



**Brazilian National de Telecommunications
Agency - *Anatel***

ENFORCEMENT AND DISPUTE RESOLUTION

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Anatel's Mandate

- **GENERAL TELECOMMUNICATION LAW, JULY/1997**
- **ENTAILED TO THE MINISTRY OF COMMUNICATION**
- **INDEPENDENT AGENCY**

ROLE OF ATRIBUTION:

- **Granting/Forfeiture of Telecom Services;**
- **Authority to regulate;**
- **Authority to enforce regulation:**
 - (i) **Request specific information;**
 - (ii) **investigate;**
 - (iii) **Halt and seal unlicensed operation.**



Anatel's Mandate

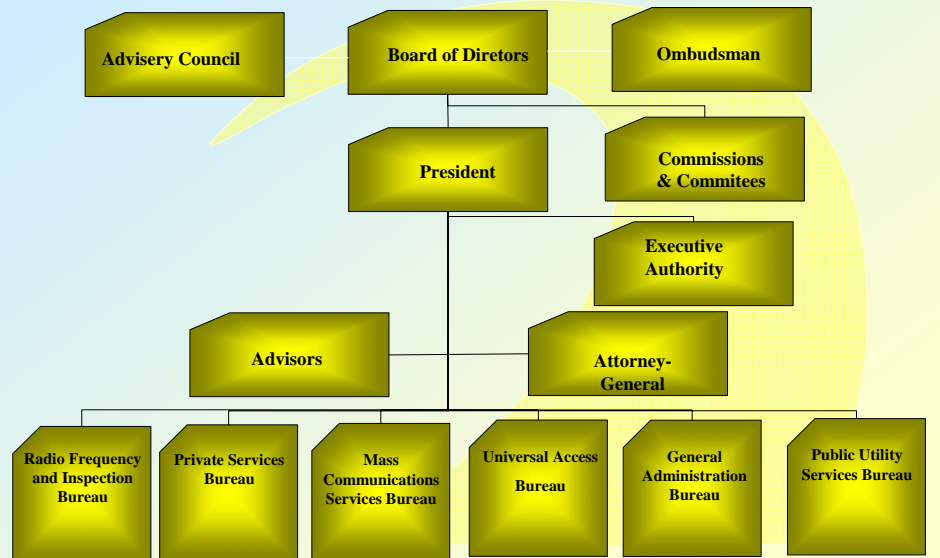
•POWER TO:

- “Settle conflicts of interest”:
 - among telecommunication service providers.
 - among telecommunications operators and users.

Administrative Council for Economic Defense (CADE) and ANATEL are responsible for assuring a healthy competitive environment in the telecom sector, inhibiting unfair commercial and technical practices.

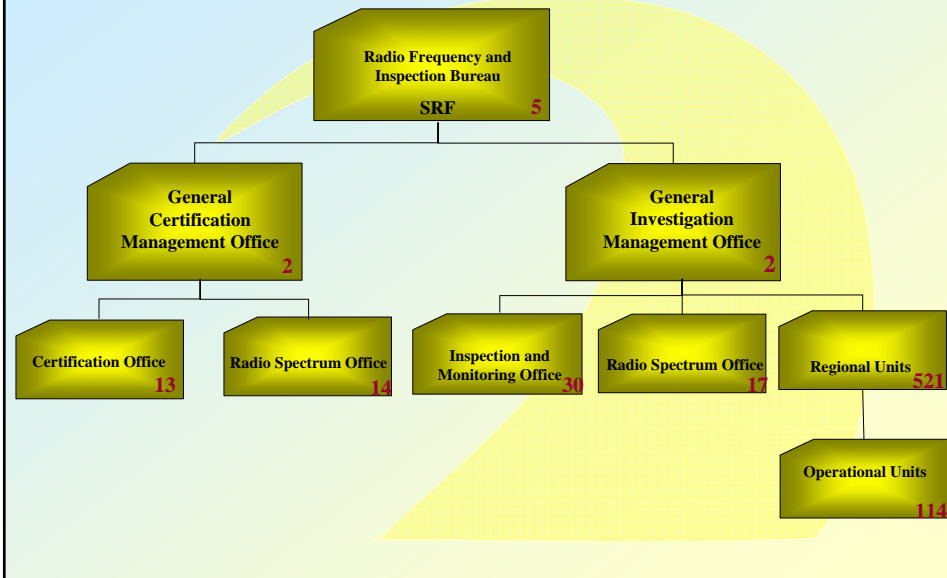


Anatel's Organizational Structure

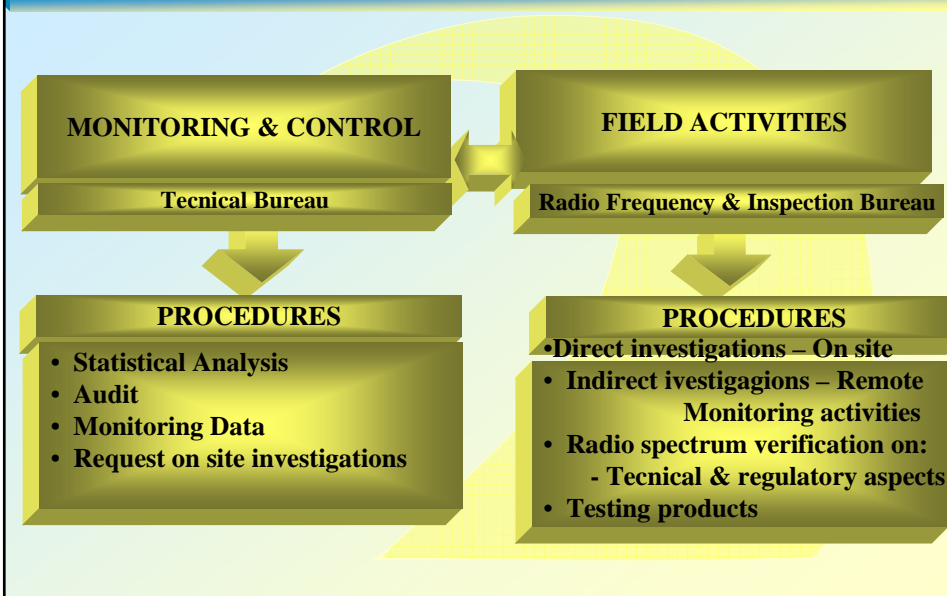




Radio Frequency and Inspection Bureau's Organizational Structure



Investigative Procedures





Inspection Summary

<u>In-Site</u>	<u>Remote</u>	<u>Total</u>
2004 = 24.780	2004 = 162.443	2004 = 187.223
2005 = 30.262	2005 = 252.019	2005 = 282.281



Sanction Process

- INVESTIGATION / COMPLAINTS
- PROCEDURE FOR VERIFICATION OF NONCOMPLIANCE WITH AN OBLIGATION
- DUE PROCESS
- DECISION



Sanction Types

- **WARNING**
- **FINE**
- **LICENCE REVOCATION**
- **INTERVENTION**
- **REDRESS TO SERVICE USERS**
- **SERVICE INTERRUPTION**
- **LIGHT / MEDIUM / SEVERE**



Sanctions Parameters

- **TYPE OF SERVICE**
- **NUMBER OF USERS AFFECTED**
- **SERIOUSNESS OF THE VIOLATION**
- **GAIN ON THE VIOLATION**
- **EXISTENCE OR NOT OF PREVIOUS VIOLATION**
- **PROPORTION**
- **ECONOMIC CONDITIONS OF THE OFFENDER**



Dispute Resolution

- **MEDIATION**
- **ADMINISTRATIVE ARBITRATION**
- **ARBITRATION**



THANKS

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