



digital@beuc.eu 07.11.2018 - 11:49

Q1. Do you have any comments or observations regarding the summary of NRAs initiatives and measures, set out in Section 2, to assist consumers to better understand their ECS contracts?

BEUC is pleased to see that BEREC recognises the complexity of contracts between consumers and the electronic communication services' (ECS) providers, which can put consumers in a difficult and disadvantages position towards operators and impedes easy comparison of services. We are glad to see as well that according to the results of the mapping conducted by BEREC, the National Regulatory Authorities (NRAs) or other national authorities have undertaken a series of different measures to remedy this. Such mapping is without a doubt important for further information and best practices sharing between these authorities.

However, what we see missing are more concrete conclusions included in the report. For example, the authorities have not been asked about the level of compliance in their countries with the non-legally binding measures (guidelines, codes of conducts etc). Such information could be important for all the authorities that will need to decide on any future measures to be taken in this field. In BEUCs view, legally binding measures can bring much better results for consumers and we would therefore like to see them promoted within the BEREC network.

Q2. Do you have any comments or observations regarding the summary of NRAs ranking of the key information elements, set out in Section 3?

BEUC welcomed the idea to have a contract summary template that all providers of ECS must fill in, share with their consumers, and then integrate into the contracts for their services. This contract summary template, which now the Commission is mandated to

¹ <https://www.discuto.io/en/consultation/33136>

develop via an implementing act under the Telecom's code, should help consumers compare services, including bundled offers, more easily, and be designed with consumers' needs in mind.

We also support the idea of seeking NRAs feedback as to the ranking of the key information elements to be provided to consumers. Their specific knowledge and experience in this area shall be taken into account.

Q3. Do you agree with the NRAs views on the rankings of the key information elements for the summary template?

Overall, it seems all the main elements have been rightly identified by the NRAs. We will further consult our members on the details regarding the ranking and importance of the different information elements to consumers.

Q4. Do you have any views on how a contract summary should be drafted?

In BEUCs view the contract summary should:

- Take not more than 1 page (or a maximum of 4 000 characters)
- Be provided in the language of the MS where the consumer resides
- Use a legible font size with appropriate contrast and colour of the font and the background
- Use sections and paragraphs with clear headings
- Highlight important terms, or put them upfront, to attract consumers' attention, for example those imposing obligations, setting deadlines or excluding or limiting rights.
- Use simple and plain language (e.g. use short sentences, avoid using passive voice, define key or complicated terms)
- Use symbols, visual aids, graphics and as much as possible
- Use layered approach where possible with layer of information to be provided more detailed than the previous one