

Consultation on the Structure of the Commission

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1 Introduction

1.1 Background

- 1.1. The Communications Commission (the Commission) is the National Regulatory Authority for the Telecommunications sector on the Isle of Man. It also has a role in the licensing and regulation of broadcasting matters.
- 1.2. The Commission operates under the Telecommunications Act 1984 and the Broadcasting Act 1993. These pieces of legislation, together with the licences issued under them, provide the statutory framework for the powers of the Commission. The Commission is in the process of updating this legislation by progressing the Communications Bill 2018 (the Bill). This Bill updates the existing legislation and provides the Commission with a greater set of remedies including fines and penalties and provides for standalone competition powers.
- 1.3. As the Communications Bill 2018 (the Bill) has passed through the Legislative Branches there has been a debate as to the structure of the Commission; specifically, regarding the appropriateness of having a political Chairperson.
- 1.4. In addition the National Telecommunications Strategy in 2018 recommended that the Commission “*review its processes, procedures, and structure on enactment of the Communications Bill*”¹. In March 2019, as a result of the debates and the Strategy recommendation, the Commission committed to reviewing its structures during the 2019-20 operating year with a view to putting a recommendation on its future structure before Tynwald for its consideration².
- 1.5. The Commission has been consistent in pointing out that it has never been against changing its structure but that it wants any change to be made in a controlled and evidence led manner. The issue of the political Chairperson was covered as part of a previous consultation process, where the Commission stated that it wished to consider the matter after the Bill was enacted,

however there was no consideration at that time of what other governance models may be appropriate³. This current consultation is the culmination of the work that the Commission has carried out to examine both the suitability and effectiveness of its structures and consider the impact potential options may have on the telecommunications and broadcasting sectors.

- 1.6. It is important that the potential impact of any change be considered in all aspects of its remit; removing the status quo is only one consideration, it must also be kept in mind that the Commission is an Economic Regulator with wide-ranging competition powers. Much of the debate to date has been in relation to the potential for the Commission to interfere with broadcast media outlets, but this sector accounts for only a small proportion of the Commission’s work

1.2 About the Commission

- 1.7. The structure of the Commission’s Board is currently set by the Communications Commission Order 1989⁴ (the Order), which makes a provision that the sitting Minister for Home Affairs is the Chairperson of the Commission. While there has been no suggestion of any improper use of this position in the past, it has been questioned whether this is the appropriate structure for a National Regulatory Authority at present.
- 1.8. As is the case in almost all other jurisdictions, the Isle of Man has an incumbent telecommunications operator which holds Significant Market Power – that is that, absent regulation, it could abuse its dominant position to prevent competition and protect a monopoly position in the market.
- 1.9. The Commission is primarily concerned with regulating the telecommunications sector on the Island with a view to fostering sustainable competition. Telecommunications is a vital economic input for almost all of the Island’s economy and is a key consideration for commercial interests investing in the Isle of Man. Without a properly functioning telecommunications market the Island would be less competitive on the global stage. Therefore any

¹ <http://www.tynwald.org.im/business/opqp/sittings/20182021/2018-GD-0062.pdf>

² <https://www.iomcc.im/media/1313/information-notice-02-19-structural-review-of-cc.pdf>

³ <https://www.iomcc.im/media/1195/consultation-on-draft-communications-bill.pdf>

⁴ <https://www.iomcc.im/media/1097/the-communications-commission-order-1989.pdf>

change made to the Commission's governance structures has the potential to impact the telecommunications sector which could have far greater ramifications for the Manx economy and consumers.

1.10. For example, many Manx businesses rely on e-commerce for day-to-day operations, from small exporters to large e-gaming and financial institutions. One of the side-effects of an uncompetitive, unregulated market is high-prices, so absent regulation these businesses would have to pay more for services than they would elsewhere. This cost must be absorbed at some point in the supply chain and it would typically be passed to the customer as the last link in the chain. This can have a knock-on effect on investment decisions for both existing businesses and new entrants.

1.11. To overcome this the Commission regulates the telecommunications sector on an ex-ante basis – simply put it assesses the market for telecommunications services and wherever a party is found to have Significant Market Power proactive remedies are put in place to prevent it from abusing this position. This has resulted in the Manx consumer having options available to them when buying services and allows for them to switch operators on the basis of cost or quality of service.

1.12. Under the Bill the Commission will have the powers to continue its work in these areas enshrined in legislation, but it will also acquire new powers to allow it to impose stricter regulation and penalties should the need arise. It is through the measured application of its powers that the Commission fosters the regulatory certainty that creates the environment for investment while protecting competition and ultimately consumers.

1.13. Therefore, given the potential the Commission has to distort the competitive dynamics of what is an important part of the Manx economy it is important that the potential impact of any changes to its structure are fully considered.

1.14. In relation to the broadcasting sector the Commission's remit is quite limited. It is restricted to issuing broadcasting licences to organisations that meet certain criteria which aim to maximise the use of the available

radio spectrum and plurality of media control on the island, the issuance of Codes or Practice which lay out good practice for e.g. the broadcasting of content to minors and advertising standards⁵. It also has a role to play through the Public Service Broadcaster's in considering station formats in light of that Broadcaster's obligations.

1.15. The Commission has no operational control or editorial input to the content produced by the broadcasters.

⁵ <https://www.iomcc.im/broadcasting/>

2 Outline of Available Models

2.1 Current Structure of the Commission Board

2.1. The legislation prescribing the structure of the Commission is outlined in paragraph 1.7. The Board of the Commission is currently made up of 6 members, one of whom is the Minister for Home Affairs and serves as the Chairperson. Regulatory Decisions are put to the Board and decided by majority vote with each member having one vote; the legislation does not provide for a casting vote or veto by the Chairperson or any other member. Should the Board be deadlocked on an issue the status quo would be maintained.

2.2 Other Statutory Boards

2.2. It is worth noting at the outset that while this is an analysis of other Statutory Boards on the Island it is not intended to determine what is best practice. All of the Boards included in the analysis have been established to deal with their remit in the manner that has been determined to be most appropriate given that remit.

2.3. It must also be pointed out that none of the Statutory Boards are Economic Regulators in the same sense as the Commission; again, this is simply an observation and not intended to compare or rank the work of different Statutory Boards. In short this means that the Commission has a greater scope than others, through the application of ex-ante remedies, to shape or distort the competitive conditions in markets within its remit.

2.4. Other than the Commission, the Statutory Boards, in the table below, operate within the Isle of Man.

2.5. The analysis below focuses only on Statutory Boards that have a remit that includes the oversight or regulation of an industry, industry sector, or market; as such the models in use at the Isle of Man Post Office and the Manx Utilities Authority are excluded from further consideration.

2.6. Among the organisations that remain in consideration there is a variety of governance structures.

Statutory Board	Objectives ⁶
Isle of Man Office of Fair Trading	<p>In summary the work of the Office involves enforcing criminal consumer protection legislation, ensuring that consumers are protected, that a level playing field exists for competing Island businesses, and advising on civil consumer legislation.</p> <p>The Office regulates in the following areas:</p> <ul style="list-style-type: none"> • weights and measures; • inaccurate descriptions of goods or services; and • safety of consumer goods. <p>The Office also holds the register for moneylenders, fireworks stores, video shops and petrol stations to ensure they meet all requirements which are laid down in the legislation.</p>
Isle of Man Financial Services Authority	<p>The regulatory objectives of the Authority are:</p> <ul style="list-style-type: none"> • securing an appropriate degree of protection for policyholders, members of retirement benefits schemes and the customers of persons carrying on a regulated activity; • the reduction of financial crime; and • the maintenance of confidence in the Island’s financial services, insurance and pensions industries through effective regulation, thereby supporting the Island’s economy and its development as an international financial centre. <p>The Authority has further specific statutory responsibilities in relation to the regulation and supervision of specific financial activities.</p>
The Isle of Man Post Office	<p>The Post Office’s vision is to provide value added postal, distribution and digital services for our customers and make a positive contribution to the Manx economy.</p>
Manx Utilities Authority	<p>Customers</p> <ul style="list-style-type: none"> • deliver value for money and a reliable and professional service to our customers; and, • understand our customers and stakeholders needs in a changing environment so we can continuously improve and promote value. <p>People</p> <ul style="list-style-type: none"> • put Health, Safety and Wellbeing 'first' in all that we do; • place leadership, management, business and communication skills at the heart of our culture; and, • support and develop our people to achieve their potential and deliver our shared vision. <p>Operations</p> <ul style="list-style-type: none"> • advance innovation, quality and efficiency capability to improve effective use of resources; • enhance processes to improve the management of assets, investment, cost and risk; and, • act ethically with respect towards our stakeholders and the environment. <p>Finance</p> <ul style="list-style-type: none"> • out-perform the 20 year financial plan; and, • set and monitor performance to achieve challenging target.

⁶ Details of all objectives are taken from legislation and/or relevant publications produced by the agencies themselves

<p>The Isle of Man Gambling Supervision Commission</p>	<p>The core principles the Commission upholds are:</p> <ul style="list-style-type: none"> • to keep the gambling industry crime free; • to protect the young and those at risk; and, • to ensure that the services offered by licence holders are fair and that players receive their true winnings.
<p>The Public Sector Pensions Authority</p>	<p>The Authority's principal role is to manage and administer the pensions, premature retirements and injury benefits for a majority of Isle of Man public servants.</p> <p>The PSPA also has the responsibility for:</p> <ul style="list-style-type: none"> • providing policy and guidance to Ministers on public sector pensions; • developing the regulations for each scheme; and • determining appeals made by members of these schemes.

2.3 Other Jurisdictions

- 2.7. In the course of determining an appropriate structure the Commission has also examined how similar National Regulatory Authorities are constituted in other jurisdictions. During the course of its research it became clear that there is no single accepted universal model, each jurisdiction tends toward a model that best suits the local circumstances.
- 2.8. Given the above, the Commission has narrowed its benchmark to similar jurisdictions, such as the Channel Islands and Malta, and other EU jurisdictions. This results in a benchmark from 19 other jurisdictions, all operating in much the same way as the Isle of Man, which the Commission believes is sufficient for comparison purposes. A full table can be found in Annex 1 below.
- 2.9. While there are almost as many models as there are jurisdictions, it is possible to group National Regulatory Authorities under three broad headings:
- a) Executive Management – includes organisations that do not have an independent board and are solely governed by executive personnel;
 - b) Political Oversight – includes organisations which have a board which is chaired by a member of parliament or a senior government executive officer; or,
 - c) Independent Oversight – includes organisations that have a board which is chaired by an independent figure, i.e. no industry or political affiliations.
- 2.10. The benchmarking exercise shows that the predominant governance model is Executive Management with c. 53% of other jurisdictions opting for this structure. However, this is not in keeping with the circumstances on the Isle of Man and can be discounted from further consideration. Such an approach would not necessarily be in keeping with the legislative and organisational precedents on the Island and would leave the Commission as an outlier in this regard.
- 2.11. That leaves Political Oversight and Independent Oversight as the potential models that are in keeping with the circumstances on the Island; Independent Oversight is the second most common option with c. 31% of the jurisdictions opting for this model, only c. 15% of the jurisdictions examined opted for Political Oversight.

3 Options and Impact Assessment

3.1 Available Options

3.1. While there are potentially dozens of different permutations and combinations of available models, broadly speaking there are three broad models that the Commission can consider when looking at potential future governance of the organisation.

- a) Retention of a political Chairperson;
- b) Having no political representation on the Board; or,
- c) Having a political representative as an ordinary Board Member.

3.2. Rather than examining all of the different options under each of the above headings, the analysis considers the implications of these broad options before proposing the most suitable proposal and then considering the different models that could fall under that broad heading.

Retention of a Political Chairperson

3.3. Based on recent debates, and the submissions received on this issue during the initial consultation on the Communications Bill in 2015/16⁷ the Commission is of the preliminary view that retaining the Minister for Home Affairs as its Chairperson is no longer the most suitable model.

3.4. There are potential benefits that come with having a member of the Council of Ministers as Chairperson of the organization; for example, the Chairperson is in a position to move legislation on behalf of the Commission and is in a position to bring issues directly to the attention of the Council of Ministers. There is also an argument that the Commission is more accountable with a Minister as Chair as they can be subject to direct questioning in the House of Keys and Tynwald.

3.5. However, the opposition to the retention of a political Chairperson cannot go unmentioned; there has been

considerable opposition from within the broadcasting sector citing that the potential for political interference with broadcasters and/or broadcast content exists. There is no evidence or suggestion that there has ever been any such interference, however the Commission acknowledges that there is an issue with a perception of an organisation having a political Chairperson and that this could be an undermining factor in the long run.

3.6. Within the telecommunications sector there has been a less vocal lobby for change, however stakeholders within the sector have also expressed a preference for the removal of the political Chair.

3.7. The Commission also notes that the ongoing debate around the issue is likely having a net negative impact on regulation and regulatory certainty. Most notably the delays to the introduction of the Bill and the much-needed powers and provisions it brings are having a real impact on the Commission in terms of its ability to issue sanctions and also in awarding new licences providing access to the radio spectrum required for next-generation fixed and mobile services.

3.8. In light of the above the benefits of retaining the political Chairperson are outweighed by the disadvantages outlined above.

Having no Political Representation on the Board

3.9. The second option for consideration is to have a Board on which there is no political representation. In one sense this option does present some notable advantages, especially from the perspective of ensuring that there is no political interference with the work of the Commission and can be no perception of political interference. The Commission agrees that this option does remove all the disadvantages outlined in the above option.

3.10. However, it should be noted that this option does also have its potential drawbacks and risks. Most of the Commission's interactions are with regulated entities, broadly representing the industry's views and wishes, but this is only one of the stakeholder groups⁸ that the

⁷ <https://www.iomcc.im/legislation/closed-legislation-consultations/2015-2016-communications-bill-consultation/>

⁸ The stakeholder groups are broadly divided among the categories of industry, consumers, and public interest – while the latter two are often similar they should not be confused, often times it is possible that the best interests of the consumer are not in keeping with the public interest. For example, while the consumer will likely always advocate for the lowest possible price, this could be to the detriment to public interest as a price war would reduce the overall capital available for investment which

Commission should bear in mind when making decisions. While the Commission is obliged not to make decisions that would be objectively negative for the industry as a whole, it must also bear in mind its other stakeholders, namely consumers and the public interest.

- 3.11. The interests of all of these stakeholder groups seldom align and it is that tension that allows for Decisions to be made having been fully scrutinised from all perspectives. There is a risk that having a model that actively prohibits the representation of one of these stakeholder groups would result in regulatory decisions being made to the detriment of one or more of the stakeholder groups.
- 3.12. The Commission is of the view that ensuring that both consumers and public interests are represented on its board would negate any of the potential influence that any one stakeholder group may gain over time. Given the foregoing, the Commission is not in favour of this option at this time.

Having a Political Representative as an Ordinary Board Member

- 3.13. The third option is to have a political representative as an ordinary Board Member. Coupled with this would be a provision that the Chairperson of the organization cannot be a member of Tynwald or a Government Department to ensure that there is no room for misunderstanding or confusion. It also provides a safeguard to ensure that there is no mechanism through which a political chair could be reinstated at some point in future without following due process.
- 3.14. Some or all of the benefits that are outlined above would continue to apply by having a political representative as an ordinary Board Member rather than as Chair; most valuably the ability for the Commission to be held accountable to Tynwald, should the need arise, is maintained, it also ensures that there is full transparency around the Commission's Decisions.
- 3.15. Many of the disadvantages associated with having a political Chairperson are however dissipated. The perception that there is an overarching political control of the organization is removed as the safeguards outlined

above ensure that the political member's influence is limited. They are however in the position to represent the public interest in the Commission's decision-making process; as such having a duly elected public representative that is open to scrutiny would seem the most logical advocate for the public interest.

- 3.16. On balance, the Commission is of the preliminary view that this would be the preferable option as it maintains many of the benefits but does not incorporate the potential disadvantages or risks associated with the second option.

3.2 Conclusion

- 3.17. With all of the foregoing in mind the Commission has formed the preliminary view that the most appropriate model for the Isle of Man's communications regulator going forward is to have a board with an independent chairperson – somebody with no government or industry links or affiliations – but to retain a political representative as an ordinary board member.
- 3.18. The Commission is of the preliminary view that this represents the interests of all stakeholders as well as ensuring that the necessary checks and balances are in place in its decision making process. It also helps to ensure that no single stakeholder or group of stakeholders can exert an undue influence on the Commission which could have an adverse impact on the communications sector and consequently the Manx economy.
- 3.19. To ensure that any transition is carried out in an orderly manner and that organisational continuity is maintained the Commission intendeds to have all required work completed to coincide with the next general election – this is in keeping with timelines that have previously been proposed.
- 3.20. All interested parties are asked to share their views on this conclusion, and the reasoning behind it by 4th March 2020.
- 3.21. It is the Commission's intention to subsequently publish a Response to Consultation and put its final

would likely be detrimental to the Island's competitiveness in future and thus not in the public interest.

- recommendation, taking account of all submissions, before Tynwald for its consideration.
- 3.22. When submitting any views please indicate if you are responding on behalf of an organisation. To ensure that the process is open and transparent, responses can only be accepted if you provide your name with your response. Unless specifically requested otherwise, any response received may be published either in part or in its entirety. Please mark your response clearly to confirm if you wish your response and name to be kept confidential. Confidential responses will be included in any statistical summary and numbers of comments received.
- 3.23. If you think your response should be kept confidential, please specify which part(s) this applies to and explain why. Please clearly mark any confidential sections. If asked to keep part or all of a response confidential, the Commission will treat this request seriously and try to respect it. However, sometimes the Commission may be required to make publically available all responses, including those that are marked as confidential, in order to meet legal obligations.
- 3.24. All information in responses, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2015 and the Data Protection Act 2018).
- 3.25. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding.
- 3.26. The purpose of this consultation is not to be a referendum, but an exercise to gather sufficient evidence with which to make the most informed decision possible. In any consultation exercise the responses received do not guarantee changes will be made to the Commission's proposals. Responses will be fully considered before the Commission publishes any Decision(s). As such it is important for respondees to ensure they have included sufficient rationale, objective justification, and/or evidence in their responses.
- 3.27. If you wish to discuss the issues and questions raised in this consultation, or simply seek clarification, please contact the Commission.
- 3.28. This consultation can be viewed on the Government Consultation Hub <https://consult.gov.im> or through the Commission's web page www.iomcc.im.
- 3.29. Following the closing date all responses will be considered. The Commission will prepare and publish a summary of the responses and its consideration of the responses received, and any further consultation and/or decision(s).

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Annex 1. Other Jurisdictions

The sample size chosen was Western Europe and similar small jurisdictions and markets.

Country	Name of Regulatory Authority	Structure of Authority	Other Background Information
Austria	Austrian Regulatory Authority for Broadcasting and Telecommunications	Political Oversight	The Austrian Federal Government (Republic of Austria) owns 100% of the shares in RTR which are administered by the Federal Ministry of Transport, Innovation and Technology. RTR is headed by 2 managing directors and structured into 2 specialist divisions: the Media Division and the Telecommunications and Postal Services Division. The RTR Supervisory Board's members (including the chairman) are appointed by the Austrian Federal Chancellery and the Federal Ministry of Transport, Innovation and Technology.
Belgium	Belgian Institute for Postal Services and Telecommunications	Executive Management	The Belgian Institute for Postal Services and Telecommunications (BIPT) was created in 1991 as a semi-Governmental body and was given a statute of its own by the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors.
Channel Islands	The Channel Islands Competition and Regulatory Authority	Independent Chair	CICRA comprises the Jersey Competition Regulatory Authority and the Guernsey Competition and Regulatory Authority. It is independent of the States of Jersey and Guernsey and is also responsible for economic regulation. CICRA is led by a joint Board. As at 31 December 2017 the Board comprised a Chairman, 4 Non-Executive Directors, and 2 Executive Directors with 6 staff with offices in Jersey and Guernsey.
Czech Republic	Czech Telecommunication Office	Executive Management	Like other central bodies of state administration, CTU has a separate chapter in the state budget. CTU is an accounting entity. CTU has a five-member Council. The Chairman of the Council is one of the members. The members and the Chairman of the Council are appointed and withdrawn by the Government of the Czech Republic on proposal submitted by the Minister of Industry and Trade of the Czech Republic. The Council members' term of office is five years. One member of the Council is appointed every year. A member of the Council is appointed the Chairman of the Council for the period remaining to the end of their term but not for longer than three years.

Denmark	Danish Business Authority	Executive Management	DBA is a Government department (like our own Department for Enterprise) with most of its focus being on Business Development, Entrepreneurship and Planning (spacial planning, building development etc.). A small aspect is in regulating the telecommunications market to encourage competition and prevent significant market power.
Finland	Finnish Transport and Communications Agency	Executive Management	Merged with the Transport Safety Agency an Finnish Transport Agency on 01 January 2019 and so now also regulate transport.
France	Authorite de Regulation des Communications Electroniques et des postes	Academic/Independent Chair	ARCEP is an independent administrative authority with members appointed by the Republic, the National Assembly and the Senate. 3 of the members (including the Chair) are appointed by the President of the Republic, 2 by the President of the National Assembly and 2 by the President of the Senate. The chairman of the Authority is appointed by the President of the Republic on proposal of the Prime Minister. The members are appointed for a term of 6 years and their terms are irrevocable and non-renewable.
Germany	Federal Network Agency	Executive Management	BNetzA is a separate Authority within the Federal Ministry of Economics and Energy. The Advisory Council of the NNetzA consists of 16 members of the German Bundestag and 16 representatives of the German Bundesrat. The Bundesrat representatives must be members or political representatives of the Government of a federal state. The members and deputy members of the Advisory Council are appointed by the federal Government upon the proposal of the Bundestag and the Bundesrat.
Iceland	Post and Telecom Administration in Iceland	Executive Management	The Administration is an independent body under the ultimate direction of the Ministry of the Interior. Responsibility for the daily activities of the Administration lies with the Director who is appointed by the Minister of the Interior. The Administration advises the Minister on matters relating to postal matters and telecommunications. Although it does have a Rulings Committee should anyone wish to appeal a decision made by the Director.
Ireland	Commission for Communications Regulation	Executive Management	ComReg is the statutory body responsible for the regulation of the electronic communications sector (telecommunications, radio communications, broadcasting transmission and premium rate services) and the postal sector in Ireland. ComReg operates as a collegiate body, with decisions taken collectively by the Commissioners.
Luxembourg	Institut Luxembourgeois de Regulation	Political Oversight	The telecommunications market was the first market to be liberalised in Luxembourg in 1998, following 2 resolutions adopted by the Council of Ministers of the EU. The ILT was created in 1997 to ensure that all competitors can offer their services on an equal footing and without being able to abuse their market position. Its main task was the establishment of rules and conditions enabling the creation of a fair environment for all telecommunications operators. The ILT became the national regulatory

			authority for the sector, but was also responsible for the management of radio frequencies. The ILR have a board of directors who re appointed for a period of 5 years and may be re-appointed once.
Malta	Malta Communications Authority	Independent Chair	The MCA was established on the 1st January 2001 and is the statutory body responsible for the regulation of the various electronic communications sectors, which include fixed and mobile telephony, Internet and TV distribution services. Furthermore, the Authority regulates two other sectors which are the postal services, as well as the eCommerce sector. It has a Board of Directors and a Management Committee. The Chairman is responsible for and has the overall direction of the MCA. The Authority's executive structure is based on cross functional teams operating in a multi disciplinary environment.
Netherlands	Authority for Consumers and Markets	Independent Chair	The ACM is an independent regulator that champions the rights of consumers and businesses. It also regulates healthcare and provides consumer advice. Staff are officially employed by the Dutch Ministry of Economic Affairs whereby the Board is an Autonomous Administrative Authority. The Board has the final say over all decisions issued by the ACM.
Norway	Norwegian Communications Authority	Executive Management	Nkom is an autonomous agency of the Ministry of Transport and Communications.
Portugal	Autoridade Nacional de Comunicacoes	Independent Chair	ANACOM is a legal body governed by public law, construed as an independent administrative entity with administrative, financial, and managerial autonomy and its own assets. ANACOM is organisationally, operationally and technically independent in the performance of its functions and is not subject to government direction or supervision in the exercise thereof, as established in its Statutes. The Board of Directors is responsible for defining and overseeing ANACOM's strategy and for the management of its operations and staff. Members of the Board of Directors are appointed for non-renewable terms of 6 years. Where 2 or more members are appointed simultaneously the terms of their office may not coincide and their duration must be specified to conclude no less than 6 months apart. The members of the Board of Directors are subject to a specific regime of incompatibilities and impediments.
Spain	Comision Nacional de los Mercados y la Competencia	Academic/Independent Chair	The CNMC exercises its functions through two governing entities: the Council and the President, who is also president of its Board. The Council is the governing body that takes decisions. This Council is made up of 10 members appointed by the government, after nomination by the Minister of the Economy. These are respected individuals with professional competence in the Commission's area of action, and they must be approved by the corresponding Committee from Spain's Congress of Deputies. These

			members have a 6-year, non-renewable mandate and are subject to a strict system used to prevent conflicts of interest.
Sweden	Swedish Post and Telecom Authority	Executive Management	PTS is a Government authority under the Ministry of Enterprise and Innovation and is managed by a Board of Directors appointed by the Swedish Government.
Switzerland	Federal Office of Communication	Executive Management	The Federal Office of Communications is part of the Federal Department of the Environment, Transport, Energy, and Communications (DETEC) and performs tasks both for the DETEC and for the Federal Communications Commission.
UK	Office of Communications	Political Oversight	Ofcom's main decision making body is the Board, which provides strategic direction for the organisation. It has a non-executive Chairman, Executive Directors (including the Chief Executive) and Non-Executive Directors. The Executive runs the organisation and answers to the Board. The Chairperson is a member of the UK Parliament.