

Body of European Regulators  
for Electronic Communications

**BEREC**

**9<sup>th</sup> BEREC  
Stakeholder  
Forum** **ONLINE**

1 April 2021

# THE IMPACT OF THE MARKET AND TECHNOLOGICAL DEVELOPMENTS ON THE APPLICATION OF THE END-USERS RIGHTS

Michel Van Bellinghen  
BEREC Chair 2021

## **BEREC Opinion on the market and technological developments and on their impact on the application of rights of end-users in the EECC**

- **Due for adoption mid-December 2021**

## Art. 123 End-user rights Review

Body of European Regulators  
for Electronic Communications

**BEREC**  
Opinion

Do the end-user rights provisions [in art. 98-115] of the EECC

In particular taking into account the **scope** of Title III of Part III as regards the **types of electronic communications services covered**

still

**Market and technological developments** regarding different types of electronic communications services (ECS)

meet the objectives of Art. 3?

- (a) promote **connectivity** and access to, and take-up of, very high capacity networks
- (b) promote **competition**
- (c) contribute to the development of the **internal market**
- (d) promote **the interests of the citizens of the Union,**

As a basis:

- a) Are end-users of all ECS able to make free and informed choices + able to switch easily?
- b) If not, market distortion or end-user harm?
- c) Is effective access to emergency services appreciably threatened due to increased use of [Over The Top] Communication Services?
- d) What is the likely cost of readjustments of obligations or impact on innovation for ECS providers?

**By 21 Dec 2021**

+

Every 3 years thereafter

or

upon reasoned request from at least two of [BEREC's] Member State members