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► **B** DIRECTIVE 2009/140/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 25 November 2009

amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services

(Text with EEA relevance)

(OJ L 337, 18.12.2009, p. 37)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018	L 321	36	17.12.2018

Corrected by:

► **C1** Corrigendum, OJ L 241, 10.9.2013, p. 8 (2009/140/EC)

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communications networks and associated facilities, and
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networks and services****(Text with EEA relevance)****▼ M1****▼ B***Article 4***Repeal**

Regulation (EC) No 2887/2000 is hereby repealed.

*Article 5***Transposition**

1. Member States shall adopt and publish by 25 May 2011 the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of such provisions.

They shall apply those measures from 26 May 2011.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

*Article 6***Entry into force**

This Directive shall enter into force on the day following its publication in the *Official Journal of the European Union*.

*Article 7***Addressees**

This Directive is addressed to the Member States.

▼ M1



COMMISSION DECLARATION ON NET NEUTRALITY

The Commission attaches high importance to preserving the open and neutral character of the Internet, taking full account of the will of the co-legislators now to enshrine net neutrality as a policy objective and regulatory principle to be promoted by national regulatory authorities⁽¹⁾, alongside the strengthening of related transparency requirements⁽²⁾ and the creation of safeguard powers for national regulatory authorities to prevent the degradation of services and the hindering or slowing down of traffic over public networks⁽³⁾. The Commission will monitor closely the implementation of these provisions in the Member States, introducing a particular focus on how the ‘net freedoms’ of European citizens are being safeguarded in its annual Progress Report to the European Parliament and the Council. In the meantime, the Commission will monitor the impact of market and technological developments on ‘net freedoms’ reporting to the European Parliament and Council before the end of 2010 on whether additional guidance is required, and will invoke its existing competition law powers to deal with any anti-competitive practices that may emerge.

⁽¹⁾ Article 8(4)(g) Framework Directive.

⁽²⁾ Articles 20(1)(b) and 21(3)(c) and (d) of the Universal Service Directive.

⁽³⁾ Article 22(3) of the Universal Service Directive.