

JUS5641/JUS1641 – Electronic Communications Law Course outline, autumn 2016

Version of 26 August 2016

Please see the lecture hours and lecture rooms in the schedule published on the course website for JUS5641.

The lecturers are:

- SE: Samson Esayas, Doctoral Research Fellow at NRCCL
- HS: Håkon Styri, Senior Adviser, Norwegian Agency for Public Management and eGovernment (DIFI)
- JG: Jens Christian Gjesti, Senior Lawyer, Kvale law firm
- PKS: Per-Kaare Svendsen, Partner, Kvale law firm
- MSN: Maryke Silalahi Nuth, consultant, Norwegian E-health Directorate
- NE: Nico van Eijk, Professor and Director, Institute for Information Law, University of Amsterdam
- RQ: Robert Queck, Deputy Director, Research Centre on IT and Law, University of Namur

Literature should be read before the lectures; the abbreviated references below point to literature listed the course website.

Date	Lecture	Issues	Reading	Lecturer
29. Aug.	Course introduction	<ul style="list-style-type: none">• Welcome and overview of E-Com Law• Brief introduction to EU e-com regulatory framework (sector specific regulatory framework)• Regulatory principles;• Liberalisation and harmonisation• Relationship between competition law and e-com law• Regulatory bodies (NRAs and EU)• Universal Service, end-user rights, consumer protection and quality of service, numbering and licensing	Scherer, "Electronic Communication Law and Practice of the European Union"	SE
05. Sept.	Overview of E-Communications Regulation	<ul style="list-style-type: none">• Developments• EU- and national law• Licensing	Scherer, "Electronic Communication Law and Practice of the European Union"	SE

		<ul style="list-style-type: none"> • Significant market power (SMP) • Competition law 		
12. Sept.	Introduction to Technology and Terminology	<ul style="list-style-type: none"> • Electronic communications networks and services • Underlying technology • Terms: telecommunication, electronic communication, telephony, bandwidth, convergence, and digitalization 		HS+ SE
19. Sept.	Significant Market Power	<ul style="list-style-type: none"> • Relevant markets and designation of SMP • Consequences of SMP • Specific markets 	<ul style="list-style-type: none"> • Framework dir, Arts. 14-16 • Rec. Product Markets • Guidelines market analysis & SMP calculation 	SE
26. Sept.	Competition Law and E-Communications Law	<ul style="list-style-type: none"> • Overview of EC competition regulation • Significance of competition in EC law on electronic communications • Relationship between general and sectoral EC competition rules, and their differences and similarities • Analysis of relevant cases and principles 	Jones, "EU Competition Law in the Telecommunications Sector"	JG
30. Sept.	Mid-term paper	<ul style="list-style-type: none"> • The topic(s) for the paper will be announced. This home exam is mandatory for all students at Master's level (JUS 5641) 		
10. Oct	Workshop (note: different room)	<ul style="list-style-type: none"> • Mid-term paper workshop: Group work on mid-term task • Recommended for all students (bachelor students as observers) 	Topic for mid-term paper	MSN
14. Oct.	Submission deadline	All students at Master's level (JUS 5641) must submit a home exam paper Please confirm date on course website		
17. Oct.	Access and interconnection	<ul style="list-style-type: none"> • Overview of access and interconnection regulation • Different types of access • Regulation of operators without SMP and regulation of operators with SMP • Regulation of interconnection and access 	Nihoul and Rodford "Access to facilities and resources controlled by other undertakings"	PKS
24. Oct.	Access and interconnection (contd.)	<ul style="list-style-type: none"> • Relevant case examples • Conflicts relating to access and interconnection (Role of NRAs in mediating and determination of conflicts) • Interconnection agreements 	Walden, "Access and Interconnection"	PKS
31. Oct.	Tutorial	Discuss mid-term papers (also relevant for students at bachelor's level)		MSN
7.	Network neutrality	<ul style="list-style-type: none"> • What is network neutrality 	BEREC Guidelines on	JG;

Nov. NB! 11:15- 15:00		<ul style="list-style-type: none"> • Traffic management • Network neutrality regulation • Open Internet Access Regulation, particularly in light of regulatory experiences in the Netherlands 	implementation by National Regulators of European net neutrality rules	NE
14. Nov. NB! 13:15- 16:00	Between evolution and revolution: Development of EU e-communications law (note: longer duration)	<p>This guest lecture reviews the broad lines of development of EU e-com law over last 25 years</p> <ul style="list-style-type: none"> • Conclusions to be drawn from these developments • Identification of trends 	Ungerer, "Back to the roots: the 1987 telecom green paper 25 years after"	RQ
See web	Exam			