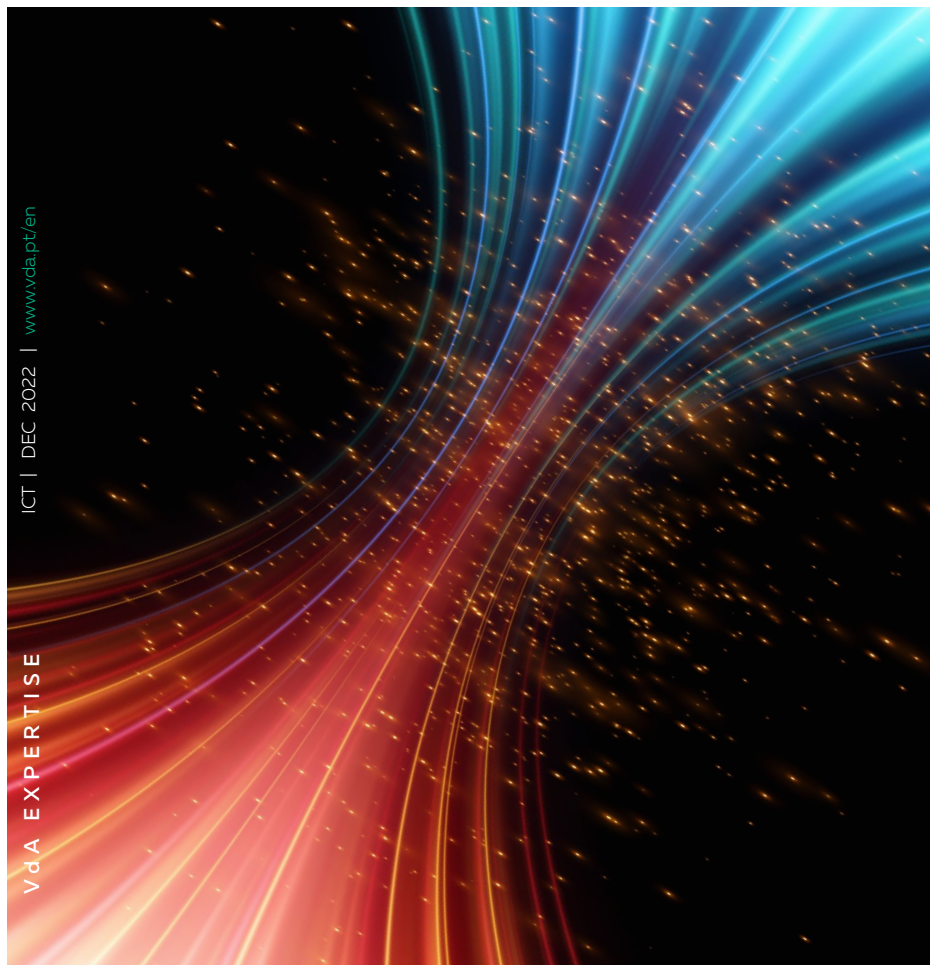


What changes?

NEW ELECTRONIC COMMUNICATIONS ACT



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VdA EXPERTISE



— 12 —

What changes?

New Electronic Communications Act

Correlation Table of
the New Electronic
Communications Act

Correlation Table of the New Electronic Communications Act

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
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TITLE I – GENERAL PART

Article 1 (Subject matter)	Article 1 (Subject matter, scope and aims)	Article 1 (Subject matter)
Article 2 (Scope)	Article 1 (Subject matter, scope and aims)	Article 2 (Scope)
Article 3 (Definitions)	Article 2 (Definitions)	Article 3 (Definitions)

TITLE II – NATIONAL REGULATORY AND OTHER COMPETENT AUTHORITIES, GENERAL OBJECTIVES AND REGULATORY PRINCIPLES

Article 4 (National regulatory and other competent authorities)	Article 5 (National regulatory and other competent authorities) + Article 6 (Independence of national regulatory and other competent authorities) + Article 9 (Regulatory capacity of national regulatory authorities)	Article 4 (National Regulatory Authority)
Article 5 (General objectives)	Article 3 (General objectives)	Article 5 (Regulatory objectives)
Article 6 (Regulatory principles)	Article 3(4) (General objectives)	Article 5 (Regulatory objectives)
Article 7 (Consolidating the internal market and regulatory cooperation in the European Union)	Article 10 (Participation of national regulatory authorities in BEREC)	Article 6 (Consolidating the internal market)

Article 8 (Cooperation with national authorities)	Article 11 (Cooperation with national authorities)	Article 7 (Cooperation)
Article 9 (Other cooperation mechanisms)	Articles 24(2) and 24(3) (Consultation of interested parties)	Article 7 (Cooperation)
Article 10 (Public consultation procedure)	Article 23 (Consultation and transparency mechanism) + Article 24 (Consultation of interested parties)	Article 8 (General consultation procedure)
Article 11 (Urgent Measures)	Article 27(4) (Resolution of cross-border disputes)	Article 9 (Urgent Measures)
Article 12 (Administrative dispute resolution between undertakings)	Article 26 (Dispute resolution between undertakings)	Article 10 (Administrative dispute resolution)
Article 13 (Refusal of the dispute resolution request)	Article 26(2) (Dispute resolution between undertakings)	Article 11 (Refusal of the dispute resolution request)
Article 14 (Administrative resolution of cross-border disputes)	Article 27 (Resolution of cross-border disputes)	Article 12 (Resolution of cross-border disputes)
Article 15 (Judicial review)	Article 31 (Right of appeal)	Article 13 (Judicial review)

TITLE III – GENERAL AUTHORISATION, FREQUENCY, NUMBERS AND SECURITY

Chapter I (General Authorisation System)

Article 16 (Provision of networks and services)	Article 12 (General authorisation of electronic communications networks and services)	Article 19 (Provision of networks and services)
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CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 17 (Reporting obligations)	Articles 12(3) and 12(4) (General authorisation of electronic communications networks and services) + Article 14 (Declarations to facilitate the exercise of rights to install facilities and rights of interconnection)	Article 21 (Procedure)
Article 18 (Reporting obligations exemption)	There is no matching Article.	N/A
Article 19 (Registration of undertakings)	Article 12(4) (General authorisation of electronic communications networks and services)	Article 21-A (Registration of undertakings)
Article 20 (Rights)	Article 15 (Minimum list of rights derived from the general authorisation)	Article 22 (Rights of undertakings providing publicly available networks or services) + Article 23 (Rights of undertakings providing networks or services not available to the public)
Article 21 (Amendment of rights and obligations)	Article 18 (Amendment of rights and obligations)	Article 20 (Amendment of rights and obligations)
Article 22 (Restriction and withdrawal of rights of use)	Article 19 (Restriction or withdrawal of rights)	Article 33(5) (Term and renewal of rights of use for frequencies)
Article 23 (Rights of way)	Article 43 (Rights of way)	Article 24 (Rights of way)

Article 24 (Co-location and sharing)	Article 44 (Co-location and sharing of network elements and associated facilities for providers of electronic communications networks)	Article 25 (Co-location and facility sharing)
Article 25 (Deployment and operation of small-area wireless access points)	Article 57 (Deployment and operation of small-area wireless access points)	N/A
Article 26 (Infrastructures suitable for hosting electronic communications networks)	There is no matching Article.	Article 25-A (Installation of infrastructures suitable for hosting electronic communications networks)
Article 27 (General conditions)	Article 13 (Conditions attached to the general authorisation and to the rights of use for radio spectrum and for numbering resources, and specific obligations)	Article 27 (General conditions)
Article 28 (Specific conditions)	Article 13 (Conditions attached to the general authorisation and to the rights of use for radio spectrum and for numbering resources, and specific obligations)	Article 28 (Specific conditions)
Article 29 (Accounting separation and financial reports)	Article 17 (Accounting separation and financial reports)	Article 41 (Accounting separation and financial reports)

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 30 (Standardisation)	Article 39 (Standardisation)	Article 29 (Standardisation)
Chapter II (Radio Spectrum)		
Article 31 (Public domain)	Article 45(1) (Management of radio spectrum)	Article 14 (Radio spectrum public domain)
Article 32 (Management of radio spectrum)	Article 45 (Management of radio spectrum)	Article 15 (Frequencies)
Article 33 (Strategic planning and coordination of radio spectrum policy)	Article 4 (Strategic planning and coordination of radio spectrum policy)	Article 15 (Frequencies)
Article 34 (Technology and service neutrality in radio spectrum management)	Article 73(2)(c) (Obligations of access to, and use of, specific network elements and associated facilities)	Article 16-A (Technology and service neutrality in radio spectrum management)
Article 35 (National Frequency Allocation Plan)	There is no matching Article.	Article 16 (National Frequency Allocation Plan)
Article 36 (Use of radio spectrum)	Article 13 (Conditions attached to the general authorisation and to the rights of use for radio spectrum and for numbering resources, and specific obligations) + Article 46 (Authorisation of the use of radio spectrum)	Article 19(4) (Provision of networks and services) + Article 30 (Granting of rights of use for frequencies)

Article 37 (Granting of rights of use for radio spectrum)	Article 48 (Granting of individual rights of use for radio spectrum) + Article 55 (Procedure for limiting the number of rights of use to be granted for radio spectrum)	Article 30 (Granting of rights of use for frequencies)
Article 38 (Limiting the number of rights of use for radio spectrum)	Article 55 (Procedure for limiting the number of rights of use to be granted for radio spectrum)	Article 31 (Limiting the number of rights of use for frequencies)
Article 39 (Conditions attached to the rights of use for radio spectrum)	Article 13 (Conditions attached to the general authorisation and to the rights of use for radio spectrum and for numbering resources, and specific obligations) + Article 47 (Conditions attached to individual rights of use for radio spectrum)	Article 32 (Conditions attached to the rights of use for frequencies)
Article 40 (Duration of rights of use for radio spectrum)	Article 49 (Duration of rights)	Article 33(1) (Term and renewal of rights of use for frequencies)
Article 41 (Renewal of rights of use for radio spectrum)	Article 50 (Renewal of individual rights of use for harmonised radio spectrum)	Article 33(2) et seq. (Term and renewal of rights of use for frequencies)
Article 42 (Transfer or lease of rights of use for radio spectrum)	Article 51 (Transfer or lease of individual rights of use for radio spectrum)	Article 34 (Transfer and lease of rights of use for frequencies)
Article 43 (Joint authorisation process to grant rights of use for radio spectrum)	Article 37 (Joint authorisation process to grant individual rights of use for radio spectrum)	N/A

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 44 (Competition)	Article 52 (Competition)	Article 35 (Accumulation of rights of use for frequencies)
Article 45 (Coordinated timing of assignments)	Article 53 (Coordinated timing of assignments)	Article 15 (Frequencies)
Article 46 (Alternative use of the harmonised radio spectrum)	Article 45(3) (Management of radio spectrum)	N/A
Article 47 (Peer review procedure)	Article 35 (Peer review process)	N/A
Article 48 (Granting of rights of use for radio spectrum within common selection procedures)	Article 36 (Harmonised assignment of radio spectrum)	Article 30(10) (Granting of rights of use for frequencies)
Article 49 (Radio Spectrum Coordination among Member States)	Article 28 (Radio Spectrum Coordination among Member States)	Article 16 (National Frequency Allocation Plan)
Article 50 (Access to radio local area networks)	Article 56 (Access to radio local area networks)	N/A
Chapter III (Numbering Resources)		
Article 51 (Numbering resources)	Article 93 (Numbering resources)	Article 17 (Numbering)
Article 52 (Harmonised numbers for services of social value)	Article 96 (Missing children and child helpline hotlines)	Article 44-A (Harmonised numbers for services of social value)

Article 53 (Access to numbers and services)	Article 97 (Access to numbers and services)	Article 44 (European telephone access codes)
Article 54 (Granting of rights of use for numbering resources)	Article 93 (Numbering resources) + Article 94 (Procedure for granting of rights of use for numbering resources)	Article 36 (Granting of rights of use for numbers)
Article 55 (Extraterritorial use of numbering resources)	Article 93(4) (Numbering resources)	Article 44 (European telephone access codes)
Article 56 (Conditions attached to the rights of use for numbering resources)	Annex I, Part E	Article 37 (Conditions attached to the rights of use for numbers)
Article 57 (Granting numbering resources to undertakings other than providers of electronic communications networks or services)	Article 93(2) (Numbering resources)	Article 36 (Granting of rights of use for numbers)
Chapter IV (Security and Emergency)		
Article 58 (Security and emergency)	N/A	Article 2-A (Security and emergency)
Article 59 (Security of networks and services)	Articles 40(1) and 40(4) (Security of networks and services)	Article 2-A (Security and emergency) and Articles 54-A(1) and 54-A(3) (Obligations of undertakings regarding security and integrity)
Article 60 (Security incidents)	Articles 40(2), 40(3) and 40(4) (Security of networks and services)	Article 54-A(2) (Obligations of undertakings regarding security and integrity) + Article 54-E (Reporting obligations of the NRA)

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 61 (Implementing measures)	Article 41(1) (Implementation and enforcement)	Article 54-C (Implementing measures)
Article 62 (Additional requirements)	There is no matching Article.	Article 54-D (Additional requirements)
Article 63 (Audits, inspections, and provision of information)	Article 41(2) (Implementation and enforcement)	Article 54-F (Audits and provision of information)
Article 64 (Binding instructions and investigation)	Article 41(1) (Implementation and enforcement)	Article 54-G (Binding instructions and investigation)
Article 65 (Assistance and cooperation)	Articles 41(4) and 41(5) (Implementation and enforcement)	N/A
Article 66 (Availability of services)	Article 108 (Availability of services)	Article 49 (Availability of services)
Article 67 (Emergency communications and the single European emergency number)	Article 109 (Emergency communications and the single European emergency number)	Article 51 (Emergency services and single European emergency call number)
Article 68 (Transmission of public warnings)	Article 110 (Public warning system)	N/A

TITLE IV – MARKET ANALYSIS AND REGULATORY CONTROL

Chapter I (General Provisions)

Article 69 (General principles)	N/A	Article 55 (Scope and general principles)
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Article 70 (Powers of the national regulatory authority)	Article 61 (Powers and responsibilities of the national regulatory and other competent authorities with regard to access and interconnection)	Article 56 (Competence)
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Chapter II (Procedure for consolidating the internal market)

Article 71 (Procedure for consolidating the internal market)	Article 32 (Consolidating the internal market for electronic communications)	Article 6 (Consolidating the Internal Market) and Article 57 (Specific consultation procedure)
Article 72 (Procedure for consolidating the internal market as part of the imposition of specific obligations)	Article 33 (Procedure for the consistent application of remedies)	Article 57-A (Procedure for the consistent application of regulatory obligations)

Chapter III (Market Analysis)

Article 73 (Definition of markets)	Article 64(3) (Procedure for the identification and definition of markets)	Article 58 (Definition of markets)
Article 74 (Analysis of the relevant markets features)	Articles 67(1), 67(2) and 67(3) (Market analysis procedure)	Articles 59(1), 59(2), 59(3) and 59(4) (Market analysis)
Article 75 (Market analysis review)	Articles 67(4), 67(5) and 67(6) (Market analysis procedure)	Article 59-A (Market analysis review)
Article 76 (Identification of transnational markets)	Article 65 (Procedure for the identification of transnational markets)	Article 59(5) (Market analysis)
Article 77 (Procedure for the identification of transnational demand)	Article 66 (Procedure for the identification of transnational demand)	There is no matching Article.

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 78 (Significant market power)	Article 63 (Undertakings with significant market power)	Article 60 (Significant market power)
Article 79 (Cooperation with the Competition Authority)	Article 67(1) (Market analysis procedure)	Article 61 (Cooperation with the Competition Authority)
Chapter IV (Access and Interconnection)		
Article 80 (Freedom of negotiation)	Article 59 (General framework for access and interconnection)	Article 62 (Freedom of negotiation)
Article 81 (Competences of the national regulatory authority)	Article 61 (Powers and responsibilities of the national regulatory and other competent authorities with regard to access and interconnection)	Article 63 (Competences of the NRA)
Article 82 (Access and interconnection conditions)	Article 60(1) (Rights and obligations of undertakings)	Article 64 (Access and interconnection conditions)
Article 83 (Confidentiality)	Article 60(2) (Rights and obligations of undertakings)	Article 65 (Confidentiality)
Article 84 (Imposition, maintenance, amendment, or withdrawal of obligations)	Article 68 (Imposition, amendment, or withdrawal of obligations)	Article 66 (Imposition, maintenance, amendment, or withdrawal of obligations)

Article 85 (Obligation of transparency)	Articles 69(1) and 69(3) (Obligation of transparency)	Article 67 (Obligation of transparency)
Article 86 (Reference offers)	Articles 69(2) and 69(4) (Obligation of transparency)	Article 68 (Reference offers) and Article 69 (Minimum elements to be included in reference offers)
Article 87 (Obligation of non-discrimination)	Article 70 (Obligations of non-discrimination)	Article 70 (Obligation of non-discrimination)
Article 88 (Obligation of accounting separation)	Article 71 (Obligation of accounting separation)	Article 71 (Obligation of accounting separation)
Article 89 (Access to infrastructures)	Article 72 (Access to civil engineering)	Article 22 (Rights of undertakings providing publicly available networks or services), Article 27 (General Conditions) and Article 64 (Access and interconnection conditions)
Article 90 (Obligations of access to, and use of, specific network elements and associated facilities)	Articles 73(1) and 73(2) (Obligations of access to, and use of, specific network elements and associated facilities)	Article 72 (Obligations of access to, and use of, specific network facilities)
Article 91 (Technical and operational conditions)	Article 73(3) (Obligations of access to, and use of, specific network elements and associated facilities)	Article 73 (Technical and operational conditions)
Article 92 (Price control and cost accounting obligations)	Articles 74(1) and 74(2) (Price control and cost accounting obligations)	Article 74 (Price control and cost accounting obligation)

CORRELATION TABLE**(Legislation Regarding Electronic Communications)**

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 93 (Demonstration of cost orientation of prices)	Article 74(3) (Price control and cost accounting obligations)	Article 75 (Demonstration of cost orientation of prices)
Article 94 (Verification of cost accounting systems)	Article 74(4) (Price control and cost accounting obligations)	Article 76 (Verification of cost accounting systems)
Article 95 (Termination prices)	Article 75 (Termination rates)	N/A
Article 96 (Regulatory treatment of new very high-capacity network elements)	Article 76 (Regulatory treatment of new very high-capacity network elements)	N/A
Article 97 (Criteria for assessing co-investment offers)	Annex IV (Criteria for assessing co-investment offers)	N/A
Article 98 (Functional separation)	Article 77 (Functional separation)	Article 76-A (Functional separation obligation)
Article 99 (Voluntary functional separation)	Article 78 (Voluntary separation by a vertically integrated undertaking)	Article 76-B (Voluntary functional separation)
Article 100 (Commitments procedure)	Article 79 (Commitments procedure)	N/A
Article 101 (Wholesale-only undertakings)	Article 80 (Wholesale-only undertakings)	N/A
Article 102 (Migration from legacy infrastructure)	Article 81 (Migration from legacy infrastructure)	N/A

Article 103 (Imposition of access and interconnection obligations)	Article 61(2) (Powers and responsibilities of the national regulatory and other competent authorities with regard to access and interconnection)	Article 77 (Imposition of access and interconnection obligations)
Article 104 (Obligation of access to cables up to the first distribution point)	Article 61(3) (Powers and responsibilities of the national regulatory and other competent authorities with regard to access and interconnection)	N/A
Article 105 (Localised roaming obligations)	Article 61(4) (Powers and responsibilities of the national regulatory and other competent authorities with regard to access and interconnection)	N/A
Article 106 (Conditional access)	Article 62(1) (Conditional access systems and other facilities) + Annex II, Part I, point (a) (Conditions for access to digital television and radio services broadcast to viewers and listeners in the Union)	N/A
Article 107 (Industrial property rights)	Annex II, Part I, point (b) (Conditions for access to digital television and radio services broadcast to viewers and listeners in the Union)	Article 80 (Industrial property rights)

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 108 (Amendment or withdrawal of conditional access obligations)	Article 62(2) (Conditional access systems and other facilities)	Article 81 (Amendment or withdrawal of conditional access obligations)
Chapter V (Regulatory control in retail markets)		
Article 109 (Control in retail markets)	Article 83 (Regulatory control of retail services)	Article 85 (Control in retail markets)

TITLE V – USERS’ RIGHTS, UNIVERSAL SERVICE AND ADDITIONAL MANDATORY SERVICES

Chapter I (End-user Rights)

Article 110 (Scope of this chapter) ¹	Article 98 (Exemption of certain microenterprises)	N/A
Article 111 (Non-discrimination)	Article 99 (Non-discrimination)	Article 39 (Protection of users and subscribers)
Article 112 (Fundamental rights safeguard)	Article 100 (Fundamental rights safeguard)	N/A
Article 113 (End-user protection)	Article 101(1) (Level of harmonisation)	Articles 39(1), 39(2), 39(3), 39(4) and 39(5) (Protection of users and subscribers)

¹ Chapter I (“End-user rights”) does not apply to microenterprises, with the exceptions set out in Articles 110 and 111.

² During the parliamentary debate on the new ECL, the Direção-Geral do Consumidor [Portuguese Directorate-General for Consumer Protection] (“DGC”) warned that paragraph 9 would not be applicable a priori to distance and off-premises contracts.

Article 114 (Bundle of services)	Article 107 (Bundled offers)	There is no matching Article.
Article 115 (Equivalent access and choice for end-users with disabilities)	Article 111 (Equivalent access and choice for end-users with disabilities)	Article 39(6) (Protection of users and subscribers)
Article 116 (Transparency and publication of information)	Article 103(1) (Transparency, comparison of offers and publication of information)	Articles 47(1), 47(2), 47(3) and 47(4) (Obligation to publish information)
Article 117 (Quality of service related to internet access services and publicly available interpersonal communications services)	Article 104 (Quality of service related to internet access services and publicly available interpersonal communications services)	Article 40 (Quality of service)
Article 118 (Comparison of offers)	Articles 103(2) and 103(3) (Transparency, comparison of offers and publication of information)	Articles 47(4) and 47(5) (Obligation to publish information)
Article 119 (Distribution of public interest information)	Article 103(4) (Transparency, comparison of offers and publication of information)	Article 47-A(4) (Obligation to provide information to subscribers)
Article 120 (Information requirements for contracts) ²	Article 102 (Information requirements for contracts)	Articles 48(1), 48(2), 48(3) and 48(4) (Contracts)
Article 121 (Contractual practices and contracts)	There is no matching Article.	Articles 48(18), 48(19) and 48(20) (Contracts)

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 122 (Billing)	Annex VI (Description of facilities and services referred to in Article 88 (Control of expenditure), Article 115 (Additional facilities) and Article 106 (Provider switching and number portability)), Part A (Facilities and services referred to in Articles 88 and 115), point (a)	Article 39(3)(c) (Protection of users and subscribers) and Article 94 (Control of expenditure)
Article 123 (Usage control mechanisms)	Article 102(5) (Information requirements for contracts)	There is no matching Article.
Article 124 (Selective communications barring)	Annex VI (Description of facilities and services referred to in Article 88 (Control of expenditure), Article 115 (Additional facilities) and Article 106 (Provider switching and number portability)), Part A (Facilities and services referred to in Articles 88 and 115), point (b)	Article 45 (Selective communications barring)

Article 125 (Collection of goods or services from third parties)	Annex VI (Description of facilities and services referred to in Article 88 (Control of expenditure), Article 115 (Additional facilities) and Article 106 (Provider switching and number portability)), Part A (Facilities and services referred to in Articles 88 and 115), point (h)	There is no matching Article.
Article 126 (Procurement prevention mechanisms)	There is no matching Article.	Article 46 (Procurement prevention mechanisms)
Article 127 (Suspension and termination of the service provided to non-consumer end-users)	Annex VI (Description of facilities and services referred to in Article 88 (Control of expenditure), Article 115 (Additional facilities) and Article 106 (Provider switching and number portability)), Part A (Facilities and services referred to in Articles 88 and 115), point (e)	Article 52 (Suspension and termination of the service provided to non-consumer subscribers)
Article 128 (Suspension and termination of the service provided to consumers)	N/A	Article 52-A (Suspension and termination of the service provided to consumer subscribers)
Article 129 (Unavailability of the service) ³	N/A	N/A

³ The Autoridade Nacional de Comunicações [Portuguese National Communications Authority] (“ANACOM”) considers that the suspension of the service will also not take place “in cases where the consumer has made payment or has entered into any written payment agreement with the undertaking for the purpose of settling the amounts owed”, provided that, as in the case of complaints, “the payment is made or the agreement is entered into before the date on which the suspension is due to begin”.

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 130 (Breach of performance service levels)	Article 105(5) (Contract duration and termination)	There is no matching Article.
Article 131 (Contract duration)	Articles 105(1), 105(2) and 105(7) (Contract duration and termination)	Article 48(8) (Contracts)
Article 132 (Automatic extension of contracts)	Article 105(3) (Contract duration and termination)	There is no matching Article.
Article 133 (Changes regarding the contract holder)	N/A	Article 48(4) (Contracts)
Article 134 (Change in circumstances)	N/A	N/A
Article 135 (Changes in the contractual conditions proposed by the provider of the services)	Article 105(4) (Contract duration and termination)	Articles 48(16) and 48(17) (Contracts)
Article 136 (Termination of the contract at the initiative of the consumer)	Articles 105(1), 105(2) and 105(7) (Contract duration and termination)	Articles 48(7), 48(10), 48(11), 48(12) and 48(13) (Contracts)
Article 137' (Suspension and expiration of contracts)	N/A	Article 52-A (Suspension and termination of the (service provided to consumer subscribers)

Article 138 (Termination of contracts at the initiative of the end-user)	Article 105(6) (Contract duration and termination)	Articles 48(4) and 48(7) (Contracts)
Article 139 (Unlocking of terminal equipment)	N/A	N/A ⁴
Article 140 (Change of undertaking providing Internet access services)	Articles 106(1) and 106(6) (Provider switching and number portability)	N/A
Article 141 (Number portability)	Articles 106(2), 106(3), 106(4), 106(5) and 106(6) (Provider switching and number portability)	Article 54 (Number portability)
Article 142 (Competences of the national regulatory authority)	Articles 106(6), 106(7) and 106(8) (Provider switching and number portability)	Articles 54(5) and 54(7) (Number portability)
Article 143 (End-user complaints)	N/A	Article 48-A (End-user complaints)
Article 144 (Out-of-court dispute resolution)	Article 25 (Out-of-court dispute resolution)	Article 48-B (Out-of-court dispute resolution)
Article 145 (Directory enquiry services)	Article 112 (Directory enquiry services)	Article 50 (Directory enquiry services)
Article 146 (Provision of additional facilities)	Article 115 (Provision of additional facilities)	Article 53 (Provision of additional facilities)

⁴ Subject to the regime of Decree-Law 56/2010, of 1 June 2010.

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022

European Electronic Communications Code

Law 5/2004, of 10 February 2004

Chapter II – Universal Service

Article 147 (Concept)	Articles 84(1) and 84(2) (Affordable universal service)	Article 86 (Concept)
Article 148 (Scope)	Articles 84(1) and 84(2) (Affordable universal service) + Article 85(4) (Provision of affordable universal service)	Article 87 (Scope of the universal service)
Article 149 (Broadband internet)	Article 84(3) (Affordable universal service)	N/A
Article 150 (Availability of universal service)	Articles 86(1) and 86(2) (Availability of universal service)	N/A
Article 151 (Provision of affordable universal service)	Articles 85(1) and 85(2) (Provision of affordable universal service) + Article 88(2) (Control of expenditure)	Article 93 (Price regime)
Article 152 (Supply Conditions)	Article 85(3) (Provision of affordable universal service) + Article 88(1) (Control of expenditure)	Articles 93(4) and 93(5) (Price Regime) + Article 94(6) (Control of expenditure)
Article 153 (Support for the acquisition of services)	N/A	N/A
Article 154 (Specific measures for citizens with disabilities)	Article 85(4) (Provision of affordable universal service)	Article 91 (Specific measures for users with disabilities)

Article 155 (Control of expenditure)	Article 88(2) (Control of expenditure) + Annex VI (Description of facilities and services referred to in Article 88 (Control of expenditure), Article 115 (Additional facilities) and Article 106 (Provider switching and number portability)), Part A	Articles 94(1), 94(2), 94(3), 94(4) and 94(5) (Control of expenditure)
Article 156 (Quality of service)	Article 104 (Quality of service related to internet access services and publicly available interpersonal communications services)	Article 92 (Quality of service)
Article 157 (Compensation for the provision of universal service)	Article 89 (Cost of universal service obligations) + Annex VII (Calculating the net cost, if any, of universal service obligations and establishing any compensation or sharing mechanism in accordance with Articles 89 and 90), Part B (Compensation of net costs of universal service obligations)	Article 95 (Compensation of net cost)
Article 158 (Calculation of net cost)	Annex VII (Calculating the net cost, if any, of universal service obligations and establishing any compensation or sharing mechanism in accordance with Articles 89 and 90), Part A (Calculation of net cost)	Article 96 (Compensation of net cost)

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 159 (Financing mechanisms)	Article 90 (Financing of universal service obligations)	Article 97 (Financing)
Article 160 (Report)	Article 91(2) (Transparency)	Article 98 (Report)
Article 161 (Designation procedures)	Articles 86(3), 86(4) and 86(5) (Availability of universal service)	Article 99 (Universal service providers)
Article 162 (Additional mandatory services)	Article 92 (Additional mandatory services)	Article 100 (Additional mandatory services)

TITLE VI - 'MUST CARRY' OBLIGATIONS, EQUIPMENT, AND ILLICIT DEVICES

Article 163 ('Must carry' obligations)	Article 114 ('Must carry' obligations)	Article 43 ('Must carry' obligations)
Article 164 (Interoperability of consumer digital television equipment)	Article 113 (Interoperability of car radio and consumer radio receivers and consumer digital television equipment)	Article 103 (Interoperability of consumer digital television equipment)
Article 165 (Interoperability of car radio)	Article 113 (Interoperability of car radio and consumer radio receivers and consumer digital television equipment)	N/A

Article 166 (Illicit devices)	N/A	Article 104 (Illicit devices)
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TITLE VII – FEES, SUPERVISION AND SURVEILLANCE

Chapter I (Fees)

Article 167 (Annual Fee)	N/A	Articles 105(1)(b), 105(2), 105(4) and 105(5) (Fees)
Article 168 (Fees due for use of radio spectrum and numbering resources)	Article 42 (Fees for rights of use for radio spectrum and rights to install facilities)	Article 105 (Fees)
Article 169 (Fees for granting rights of way)	Article 42(1) (Fees for rights of use for radio spectrum and rights to install facilities)	Article 106 (Fees for rights of way)

Chapter II (Supervision and Surveillance)

Article 170 (Provision of information by undertakings)	Article 20(1) (Information request to undertakings)	Articles 108(1), 108(2), 108(3), 108(4) and 108(5) (Provision of information)
Article 171 (Provision of specific information)	Article 21 (Information required with regard to the general authorisation, rights of use and specific obligations)	Article 108 (Provision of information) and Article 109 (Purposes of the information request)
Article 172 (Provision of information by the NRA and other competent authorities)	Articles 20(2), 20(3), 20(4) and 20(5) (Information request to undertakings)	Articles 108(6), 108(7) and 108(8) (Provision of information)

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
Article 173 (Geographical survey of network deployments)	Article 22(1) (Geographical surveys of network deployments)	N/A
Article 174 (Designation of geographical areas without very high-capacity networks)	Articles 22(2), 22(3) and 22(4) (Geographical surveys of network deployments)	N/A
Article 175 (Use of the results of the geographical survey)	Article 22(5) (Geographical surveys of network deployments)	N/A
Article 176 (Disclosure of information from the geographical survey)	Articles 22(5) and 22(6) (Geographical surveys of network deployments)	N/A
Article 177 (Surveillance)	N/A	Article 112 (Surveillance)
Article 178 (Administrative offenses and fines)	Article 29 (Penalties)	Article 113 (Administrative offenses and fines)
Article 179 (Ancillary penalties)	Article 29 (Penalties)	Article 114 (Ancillary penalties)
Article 180 (Procedure and application)	N/A	Article 115 (Procedure and application)

Article 181 (Non-compliance administrative procedure)	Articles 30(1), 30(2), 30(3), 30(4) and 30(5) (Compliance with the conditions of the general authorisation or of rights of use for radio spectrum and for numbering resources and compliance with specific obligations)	Article 110 (Non-compliance)
Article 182 (Interim measures)	Article 30(5) (Compliance with the conditions of the general authorisation or of rights of use for radio spectrum and for numbering resources and compliance with specific obligations)	Article 111 (Interim measures)
Article 183 (Periodic penalty payments)	N/A	Article 116 (Periodic penalty payments)
Chapter III (Disclosure of information by the national regulatory authority)		
Article 184 (Publication of information)	Articles 120(3) and 120(4) (Publication of information) + Article 121(2) (Notification and monitoring)	Articles 120(1), 120(2) and 120(3) (Publication of information)
Article 185 (Publication of Usage Test Data)	N/A	N/A
Article 186 (Reporting to the European Commission)	Article 120(2) (Publication of information) + Articles 121(1) and 121(2) (Notification and monitoring)	Article 120(4) (Publication of information)

CORRELATION TABLE

(Legislation Regarding Electronic Communications)

Law 16/2022, of 16 August 2022	European Electronic Communications Code	Law 5/2004, of 10 February 2004
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TITLE VIII - FINAL PROVISIONS

Article 187 (Calculation of time-limits)	N/A	Article 126 (Calculation of time-limits)
Article 188 (Maintenance of rights and obligations)	Article 50(1) (Renewal of individual rights of use for harmonised radio spectrum) + Article 59(2) (General framework for access and interconnection)	Article 122 (Maintenance of rights and obligations)
Article 189 (Maintenance of registration)	N/A	N/A

What changes?

New Electronic Communications Act

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