

Cite as: 1 NCTU L. REV., June 2017, at 131.

On How PRC Telecommunication Act Draft Effect Spectrum Law

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Abstract

Without a sole and comprehensive law on PRC Telecommunications, the controversy about the applicability of the spectrum law is aroused. Currently, the law considers the rights over a spectrum as rights of thing, and a spectrum is defined as a state-owned capital through its assignment and allocation. However, a spectrum has a wide influence. Once the telecommunication act arouses the controversy on the utilization of former act, would implementation on the spectrum law be worthy expecting as what we anticipated? The study will elucidate the possible influences and the impacts on the telecommunication market after PRC passed the telecommunications act draft. By means of analyzing historical phases in sociology of law, comparing the differences between the Telecommunication Act Draft and the spectrum law, and discussing the impacts brought by both of them, the study will include personal opinions and discussions on PRC's imminent implementation of the Telecommunications Act.

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Keywords: PRC Telecommunication Act, Spectrum, Telecommunication Industry, Legal System of Science and Technology, Regulation on Telecommunication