

## **Notice for the launch of the public consultation for the draft BEREC Report on termination of contracts and switching the providers**

This public consultation is seeking stakeholders' views regarding a [draft BEREC Report on termination of contracts and switching the providers](#).

The objective of this consultation is to gather stakeholders' comments and observations on the content of the draft BEREC Report.

The ability and willingness of consumers to terminate contract or to switch between service providers is in the respect of electronic communications services (ECS) a key facilitator of consumer choice and effective competition in a competitive telecommunications environment. All consumers should have the right to choose their service provider at any time.

The level of consumer switching activity is an important measure of competition in ECS markets.

Barriers to switching (switching costs) are present in many retail markets and consumers may be discouraged from changing (switching) provider for a better contract by financial barriers or penalties for leaving contracts early. Less explicit barriers, such as uncertainty about the relative merits of different contracts, or the inconvenience associated with changing provider, may also decrease switching activity.

The implications of this however is that the consumer can be penalised for remaining as a loyal customer with their existing provider and not avail of the benefits that can be gained by moving to a new provider. The ability to switch operator enables consumers to drive competition and ultimately promotes that a better quality of service is offered by Communication Providers (CPs) hoping to attract those consumers who are willing to exercise choice. So, consumers have to weigh up various factors to determine if the costs associated with switching are worth it or if it is too hard or difficult to shop around.

This report collates information on the approaches to switching across different communications services focusing on nine categories. It discusses the processes used in MS and the applicable rules in each MS to ensure that there are robust safeguards and adequate protection for consumers against any failures or drawbacks within the switching process.

**The public consultation is open from Wednesday, 12 December 2018, at 14:00 CET to Friday 18 January 2019, at 17:00 CET.**

**Contributions received after the above mentioned deadline will not be taken into account.**

All stakeholders are invited to submit their contributions to the following e-mail address: [BEREC\\_PC\\_Contract\\_Termination@berec.europa.eu](mailto:BEREC_PC_Contract_Termination@berec.europa.eu) or via the BEREC online public consultation platform on <https://consultations.berec.europa.eu/en/berec>

When registering with the consultation platform, please indicate your name and/or the name of the organisation or company you represent.

Further enquiries about the consultation including registration with the online platform may also be submitted to this address: [BEREC\\_PC\\_Contract\\_Termination@berec.europa.eu](mailto:BEREC_PC_Contract_Termination@berec.europa.eu)  
E-mail attachments could be included only if considered absolutely necessary.

### **Practical details of the public consultation**

In accordance with the BEREC policy on public consultations, BEREC will publish a summary of all received contributions, respecting confidentiality requests.

The overall size of the e-mail (including attachments) should not be larger than 2 MB.

After submitting the contribution via e-mail, an automatic reply will be generated. If this confirmation e-mail is not received, the submission of the contribution was not successful and it should be submitted again.

We strongly encourage all stakeholders to submit their contributions as early as possible. **Contributions received after the above mentioned deadline will not be taken into account.**

### **Contributions should preferably be sent in English.**

This public consultation is organised mainly in BEREC online public consultation platform <https://consultations.berec.europa.eu/en/page/berec> in a way that allows participants to submit their comments, to provide feedback on comments and parts of the text or to upload their public or confidential files in every section.

**It also provides the possibility to download the “word” consultation document** for organisations and stakeholders that would like to share it with their partners to consolidate their views and comments in a single file input.

A single file input can be also uploaded on the platform at any “Add comment” section of the discussion, ensuring the classification of this input as public or confidential.

However, in case you send your comments by e-mail, your answers should be organised according to the requested structure (i.e. paragraph by paragraph) in order to facilitate processing the responses.

All contributions will be published on the BEREC website, taking into account requests for confidentiality and publication of personal data. Any such requests should be clearly indicated as: “Consider this contribution as confidential” or, if submitted via e-mail, by clearly stating which information is considered confidential.

Please note that it is also possible to submit both a confidential and a public version of your contribution on the email address: [BEREC\\_PC\\_Contract\\_Termination@berec.europa.eu](mailto:BEREC_PC_Contract_Termination@berec.europa.eu)