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**Center for Communications Policies,  
Law, Economics and Technologies –  
CCOM**

University of Brasília, Brazil

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Director

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- FUTURE REGULATORY FRAMEWORKS
  - Network neutrality
  - Structural separation
  - Convergent regulatory frameworks
  - An up-to-date thematic
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- Communications regulatory framework in Brazil: media, telecommunications, internet
    - A paradoxical, contradictory and out-dated scenario
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- Two main normative instruments
    - The Brazilian Code of Telecommunications (Law 4117, August 27, 1962)
    - The General Law of Telecommunications (Law n. 9472, July 16, 1997)
  - The paradox:
    - In 1962, a 'convergent' legislation: broadcast and telephony, plus data transmission
    - In 1997, a 'divergent' legislation: telephony, data and, paradoxically, cable and the other forms of subscription television
  - A 'divergence' even inscribed in the Federal Constitution, in 1995
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- The motive: keep the broadcast industry out of the reach of any significant new legislation and, mainly, untouched by any kind of autonomous regulation
  - By comparison: an extreme view of First Amendment protection over broadcasters
  - Only rights, no duties
    - The length of the broadcast licenses - 15 years for television and 10 years for radio –, for example, has been constitutionalized
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- On the side of telecommunications: competition, network neutrality, structural separations, convergence
  - On the side of broadcast: concentration of licenses, of markets, and of programming production, plus dedicated, closed, networks
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- Political, and policy, fragmentation:
    - Ministry of Communications / Broadcast (and some policy making)
      - National Telecommunications Agency (Anatel) / Telecom and Subscription Television regulation
    - Ministry of Culture / Strong policy-making regarding movies, mainly, and general audiovisual production
      - National Agency of Cinema (Ancine) / Financing of movies and other audiovisual production; some, regulation attributions
    - Chief of Staff (Casa Civil) / Overall supervision and strong policy-making attributions
    - Office (Secretaria) of Government Communication (Secom) / some policy-making attributions
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- In conclusion:
    - The centrality of broadcast media in the overall political processes
    - The centrality of the broadcast media in lobbying policies and legislation
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