

Press release

Statement on BEREC's work to produce guidelines for the implementation of net neutrality provisions of the TSM regulation

The Telecoms Single Market Regulation¹ includes a duty in Article 5(3) for BEREC to lay down guidelines for the implementation of the obligations of NRAs related to the supervision, enforcement and transparency measures for ensuring open Internet access. These guidelines should contribute to the consistent application of the Regulation, and be produced after consulting stakeholders and in close cooperation with the European Commission. This statement sets out how BEREC is approaching this task.

The guidelines shall be adopted no later than nine months after the Regulation has entered into force (29th November), which means BEREC must finalise its guidelines by the end of August 2016.

As an initial step in its work on the net neutrality guidelines, BEREC has met with a number of stakeholders to gather views – meetings are being held on 15 and 16 December with stakeholder organisations at the European level representing ISPs, equipment manufacturers, content and application providers, end users and consumers, and civil society.

At these meetings, BEREC is seeking the views of stakeholders on four topics:

- The kinds of traffic management practices which will be allowed under the new rules;
- The role and nature of specialised services and how they relate to the new rules;
- The parameters of Internet access quality (e.g. speeds) on which ISPs will be required to provide information;
- The extent to which “commercial practices”, such as zero-rating, can co-exist with the new rules.

Following these stakeholder meetings, BEREC will begin its work to develop the guidelines. In doing so, BEREC will draw on existing BEREC net neutrality publications as well as on the input received at the stakeholder meetings.

¹ the Regulation of the European Parliament and of the Council laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union, which is due to be published in the Official Journal in the coming days, and enter into force three days later.

BEREC will publish draft guidelines for public consultation following the June 2016 Plenary meeting. BEREC will then take account of all comments received before publishing the guidelines by the end of August 2016.

15 December

For further information:

press@berec.europa.eu

NOTE TO THE EDITOR

About BEREC

BEREC (Body of European Regulators for Electronic Communications) is composed of a Board of Regulators consisting of the Heads of the 28 national regulatory authorities (NRAs). BEREC advises the European Commission and its member NRAs, and assists the European Parliament and Council, on issues related to the application of the EU regulatory framework for electronic communications. BEREC seeks to ensure fair competition and consistency of regulation in the internal market for electronic communications, for the benefit of European consumers.

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