



Council of the European Union
General Secretariat

**Interinstitutional files:
2023/0046 (COD)**

Brussels, 09 January 2024

WK 163/2024 INIT

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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Telecommunications and Information Society
Subject:	Gigabit Infrastructure Act - LV comments

Delegations will find in Annex the LV comments on the Gigabit Infrastructure Act.

Gigabit Infrastructure Act (2023/0046(COD) 13-12-2023)
LV written comments (22-12-2023)

Line 178 Article 7(5), first subparagraph

5. The competent authorities shall grant or refuse permits, other than rights of way, within ~~4~~two/four months [of expiry of the deadline set out in the second subparagraph] or within the deadline set by national law, whichever is shorter.

Comment:

In line with the minimum harmonisation principle this Regulation must comply with the existing general rules regarding any construction in member states. The deadline may be shorter than 4 months if it is already shorter in national legislation. The text should include “4 months” together with principle of “shortest deadline applicable”.

Line 193 Article 8(4)

4. Member States shall, in consultation with operators and on the basis of industry best practices adopt the relevant standards or technical specifications that are necessary for the implementation of paragraphs 1, 2 and 3 before [ENTRY INTO FORCE + 9 ~~18~~ **MONTHS**]. Those standards or technical specifications [shall/may] easily allow ordinary maintenance activities for the individual fibre wirings used by each operator to provide very high capacity network services and shall set at least:

Comment:

At least 18 months are necessary to establish new standards or technical specifications.

Line 257 Article 18(2)

2. It shall apply from **24 months** after the date of entry into force of this Regulation.

Comment:

The time for implementing new rules on reporting and permit granting conditions in case of civil works (which currently have no reporting obligations); and implementing new legislation on technical specifications; and for technical and practical implementation of digitalisation provisions into existing legislation, there is necessity that this regulation enters into force no less than in 24 months.