used for nomadic services will no longer be limited to identifiable blocs.</p>
BNetzA Germany	No	No plans at present	Missing legal instrument - responsibility of Ministry which strives to provide a legal instrument	PSAP does not receive such indication
CMT Spain	Yes (the adoption of a specific number range for nomadism indicates that the call originates from a potentially nomadic use)			Yes (nomadic usage of geographical number only possible for nomadic vocal services, which have a specific numbering range)

COMREG Ireland	Yes			
CRC Bulgaria	Yes, no nomadic service			
CTU Czech Republic	Yes			
EETT Greece	Yes			
ETSA Estonia	No			
FICORA Finland	No	Under review. Timetable has not been confirmed.	Conformity requires a change in the law - responsibility of the Ministry of Communications.	
MCA, Malta	Yes			
NCAH Hungary	Yes	No plans to implement		When the PSAP receives the caller's number, first digits of the number show the caller's nomadic character (prefix "21")
NITA Denmark	Yes			
NPT Norway	Yes			
OCECPR Cyprus	Yes			Flag for VoIP user to cater for potential nomadic use
Ofcom UK	Yes			
OPTA Netherlands	No	Under review	Responsibility of Ministry. However, it seems that the Ministry considers the relevance of this issue to be quite low. The size and population density of NL may influence this viewpoint.	
PTA Iceland	Yes			
PTS Sweden	Yes			

RRT Lithuania	Yes			
RTR Austria	Yes			
SPRK Latvia	Yes			
TOSR, Slovakia	Yes	Under review		
UKE Poland	Yes, no nomadic services definition	Responsibility of Ministry – see entry at Annex A		

Conclusion 1.4:

- The level of conformity is good, non-conformity being recorded in only 5 Member States (of which 2 are reviewing legislation).
- In some case nomadism is not allowed with geographical numbers so there is no need to flag the possibility of nomadic use of the terminal. These cases have been considered as conforming to this element of the common position (by contrast with point 2.2).

1.5 Telephony service providers should be obliged to clearly inform subscribers about any limitations in the services as compared to the traditional telephony service

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	Yes		
ANCOM Romania	Yes		
APEK Slovenia	Yes		
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	No	A modification to a Royal Decree, effective as of 01 July 2009 mandates that operators are to inform their customers FOUR times a year with clearly distinct text on the first page of the customers bill about the limitations of the offered service with regards to no or limited access to emergency services and location possibility.	
BNetzA Germany	No	BNetzA will oblige ISPs to inform customers about limitations in the access to emergency services in the course of 2009	
CMT Spain	Yes		

COMREG Ireland	Yes		
CRC Bulgaria	No	No review before new legislation	TSP's from CAT 4 should provide services with the same quality as standard telephony service providers
CTU Czech Republic	Yes		
EETT Greece	Yes		
ETSA Estonia	No		
FICORA Finland	Yes		
MCA, Malta	Yes		
NCAH, Hungary	No	Under review	An amendment to the legislation has been proposed for 2010
NITA Denmark	Yes		
NPT Norway	Yes		
OCECPR Cyprus	Yes		
Ofcom UK	Yes		
OPTA Netherlands	Yes		
PTA Iceland	Yes		
PTS Sweden	No		
RRT RRT Lithuania	Yes		
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes		
UKE Poland	Yes		

Conclusion 1.5:

A good level of conformity is reported with only 6 non-conforming member states of which 1 will be in conformity very shortly and 2 are considering a change to national legislation.

1.6 Emergency calls should be setup with the priority, quality and availability to the extent allowed by the technology

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change	For NRAs which answered "no", please state whether or not national practice is in line with the above principle, even if there is no legal requirement
AGCOM Italy	No		Change in the legislation is required to impose such an obligation. NRA has not the power to change.	The quality of calls to emergency service has to be equivalent to the quality of service of standard calls as there is no specific obligation with regards to emergency calls quality of service.
Anacom Portugal	No	By 1-1-2010		
ANCOM Romania	Yes (CAT 4)		Full conformity requires change in the law – responsibility of Ministry	
APEK Slovenia	No	In progress	Conformity requires change in the law – responsibility of Ministry.	Yes - managed VoIP providers which have PATS status. Procedure of changing the ministerial Decree on quality of calls to the single European emergency call number »112« (Official Gazette RS, no. 118/04) is in progress.
ARCEP France	yes	A decree of 12/01/09 imposes		

		to operators to adopt specific measures in case of dysfunction of the network		
BAKOM Switzerland	Yes			
BIPT Belgium	Yes			Belgian law stipulates that emergency calls have to be handled with priority over all other calls.
BnetzA Germany	Yes			
CMT Spain	No	CMT has informed the relevant Ministry about the ERG CP, proposing specific actions to improve conformity	Conformity requires change in the law	Yes
COMREG Ireland	Yes			
CRC Bulgaria	Yes (in practice)			
CTU Czech Republic	Yes			
EETT Greece	No	By H1 2009		
ETSA Estonia	Yes			
FICORA Finland	Yes			
MCA, Malta	Yes			While this is equivalent to the quality of service of standard calls as there is no specific obligation with regards to emergency calls, the regulation establishes a further obligation to ensure <i>uninterrupted access to emergency services</i> .
NCAH Hungary	No	Under review		An amendment to the legislation has been proposed for 2010

NITA Denmark	Yes	NITA will need to further analyse the need for additional regulatory initiatives, and has launched a study of it		
NPT Norway	No			Yes
OCECPR Cyprus	Yes in practice			
Ofcom UK	Yes			
OPTA Netherlands	Yes			
PTA Iceland	Yes			
PTS Sweden	No	There is no specific obligation that emergency calls should have higher priority, quality and availability than other PATS calls		
RRT RRT Lithuania	Yes			
RTR Austria	Yes (in practice)			
SPRK Latvia	Yes			
TOSR, Slovakia	Yes			
UKE Poland	No	See entry in Annex A		

Conclusion 1.6:

- A reasonable level of conformity is reported. 8 Member States do not conform but firm action is underway in 3 of these and the matter is under review by the Ministry in others. In the remaining cases, calls to emergency services are treated with the same QoS of standard PATS calls which may prove sufficient in practice.
- Generally non conformity is caused by the need to change the current national legislative framework where access to emergency services is a government responsibility.

2. Nomadic use

2.1 All providers of fixed Telephony services should be entitled to request an allocation of numbers which permits nomadic use by their subscribers (i.e. there should be at least one number range available for VoIP nomadic services)

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	Yes		
ANCOM Romania	Yes		
APEK Slovenia	Yes		
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	No	As of 01 July 2009 number portability will be allowed. As a consequence the geographic numbers used for nomadic services will no longer be limited to identifiable blocs.	For the moment, specific geographic number blocks are assigned to nomadic VoIP ; no number portability is allowed unless the operator can provide correct location data to emergency services
BnetzA Germany	Yes		
CMT Spain	Yes		
COMREG Ireland	Yes		
CRC Bulgaria	Yes (non geographical numbers)		
CTU Czech Republic	Yes		
EETT Greece	Yes		
ETSA Estonia	Yes		There is no special numbering range for nomadic services or for VoIP. There are not geographical numbers in Estonia.
FICORA Finland	Yes		

MCA, Malta	Yes		
NCAH Hungary	Yes		A non-geographical numbering range with prefix “21” is implemented for nomadic subscribers. It is stipulated in a Governmental decree.
NITA Denmark	Yes		
NPT Norway	Yes		
OCEPCR Cyprus	Yes (geographical number range)		
Ofcom UK	Yes		
OPTA Netherlands	Yes		
PTA Iceland	Yes		
PTS Sweden	Yes		
RRT Lithuania	Yes (non geographical numbers)		
RTR Austria	Yes		
SPRK Latvia	Yes		Latvia's numbering plan is technologically neutral - geographical numbers for traditional telephony services and geographical numbers for VoIP services share the same number range. Nomadic services are allowed.
TOSR, Slovakia	Yes		
UKE Poland	No nomadic services definition	See entry under Annex A	

Conclusion 2.1:

- **An excellent level of conformity**

2.2 NRAs should ensure that geographic numbers may be used nomadically

Member State	Geographic numbers may be used nomadically	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change	Any limitation on nomadic use of geographic numbers? Any plans to relax such limitation?
AGCOM Italy	Yes partially	yes	National Numbering Plan needs to be changed. NRA is in charge.	Nomadism is allowed just within the district identified by the number. A new revision of the national numbering plan is required. There are plans to relax such limitations even though other bodies involved with access to 112 need to be consulted.
Anacom Portugal	No	By 1-1-2010 call forwarding		
ANCOM Romania	Yes partially.			According to national regulation: "Calls originated towards geographic numbers must be completely terminated on the geographic areas associated to a geographic area code, except for the cases where calls have been re-directed towards another network"

				termination point, whereas the end user that originates the call does not need to dial an additional sequence of numbers and pays only the tariff corresponding to the call initiated towards the respective geographic number.”
APEK Slovenia	Yes partially	Under consideration		Definition of geographic numbers in Electronic Communications Act required that part of number has geographical meaning used for call routing calls to the physical location. NRA can suggest appropriate changes of this definition.
ARCEP France	Yes, partially	ARCEP WG with operators to study the possibility to remove the geographic indication (see extensive explanation in question 2.3)	In France VoB is well developed so there is a lot of tromboning which leads to tariff issue since PSTN networks are still coexisting with NGNs	Nomadic use is permitted within the limit of the numbers' geographic area
BAKOM Switzerland	Yes			N/A
BIPT Belgium	Yes			specific geographic number blocks have been assigned to nomadic VoIP ; as of 01 July 2009 number portability will be allowed :

				as a consequence all geographic numbers can be used for nomadic services.
BNetzA Germany	Yes			
CMT Spain	Yes partially	CMT has informed the relevant Ministry about the ERG CP, proposing specific actions to improve conformity	Unrestricted nomadism requires change in the numbering plan	Nomadism only allowed for nomadic vocal services, but restricted to telephone district
COMREG Ireland	Yes partially			Geographic numbers can be used outside of the Minimum Numbering Area (MNA) for occasional nomadic use only. The customer must have a registered address within the MNA.
CRC Bulgaria	No		Needs change to law – responsibility of Ministry	Definition of geographic numbers in the Law on Electronic Communications requires that part of its digit structure contains geographic significance used for routing calls to the physical location.
CTU Czech Republic	Yes partially geographic numbers			Nomadic usage of geographic numbers is allowed only in the relevant geographic area

EETT Greece	Yes			N/A
ETSA Estonia	Not applicable - all Estonian numbers are non geographic			
FICORA Finland	Yes			N/A
NCAH Hungary	No	Under review	A special numbering range is confined to nomadic users, and no fixed line subscribers are permitted to be nomadic. This prevents ambiguity.	
NITA Denmark	Not applicable - all Danish numbers are non-geographic			N/A
NPT Norway	Yes			
OCECPR Cyprus	Yes			
Ofcom UK	Yes			
OPTA Netherlands	Yes			
PTA Iceland	Not applicable – no geographic number codes in Iceland			
PTS Sweden	Yes (full nomadism is possible, no intervention from the NRA towards a user)	During 2009 we plan to change our regulation so that it will be allowed for operators to use geographic numbers also outside of the respective area code area.	NRA has the power to change.	
MCA, Malta	Yes			
RRT RRT Lithuania	Yes (partially)			By legal definition of geographical number it can

				be nomadic only in geographical area
RTR Austria	Yes (partially)	In progress		
SPRK Latvia	Yes			Latvia's numbering plan is technologically neutral - geographical numbers for traditional telephony services and geographical numbers for VoIP services share the same number range. Nomadic services are allowed.
TOSR, Slovakia	No		Change to law needed – responsibility of Ministry	By legal definition of geographical number it can be nomadic only in geographical area
UKE Poland	No nomadic use definition	See entry under Annex A		

Conclusion 2.2:

- **Apart from those countries where nomadic services do not exist, a few others make no provision for nomadic use of geographic numbers. In Denmark, Estonia and Iceland this is because the national numbering plan has abolished geographic numbers. In the remaining cases, where nomadic use of geographic numbers is permitted, some limitation may be imposed on the extent of geographic use. Those NRAs which answered “yes, partially” do all in fact conform to this element of the Common Position although may not conform to point 2.4.**

2.3 Numbering plans should be technologically neutral, based on the service descriptions and the same number ranges should be available within those service description. This means that, geographical numbers for traditional telephony services and geographical numbers for VoIP services should share the same number range that is, come from a common “number pool”

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	Yes		
ANCOM Romania	Yes		
APEK Slovenia	Yes		
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	Yes		Specific geographic number blocks have been assigned to nomadic VoIP. As of 01 July 2009 number portability will be allowed : as a consequence all geographic numbers can be used for nomadic services.
BNetzA Germany	Yes		
CMT Spain	Yes		
COMREG Ireland	Yes		
CRC Bulgaria	Yes		
CTU Czech Republic	Yes		
EETT Greece	Yes		
ETSA Estonia	Yes		
FICORA Finland	Yes		
MCA, Malta	Yes		
NCAH Hungary	Yes		

NITA Denmark	Yes		
NPT Norway	Yes		
OCECPR Cyprus	Yes		
Ofcom UK	Yes		
OPTA Netherlands	Yes		
PTA Iceland	Yes		
PTS Sweden	Yes		
RRT Lithuania	Yes		
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes		
UKE Poland	Yes		

Conclusion 2.3:

- **Full conformity reported**

2.4 Nomadic use should be permitted outside the geographic area to which a geographic number relates

Member State	Nomadic use of geographic numbers permitted outside the area to which the number relates?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change	Any limitations on nomadic use of geographic numbers outside the relevant geographic area? Any plans to remove limitations
AGCOM Italy	No. Nomadism is allowed only within district related to the assigned number. (See 2.2).	Next revision of National Numbering Plan	Use of geographic numbers outside the relevant geographical area is not allowed by the current National Numbering Plan. A revision is required by NRA	
Anacom Portugal	No	By 1-1-2010 call forwarding		
ANCOM Romania	No	Under consideration	Geographic numbers can be used only in the designated area. NRA has the power to change	
APEK Slovenia	No	APEK is planning to update the numbering plan in order to enable nomadcity outside geographic areas	Full compliance is in the hands of the Ministry or the Parliament. Accordingly, the Agency has made recommendations to the	

		the latest in autumn.	Ministry. Matter still under review	
ARCEP France	No	ARCEP WG with operators is studying the possibility to remove the geographic indication (under process)		The 1st step of the work undertaken with operators is to broaden the limit of the numbers' geographic area. In a second step, when NGN are implemented, it is possible that all numbers (for VOIP services and others) will have no geographic identification at all.
BAKOM Switzerland	Yes			
BIPT Belgium	Yes			specific geographic number blocks have been assigned to nomadic VoIP ; as of 01 July 2009 number portability will be allowed : as a consequence all geographic numbers can be used for nomadic services.
BNetzA Germany	Yes			
CMT Spain	No	CMT has informed the relevant Ministry about the ERG CP, proposing specific actions to improve conformity	Unrestricted nomadism requires change in the numbering plan	Nomadism only allowed for nomadic vocal services, but restricted to telephone district

COMREG Ireland	Yes			
CRC Bulgaria	No		Definition of geographic numbers in the Law on Electronic Communications requires that part of its digit.	
CTU Czech Republic	No		Such permission would require a change of national law – responsibility of Ministry	
EETT Greece	Yes			
ETSA Estonia	Not applicable – no geographic numbers in Estonia			
FICORA Finland	Yes			
MCA, Malta	Yes			
NCAH Hungary	No – no geographic numbers for nomadic use			See Answer to Q.2.2.
NITA Denmark	Not applicable all Danish numbers are non-geographic			
NPT Norway	Yes			
OCECPR Cyprus	Yes			
Ofcom UK	Yes			
OPTA Netherlands	Yes			
PTA Iceland	Not applicable - no geographic number codes in Iceland			
PTS Sweden	Yes (full nomadism is possible in practice, no	During 2009 we plan to change our	NRA has the power to change.	

	intervention from the NRA towards a user)	regulation so that it will be allowed for operators to use geographic numbers also outside of the respective area code area.		
RRT Lithuania	No – only non-geographic numbers available for nomadic use		Restriction of definition: geographical number means the number the destination code whereof indicates the geographical location. Still numbering plan is open.	
RTR Austria	Yes			
SPRK Latvia	No nomadic use			
TOSR, Slovakia	No		Geographic numbers are not available for nomadic services until the problems concerning localisation of caller in case of emergency call are solved.	
UKE Poland	No nomadic use definition	See entry at Annex A		

Conclusion 2.4:

- Apparently nomadic use of geographic numbers outside the relevant geographic area is not permitted in several countries, leading to a rather poor level of conformity with the Common Position. In some cases, this results from restrictions of national law. In other cases, it represents a conscious policy choice of the NRA, noted above.

3.1 There should be an obligation to port numbers to any service provider which satisfies the conditions of use of the appropriate number ranges (no portability between different numbering ranges is considered)

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	Yes		
ANCOM Romania	Yes (PATS providers)		
APEK Slovenia	Yes		
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	Yes		specific geographic number blocks have been assigned to nomadic VoIP ; as of 01 July 2009 number portability will be allowed : as a consequence all geographic numbers can be used for nomadic services.
BNetzA Germany	Yes		
CMT Spain	Yes, for PATS (including VoIP). No, for nomadic vocal services	CMT has informed the relevant Ministry about the ERG CP, proposing specific actions to improve conformity	Conformity requires change in the law
CMT Spain	No	Under study	Yes, for PATS (including VoIP). No, for nomadic vocal services. Conformity requires change in the law – responsibility of Ministry

COMREG Ireland	Yes		
CRC Bulgaria	Yes		
CTU Czech Republic	Yes		
EETT Greece	Yes		
ETSA Estonia	Yes		
FICORA Finland	Yes		
MCA, Malta	Yes		
NCAH Hungary	Yes		
NITA Denmark	Yes		
NPT Norway	Yes		
OCECPR Cyprus	Yes		
Ofcom UK	Yes		
OPTA Netherlands	Yes		
PTA Iceland	No	Under review - when location of nomadic VOIP calls is certain, the NP restriction will be removed	
PTS Sweden	Yes		
RRT Lithuania	Yes		
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes		
UKE Poland	Yes - but only between network operators		

Conclusion 3.1:

- A very good level of conformity is reported. 4 NRAs report partial or non-conformity, in 3 of the cases due to restrictions in national law.

4. Consumer rights

4.1 Subscribers should have rights in respect of contracts consistent with Art 20 USD

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	Yes		
ANCOM Romania	Yes		
APEK Slovenia	Yes		
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	Yes, only Category 4	Modification of PATS definition needed in electronic communications act.	
BNetzA Germany	Yes		
CMT Spain	Yes		
COMREG Ireland	Yes		
CRC Bulgaria	Yes, only Category 4		Conformity for category 2 requires change in the law – responsibility of Ministry
CTU Czech Republic	Yes		
EETT Greece	Yes		
ETSA Estonia	Yes		
FICORA Finland	Yes		
MCA, Malta	Yes		
NCAH Hungary	Yes, only Category 4		See Answer to Q1.1.
NITA Denmark	Yes		
NPT Norway	Yes		

OCECPR Cyprus	Yes		
Ofcom UK	Yes		
OPTA Netherlands	Yes		
PTA Iceland	Yes		
PTS Sweden	Yes		
RRT Lithuania	Yes		
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes		
UKE Poland	Yes		

Conclusion 4.1:

- A very good level of conformity is reported with non-conformities due to restrictions in national law.

4.2 Subscribers should have rights to tariff transparency consistent with Art 21 USD

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	Yes		
ANCOM Romania	Yes		
APEK Slovenia	Yes		
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	Yes		
BNetzA Germany	Yes		
CMT Spain	Yes		
COMREG Ireland	Yes		
CRC Bulgaria	Yes only CAT 4		Conformity for category 2 requires change in the law – responsibility of Ministry
CTU Czech Republic	Yes		
EETT Greece	Yes		
ETSA Estonia	Yes		
FICORA Finland	Yes		
MCA, Malta	Yes		
NCAH Hungary	Yes only CAT 4		NCAH: See Answer to Q1.1.
NITA Denmark	Yes		
NPT Norway	Yes		
OCECPR Cyprus	Yes		
Ofcom UK	Yes		

OPTA Netherlands	Yes		
PTA Iceland	Yes		
PTS Sweden	Yes		
RRT Lithuania	Yes		
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes		
UKE Poland	Yes		

Conclusion 4.2:

- **An excellent level of conformity is reported with only 2 NRAs reporting non-conformity due to restrictions in national law.**

4.3 Subscribers with assigned numbers should have the right of directory listing consistent with Art 25 USD

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	No	From 01.01.10	
ANCOM Romania	Yes for PATS		Full conformity requires change in the law – responsibility of Ministry
APEK Slovenia	Yes		
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	YES (PATS)		Problem with the present definition of PATS in Belgian law. Modification of PATS definition needed.
BNetzA Germany	Yes		
CMT Spain	Yes, for PATS (including VoIP). No for nomadic vocal services	CMT has informed the relevant Ministry about the ERG CP, proposing specific actions to improve conformity	Conformity requires change in the law
COMREG Ireland	Yes		
CRC Bulgaria	Yes, only CAT 4		Conformity for category 2 requires change in the law – responsibility of Ministry
CTU Czech Republic	Yes		
EETT Greece	Yes		
ETSA Estonia	Yes		
FICORA Finland	Yes		

MCA, Malta	Yes		
NCAH Hungary	Yes only CAT 4		See Answer to Q1.1.
NITA Denmark	Yes		
NPT Norway	Yes		
OCECPR Cyprus	Yes		
Ofcom UK	Yes		
OPTA Netherlands	Yes		
PTA Iceland	Yes		
PTS Sweden	Yes		
RRT Lithuania	Yes		
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes		
UKE Poland	No	See entry under Annex A	

Conclusion 4.3:

- **A very good level of conformity is reported. In some cases, the right is limited to subscribers to PATS or Category 2 VOIP services. However, this limitation is of little practical significance given that subscribers to category 2 VOIP services will not normally have numbers allocated to them.**

5.1 The “network integrity” obligation should be applied to telephony service providers for the parts of the network that they control. Where national law does not permit this application, it can be achieved in practice, consistent with Art 24 USD, by means of guidance noting the limitations on the “reasonable steps” that are open to the service providers in practice

Member State	National regulation already conforms?	Plans to bring national regulation into conformity	Reason for non-conformity? If change to national law required, please state whether or not NRA has power to change
AGCOM Italy	Yes		
Anacom Portugal	No	By 1-1-2010	
ANCOM Romania	Yes (PATS only)		
APEK Slovenia	Yes		
ARCEP France	Yes		
BAKOM Switzerland	Yes		
BIPT Belgium	Yes		
BNetzA Germany	No	No	Conformity requires change in the law - responsibility of Ministry
CMT Spain	Yes		
COMREG Ireland	Yes (PATS)		Restriction in national legislation
CRC Bulgaria	Yes(CAT 4)		
CTU Czech Republic	Yes (only network operators)		
EETT Greece	No	By first half 2009	
ETSA Estonia	Yes		
FICORA Finland	Yes		
MCA, Malta	Yes (PATS)	Expect to implement in legislation planned to implement revised European Framework	Needs a change to primary legislation
NCAH Hungary	Yes (CAT 4)		See Answer to Q1.1.
NITA Denmark	Yes		
NPT Norway	Yes		

OCECPR Cyprus	Yes		
Ofcom UK	Yes.		
OPTA Netherlands	Yes		
PTA Iceland	Yes		
PTS Sweden	Yes		
RRT Lithuania	Yes		
RTR Austria	Yes		
SPRK Latvia	Yes		
TOSR, Slovakia	Yes		
UKE Poland	Yes (only network operators)		

Conclusion 5.1:

- **A very good level of conformity is reported with limitations being due to restrictions in national legislation.**