

ITU Workshop on Policy and Regulations for Newly Established Regulators in the Asia Pacific Region

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Institutional Changes to Foster Convergence

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REGULATORY CONVERGENCE

- a story of evolution and appropriate timing

- The starting point : *social & economic objectives*
- The vehicle : *industry structure*
- Institutional arrangements: *regulatory framework*
- The environment : *local customs, expectations*

Basic Telecommunications


- *the WTO Reference Model*

- Evolution begins once competition is authorised

- Desirable regulatory elements are then :
 - an independent regulatory authority
 - anti-competitive arrangements
 - interconnection
 - universal service programs
 - effective use of scarce resources

Achievements to Date

- *in global terms*

- Regulatory reform over the last 20 years
 - Different backgrounds and traditional law
 - But common frameworks and critical elements
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Moving up the Ladder

recognising the next level & convergence

■ The triggers

- Market maturity
- Dominance & behaviour of the Incumbent
- Broader base of services available
- Need for consistent regulation

The new needs

- WTO framework obsolete
- No longer vertically integrated industry

Implications

- *for industry structure and regulation*

- Progressive removal of market barriers
- Withdrawal from specific regulation
- More streamlined legislation and flexibility
- Broader ambit of rules
- Increasing industry self-regulation
- Sustainable path to Information Society and overcoming potential Digital Divide

Regulatory Framework

- *key common principles for success*

- Balanced, clear, consistent, predictable, comprehensive and transparent
- Consistent regulatory treatment of essentially similar services
- Technology and platform neutral
- Receptive to public participation; and
- Flexible enough to adapt to new developments

Regulatory Structure

- Horizontally structured framework
- Characteristics of primary & secondary legislation
- Uniform ideas and pathways
- Developments in ASEAN – work in progress
 - *Competition management, interconnection*
 - *Convergence and new services*
 - *Cooperation in capacity building*