

Public debriefing 36th BEREC Plenary Meeting

Johannes Gunzl, BEREC Chair 2018

Jeremy Godfrey, BEREC Chair 2019

Brussels, 10th 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 from the bottom of the "R" and sweeps under the "E" and "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?

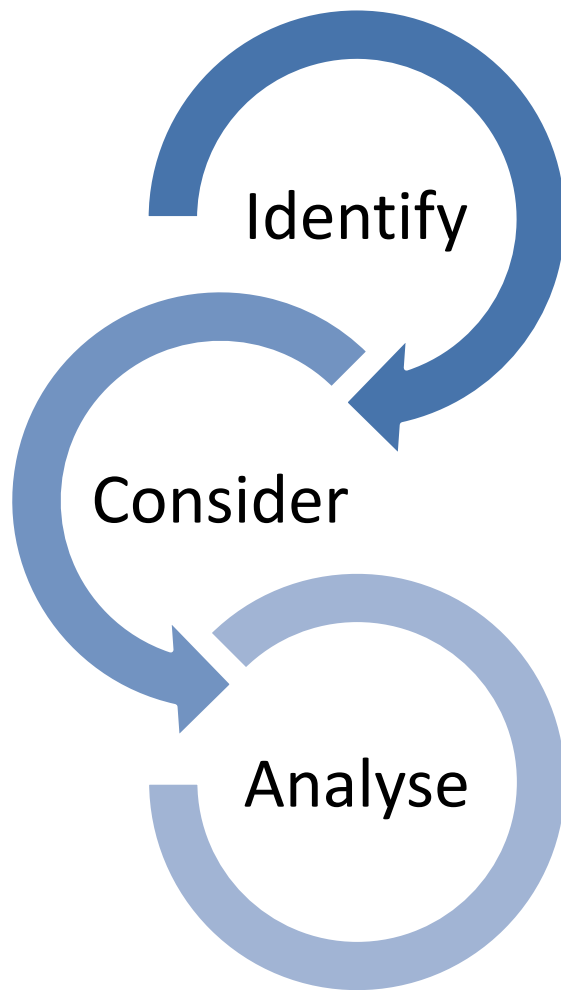
- Ongoing exchange about cases within the Net Neutrality Expert Working Group to contribute to a coherent application of the Regulation
- BEREC Opinion on the evaluation of the NN Regulation
 - Publication in Plenary 4

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

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

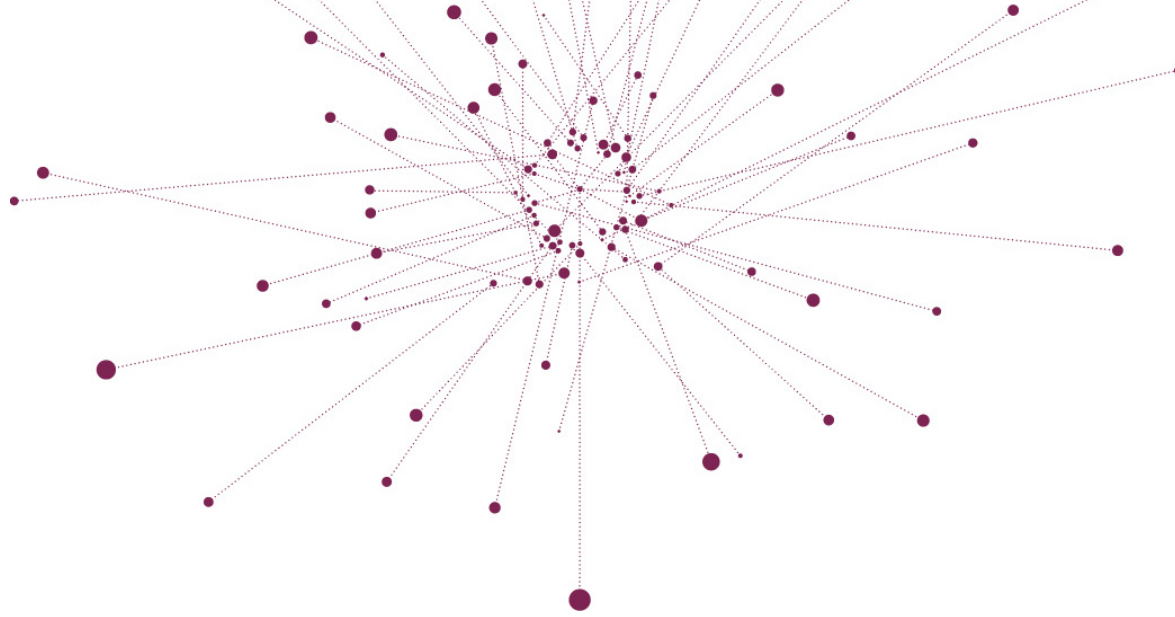


- Official [YouTube](#) account



- **Information Sharing Portal**

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



Thank you!

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