

# Public debriefing 36<sup>th</sup> BEREC Plenary Meeting

Johannes Gunzl, BEREC Chair 2018

Jeremy Godfrey, BEREC Chair 2019

Brussels, 10<sup>th</sup> October 2018

Body of European Regulators  
for Electronic Communications

**BEREC**

The logo for BEREC (Body of European Regulators for Electronic Communications) features the word "BEREC" in a bold, sans-serif font. The letters "B", "E", "R", and "E" are in a dark blue color, while the "C" is in a dark red color. A thin, dark blue curved line starts under the "R" and sweeps under the "C", ending under the "C".

# **Report on contractual simplification for public consultation**

- 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 BEREC's input to the Commission's implementing act prescribing a contract summary template

- 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.

- 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

### 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)

- 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

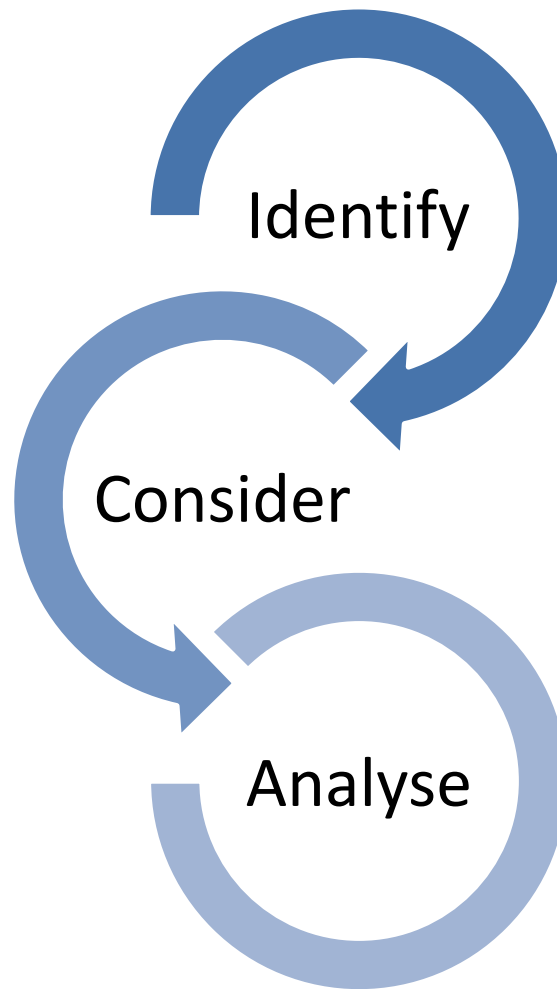
### What's next?

- 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



- Issues for NRAs in relation to the transition towards a data-driven economy in Europe
- Interrelations with ex-post regulatory activities and the work of other institutional bodies
- Impact of data on our sector
- Potential influence on NRA's market analyses.

- 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**

- **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



- 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

- 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**

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

- 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

- 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](https://consultations.berec.europa.eu)

# What's next?

- **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](mailto:press@berec.europa.eu)

- **Social networks**

- Official [Twitter](#) account



- Official [LinkedIn](#) corporate page

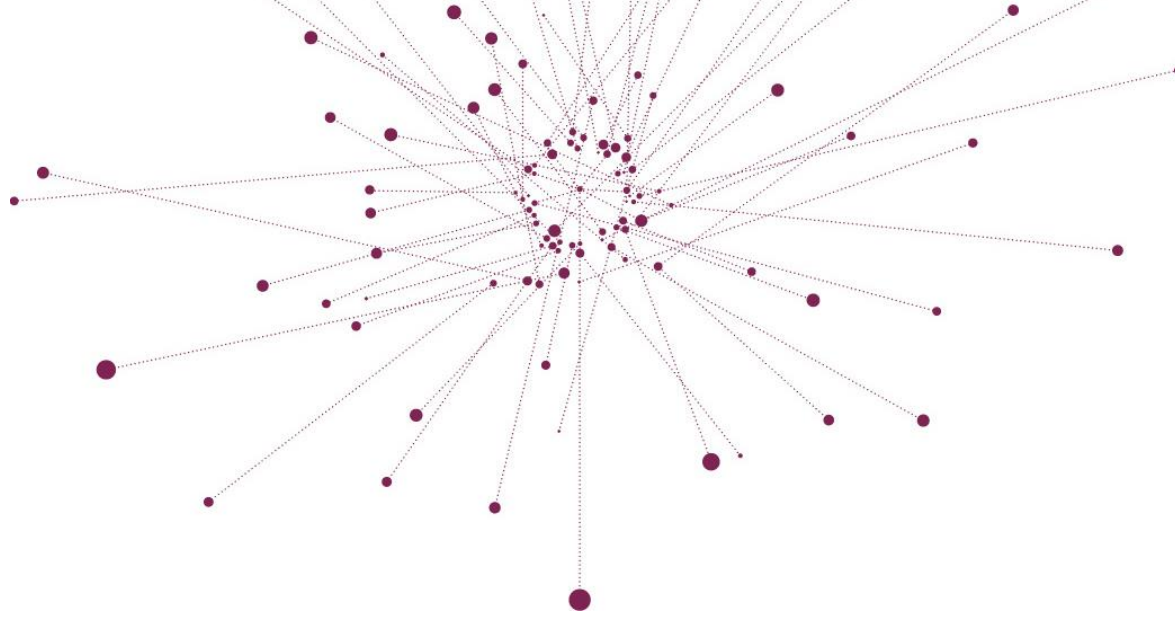


- Official [YouTube](#) account



- **Information Sharing Portal**

- <https://isportal.berec.europa.eu/>



Thank you!

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