

## **ABSTRACT**

The aim of my thesis is to analyse regulation of electronic communication market with regard to competition law aspects. Electronic communication sector of nowadays globalized world is developing rapidly and represents a precondition for the economic growth. Due to the characteristics of a network industry and the fact that this sector was regulated historically by monopoly firms owned by the state, the purpose of this paper is to identify which difficulties this market has to face through the dualistic regulation. To secure a fair competition with equal conditions for competitors operating electronic communication networks or providing electronic communication services is not an easy task, nevertheless it's essential for the welfare of the consumers.

My thesis is composed of six main chapters. In the first one, I provide the definitions of the main terms which are related to this topic. Moreover, I focus on the characteristics of the electronic communication sector and integrate the topic into the historical context. In particular, I describe the beginning of the liberalisation of this sector and provide an outline of the harmonisation process which is represented by the legal provisions adopted by the European Union. Second and the most extensive chapter is dedicated to *ex ante* regulation which can be considered as a typical regulation for this sector. The emphasis is put on the realization of this regulation by the national regulator – the Czech Telecommunication Office. Specifically, I deal with the definition of the relevant markets, significant market power and with the manner of imposing corrective measures. The next chapter, described a bit more briefly than the previous one, is concerned with the so called *ex post* regulation. *Ex post* regulation means the application of the general competition legal provisions in case that one of the competitors commits an infringement. The most important administrative decisions made by the Office for the Protection of Competition and margin squeeze issue as a common type of the abuse of dominant position form the content of this part as well. Chapter number four is related to the description of the relationship between these two types of the regulatory mechanism – i.e. relationship between *ex ante* and *ex post* regulation. It can be very briefly described as a complementary relationship. Subject of the fifth chapter is the analysis and review of the actual situation on the Czech electronic communication market. The last chapter addresses the future prospects of the electronic communication market, both the

European and related national one. Particularly, I point out the right strategy of the European Commission to create a Digital Single Market.

My thesis is based on analysis of related academic books (predominantly foreign books), legal articles, case law and academic research on the internet. I believe that this thesis will serve as useful complex source of information in the area of regulation and protection of fair competition in the electronic communication sector for its readers, since no Czech publication on the similar topic was published so far.