



**Hungarian National Assembly  
Committee on European Affairs  
Chairperson**

Budapest, 30 April 2008

Mr. Anton Kokalj  
Chairperson of the Committee on EU Affairs  
National Assembly of the Republic of Slovenia

Mr. Vincenc Otoničar  
Chairperson of the International Relations and European Affairs Commission  
National Council of the Republic of Slovenia

Dear Mr Chairmen,

The Committee on European Affairs of the Hungarian National Assembly initiated scrutiny procedure on the following European draft legislation:

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Electronic Communications Market Authority (COM (2007) 699; 2007/0249/COD).

In course of the scrutiny procedure the Committee on culture and media submitted an opinion to the Committee on European Affairs stating that the proposal does not comply with the principles of subsidiarity and proportionality because of the following reasons:

- the relationship between the European Commission, the Member States and the national regulatory authorities raises concern on fulfilling the principle of subsidiarity, with special regard to the right of the Commission to analyse a specific relevant market of Member State on the basis of the opinion of the Market Authority;
- the provisions on the collection and redistribution of usage fees for rights of use of radio frequencies and numbers would restrict the actual exclusive rights of the Member States in order to finance the Market Authority;
- contrary to the unanimity decision-making of the European Regulators Group, the Market Authority would adopt decisions and opinions with simple majority;
- the largely advisory and consultative rights of Market Authority do not justify the setting up of a new European body, whom advantages and added value over the current system is ambiguous.

Taking into account the above-mentioned reasons, on behalf of the Committee on European Affairs I kindly invite you, Mr Chairmen to put this subsidiarity issue on the European Electronic Communications Market Authority as a separate item on the agenda of the COSAC meeting of 7-8 May 2008.

Thank you for your cooperation.

Yours sincerely,



(Matyas Eörsi)