

## Press Release

17 March 2021

### **BEREC adopts Opinion on the Broadband Cost Reduction Directive and Digital Markets Act, as well as Guidelines on Geographical surveys**

#### **Full Connectivity**

In line with BEREC's strategic priority of promoting full connectivity throughout Europe, BEREC highly supports processes to boost investment in very high capacity broadband connectivity infrastructure, including 5G, on a European-wide level. During the 46th BEREC plenary meeting, the Board of Regulators adopted the **BEREC Opinion on the Broadband Cost Reduction Directive (BCRD)**.

The BEREC Opinion focuses on the topics requested by the European Commission, including wireless networks and sustainability aspects. BEREC prioritises work that improves the general conditions for the expansion and take-up of secure, competitive and reliable high-capacity networks, both fixed and wireless, across Europe while ensuring a smooth transition from legacy infrastructures.

#### **Digital platform regulation**

During the public debriefing on 17 March 2021, the BEREC Chair Michel Van Bellinghen (BIPT, Belgium) provided more insight into BEREC's ongoing work on **ex ante regulation of digital gatekeepers**.

During the plenary meeting, the Board of Regulators also adopted the **BEREC Opinion on Digital Markets Act (DMA)**. BEREC strongly supports the European Commission's ambition to create contestable and fair markets in the digital sector for the benefit of European citizens and businesses. BEREC welcomes *ex ante* asymmetric regulatory intervention targeting these digital gatekeepers, as it is necessary to ensure that competition and innovation are encouraged. With the legislative negotiations ongoing, BEREC puts forward a number of **proposals to complete the DMA**.

BEREC's assessment relies on its two-decade experience in the application of *ex ante* regulation for opening the former monopolistic electronic communications markets to competition, while protecting end-users' rights and ensuring openness at the network layer. Given the successful achievement of objectives through its regulatory intervention, BEREC considers that such experience can be very valuable for the design, implementation and enforcement of the Digital Markets Act.

BEREC presented a **draft Report** that is now open for public consultation. The draft Report puts forward proposals for a swift, effective and future-proof regulatory intervention targeting digital gatekeepers, in light of the Digital Markets Act. BEREC outlines that appropriate regulatory measures and enforcement are essential for any regulatory intervention for reaching its report's objectives.

Furthermore, the Board of Regulators also adopted a **draft Report on harmonised definitions for indicators regarding over-the-top (OTT) services, relevant to electronic communication markets**, for public consultation. The draft Report aims at collecting relevant indicators for NRAs with respect to OTT services, to be used for performing their regulatory tasks as set out in the European Electronic Communications Code.

### **Very high capacity networks**

With the adoption of the **Guidelines on Geographical surveys of network deployments regarding the consistent implementation of Article 22 (2), 22 (3) and 22 (4)**, BEREC concluded the task entrusted by the co-legislators to implement the EECC. The document covers the optional policies for national regulatory and other competent authorities. They may implement these policies to inform private and public agents of the non-availability of very high capacity networks (VHCN) in areas with precise boundaries and invite agents to declare intentions to deploy VHCNs in these areas.

### **End-user protection**

During the 46th BEREC plenary meeting, BEREC also adopted a **draft Report on the handling of third party payment charges on mobile phone bills**, for public consultation. This draft Report aims, among other things, to provide an overview of the charges that are being collected by operators on behalf of third party providers in the Member States.

### **Early inputs from stakeholders**

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During the public debriefing, the incoming BEREC Chair Annemarie Sipkes (ACM, the Netherlands) encouraged BEREC stakeholders to submit early contributions to the **BEREC Work Programme 2022**. She also invited all interested parties to participate in the **9th BEREC Stakeholder Forum**. It gives stakeholders the opportunity to engage with the BEREC Chairs and experts on the essential issues of the electronic communications market. The registration for the event is [open](#).

A [full list of public documents](#) adopted at the 46th plenary meeting is available on the BEREC website. The 47th BEREC plenary meeting will take place on 9-11 June 2021.

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