Report on contractual simplification for public consultation
Report on contractual simplification

• Collate information on practices and initiatives in Member States to prescribe key information elements for contracts

• Provide relevant information that NRAs can use or refer to for any initiatives they may undertake to simplify consumer contracts

• Basis for BERECS’s input to the Commission’s implementing act prescribing a contract summary template
Findings from NRA survey

• In several MS measures and initiatives had been taken to clarify matters in consumer contracts

• This report represents an aggregation of the responses received from NRAs by collating the information received and highlighting the key informations:
  – The identity of the trader
  – The main characteristics of each service provided
  – The price for each service provided
  – The duration of the contract and the conditions for its renewal and termination
  – Quality of Service
  – Compensation and refund arrangements
  – Additional information elements, such as personal data processing, complaint handling procedures, etc.
Next Steps

• Report published for public consultation
  – Deadline for submissions 14.00 pm (CET) Wednesday 7 November

• [Q1 2019] EU Commission to seek BEREC’s input as it prepares its Implementing Acts specifying a contract summary template

• [Q2 2019] BEREC provides input to EU Commission
Report on the implementation of the NN Regulation
Second implementation report

Scope of the report

• Overview of the activities of the NRAs in the course of implementing the net neutrality provisions of Regulation (EU) 2015/2120 and associated BEREC Net Neutrality Guidelines.
• Reporting period: 1 May 2017 to 30 April 2018 (second year of the application of the Regulation)
Commercial and technical conditions related to the provision of IAS

- Zero-rating offers in almost all countries (27): music/video streaming and social networking most frequently mentioned

- In no country a Zero-Rating product was banned based on Art. 3(2) alone, but most assessments of Zero-Rating products were done on the basis of traffic management rules (Art. 3(3)), e.g. there were some offers that allowed access to zero-rated services after the data cap had been reached

- Traffic management practices were assessed formally by 11 NRAs

- Ongoing monitoring activities for investigating so-called “specialised services”
Transparency measures and contractual terms

• With regard to the types of speed-related information required under Article 4 there are different national specifications (15 NRAs)

• In almost half of the countries, ISPs have not yet included required speed information in their contracts

• Most NRAs monitor end-user complaints about the performance of the internet access service

• Two out of three NRAs offer an internet access service quality monitoring mechanism to consumers
What’s next?

• Ongoing exchange about cases within the Net Neutrality Expert Working Group to contribute to a coherent application of the Regulation
• BEREC Opinion on the evaluation of the NN Regulation
  – Publication in Plenary 4
Public consultation on Data Economy
Public consultation on Data Economy – Participate!
Public consultation on Data Economy - Objectives

- Identify
  - Issues for NRAs in relation to the transition towards a data-driven economy in Europe

- Consider
  - Interrelations with ex-post regulatory activities and the work of other institutional bodies

- Analyse
  - Impact of data on our sector
  - Potential influence on NRA’s market analyses.
Public consultation on Data Economy - Content

• Definition of the data economy and taxonomy
  – E.g. economic characteristics competition concerns
• ECS as enabling factor for the data economy
  – E.g. relevant parameters for the development, potential bottlenecks
• Impact of the data economy on competition for ECS markets and the relevance for the ECS value chain
  – Commercialisation of data by ECS providers and cross-sectorial initiatives
  – Leverage of market power and conglomerate effects, and other potential competition issues derived from the use of data
  – Opportunities and risks for consumers
• NRAs ECS regulatory activity and experiences in the context of the data economy
Draft
BEREC Work Programme 2019
Key themes for WP 2019

• **Longer term planning** – 2 year timeframe
• **Harmonising implementation** of the new Code and other legislation, using expertise from national regulators
• **Continuing to look forward**, identifying and addressing issues for the future
• **Collaborating** with stakeholders, in the EU and further afield
Harmonising implementation

- **12 sets of guidelines** including
  - Update to BEREC guidelines on net neutrality
  - Guidelines related to intra-EU calls and SMS
  - Guidelines related to co-investment
  - Guidelines related to symmetric access
- **8 opinions to the Commission** including
  - Opinion on functioning of the roaming market
  - Opinion on contract summary template for consumer contracts
- **3 databases**
- Experience sharing workshops
Looking forward

• Reports and studies include
  – Issues arising from the **impact of 5G on regulation** and the role of regulation in enabling the 5G ecosystem
  – Study on **dynamics of investment in connectivity** via very high capacity networks
  – Finalising report on the **data economy**

• Workshops include
  – Towards a vision for Europe’s telecom consumers
  – **Migration from legacy infrastructures to fibre based networks**
Collaborating with stakeholders

- Supporting **stakeholders in the EU** including
  - The Commission
  - RSPG
  - Other EU institutions and bodies
- Dialogue with **international colleagues**, especially in the Western Balkans
Next steps

• Public consultation from 10 October – 7 November

• Draft Work Programme updated

• Final version of 2019 Work Programme published in December

• Outline Work Programme for 2020 published next January
International Activities
Cooperation with CRTC (Canadian Regulator)
Other outcomes
Other documents adopted

- International Roaming BEREC Benchmark Data Report (Period: October 2017 – March 2018)
- BEREC Report on the Location of the Network Termination Point
- BEREC Report on European Benchmark of the Pricing of Bundles - Methodology Guidelines
- BEREC Input to the EC on WACC
- BEREC Open Data Policy
- BEREC Report on Pricing for Access to Infrastructure and Civil Works according to the BCRD
- BEREC Report on International Mission to Canada and the US
Overview Public Consultations

- Work Programme 2019: open until 7 November
- Report on Contractual Simplification: open until 7 November
- Report on Pricing for Access to Infrastructure and Civil Works according to the BCRD: open until 7 November
- Data Economy: open until 21 November

Participate on: consultations.berec.europa.eu
What’s next?
Outlook

- BEREC Stakeholder Forum: 17 October 2018
  https://www.youtube.com/watch?v=bqQWazfFBjk
- Next Plenary: 6-7 December 2018 in Prague
- Next Public Debriefing: 12 December 2018
• **Contact for Press and Media**
  – press(at)berec.europa.eu

• **Social networks**
  – Official [Twitter](https://twitter.com) account
  – Official [LinkedIn](https://www.linkedin.com) corporate page
  – Official [YouTube](https://www.youtube.com) account

• **Information Sharing Portal**
Thank you!

Body of European Regulators for Electronic Communications