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Bundesverband

BEREC-BEUC joint workshop on end user rights

Session 2 – contractual terms

The 24-months commitment period in practice from a German
consumer perspective

15/10/2025



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Do companies comply with the legal requirements, and are these still up to date?

Overview

1. Legal foundation
2. Start and end of the commitment period
3. No extension to more than 24 months
4. Need for further flexibility
5. Key takeaways



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1. Legal Foundation

- Art. 105(1) EECC => Sec. 56(1) German Telecommunications Act
- Germany: 24 months maximum commitment period
 - obligation to offer at least one tariff with a commitment period not longer than 12 months



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2. Start and end of the commitment period

- Commitment period starts with the **conclusion** of the contract
- Providers are trying to find ways to push back the end of the commitment period
 - Claim that it only starts with the activation of the connection
 - Rejection of terminations as invalid before activation of connection
 - Fixed compensation clauses in general terms and conditions



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3. No extension to more than 24 months

- Maximum commitment period applies to all contracts, not just initial ones
- Addition of remaining contract term and new commitment period is not allowed
 - Total commitment period may not exceed 24 months



Judgment of 13 February 2025, *Verbraucherzentrale Berlin e.V. v Vodafone GmbH*, C-612/23, ECLI:EU:C:2025:82



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4. Need for further flexibility

- Maximum commitment period should be shortened => 12 months
- In times of ever faster change and development consumers needs also change more quickly
- Lively competition between providers would also lead to better customer service and more attractive offers
- Providers would have more opportunities to convince consumers of the benefits of their offers and thus attract new customers



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5. Key takeaways

- Many providers illegally try to bind their customers longer than 24 months
- Short commitment periods are good for consumers and the market because they stimulate competition
- It's time to shorten the maximum commitment period on a European level (for example to 12 months)



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Thank you!



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