

stakeholders but as the dominant supplier of telecommunications it is our policy to compete firmly but fairly in the market place the standards we set both technically and commercially are of significance to competitors, particularly those that are small and operate in narrowly defined sectors of the market. British Telecom welcomes competition. It is our firm belief that it is an essential spur to change and the creation of an innovative approach within the Company.

### **Observations**

In trying to learn from the UK experience, let me preface my remarks by saying that there is no single correct solution for implementation, but it may be that the pioneering that has taken place in the UK can be of help in the development of new approaches in other countries.

The transformation in the UK is not yet complete, particularly in regard to the technological, organisational and cultural aspects of British Telecom. In any case, the goal is continually moving.

There is no doubt that the maturity of the country, and in particular the maturity of the telecommunications network, is a very significant issue in determining a future program of change. For example, the introduction of competition, not just in equipment but indeed in networks, is both feasible and practicable in a country with a mature network. It does however become rather more difficult in a developing country where the main priority remains the development of the main telecommunications infrastructure.

The term 'privatisation' has, I suspect, been somewhat misused and it seems to me that for the developing countries the issue is how effective access to private capital can take place to speed up the enhancement of the national telecommunications infrastructure, be that on a national or perhaps a regional basis. This is a separate issue from that of the restructuring of the PTT, where the natural desire is to create a spirit more related to the commercial world

than the Civil Service environment. I believe that the restructuring or commercialisation of the existing operations is appropriate in any case and more importantly is a prerequisite to the successful privatisation of the state owned enterprise, either wholly or partly. The transfer of the state telecommunications operator from public to private status will only be truly effective when the style and efficiency of the organisation can be demonstrated to be attractive to the private investor. The dilemma of course is how you motivate such an organisation to change in the absence of competition. The experience in the UK is that competition is an excellent agent for change.

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### **MICHAEL LAW RETIRES**

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**Ada Hulshoff**

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Michael Law has left many friends, the PBAA, ACLA and the other Australian causes he has at one time or another got himself involved in, to return to his native England and retire.

No one would argue his retirement isn't more than deserved. No one would argue either, that his retirement leaves a huge gap in the life of a number of organisations and people, most of all the PBAA.

Michael is the undisputed father of public broadcasting in Australia. There were others there with him to share the hard work, pains and joys of gestation and birth, but he stayed to hold the baby. Let me qualify that: he did much more than just holding it. He nursed and cared as the public broadcasting family grew, he mopped up many messes, washed his fair share of dirty linen, but most important of all, he nourished and kept on nourishing this broadcasting family with his

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Member States was organisationally-oriented. Telecommunications policy was formulated and implemented by public enterprises, the PTTs, which were characterised by a specific organisational structure.

In the European tradition, these Telecommunications Administrations were:

- public entities, that is organisations characterised by public ownership;
- connected to the government by financial, personnel, and organisational ties;
- furnished with a double *de jure* monopoly status concerning both the provision of telecommunications networks and services as a "public service" (service public).

This organisationally-oriented model of telecommunications regulation through public enterprises is being gradually replaced by a procedural model of regulation through regulatory bodies which have been established in the United Kingdom and in France and which may be established in the Netherlands, Belgium, and the Federal Republic of Germany.

#### Conclusion

The Green Paper contains far-reaching proposals for re-regulation of the European telecommunications sector. It does not present the concept of a supranational telecommunications authority formulating and implementing a supranational European telecommunications policy. Rather it is an attempt to harmonise and to coordinate existing national policy approaches and to enhance the integration of the telecommunications sector as a major part of the internal European market.

#### Footnotes

- 1 Published as: COM (87) 290 final
- 2 For a more detailed analysis of

the legal framework of European telecommunications policy under the Treaty of Rome see Joachim Scherer: 'European Telecommunications Law' in European Law Review 1987, pp#354-372.

- 3 For a comparative analysis see Joachim Scherer: 'Nachrichtenertragung und Datenverarbeitung' in Telekommunikationsrecht, Baden-Baden 1987.

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#### **MICHAEL LAWS RETIRES** (Cont'd from p32)

astonishing capacity for new, creative and innovative thought.

That capacity he generously shared with others outside his family. Mind you, he always served to ensure that his family would retain and improve its position in the broadcasting world, to ensure that the climate in which it has to operate would be favourable. But in doing so, he widened the horizons of many others involved in the broadcasting world.

Others have joined him since to help with the care for this growing family, quite a few of its children have grown up and lately Michael's role became much more that of the grandfather, who is always there to impart his wisdom and share his experience and knowledge. It is that wisdom, experience and knowledge that we'll miss. That and his complete and absolute dedication to public broadcasting.

I, and many people with me, will miss his friendship, loyalty and constant support. We all thank him for that.

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**Ada Hulshoff** is Executive Director of the Public Broadcasting Association of Australia

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