

Roaming Regulation

2021/0045(COD) - 24/02/2021 - Legislative proposal

PURPOSE: to extend the EU-wide roaming market rules by 10 years to allow citizens to continue to benefit from roaming without additional charges when travelling within the EU.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the Commission recently reviewed Regulation (EU) 2015/2120 which amended Regulation (EU) 531/2012 and abolished roaming surcharges from June 2017 for an initial period of five years, subject to fair use of roaming services and the option to apply a sustainability derogation mechanism.

In November 2019, the Commission published its first full review of the roaming market, showing that travellers across the EU have benefited significantly from the end of roaming charges in June 2017. The use of mobile services (data, voice, SMS) while travelling in the EU has increased rapidly and massively, confirming the positive impact of roaming rules.

The review also concluded that the current wholesale and retail regulation is still necessary to ensure the viability of roaming. The Commission is therefore proposing a new regulation to extend the current rules, which expire in 2022, by ten years.

The proposal to revise the existing roaming rules is part of the overarching ambition A Europe fit for the digital age and the specific objective Digital for consumers.

CONTENT: this proposal for a recast of Regulation (EU) No 531/2012 aims to extend the rules applicable to the EU-wide roaming market until 30 June 2032, while adjusting the maximum wholesale charges to ensure sustainability of the provision of retail roaming services at domestic prices, introducing new measures to increase transparency and ensuring a genuine roam-like-at-home experience in terms of quality of service and access to emergency services while roaming.

The proposed amendments to the existing rules are as follows:

Sustainability of roaming for operators

The Commission proposes to set EU-wide wholesale roaming maximum charges for calls made, SMS messages and data at lower levels than those valid until 30 June 2022. The proposal sets out a two-step glide path for the maximum wholesale charges applicable for data, voice and SMS. The new maximum wholesale charges should act as a safeguard level and should ensure that operators can recover their costs.

Increased transparency

The proposed amendments aim to increase transparency at retail level regarding:

- quality of service (by bringing in an obligation for operators to clarify in their contracts with customers the quality of service that they can reasonably expect when roaming in the EU);
- communications on value-added services (by obliging operators to provide, in their contracts with customers, information on the type of services that may be subject to higher charges and similar information in the welcome SMS);
- access to emergency services (by bringing in an obligation for operators to include information on the different possibilities to access emergency services when roaming in the welcome SMS).

The proposal also aims to increase the level of transparency at wholesale level by creating a centralised EU database of number ranges for value added services. This database would give operators direct access to information on numbering ranges that may lead to higher costs in Member States.

Improving the quality of roaming services offered to travellers

The proposal obliges roaming service providers to ensure, where technically feasible, that roaming services are provided under the same conditions as if they were consumed domestically and mobile network operators to provide access to all available network technologies and generations).

Free-of-charge access to emergency services abroad

The proposed new rules would ensure effective access to emergency services, including by improving information on alternative means available to people with disabilities. To this end, the proposal provides for:

- the obligation for operators to provide in the wholesale agreement all regulatory and technical information needed to implement free-of-charge access to emergency services and free-of-charge caller location;
- the obligation not to levy on the roaming provider any charge related to emergency communications and transmission of caller location information.

The proposal also includes a number of amendments to simplify and reduce the regulatory burden.

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and conditions as for domestic consumption of those services, and mobile network operators to provide access to all available network generations and technologies.

Free access to emergency services

The proposed new rules would ensure effective access to emergency services, including by improving information on alternative means available to people with disabilities. To this end, the proposal provides for:

- an obligation for operators to provide in the wholesale roaming agreement all regulatory and technical information necessary to implement free access to emergency services and the provision of caller location information free of charge
- an obligation not to charge the roaming provider for emergency calls and the provision of caller location information.

The Directive also includes a number of amendments to simplify and reduce the regulatory burden.