

Report on measures for ensuring equivalence of access and choice for disabled end-users

9 June 2022

Contents

Executive summary	2
1 The policy principle	4
1.1 The legal background.....	4
1.2 The equivalence concept	6
2 Implementation of the EECC and other regulations	6
2.1 Implementation of the EECC.....	7
2.2 Other measures	11
3 Measures and initiatives currently in place	12
3.1 Access and affordability	12
3.2 Equipment, software and website information.....	14
3.3 Customer services and complaints	17
3.4 Availability of terminal equipment.....	20
3.5 Other additional services/measures in place.....	20
4 Competences of NRAs	24
5 Funding mechanism	24
6 Total conversation services and relay services	25
7 Engagement with disabled end-users' associations and stakeholders	27
8 Access to emergency services	28
9 Conclusions	30
Annexes	33
1 Annex 1 – Country codes.....	33
2 Annex 2 - Implementation of EECC and other regulation.....	34
3 Annex 3 - Measures and initiatives currently in place.....	38
4 Annex 4 - Competences of NRAs regarding the protection of end-users with disabilities	47
5 Annex 5 – Funding mechanism.....	51

Executive summary

Directive (EU) 2018/1972, establishing the European Electronic Communication Code, gives Member States an important role in promoting equivalence of access and choice for end-users with disabilities.

At the outset, it should be clarified that, in the context of this report, “equivalence” means that equivalent access to and choice of electronic communications services should be available to end-users with disabilities, irrespective of any additional costs incurred in providing them. This may be accomplished by implementing specific solutions for end-users with disabilities, which not necessarily coincide with those available to other end-users.

The aim of this report is primarily to collate information from NRAs for the purposes of compiling an inventory of measures and initiatives that NRAs might consider when evaluating any action to be pursued under the terms of relevant legislative provisions.

This document follows on from three previous reports, published in February 2011, December 2015 and March 2018, broadly on the same subject.¹ This report builds on the answers to an electronic questionnaire issued by BEREC through its constituent National Regulatory Authorities (NRAs) to gain insight into how the issues of access and choice for disabled end-users are currently addressed across Europe. 28 responses were received in total.²

This document is divided in 8 sections.

The first section of the report is dedicated to the policy principle and legal background. It therefore covers Article 111 of the EECC, that replaced USD 2009 Article 23a, which contains the main regulatory provisions, Article 102, on contractual information, as well as Articles 85, 96, 103, 104, 109, 114, which contain a number of specific provisions related to the experience of communication services of end-users with disabilities.

The second section of the report is on the formal implementation of measures relating to the provisions of services/products for end-users with disabilities in the EECC, as well as the implementation of other measures under other regulations/national laws. This section describes how NRAs have implemented the relevant provisions contained in the EECC (as well as other measures) and how NRAs monitor their compliance by operators. Moreover, this section reviews planned future implementation of the measures in the EECC and of other measures.

The third section of the report contains a detailed description of the measures and initiatives currently in place with regards to the concepts of access and affordability, but also, among the

¹ BoR (10) 47 Rev 1 “*Electronic communications services: Ensuring equivalence in access and choice for disabled end-users*”, BoR (15) 201 “*Update of the report on equivalent access and choice for disabled end-users*” and BoR (18) 30 “*Report on NRAs’ practices for ensuring equivalence of access and choice for disabled end-users*”.

² AT, BA, BE, BU, CY, CZ, DE, DK, EL, ES, FI, FR, HR, HU, IE, IT, LT, LV, ME, MT, NL, NO, PL, PT, RO, SI, SK, SW

others, to equipment, software and website information, customer services and complaints, special retail packages, emergency services, directory enquires.

The fourth section of the report deals with the competences of NRAs regarding the protection of end-users with disabilities on adopting specific regulations, imposing obligations such as tariff packages, information requirements, defining QoS parameters and additional standards.

The fifth section refers to the funding mechanism.

The sixth section explores the concepts of total conversation services and relay services. In particular, relay services involve an intermediary service, a third party, that translates the communication between the end-user with disability and the receiver. The service can be human or automated and requires resources, competence and responsiveness of the intermediary. Total conversation service means a multimedia real time conversation service that provides bidirectional symmetric real time transfer of motion video, real time text and voice between users in two or more locations.

The seventh section concerns the engagement with disabled end-users' associations and stakeholders, while the last section involves the access to emergency services, remembering that total conversation for emergency calls is standardized in ETSI Technical Standard 101 470.

1 The policy principle

1.1 The legal background

An aim of the Electronic Communications Code (EECC) is to ensure the provision throughout the Union of good quality and affordable publicly available services through effective competition and choice, and to deal with circumstances where the needs of end-users are not met. This includes needs of users with disabilities to access services on an equal basis with others.

While the Universal Service Directive (USD 2009) focused primarily on obligations put on the Universal Service Providers (USPs), the EECC has a broader scope, setting down general obligations.

The change in legal focus reflects the general notion that accessibility is a general and not specific objective.

Article 111 of the EECC, that replaced USD 2009 Article 23a, requires that competent authorities in each Member States shall specify requirements to be met by providers of publicly available electronic communications services to ensure that end-users with disabilities:

- a. have access to electronic communications services and contractual information (Article 102) equivalent to that enjoyed by the majority of end-users; and
- b. benefit from the choice of undertakings and services available to the majority of end-users.

In specifying those requirements, Member States shall encourage compliance with relevant standards. These can be standards that according to Article 39 of the EECC are published in the Official Journal of the European Union or in the absence of such, standards or recommendations adopted by the International Telecommunication Union (ITU), the European Conference of Postal and Telecommunications Administrations (CEPT), the International Organisation for Standardisation (ISO) and the International Electrotechnical Commission (IEC).

The information that shall be provided to consumers before a contract is signed is described in Article 5 and 6 of the Consumer Rights Directive (Directive 2011/83/EU) as well as in Annex VIII of the EECC. According to EECC Article 102 this information shall, upon request, be provided in an accessible format for end-users with disabilities in accordance with the European Union law harmonising accessibility requirements for products and services.

In addition, Article 85.4 sets out the obligation for Members States to ensure that support is provided to consumers with disabilities. There is also an obligation on the availability and affordability of terminal equipment, specific equipment and specific services that enhance equivalent access, including where necessary total conversation and relay services.

Furthermore, Article 96 sets down an obligation on Member States to ensure that end-users with disabilities are able to access services provided under the number '116 000' to the greatest extent possible.

Article 103 provides that, where relevant, terms and conditions of internet access services or publicly available interpersonal communications services shall be published in an accessible format for end-users with disabilities, according to the Union law on accessibility requirements for products and services.

Article 104 identifies an option for Authorities to require providers of internet access services and of publicly available interpersonal communications services to publish measures taken to ensure equivalence in access for end-users with disabilities.

Article 109 sets down the obligations with regards to emergency communications. According to Article 109.5, end-users with disabilities shall have access to emergency services through emergency communications equivalent to that enjoyed by other users, also when travelling. When travelling in another Member State, the solutions shall be without pre-registration, where feasible, and to the greatest extent possible interoperable across Member States and be based on European standards. Member States can adopt additional requirements to pursue those objectives.

Article 114 defines must carry obligations and provides that Member States may impose reasonable 'must carry' obligations for the transmission of specified radio and television broadcast channels and related complementary services, in particular accessibility services to enable appropriate access for end-users with disabilities.

The directive on the accessibility requirements for products and services (Directive (EU) 2019/882, "The European Accessibility Act") contains overarching legal provisions on accessibility, also relevant for the electronic communication sector. Article 4 conveys provisions on products and services. It is worth noticing that Article 4.3 requires services to comply with Section IV of Annex I, covering electronic communication services, including emergency communications. This Annex particularly prescribes accessibility requirements such as real time text in addition to voice communication and total conversation where video is provided in addition to voice communication. It is also worth noticing that the directive also provides obligations on the answering/receiving of emergency communications. According to the Accessibility Act Article 31, the directive shall be transposed by 28 June 2022 and the measures be applied by 28 June 2025. The measures regarding answering of emergency communications may be applied by 28 June 2027.

Furthermore, Article 15 of the new Roaming Regulation³ imposes on roaming providers the obligation to send roaming customers a SMS with a link to access a free of charge dedicated webpage, accessible to persons with disabilities, which provide information on alternative means to access emergency services in the visited Member State. Article 16 requires BEREC to establish a Union-wide database on means of access to emergency services.

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32022R0612&from=EN>

Finally, Article 7 of the amended Audiovisual Media Services Directive (2010/13/EU) provides that Member States shall encourage media service providers under their jurisdiction to ensure that e.g., their services are made continuously and progressively more accessible to persons with disabilities through proportionate measures.

1.2 The equivalence concept

In the current context, “equivalence” means that equivalent access to and choice of electronic communications services should be available for end-users with disabilities. Notwithstanding, this may be accomplished by implementing specific solutions for end-users with disabilities which are not necessarily coincident with the ones available to other end-users.

Recital 297 of EECC explains that “In order to ensure that end-users with disabilities benefit from competition and the choice of service providers enjoyed by the majority of end-users, competent authorities should specify, where appropriate and in light of national conditions, and after consulting end-users with disabilities, consumer protection requirements for end-users with disabilities to be met by providers of publicly available electronic communications services. Such requirements can include, in particular, that providers ensure that end-users with disabilities take advantage of their services on equivalent terms and conditions, including prices, tariffs and quality, as those offered to their other end-users, irrespective of any additional costs incurred by those providers. Other requirements can relate to wholesale arrangements between providers. In order to avoid creating an excessive burden on service providers competent authorities should verify, whether the objectives of equivalent access and choice can be achieved without such measures”.

In general, the policy perspective for accessibility has changed – from an USO-perspective to an overarching and general perspective. The EECC together with the Accessibility Act reflects this notion. Europe is not divided into disabled and non-disabled. Equivalence is not the duty of one, but the duty of all. All citizens may experience a disability or impairment at some time in their life. Electronic communications must be suited to fill a myriad of accessibility needs that end-users experience.

2 Implementation of the EECC and other regulations

This section contains information on the formal implementation of measures relating to the provisions of services/products for end-users with disabilities in the EECC, as well as on the implementation of other measures under other regulations/national laws. More specifically, this section describes how NRAs have implemented the relevant provisions contained in the EECC (as well as other measures) and how NRAs monitor their compliance by operators (detailed data are shown in Annex 2). Moreover, this section reviews planned future implementation of the measures in the EECC as well as other measures.

2.1 Implementation of the EECC

This section contains the details of the implementation of the measures concerning users with disabilities of the EECC on the basis of the information provided by NRAs through the questionnaires.

As regards the current and future implementation of the related articles, the following chart summarises the current status of implementation per each article.

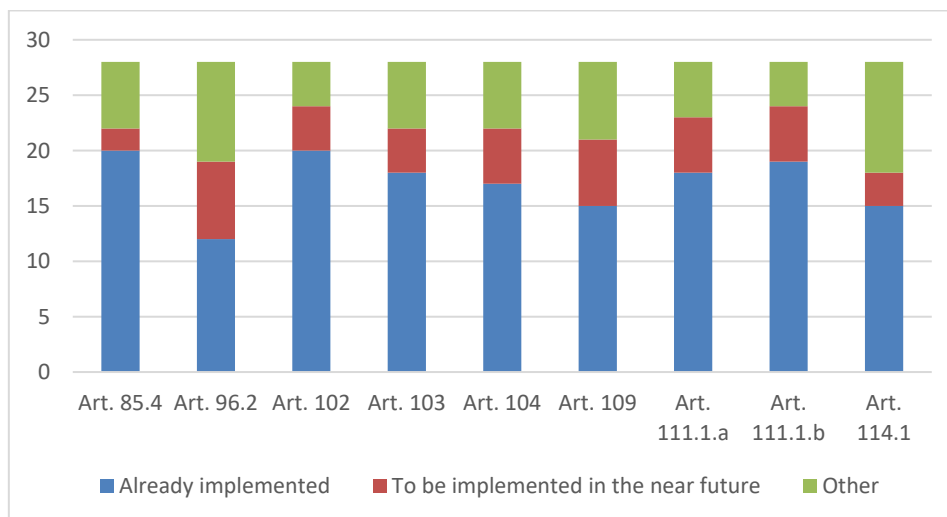


Figure 1: Status of implementation per related provision

The following figure shows the responses received from the NRAs, on the scope of the current implementation of the related EECC articles (implementation via Universal Service Obligation (USO) imposed on the Universal Service Provider(s) (USP), on all providers (fixed/mobile), on some providers (either fixed and/or mobile) or any other entity).

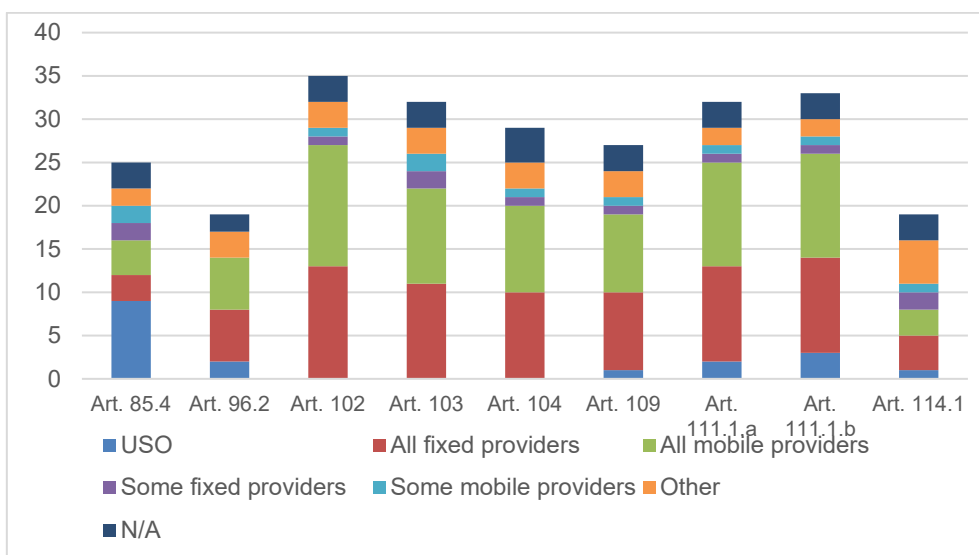


Figure 2 Scope of application of EECC provisions related to disabled end-users

In the following paragraphs, an analysis on the various aspects of the implementation per country is performed.

With regard to Article 85.4 of the EECC, which relates to the obligations on the availability and affordability of terminal equipment, specific equipment and specific services that enhance equivalent access, 20 countries have already implemented the specific provision,⁴ nine of them via a USO on the USP,⁵ one as an obligation to all fixed and/or all mobile providers,⁶ two countries through some fixed/mobile providers and two other countries via other entities.⁷

In five countries obligations are set by the Government,⁸ in eight countries this is the competence of NRAs and in four countries it is a competence of NRAs together with the Government.⁹

With regards to Article 96.2 of the EECC, related to access of end-users with disabilities to services provided under the number '116 000', 12 countries have implemented the specific provision,¹⁰ two of them via the USO,¹¹ whereas six of them as an obligation to all fixed and/or all mobile providers.¹² In three countries, implementation is carried out by other entities.¹³

In three countries obligations are set by the Government,¹⁴ in six countries this is the competence of NRAs or NRAs together with the Government.¹⁵ In one country this provision is carried out by another entity.¹⁶

Regarding Article 102 of the EECC, 20 countries have implemented measures related to the provisions on information provided in contracts related to or made accessible by end-users

⁴ AT, BA, BU, CZ, CY, DE, DK, ES, FI, FR, HR, HU, LT, ME, MT, NL, NO, PL, SI, SK.

⁵ CZ, DK, ES, HR, MT, NL, NO, SI; in Denmark the specific provision is denoted article 6 of the Danish Executive order on USO: <https://www.retsinformation.dk/eli/ta/2016/482>

⁶ AT, FI: all fixed/mobile PL: all mobile.

⁷ Some fixed/mobile providers: ME, DE. DE specifically sets the obligation to providers of voice communications services, i. e. publicly available telecommunications services for originating and receiving, directly or indirectly, national or national and international calls through a number or numbers in a national or international numbering plan. Other: in Cyprus manufactures/Importers/Authorized Representatives/Distributors of Radio Equipment, are responsible for the implementation, whereas in Slovak Republic an undertaking providing internet access services or publicly available interpersonal communications services.

⁸ DK, FI, ME, NO, SI; in SI Government adopts Decree on measures for disabled end-users and USP has to execute the relevant provisions.

⁹ NRAs competence: CY, DE, HR, HU, LT, NL, PL, SK. NRA, Government: AT, CZ, ES, MT.

¹⁰ AT, BU, CY, CZ, DE, DK, ES, FI, HR, HU, LT, SK.

¹¹ AT, DK.

¹² AT, CZ, DE, ES, HR, LT.

¹³ In HU It is the task of the Minister responsible for ECS to ensure that citizens are adequately informed about harmonized services of social value and about their use, in particular through initiatives specifically targeting persons travelling between Member States, including access for disabled end-users to the greatest extent possible, and shall - furthermore - encourage the provision of harmonized services of social value; in CY provisions are all providers (fixed and mobile) that provide publicly available electronic communications services. In SK the NRA allocates a 116000 number to an undertaking upon request.

¹⁴ DK, ES, HU.

¹⁵ NRAs competence: CY, HR, SK. NRA, Government: AT, CZ, LT.

¹⁶ In DE the entity "Initiative Vermisste Kinder" is reported to carry out this provision, www.initiative-vermisste-kinder.de/hotlineinfo

with disabilities,¹⁷ with 13 of them implementing them for all fixed/mobile providers and one of them for all mobile providers.¹⁸ In one country, implementation is carried out by some fixed/mobile providers.¹⁹ Two countries' implementation of Article 102 specifically applies to undertakings providing publicly available services whereas one country includes NIICS.²⁰

In nine countries, obligations are set by the NRA,²¹ and in five countries this is the competence of Government and in three countries NRAs together with the Government.²²

With regards to Article 103 of the EECC, related to the accessibility of terms and conditions of internet access services or publicly available interpersonal communications services for end-users with disabilities, 18 countries have reported the implementation of the relevant provisions,²³ with 11 of them implementing them for all fixed/mobile providers.²⁴ In two countries, implementation applies for some fixed/mobile providers.²⁵ In another two countries implementation specifically applies to an undertaking providing internet access services and/or publicly available interpersonal communications services.²⁶

In nine countries, obligations are set by the NRA,²⁷ in one country this is the competence of Government and in four countries NRAs together with the Government.²⁸

Seventeen countries have already implemented Article 104 of the EECC,²⁹ related to the possible requirement for the providers of internet access services and of publicly available interpersonal communications services to publish measures taken to ensure equivalence in access for end-users with disabilities, with ten of them implementing it for all fixed/mobile providers, one country for some fixed/mobile providers and two countries reported other scope of implementation.³⁰

¹⁷ AT, BA, BE, BU, CY, CZ, DE, DK, FR, HR, HU, LT, LV, ME, NL, PL, SK; in PL only article 102.5 regarding notifications and/or alerts to end-users has been implemented. In EL the relevant provisions are included in the general authorization regulation.

¹⁸ All fixed /mobile providers: AT, BE, CZ, DE, DK, EL, ES, FI, HR, HU, LV, ME, NL. All mobile providers: PL.

¹⁹ In LT, provisions apply to providers of publicly available electronic communications services other than transmission services used for the provision of machine-to-machine services.

²⁰ CY, SK; DE includes also NIICS.

²¹ BE, CY, DE, EL, HR, HU, LT, NL, SK.

²² DK, ES, FI, ME, PL by the Government and AT, CZ, LV by the Government and the NRA.

²³ AT, BA, BE, BU, CY, CZ, DE, DK, EL, ES, FI, FR, HR, HU, LT, ME, NL, SK.

²⁴ AT, BE, CZ, DE, DK, EL, ES, FI, HR, ME, NL; DE includes also NIICS.

²⁵ HU, LT. In LT provisions apply to internet access service providers and publicly available interpersonal communications service providers.

²⁶ CY, SK.

²⁷ BE, CY, DE, DK, EL, HR, HU, LT, SK.

²⁸ ES by the Government and AT, CZ, FI, NL by the Government and the NRA.

²⁹ AT, BA, BE, BU, CY, CZ, DE, DK, EL, FI, FR, HR, HU, LT, ME, NL, SK.

³⁰All fixed /mobile providers: AT, BE, CZ, DE, EL, FI, HR, HU, ME, NL; DE includes also NIICS. In LT, provisions apply to internet access service providers and publicly available interpersonal communications service providers. Other: CY, DK.

In eight countries, obligations are set by the NRA,³¹ in one country this is the competence of Government and in three countries it is a competence of NRAs together with the Government.³²

With regards to Article 109 of the EECC, related to emergency communications' obligations, 15 countries have already implemented the relevant provision,³³ with nine of them implementing it for all fixed/mobile providers, one country for some fixed/mobile providers and two countries reported other scope of implementation.³⁴

In four countries, obligations are set by the NRA,³⁵ in four countries this is the competence of Government and in four countries NRAs together with the Government.³⁶

With regards to Article 111.1.a of the EECC, related to ensure equivalent access to electronic communications services and contractual information to that enjoyed by the majority of end-users, 18 countries have already implemented this provision,³⁷ with two of them via USO, 11 of them implementing it for all fixed/mobile providers, one country for some fixed/mobile providers, one for all mobile operators and one country reported other scope of implementation.³⁸

In seven countries, obligations are set by the NRA,³⁹ in four countries this is the competence of Government and in three countries NRAs together with the Government.⁴⁰

With regards to Article 111.1.b of the EECC, related to the provision to ensure that end-users with disabilities benefit from the choice of undertakings and services, 19 countries have already implemented this provision,⁴¹ three of them through USO, 11 of them through all fixed/all mobile providers, one country through some fixed/some mobile providers and lastly one through all mobile providers.⁴²

³¹ CY, DE, DK, EL, HR, HU, LT, NL.

³² ME by the Government and AT, CZ, FI by the Government and the NRA.

³³ AT, BE, BU, CY, CZ, DK, FI, FR, HR, HU, LT, ME, MT, NL, SK.

³⁴All fixed /mobile providers: AT, BE, CZ, DK, FI, HR, HU, ME, MT; AT includes also USO. In LT, scope is limited to providers of publicly available number-based interpersonal communication services. In NL scope is limited to providers of public ECNs, used to provide outgoing calls to a number in the numbering plan, public pay telephones and voice communications services. In CY various entities are responsible for the different provisions per paragraph of Article 109 (Police and Deputy Ministry of Research, Innovation and Digital Policy).

³⁵ BE, FI, HR, LT.

³⁶ DK, HU, ME, MT by the Government and AT, CY, CZ, NL by the Government and the NRA.

³⁷ AT, BA, BE, BU, CY, CZ, DE, DK, ES, FI, HR, HU, IT, LT, ME, NL, PL, SK.

³⁸ All fixed /mobile providers: AT, BE, CZ, DE, DK, ES, FI, HU, LT, ME, NL; via USO: HR, IT; IT also reported implementation for some fixed and mobile providers, with the exception of micro, small and medium sized enterprises. PL reported all mobile providers as implementation scope. In CY the scope is defined to providers of publicly available electronic communication services.

³⁹ BE, CY, DE, HR, HU, IT, LT.

⁴⁰ DK, ES, FI, PL by the Government and AT, CZ, NL by the Government and the NRA.

⁴¹ AT, BA, BE, BU, CY, CZ, DE, DK, ES, FI, HR, HU, IT, LT, ME, NL, NO, PL, SK.

⁴² USO: DK, HR, IT; all fixed/all mobile providers: AT, BE, CZ, DE, ES, FI, HU, LT, ME, NL, NO; DE also with NIICS. Some fixed providers; Some mobile providers: IT, All mobile providers: PL.

In eight countries, obligations are set by the NRA, in five countries this is the competence of Government and in three countries NRAs together with the Government.⁴³

With regard to Article 114.1 of the EEC, related to 'must carry' obligations to specified radio and television broadcast channels and related complementary services, for ensuring the accessibility for end-users with disabilities, 15 countries have already implemented this provision,⁴⁴ one of them through USO, three of them through all fixed/all mobile providers, two countries through some fixed and/or some mobile providers, one through all fixed providers.⁴⁵ Finally, five countries implemented these measures through other entities.⁴⁶

In five countries, obligations are set by the NRA, in two countries this is the competence of Government, two countries NRAs together with the Government and two countries have reported another entity.⁴⁷

2.2 Other measures

As regards to other measures already implemented or planned to be implemented, in Portugal, although the transposition of the EEC is not concluded, provisions on affordability of tariffs within the framework of universal service were transposed and within this context a social tariff for the supply of broadband Internet access services for low-income consumers or consumers with special social needs is provisioned.

In Italy, according to current legislation, the main fixed and mobile operators have to: a) publish on their website a dedicated page with detailed information on fixed and mobile offers addressed to end-users with disabilities, as well as the forms to be filled in (also digitally) to subscribe to the offers; b) allow end-users with disabilities delegate managing the contract to someone; c) send free of charge, at the request of blind consumers, the invoice document in PDF format or in other formats compatible with assistive technologies for reading digital documents; d) make available, from 8 a.m. to 12 p.m., a free dedicated digital channel for assistance to consumers with disabilities that allows them, upon identification, to request technical assistance, file a complaint and receive information; and e) ensure priority fault repair.

In Germany, regulatory requirements for providers of prepaid mobile communications services were changed in 2021 to lift existing barriers for end-users with disabilities in video

⁴³ BE, CY, DE, HR, HU, IT, LT, NO by the NRA; DK, ES, FI, ME, PL by the Government and AT, CZ, NL by the Government and the NRA.

⁴⁴ AT, BA, BE, BU, CY, CZ, DK, ES, FI, HR, HU, ME, MT, NO, SK.

⁴⁵ USO: NO; all fixed/all mobile providers: HR, ME, FI; some fixed providers and /or some mobile providers: AT, ES; all fixed providers: MT,

⁴⁶ Other entities BE, CY, CZ, DK, HU. In Hungary ECS providers offering cable or satellite transmission of media content or broadcasting to subscribers must also transmit all teletext signals or other type of subtitles made available by the media service providers in a time-synchronized manner irrespective of the transmission technology used. In Cyprus digital terrestrial television and radio broadcasting infrastructure providers. In Belgium, the provision is only applicable to media services distributors. In the Czech Republic through the undertaking providing a radio and television broadcasting service or the undertaking which provides ECS.

⁴⁷ BE, CY, HR, HU, MT by the NRA; ES, ME by the Government and AT, CZ by the Government and the NRA. Other: DE, DK. In DE must carry-obligations are in the responsibility of the media authorities of the 16 Federal States (Bundesländer).

identification procedures (no more use of white light required, no longer forbidden for end-user to receive help in following instructions during the identification procedures).

3 Measures and initiatives currently in place

This section describes the details of the measures and initiatives that are currently in place. Annex 3 includes more detailed information provided by the respondents on the current implementation of the measures.

3.1 Access and affordability

3.1.1. Accessible services

The measure on “Availability of electronic communication service providers with accessible services” is implemented in 14 countries.⁴⁸ There are seven countries where this measure is not (yet) implemented.⁴⁹ In six countries, the measure was adopted by regulation, in seven countries by law, and in one country voluntarily.

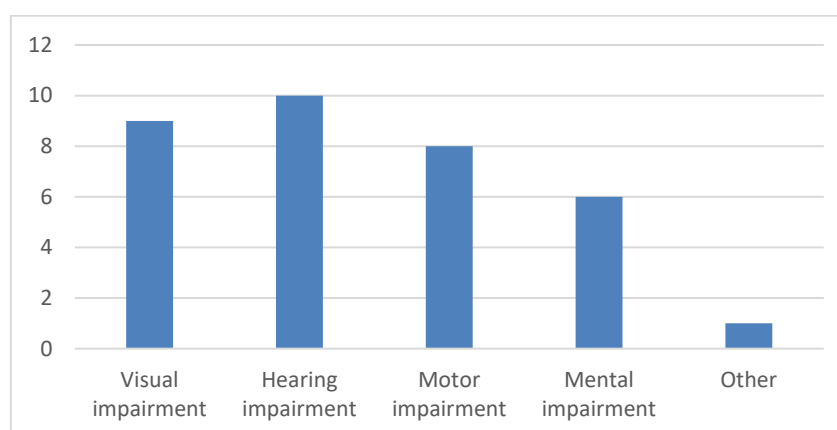


Figure 3: Groups of end-users to whom services are accessible

In most of the countries the measures apply to end-users with hearing impairment or visual impairment.

The reason why in many countries this measure has not been adopted yet, is to be found in the process of implementation of the Code which is in many countries not yet concluded. The Netherlands is also checking whether such measures are necessary.

3.1.2. Availability of multiple accessible services/bundles

⁴⁸ BG, CY, CZ, DE, DK, EL, ES, IE, IT, LV, ME, PL, PT, SI.

⁴⁹ AT, HR, HU, LT, MT, NL, SE.

The measure on "Availability of multiple accessible services/bundles" has been implemented in 10 countries.⁵⁰ There are 11 countries where this measure is not (yet) implemented.⁵¹ In five countries, the measure was adopted voluntarily, in three countries this was provided by regulation and in three countries provided by law.

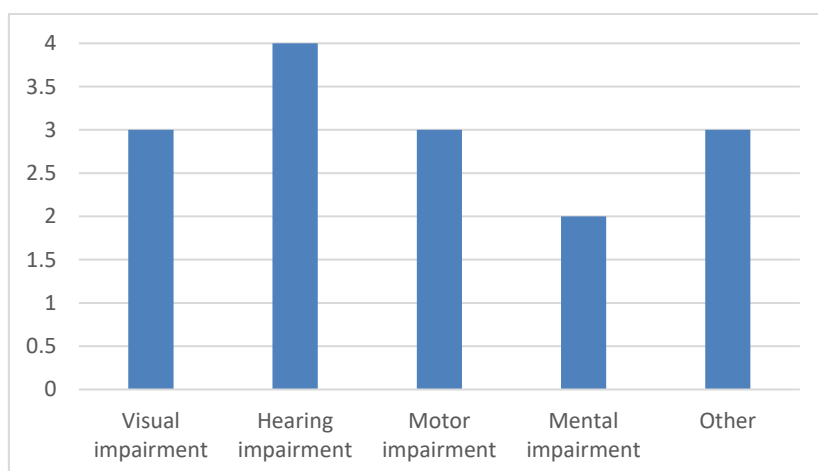


Figure 4: Groups of end-users for whom multiple services/bundles are accessible

In most of the countries, the measures apply to end-users with hearing impairment.

3.1.3. Affordability of services and/or terminal equipment

The measure on "Affordability of services and/or terminal equipment" is implemented in 13 countries.⁵² In eight countries, the measure is not implemented (yet).⁵³ In one country, the measure was adopted voluntarily, in six countries this was provided by regulation and also in six countries provided by law. In three countries, other measures were taken to implement the affordability of services.

⁵⁰ AT, BG, CZ, EL, IT, LV, ME, MT, PL, PT.

⁵¹ CY, DE, DK, ES, HR, HU, IE, LT, NL, SE, SI.

⁵² BG, CZ, DE, DK, EL, ES, IE, IT, LV, ME, MT, PT, SI.

⁵³ AT, CY, HR, HU, LT, NL, PL, SE.

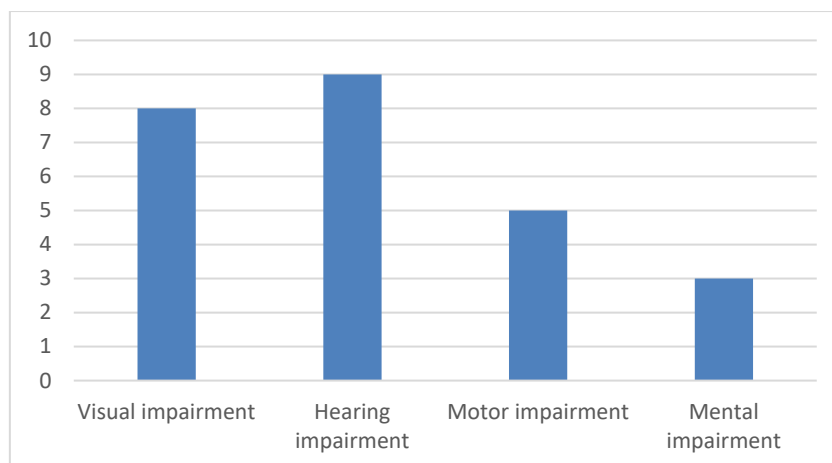


Figure 5: Groups of end-users to whom affordable services are accessible

In most of the countries the measures apply to end-users with hearing impairment.

All the above-mentioned provisions were imposed before the national implementation of the EEC and are, for this reason, all currently under revision.

3.2 Equipment, software and website information

3.2.1 Testing compatibility of terminal equipment/ return policy

The measure on “Accessible facility to test compatibility of terminal equipment or appropriate returns policy” is implemented in three countries.⁵⁴ There are 18 countries where this measure is not (yet) implemented.⁵⁵ In Montenegro measures were adopted by regulation, law and in some cases, voluntarily. In Ireland the measures were adopted by regulation and in Austria voluntarily.

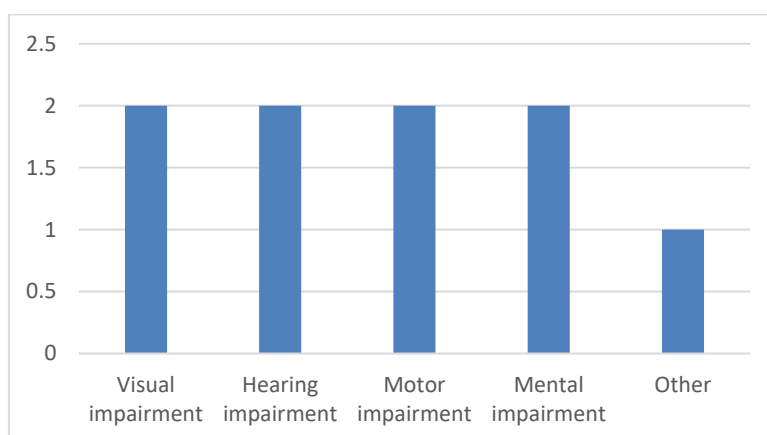


Figure 6: Groups of end-users to whom testing of equipment is accessible

⁵⁴ AT, IE, ME.

⁵⁵ BG, CY, CZ, DE, DK, EL, ES, HR, HU, IT, LT, LV, MT, NL, PL, PT, SE, SI.

In most countries, the measures apply equally to end-users with hearing, visual, motor and mental impairment. Some countries who did not implement the measure provided an explanation. In the case of Sweden, Croatia and Slovenia, the Code is not yet implemented. According to Denmark, this is not a requirement in the EECC. In Greece, this measure is not included in relevant decisions. The Czech Republic mentioned that it is not a matter of electronic communications. In Latvia, this is the responsibility of Consumers protection. In Hungary, the current priority is to ensure equivalent access and the availability and affordability of terminal equipment for the USO. Germany and the Netherlands have no data available on this measure.

3.2.2. Minimum set-up requirements for accessible equipment

The measure on "Minimum set-up requirements for accessible equipment" is implemented in six countries.⁵⁶ There are 15 countries where this measure is not (yet) implemented.⁵⁷ In four countries, the measure was adopted by regulation,⁵⁸ and in two countries by law.⁵⁹ In two countries, measures were taken on a voluntarily measures taken.⁶⁰

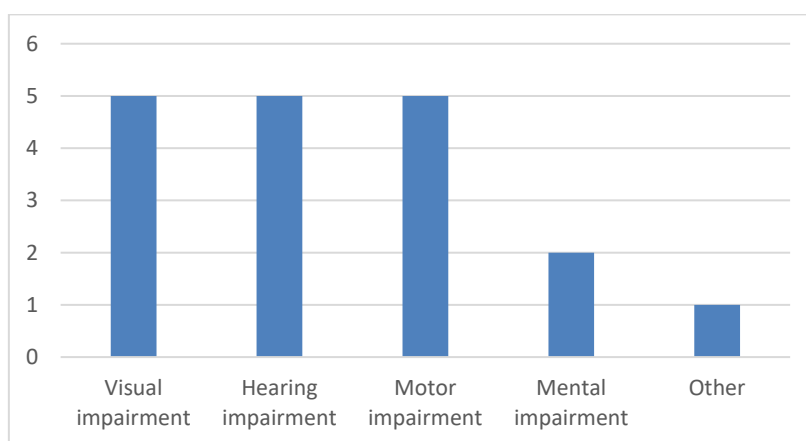


Figure 7: Group of end-users to whom minimum set-up requirements of equipment apply

In most countries, the measures apply equally to end-users with visual, hearing and motor impairment.

3.2.3. Accessible software application in national language

The measure on "Availability of accessible software application in national language" is implemented in five countries.⁶¹ There are 15 countries where this measure is not (yet)

⁵⁶ AT, HR, IE, ME, PL, SI.

⁵⁷ BG, CY, CZ, DE, DK, EL, ES, HU, IT, LT, LV, MT, NL, PT, SE.

⁵⁸ HR, IE, ME, SI.

⁵⁹ ME, PL.

⁶⁰ AT, ME.

⁶¹ AT, DE, ES, ME, NL.

implemented.⁶² In two countries the measure was adopted by regulation,⁶³ and in two countries by law.⁶⁴ Voluntary measures were taken in three countries.⁶⁵

In most countries, the measures apply to end-users with hearing impairment.

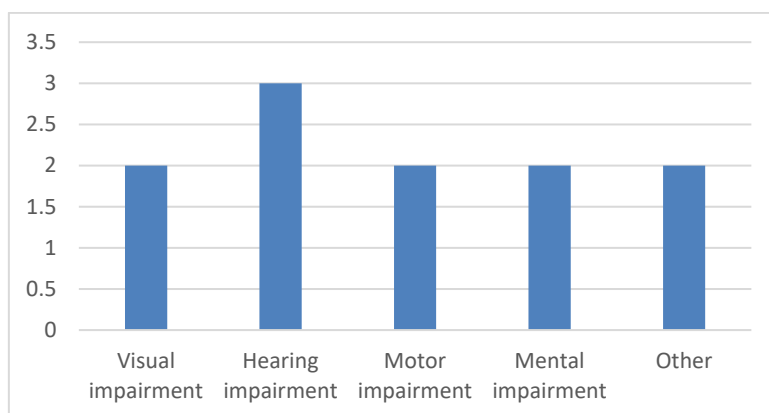


Figure 8: Group of end-users to whom a software app in national language is accessible

3.2.4. Website information

The measure on "Accessible website information" is implemented in 13 countries.⁶⁶ There are eight countries where this measure is not (yet) implemented.⁶⁷ In seven countries, the measure was adopted by regulation,⁶⁸ in six countries by law,⁶⁹ and in one country voluntarily measures were taken.⁷⁰

In most of the countries, the measures apply to end-users with hearing and visual impairment.

⁶² BG, CY, CZ, DK, EL, HR, HU, IE, IT, LT, MT, PL, PT, SE, SI.

⁶³ ES, ME.

⁶⁴ ME, NL.

⁶⁵ AT, DE, ME.

⁶⁶ AT, BG, CZ, DE, DK, EL, ES, HR, IE, IT, LV, ME, PL.

⁶⁷ CY, HU, LT, MT, NL, PT, SE, SI.

⁶⁸ DK, EL, ES, HR, IE, IT, ME.

⁶⁹ AT, CZ, DE, IT, ME, PL.

⁷⁰ ME.

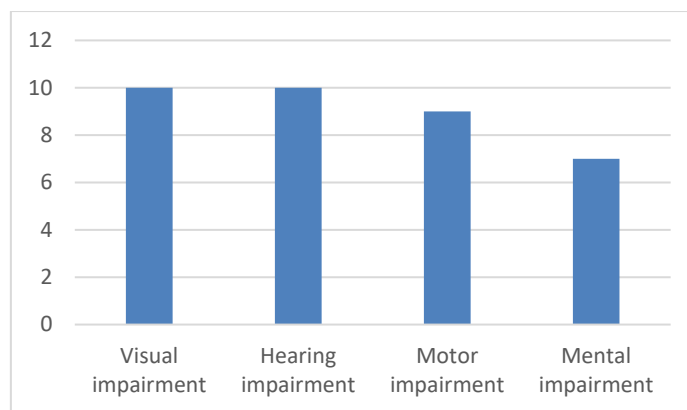


Figure 9: Group of end-users to whom accessible website information apply

3.3 Customer services and complaints

3.3.1 Statement setting out approach and policy in providing accessible services

The measure on “Accessibility statement setting out approach and policy in providing accessible services and information to disabled end-users” is implemented in six countries.⁷¹ There are 14 countries where this measure is not (yet) implemented.⁷² In three countries, the measure was adopted by regulation,⁷³ in four countries by law,⁷⁴ and in one country voluntarily measures were taken.⁷⁵

This measure is applied to all four types of impairment equally.

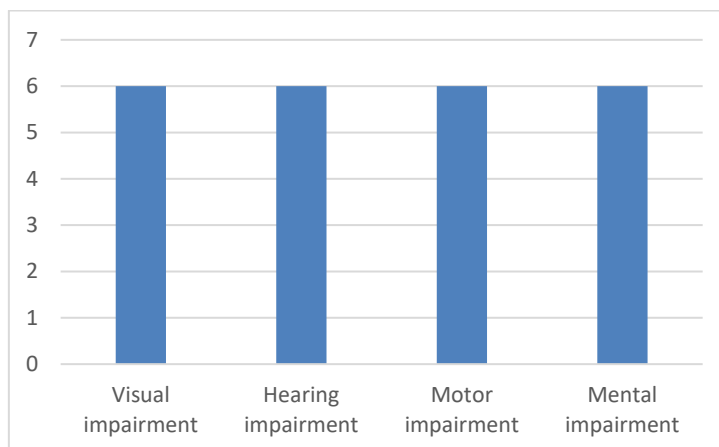


Figure 10: Group of end-users to whom the approach and policy apply

⁷¹ AT, CZ, DE, HR, IE, ME.

⁷² BG, CY, DK, EL, ES, HU, IT, LT, MT, NL, PL, PT, SE, SI.

⁷³ HR, IE, ME (ComReg (2015) Measures for Disabled End-Users: Requirement for an Accessibility Statement).

⁷⁴ ME, DE (Section 12 et seq. of the German Act on Equal Opportunities for Persons with Disabilities), AT, CZ.

⁷⁵ ME.

3.3.2. Accessibility of customer support services

The measure on “Accessibility of customer support services” is implemented in 12 countries.⁷⁶ There are ten countries where this measure is not (yet) implemented.⁷⁷ In four countries, the measure was adopted by regulation,⁷⁸ in four countries by law,⁷⁹ and in three countries voluntarily measures were taken.⁸⁰

In most of the countries, the measures apply mostly to end-users with hearing, visual and motor impairment.

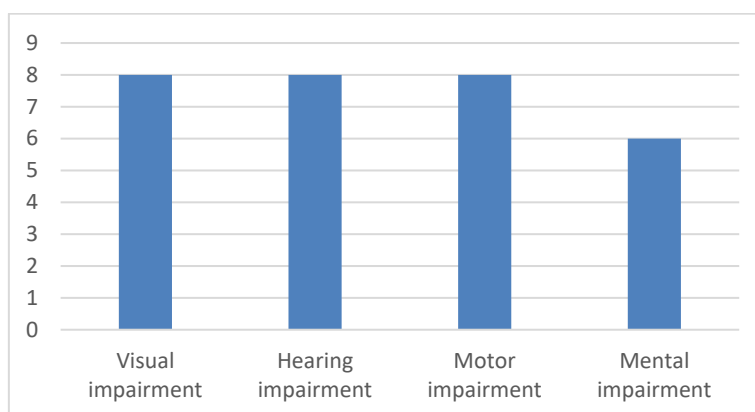


Figure 11: Group of end-users to whom access to customer support services apply

3.3.3. Accessible complaints procedures

The measure on “Accessible complaints procedures” is implemented in ten countries.⁸¹ There are 11 countries where this measure is not (yet) implemented.⁸² In three countries, the measure was adopted by regulation,⁸³ in four countries by law,⁸⁴ and in three countries voluntarily measures were taken.⁸⁵

In most of the countries which implemented this measure, it applies to all impairments.

⁷⁶ HR, ME, IE, FR, AT, MT, BG, LV, PL, CZ, IT, ES.

⁷⁷ CY, DE, DK, EL, HU, LT, NL, PT, SE, SI.

⁷⁸ HR, IE, IT, ME.

⁷⁹ CZ, ES, ME, PL.

⁸⁰ AT, ME, MT.

⁸¹ AT, BG, CZ, FR, IE, IT, LV, ME, MT, PL.

⁸² DE, DK, EL, ES, HR, HU, LT, NL, PT, SE, SI.

⁸³ IE, IT, ME.

⁸⁴ CZ, LV, ME, PL.

⁸⁵ AT, ME, MT.

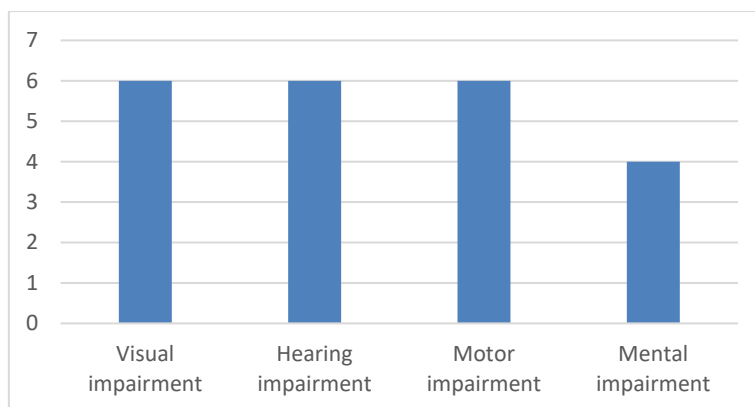


Figure 12: Group of end-users to whom the access to complaints procedures apply

3.3.4. Information regarding operator's code of practice for complaints handling

The measure on "Information regarding operator's code of practice for complaints handling" is implemented in five countries.⁸⁶ There are 15 countries where this measure is not (yet) implemented.⁸⁷ In three countries, the measure was adopted by regulation,⁸⁸ in two countries by law,⁸⁹ and in one country voluntarily measures were taken.⁹⁰

In all of the countries which implemented this measure, it applies to all impairments.

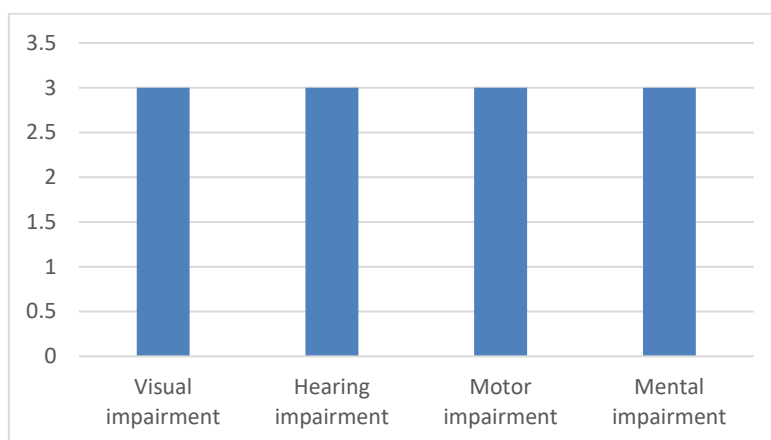


Figure 13: Group of end-users to whom the operator's code of practice for complaints apply

⁸⁶ DE, EL, IE, LV, ME.

⁸⁷ AT, BG, CZ, DK, ES, HR, HU, IT, LT, MT, NL, PL, PT, SE, SI.

⁸⁸ EL, IE, ME.

⁸⁹ DE, ME.

⁹⁰ ME.

3.4 Availability of terminal equipment

The measure on "Availability of accessible equipment such as terminal equipment" has been implemented in 16 countries.⁹¹ Seven countries have not implemented this provision,⁹² with some countries planning to implement it shortly, in terms of designation of a new USO, transposition of the EECC or other needed Acts.

In seven countries, the measure is provided by law, in four countries by regulation, in one country it is provided on a voluntarily basis, as well as by law and regulation, whereas in one country it is provided commercially by the market.⁹³

Most countries reported that the provision applies to all types of impairment. The highest number of countries reported implementing this measure for hearing impairment whereas mental impairment was reported the fewest number of times.

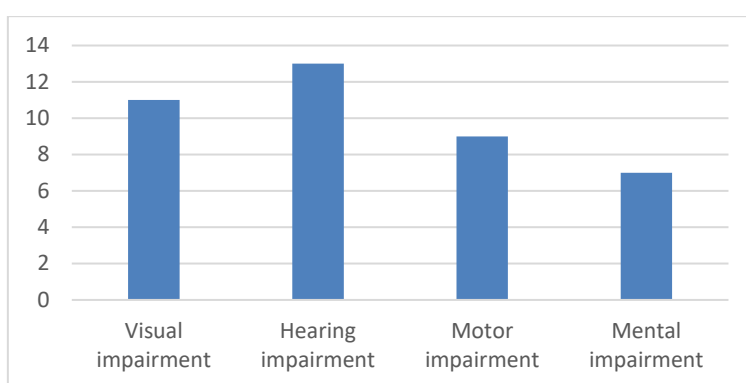


Figure 14: Group of end-users to whom availability of accessible equipment apply

3.5 Other additional services/measures in place

3.5.1. Accessible top up facility for prepaid mobile users

The measure on "Accessible top up facility for prepaid mobile users" is implemented in four countries.⁹⁴ There are 16 countries where this measure is not (yet) implemented.⁹⁵ In two countries, the measure was adopted by regulation,⁹⁶ in one country by law,⁹⁷ and in three countries voluntarily.⁹⁸

⁹¹ BG, CZ, DE, DK, EL, ES, FI, HR, IE, ME, NL, PL, PT, SE, SI, SK.

⁹² AT, CY, HU, IT, LT, LV, MT; in Hungary the measure is not yet adopted. The NRA will determine within 6 months after the designation of the new USO providers if the terminal equipment and other equipment and services ensuring equivalent access are available and affordable for end-users with disabilities. If the NRA finds that this is not the case, it will initiate the establishment of a new subsidy scheme at the relevant Ministry. This process will likely happen in the second half of 2022.

⁹³ By law: CZ, DK, ES, NL, PL, PT, SW. By Regulation: EL, HR, IE, SI. Voluntarily/Law/Regulation: ME. Other: DE.

⁹⁴ AT, IE, ME, MT.

⁹⁵ BG, CZ, DE, DK, EL, ES, HR, HU, IT, LT, LV, NL, PL, PT, SE, SI.

⁹⁶ IE, ME.

⁹⁷ ME.

⁹⁸ AT, ME, MT.

This measure is equally available for end-users with all type of impairments.

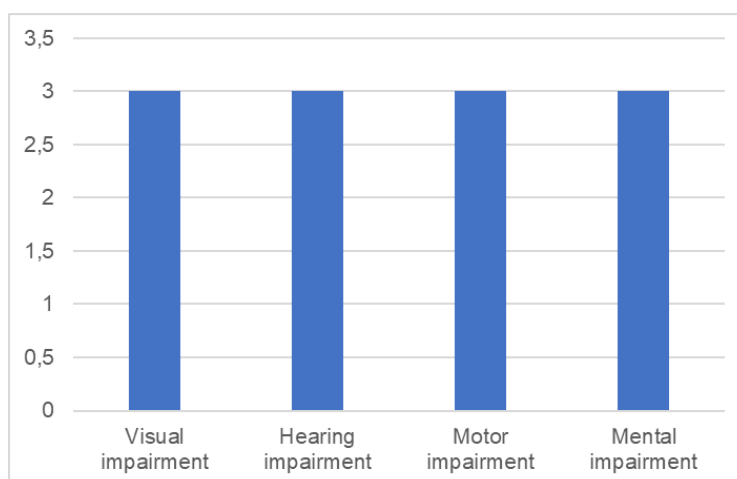


Figure 15: Group of end-users to whom the availability of accessible top up facility apply

3.5.2 Accessible directory enquiries

The measure on "Accessible directory enquiries" is implemented in 12 countries.⁹⁹ There are nine countries where this measure is not (yet) implemented.¹⁰⁰ In six countries the measure was adopted by regulation,¹⁰¹ in four countries by law,¹⁰² and in three countries voluntarily.¹⁰³

The specific measure is reported to apply by most countries to end-users with visual impairment, to a lesser extent to those with hearing impairment and fewer yet to motor/mental impairment.

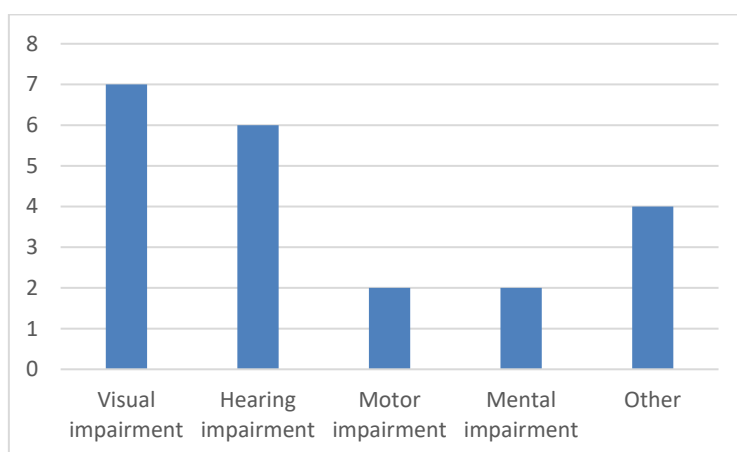


Figure 16: Group of end-users to whom accessible directory enquiries apply

⁹⁹ AT, BG, CZ, DK, EL, ES, FI, IE, LV, ME, MT, SI.

¹⁰⁰ DE, HR, HU, IT, LT, NL, PL, PT, SE.

¹⁰¹ DK, EL, IE, ME, MT, SI.

¹⁰² ES, FI, ME, MT.

¹⁰³ AT, CZ, ME.

3.5.3. Accessible information in respect of contracts, switching contracts and notification of modifications

The measure on "Accessible information in respect of contracts, switching contracts and notification of modifications" is implemented in 13 countries.¹⁰⁴ There are seven countries where this measure is not (yet) implemented.¹⁰⁵ In three countries the measure was adopted by regulation,¹⁰⁶ in seven countries by law,¹⁰⁷ in two countries by other means¹⁰⁸ and in two countries voluntarily.¹⁰⁹

Most countries have reported applying the measure equally to user groups with visual, hearing and motor impairment and to a lesser extent to groups with mental impairment.

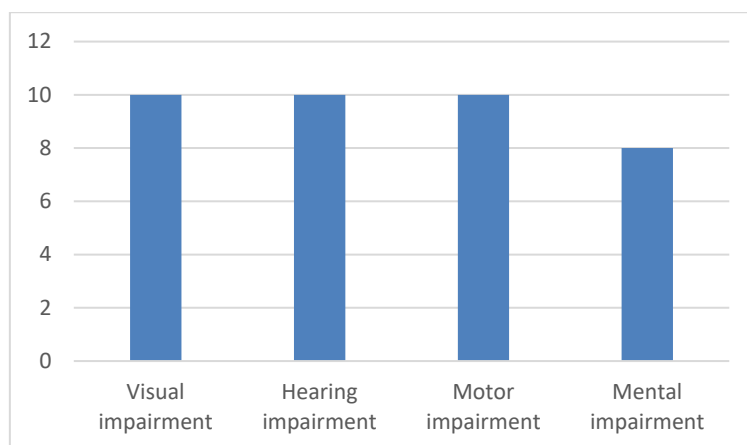


Figure 17: Group of end-users to whom availability of accessible information apply

3.5.4. Accessible commercial and billing information

The measure on "Accessible commercial and billing information" is implemented in 12 countries.¹¹⁰ There are eight countries where this measure is not (yet) implemented. In six countries, the measure was adopted by regulation,¹¹¹ in five countries by law,¹¹² and in one country voluntarily.¹¹³

As regards the specific measure, most countries focus to end-users with visual impairment.

¹⁰⁴ AT, BG, CZ, DE, EL, ES, HR, IE, LV, ME, MT, NL, PL.

¹⁰⁵ DK, HU, IT, LT, PT, SE, SI.

¹⁰⁶ EL, HR, ME.

¹⁰⁷ AT, CZ, DE, ES, IE, ME, PL.

¹⁰⁸ LV, MT.

¹⁰⁹ ME, NL.

¹¹⁰ BG, CZ, EL, ES, HR, IE, IT, LV, ME, PL, PT, SI.

¹¹¹ EL, HR, IE, IT, ME, SI.

¹¹² CZ, ES, ME, PL, PT.

¹¹³ ME.

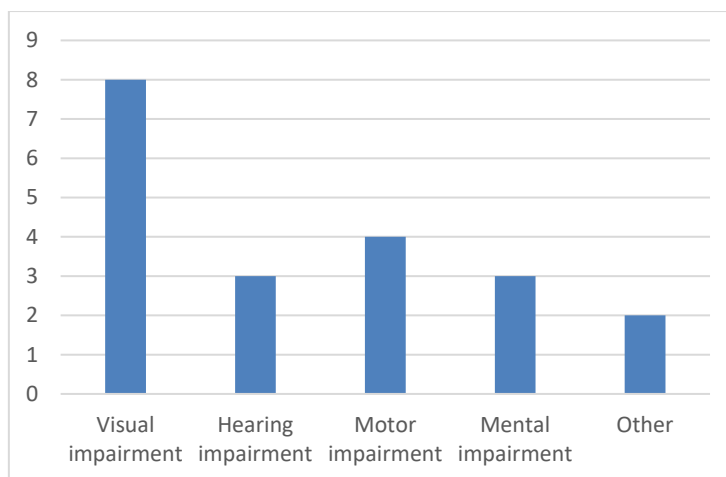


Figure 18: Group of end-users to whom accessible commercial and billing information apply

3.5.5 Access to emergency services (112)

The measure on "Access to emergency services (112)" is implemented in 20 countries.¹¹⁴ There is one country where this measure is not (yet) implemented.¹¹⁵ In seven countries, the measure was adopted by regulation,¹¹⁶ in 11 countries by law,¹¹⁷ and in two countries voluntarily.¹¹⁸

As regards the specific measure, most countries provision this to end-user groups with hearing impairment and to a much lesser extent to those with other types of impairments.

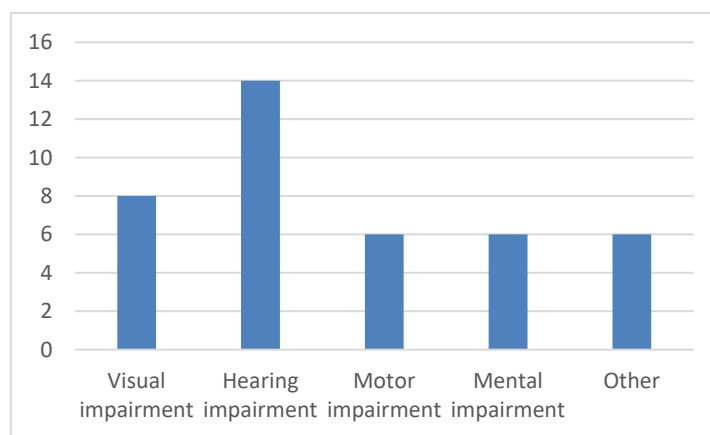


Figure 19: Group of end-users to whom access to emergency services apply

¹¹⁴ AT, BG, CZ, DE, DK, EL, ES, FI, HR, HU, IE, IT, LT, LV, ME, MT, NL, PT, SE, SI.

¹¹⁵ PL.

¹¹⁶ DE, DK, EL, LT, ME, NL, SE.

¹¹⁷ AT, CZ, ES, FI, HR, HU, IE, LV, ME, PT, SI.

¹¹⁸ DE, ME.

4 Competences of NRAs

NRAs were also asked, what – if any – competences they have in their countries regarding the protection of end-users with disabilities. For instance, these may include adopting specific regulations, imposing obligations such as special tariff packages, information requirements, determination of quality parameters and additional standards with regard to quality of service for end-users with disabilities. 28 NRAs provided answers to this question. From the answers it emerged that most of the responding NRAs have at least some competences with regard to the protection of end-users, such as monitoring or adopting regulations.¹¹⁹ However, the extent of competences varies from country to country. The responses are included in Annex 4.

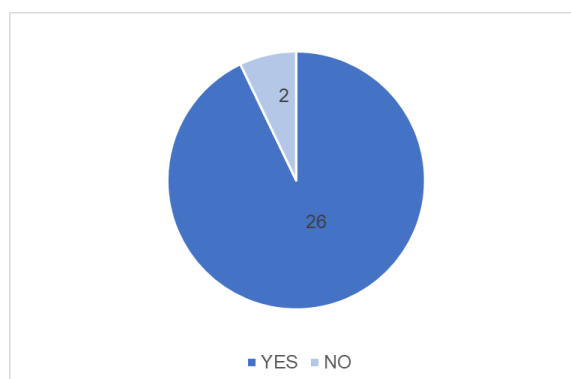


Figure 20 – Competencies of NRAs regarding the protection of end-users with disabilities

5 Funding mechanism

Of the 28 respondents, 16 NRAs indicated that a funding mechanism is in place,¹²⁰ in 13 cases the funding is provided for in the framework of the USO.¹²¹ Among those who have answered that a mechanism is in place, in ten cases it is a private funding,¹²² in two cases it is a public funding,¹²³ in one case the mechanism is based on the possibility of private and/or public funds.¹²⁴ Further details can be found in Annex 5.

¹¹⁹ DK and ES have answered that the NRA has no competences regarding the protection of end-users with disabilities.

¹²⁰ BG, CY, CZ, DE, DK, EL, ES, IT, LT, LV, MT, NL, NO, PT, SI, SK.

¹²¹ CY, CZ, DK, EL, ES, LT, LV, MT, NL, NO, PT, SI, SK.

¹²² BG, CY, DE, DK, EL, IT, LT, NO, PT, SK.

¹²³ CZ, LV.

¹²⁴ MT.

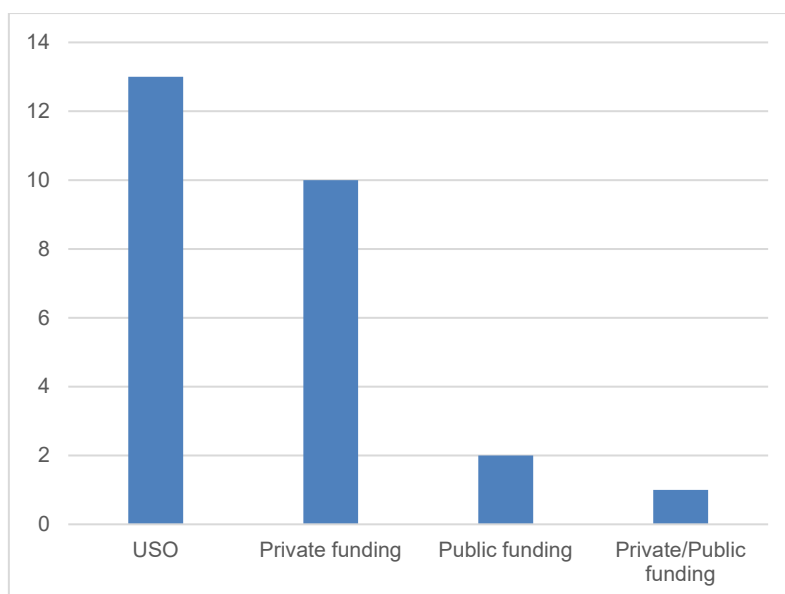


Figure 21 – Funding mechanism in place and planned

6 Total conversation services and relay services

Relay services represent a communication facility for the deaf, hard of hearing or speech impaired, aimed at helping them to have a real time conversation. Relay services involve an intermediary service, a third party, that translates the communication between the end-user with disability and the receiver/caller in contact with the end-user with disabilities. The service can be human or automated by text and/or video. The services imply resources, competence and responsiveness of the intermediary, especially with regards to sign language interpreters for video relay.

Recital 227 of the EECC describes relay services as services which enables two-way communication between remote end-users of different modes of communication (for example text, sign, speech) by providing conversion between those modes of communication, normally by a human operator.

Article 85.4 EECC on the provision of affordable universal service, sets down the obligation for Members States to ensure that support is provided to consumers with disabilities. There is also an obligation on the availability and affordability of terminal equipment, specific equipment and specific services that enhance equivalent access, including where necessary total conversation and relay services.

Obligations to provide relay services could be interpreted as an obligation following the general provisions in Article 111 EECC. The rationale is that for people that cannot hear, and where other solutions are not available, a relay intermediary service may be an equivalent way to communicate with other persons, with or without disabilities.

Regarding the implementation of relay services only 17 out of the 28 NRAs responding to the questionnaire,¹²⁵ mentioned that at least one service had been implemented.

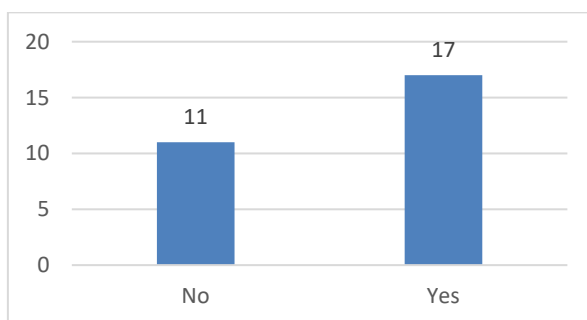


Figure 22 – Implementation of relay services

The implementation in these countries varies both in terms of national legal basis (by regulation or voluntarily), service type (as part of total conversation or stand-alone service) and implementing partners (by USP, SPs, by national service or by local organisations). A development in some countries is the use of web- or app-based relay services as compared to traditional terminal specific services.

Three countries, namely CZ, ME and SE, find the service applying not only to the hearing impaired, but also on the visual, motoric and mental/cognitive aspects. In SE, a National Speech-to-speech Relay Service, called Teletal, enables persons with speech impairment, cognitive impairment, or other impairments or difficulties, as well as the persons in contact with them, to make and receive calls in Swedish. Teletal, when speech is difficult to understand, offers cognitive support, memory support and can take short notes from the call.

Six countries (DK, ME, IE, DE, NL and SE) have quality of service requirements for the relay service, e.g. on answering time and reporting of statistical data. IE has set a minimum recommendation for QoS by ComReg decision. SE has set, *inter alia*, response time requirements, as governed by an agreement with the supplier from whom PTS procures the service.

The funding of the service varies between public/regulator/government, foundations and private funding, e. g. by USP.

Following EECC Article 2.35 EECC, 'total conversation service' means a multimedia real time conversation service that provides bidirectional symmetric real time transfer of motion video, real time text and voice between users in two or more locations. The definition builds on ITU-T F.703 and ETSI Technical Standard 101 470.

According to Recital 272 EECC, real time text is defined in accordance with Union law harmonising accessibility requirements for products and services and refers to a form of text conversation in point-to-point situations or in multipoint conferencing where the text being

¹²⁵ AT, BE, BG, CY, CZ, DE, DK, EL, FR, IE, IT, LV, ME, NL, NO, SE, SK.

entered is sent in such a way that the communication is perceived by the user as being continuous on a character-by-character basis.

Total conversation is a combination of symmetric two-way real time text, video and audio.

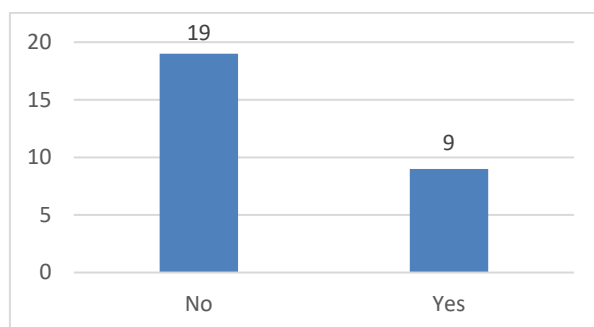


Figure 23 – Implementation of total conversation services

Nine countries confirm in the answer to BEREC questionnaire to have total conversation services implemented.¹²⁶ Four countries state that this is an USO-obligation.

The notion of total conversations was created before the huge uptake of web meetings with chat-functions. Web meeting solutions, however, typically do not have real time text, meaning that you can see what the recipient is typing character by character.

Also, real time text solutions may be embedded in handsets, and there may be a role for regulators in encouraging and facilitating the implantation.

The Directive on the accessibility requirements for products and services (Directive (EU) 2019/882, “The European Accessibility Act”) contains overarching legal provisions on accessibility. Article 4.3 of the Accessibility Act and Section IV of Annex I prescribe accessibility requirements such as real time text in addition to voice communication. It also prescribes total conversation where video is provided in addition to voice communication. According to Article 31 of the Accessibility Act, the Directive shall be transposed by 28 June 2022 and the measures be applied by 28 June 2025.

As a consequence, this Directive provides a more precise and targeted obligation than the EECC with regards to real time text. As a minimum, real time text must be operational in Member States by 28 June 2025.

7 Engagement with disabled end-users’ associations and stakeholders

Of the 28 respondents, 23 NRAs answered that they consult disabled end-users associations or stakeholders on topics related to the equivalence of access for electronic communication

¹²⁶ BA, BE, BG, CY, CZ, LT, ME, NL and SK.

services. These 23 NRAs specified that they interact with associations and stakeholders in a variety of ways, in order to gain input and insights from disabled end-users with the aim of ensuring equivalence of access and choice for end-users with disabilities. The methods used by NRAs consist, mainly, in meetings, requests for information and inquiries,¹²⁷ consultation processes,¹²⁸ focus groups¹²⁹ and discussion fora.¹³⁰

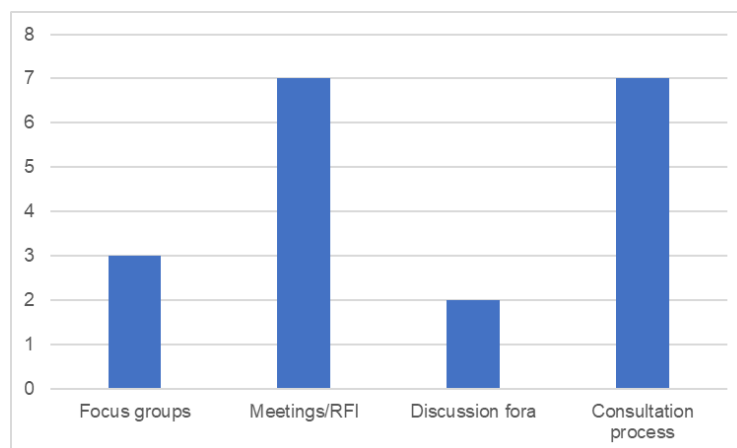


Figure 24 – Methods used for consulting and getting input from disabled end-users associations and stakeholders

8 Access to emergency services

Article 109 EEC contains provisions on emergency communications and the single European emergency number. In particular, Article 109.5 EEC sets out the obligations with regards to end-users with disabilities.

The key element of the provision is access to emergency services through emergency communications equivalent to that enjoyed by other users, also when travelling. When travelling in another Member State, the solutions in place shall not require pre-registration, where feasible, and to the greatest extent possible shall be interoperable across Member States and be based on European standards. Member States can adopt additional requirements to pursue those objectives.

Out of the 28 respondents, 15 confirmed having implemented the provisions in Article 109 EEC.¹³¹

In those countries that have implemented this provision, the implementation has mainly regarded all fixed providers and all mobile providers. The entity responsible for the implementation of the provision is either the NRA and/or the Government or other entities.

¹²⁷ CY, CZ, DK, IT, MT, NL, SE.

¹²⁸ BE, CY, DE, EL, IE, IT, SI.

¹²⁹ HR, IE, IT.

¹³⁰ IE, LT.

¹³¹ AT, BE, BG, CY, CZ, DK, FI, FR, HR, HU, LT, ME, MT, NL, SK.

Out of the 13 NRAs that did not confirm having not implemented Article 109 EECC, six are planning to do so in the near future or have in place ongoing processes for its transposition.

The questionnaire also asked more generally – without any specific link to Article 109 EECC – if access to emergency services (112) has been implemented with specific measures to ensure access to emergency services for end-users with disabilities. Out of the 28 answers, 20 countries indicated that such measures had been implemented.¹³² Only one country answered that the measure was not implemented yet. Seven NRAs have not replied.

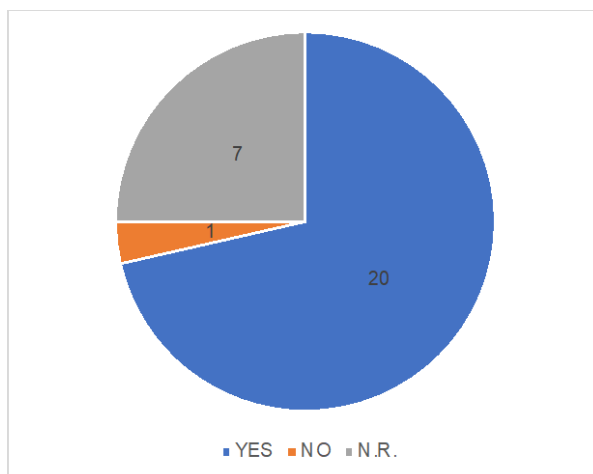
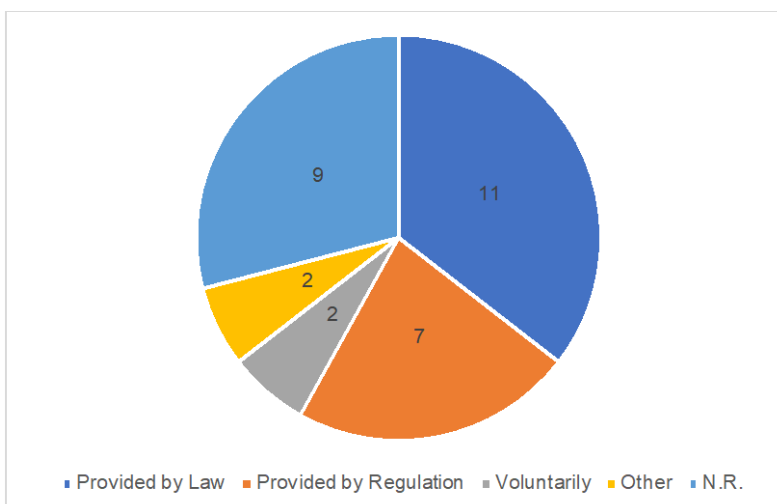


Figure 25 – Access to emergency services (112) with specific measures to ensure access for end-users with disabilities implemented or not

In the countries where access to emergency services (112) has been implemented, the implementation was adopted in different ways.



¹³² AT, BG, CZ, DE, DK, EL, ES, FI, HR, HU, IE, IT, LT, LV, ME, MT, NL, PT, SE, SI.

Figure 26 – Ways of the implementation

Most of NRAs provided details on the measures on access to emergency services for end-users with disabilities. Some of them have also defined a mechanism for text-based emergency communications (i.e. SMS messages)¹³³ to be sent to PSAPs (Public-Safety Answering Points).

The measure of access to emergency services (112) is implemented for different groups of end-users with disabilities in different countries (see section 3.5.5).

In the countries where the measure is not adopted, the NRAs do not have information on the exact date of the EECC transposition, which is placed under the responsibility of the Government.

9 Conclusions

Until the transposition of the EECC, NRAs have exercised their statutory powers, conferred on them through the national transposition of the provisions of the USD, in different ways. As the new EECC has been nationally transposed only recently, its provisions have been implemented only partially by NRAs.

The present report can be considered an inventory of measures adopted by NRAs across Member States and its main purpose is to assist and inform NRAs in the process of evaluating how to ensure equivalent access and choice for disabled end-users.

Some NRAs have imposed obligations on the Universal Service Provider to ensure equivalence of access and affordability for a specific set of services, while other NRAs have taken a different approach and have imposed obligations on all or some service providers to ensure that disabled end-users: a) have access to electronic communications services equivalent to that enjoyed by the majority of end-users; and b) benefit from the choice of undertakings and services available to the majority of end-users.

On the basis of the responses received from NRAs, it seems that at the moment there is no single way to ensure equivalence of access for end-users with disabilities across all Member States. Although BEREC thinks that it is not possible to recommend a single approach, methodology or set of best practices, the following elements, derived from the answers to the questionnaire as well as from other informational sources consulted during the drafting of the report, are proposed in order to assist NRAs when considering measures addressed to end-users with disabilities:

- It is recognized that the EECC, together with The European Accessibility Act, shifts the focus from specific Universal Service provisions to a set of general and overarching

¹³³ SMS to emergency services is possible in e.g. DK, FR, IE, MT, NO, SE and others. In MT, the 112 service is also provided through an app.

accessibility provisions – including some with a strict timeline – and that it becomes imperative that Member States actively relate to this change of focus.

- Because of the differences in the European practical approach to accessibility, BEREC recognizes the need for further international multistakeholder collaboration in order to meet the intentions and obligations of the regulatory developments.
- Although NRAs have different competences, BEREC considers important that in each country NRAs collaborate with the Government and other national entities, responsible for ensuring equivalence of access and choice for end-users with disabilities, in order to guarantee a shared framework.
- From the responses received, it also emerges that NRAs are playing an active role in consulting with representatives from disability associations. On this issue, BEREC deems essential that NRAs maintain a constant dialogue with disability associations in order to increase their knowledge and understanding of the needs of this particular group of end-users of electronic communication services.
- It can be understood that the use of web-based and/or app-based solutions may offer greater flexibility and a larger field of application than traditional textphones.
- Relay services should aim at being multipurposed, and doing so accommodating the needs of persons with different types of impairments (e.g., covering hearing, visual, motoric and mental/cognitive aspects).
- Member States could benefit from actively investigating the non-activated accessibility functionalities in smartphones and the features and functions at network level needed for their activation. A multi-stakeholder approach and interaction with both handset operating system providers and mobile network operators may prove to be beneficial.
- Once established, targeted campaigns and other educational activities organized by NRAs, possibly with the cooperation of end-users with disabilities associations, would be highly beneficial in order to highlight the features and technological solutions – relay or other assistive technologies – provided for equal access.
- Member States would benefit from taking an early approach to implementing the accessibility provisions on electronic communications products and services prescribed in The European Accessibility Act, e. g., introducing real time text before 28 June 2025 and measures on emergency communications.
- It could be investigated to what extent the implementation of NG112 (Next Generation 112 number) is able to facilitate real time text, total conversation and other means of communication with Public-Safety Answering Points, and is beneficial to the increased safety of all European citizens.
- Accessibility solutions available to guarantee equivalent access to emergency services by calls to 112 number (or other means), must be promoted and highlighted by NRAs in order to raise awareness for both domestic and travelling end-users with disabilities.

In this context, the European Disability Forum (EDF), in their Directive Implementation Toolkit¹³⁴, issued to provide recommendations to national authorities and organisations of persons with disabilities, for a successful implementation of the EECC, shares BEREC's view on the need for a close contact between NRAs, Ministries and other competent Authorities or entities that oversee or are involved in the EECC transposition process, and national organisations of persons with disabilities.

EDF also shares BEREC's view on the importance of a timely implementation of video and text relay services – obligation mandated by the European Accessibility Act and reinstated in the EECC and– by emphasizing that relay services and their availability 24/7 is crucial in ensuring equal access in general as well as in emergency situations.

¹³⁴ The European Disability Forum (EDF) is an umbrella organisation of persons with disabilities. Relevant publication at: https://www.edf-feph.org/content/uploads/2020/12/edf_toolkit_on_transposition_of_the_european_electronic_communications_code5231.pdf

Annexes

1 Annex 1 – Country codes

AT	Austria
BA	Bosnia and Herzegovina
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EL	Greece
ES	Spain
FI	Finland
FR	France
HR	Croatia
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LV	Latvia
ME	Montenegro
MT	Malta
NL	the Netherlands
NO	Norway
PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia

2 Annex 2 - Implementation of EECC and other regulation

Country	Specific measures regarding implementation and monitoring of the provisions of Article 85.4
CZ	In the Czech Republic the universal service provider to whom an obligation has been imposed shall provide disabled persons with access to a publicly available electronic communications service in a way that is affordable to them and provides equivalent access to that enjoyed by other consumers, including access to emergency services through emergency communications, including, where necessary, full conversation and conversion services.
EL	As regards how the measures on Article 85.4 are monitored, in Greece the NRA is responsible for monitoring the obligations imposed to the providers, within the framework of its general monitoring competencies.
ES	In Spain the USO shall ensure the existence of a sufficient and technologically up-to-date supply of special terminals, adapted to different types of disabilities, such as text telephones, videophones or amplified telephones for the hearing impaired, or solutions to enable visually impaired persons to access the contents of the terminal screens, and make sufficient dissemination of it. USP submits, for approval by the competent Ministry, plans for adapting public pay telephones to facilitate their accessibility by users with disabilities and, in particular, by blind, wheelchair or short-sighted users.
HR	in Croatia, in the context of USO in exceptional cases retail prices of services are regulated on the relevant markets where competition is effective, to ensure a) availability of special pricing systems adjusted to end-users with special social needs and b) the possibility for end-users of universal services to avoid additional charges which are not necessary for the provision of services
HU	<p>In Hungary the NRA takes into account costs specifically for people with disabilities when assessing the affordability of USO and after designation of one or more providers as USP the NRA assesses whether terminal equipment and other equipment and services ensuring equivalent access to the USO are available at an affordable price for consumers and if not, the NRA must initiate the setting up of an appropriate funding scheme by the government.</p> <p>As regards how the measures on Article 85.4 are monitored, the NRA assesses the costs arising specifically to consumers with special social -need and/or disabilities taking into account the services available on the market, their prices, the consumers' income level, the type and amount of ECS services used, the costs of these services, and the weight of these costs in the consumers' expenditure, the additional costs borne for terminal or special equipment. For this assessment, the NRA can use its own databases, the records from government statistics and publicly available market data but may also request information from ECS providers.</p>
NL	In the Netherlands as part of the USO, a special service is available for people who are deaf (Tele-talk) while total conversation software paid by health-insurance is available. As regards on how the measures on Article 85.4 are monitored, the NRA checks the availability of the service, every month through a report from the Tele-talk company (calling-service for people who are deaf daily from 7.00 A.M. until 20.00 P.M. (video and text).
PL	In Poland provision and adaptation of services to the needs of customers with disabilities, the equivalent accessibility of Internet services and appropriately adapted telecommunications equipment is an obligation of providers of publicly available telephone services.

SI	In Slovenia terminals and other equipment are available at purchase price, as well as 50% discount on start fee and monthly fees.
Country	Specific measures regarding implementation and monitoring of the provisions of Article 96.2
AT	As regards how the measures on Article 96.2 are monitored, in Austria monitoring takes place within the framework of number supervision.
DE	As regards the specifics of the implementation provided by the respondents, in Germany according to the service description on the initiative's website, the hotline for missing children can be reached around the clock and free of charge from anywhere in Germany, from both fixed and mobile networks, while calls from phone booths are also free of charge. Deaf, hard of hearing and dumb people can reach the 116000 by fax
DK	As regards the specifics of the implementation provided by the respondents In Denmark the text relay service provides access to all numbers, also 116 000 independent of where the end-user is situated. As regards on how the measures on Article 96.2 are monitored, it's the Danish Energy Agency who monitors all measures for people with disabilities.
ES	As regards the specifics of the implementation provided by the respondents, in Spain, the Ministry shall take appropriate initiatives to enable end-users with disabilities to have the best possible access to the services provided through the harmonised European numbers starting with figures 116, by establishing conditions that may include enabling total communication through voice, text and video so that people with sensory disabilities are not excluded.
HR	As regards the specifics of the implementation provided by the respondents, in Croatia the NRA ensures that all operators of publicly available telephone services enable the establishment of all calls to numbers in the range starting with 116 which are reserved for services of social value and, in particular to the 116000 number which is reserved to report cases of missing children.
Country	Specific measures regarding implementation and monitoring of the provisions of Article 102
AT	As regards how the measures on Article 102 are monitored, in Austria the NRA occasionally requests the contract summaries from the providers or views them if they are submitted in the conciliation procedure. In addition there is a duty of notification and inspection by the NRA, to control of the general terms and conditions pursuant to the relevant provisions.
CY	As regards how the measures on Article 102 are monitored, in Cyprus the NRA monitors compliance with the provisions of the law and has the power to impose administrative sanctions against providers who do not comply with the provisions of the legislation
DE	As regards how the measures on Article 102 are monitored, in Germany, monitoring is based on complaints; there is a consumer service at the NRA through which end-users get information and can complain about infringements of the national Telecommunications Act by the undertakings, and if needed the NRA provides a dispute resolution service.
PL	As regards how the measures on Article 102 are monitored, in Poland since most of the EECC has not been implemented yet including new end-user rights ways for monitoring have not been established yet, however the NRA has the authority to issue a monition and ask information or clarification of all operators.
Country	Specific measures regarding implementation and monitoring of the provisions of Article 103
CZ	As regards how the measures on Article 103 are monitored, in the Czech Republic the provider of Internet access services or publicly available interpersonal communications services shall be obliged to provide the NRA with information for the purpose of publishing

	a free independent comparative tool to enable comparison and assessment of different publicly available electronic communications services in terms of prices and the quality of the service provided.
LT	As regards on how the measures on Article 103 are monitored, in Lithuania NRA can require the provider to submit information before publishing. At the request of NRA, the provider shall, within a period of not less than 10 working days, clarify and/or supplement the information to be published and/or published information.
Country	Specific measures regarding implementation and monitoring of the provisions of Article 104
AT	As regards the specifics of the implementation provided by the respondents, in Austria the operators must provide information on quality of service and on the measures required to ensure equivalence for persons with disabilities. As regards on how the measures on Article 104 are monitored the NRA with the Ministry, may prescribe the quality of service parameters to be recorded, the measurement methods to be used, and the content, form and type of information to be published, including any quality certification mechanisms taking into account the needs of persons with disabilities as to enable them to use telecommunications services and access contract content and pre-contractual information to the same extent as persons without disabilities.
HU	As regards the specifics of the implementation provided by the respondents, in Hungary the NRA sets detailed rules for the providers of internet access services and publicly available interpersonal communications services on the way to publish the information concerning the quality of the service they provide to enable the subscribers - including persons with disabilities – and to obtain comprehensive, comparable, reliable, user-friendly and appropriately updated information, while service providers must set relevant KPIs for the performance indicators and ECS providers set additional KPIs on a voluntary basis.
HR	As regards the specifics of the implementation provided by the respondents in In Croatia, operators must promote equipment and services that are tailored to people with disabilities.
LT	As regards how the measures on Article 104 are monitored in Lithuania levels of Qos parameters should be published by service providers annually.
NL	As regards how the measures on Article 104 are monitored, various ways are reported. In the Netherlands the NRA may impose an obligation on providers to disclose information with regard to the measures they have taken to ensure equal access for disabled end-users; since the EECC is very recently implemented, further rules may be established if necessary.
Country	Specific measures regarding implementation and monitoring of the provisions of Article 109
AT	As regards how the measures on Article 104 are monitored, in Austria there is no active monitoring.
CZ	As regards the specifics of the implementation provided by the respondents, in the Czech Republic, an undertaking providing a publicly available number-based interpersonal communications services enabling end-users to call numbers in the national or international numbering plan, shall provide disabled users, equivalent and free of charge access to emergency services.
HU	As regards how the measures on Article 104 are monitored in Hungary the NRA does not monitor the functioning of emergency calls management, but it provides an expert opinion and advice if needed; the NRA supervises compliance on the part of ECS providers and

	performs market surveillance in the area of radio equipment made available on the market.
HR	As regards how the measures on Article 104 are monitored in Croatia relevant inspection is performed.
NL	As regards how the measures on Article 104 are monitored in the Netherlands the NRA has a close contact with the telecom providers.
Country	Specific measures regarding implementation and monitoring of the provisions of Article 111.1.a
IT	As regards on how the measures on Article 111.1.a are monitored, in Italy the NRA performs periodical checks on operators' websites, analyses complaints and reporting, and asks operators to provide information regarding the implementation of measures.
PL	As regards on how the measures on Article 111.1.a are monitored, in Poland the NRA conducts regular controls of telecommunications operators on the provision of accessibility for people with special needs.
Country	Specific measures regarding implementation and monitoring of the provisions of Article 111.1.b
HR	As regards on how the measures on Article 111.1.b are monitored, in Croatia the NRA is responsible for the supervision of the compliance of business operations of ECN operators concerning security and integrity of electronic communications networks and services and personal data protection, and the inspection over the implementation of Electronic Communication Act and adopted regulations.
LT	In Lithuania the NRA has the right to impose requirements on providers of publicly available electronic communications services in relation to provision of electronic communications services, including total conversation services, to disabled end-users, including standards and/or technical specifications, to be met or recommended
Country	Specific measures regarding implementation and monitoring of the provisions of Article 114.1
BE	As regards on how the measures on Article 114.1 are monitored, in Belgium the NRA is only responsible for the media in the Brussels-Capital region whereas other regions are under the jurisdiction of the media regulators (CSA, VRM and Medienrat).
CY	As regards on how the measures on Article 114.1 are monitored, in Cyprus the NRA has the powers to monitor compliance with the provisions of the law and impose administrative sanctions against providers who do not comply with the provisions of the legislation.

3 Annex 3 - Measures and initiatives currently in place

Access and affordability	
Country	Accessible services
IE	In Ireland, ComReg specifies Accessible Services requirements that are to be complied with by Undertakings in order to ensure equivalence in access and choice for disabled end-users. Please refer to the following document: Electronic Communications: Measures to Ensure Equivalence in Access and Choice for Disabled End-users. https://www.comreg.ie/publication/electronic-communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2
IT	In Italy, Agcom regulation identifies in detail, according to national law, which groups of end-users with disabilities can subscribe to accessible offers/services. This means there is a difference in how specific regulation is implemented.
PT	According to the Portuguese Electronic Communication Law this measure applies to any “end-user with disability” in general, not specifying the disability.
SI	In Slovenia the measure for visual impairment applies to users who has been diagnosed with at least 80% physical impairment due to vision loss. Measures for hearing impairment applies to a user who has been diagnosed with at least 60% physical impairment due to hearing loss, and the measures for motor impairment apply to users who has been diagnosed with at least 80% physical impairment.
Country	Availability of multiple accessible services/bundles
AT	Austria explained that implementation steps are still missing, because there are various private initiatives or efforts by providers, but an overview of the various initiatives is still missing.
CZ	In the Czech Republic, bundles are not connected with any specific group of end-users.
EL	In Greece providers should also publish details of available products and services that have been specially designed for subscribers with disabilities. In order to ensure the accuracy and the ability to compare information provided by the enterprises, EETT may conduct conformity assessment of the relevant performance indicators.
IT	In Italy, Agcom regulation provides for the availability of accessible mobile and fixed bundles (voice + data). Micro, small and medium-sized enterprises, according to Commission Recommendation of 6 May 2003, are exempted from the implementation of the provisions.
MT	Malta reported that the Foundation for Information Technology Accessibility and Commissioner for the rights of people with disabilities are collaborating with service providers which offers retail packages/bundles with discounted prices to ensure an even playing field for persons with disability when accessing communication resources.
PL	In Poland some of the providers offer access to services for particular groups of end-users with disabilities.
PT	Portugal explained that according to the Portuguese Electronic Communication Law this measure applies to any “end-user with disability” in general, not specifying the disability.
Country	Affordability of services and/or terminal equipment

CZ	In the Czech Republic the affordability of services and/or terminal equipment is part of the universal service.
DE	Germany explained that there are affordability measures with respect to relay services.
EL	<p>In Greece these provisions are related only in the facilitation of access to telephone services, which in the case of the USO provider, it is specialized on the cost and the availability of the terminal equipment.¹³⁵ The following special tariff schemes for the disabled end-users apply:</p> <ul style="list-style-type: none"> - Price reduction for using basic telephone services (31,98 per month for calls). - Free directory enquiry service (up to 20 calls per month) to the blind or visually impaired (in such degree that does not allow them to have access to a printed telephone directory). <p>In addition, the Universal Service Provider is obliged in Greece to make available the directory in electronic format using plain text without graphics (text only) via CD-ROM to blind end-users free of charge, as well as through its website.</p> <p>Furthermore more, the following measures apply in Greece:</p> <ul style="list-style-type: none"> - There is a special provision in force for disabled end-users to prevent the loss of their fixed telephone connection, for example as a result of unpaid bills. - The Universal Service Provider should provide special terminal equipment (e.g. teletext) at cost oriented prices to people with hearing and vision difficulties (disability 67% and above). <p>All the above mentioned provisions were imposed before the EECC Directive and are all currently under revision.</p>
ES	<p>In Spain the affordability of services and/or terminal equipment part of the universal service. The USO provider shall provide special price plans for:</p> <ul style="list-style-type: none"> - Blind or severely visually impaired users. This plan shall consist of the application of a certain exemption in calls to the telephone consultation service on subscriber numbers and in the establishment of the conditions for the free receipt of invoices and of the advertising of information provided to other fixed telephone subscribers on the conditions for the provision of services, in Braille system or in enlarged letters or characters, without prejudice to the offer that this information can be made in other systems or alternative formats. - Users who are deaf or severely hard of hearing. This special price plan will apply to calls made from any point in the national territory that have as their origin or destination a text telephony terminal, and that are established through the intermediation service center for text telephones.
IE	Ireland describes that some of the provisions are implemented by the Department of Social Protection.
IT	In Italy, the NRA has adopted a set of measures addressed to deaf users, blind users and users with severe motor disabilities concerning discount on fixed and mobile services. More specifically, the main fixed operators have to apply a 50% discount on the fees of all flat and semi-flat bundled (voice + broadband) offers. Whereas the main mobile operators have to apply 50% of discount to at least 3 offers chosen by the operator: a) < 50 Gigabytes; b) > 50 Gigabytes; c) unlimited.

¹³⁵ Greece also added: "The following obligations have been imposed to the operators according to the above-mentioned provisions. The US Directive has been transposed to the national legislation with the Law 4070/2012. The obligations regarding the people with disabilities are included in the Ministerial Decision 44867/1637/2008, while the obligations of all operators are included in the "Regulation on General Authorizations" (EETT Decision no 676/41/20-12-12). Therefore, two different regulatory documents cover the above provisions and, as it can be derived from the list of the obligations below, these provisions are related only in the facilitation of access to telephone services, which in the case of the US provider, it is specialized on the cost and the availability of the terminal equipment."

LV	In Latvia are tariff discounts available
MT	As a universal service, the designated undertaking shall provide (i) reduced price on fixed line rental, (ii) one call free of charge per week for the visually impaired to access a directory enquiry service, and (iii) a Telecare type of service which allows access to a specialist emergency call centre on a 24hrs a day basis and which is provided at a very reduced price to people on low income and with special social needs. Furthermore, certain service providers are offering retail packages/bundles specifically to consumers with disabilities at a reduced price. In Malta, a number of schemes, which fall outside the universal service regime, were also launched mainly by Government entities to facilitate uptake and affordability of broadband internet access services. These schemes offer various discounts to students and low income households to access broadband services and some schemes also provide eligible students with a device to assist them in their studies. Another scheme is available targeting senior citizens to benefit from discounted prices for ECS.
NL	In the Netherlands the aim is to achieve affordability through market forces. The ACM is going to monitor the prices to make sure services are affordable, especially for end-users with disabilities.
PT	According to the Portuguese Electronic Communication Law this measure applies to any “end-user with disability” or “end-user with special social needs” in general, not specifying the disability.
SI	In Slovenia a decree on measures for disabled end-users is available at purchase price.
Equipment, software and website information	
Country	Minimum set-up requirements for accessible equipment
IE	<p>In Ireland, ComReg requires Service Providers selling terminal equipment to provide one of two services for disabled end-users who use a hearing aid or have a cochlear implant:</p> <ul style="list-style-type: none"> – a testing facility to test terminal equipment at the Undertaking’s retail shops, in advance of purchasing the terminal equipment; or – a returns policy which allows for terminal equipment which has not been tested in advance of purchase to be returned because it does not meet their specific hearing needs. <p>The service provider selling terminal equipment must ensure that the testing facility is supported by on-site staff that are trained in the use of terminal equipment and are adequately equipped to address any queries raised by disabled end-users in advance of purchase.</p> <p>Please refer the following document: Electronic Communications: Measures to Ensure Equivalence in Access and Choice for Disabled End-users. https://www.comreg.ie/publication/electronic-communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2</p>
SI	<p>Slovenia provided the following details on the minimum set-up requirements:</p> <ul style="list-style-type: none"> - Simplicity of use, - Larger and easy-to-use keys, - Simple management of screen settings (brightness, contrast, ...), - Possibility to adjust level of sound over the normal levels, - Hot keys (short dialing keys), - Visual and sound warnings (over the normal levels), - Connectivity with hearing aid
Country	Accessible software application in national language

DE	Germany specifies that there are several apps to help disabled people in daily life (e.g.: special GPS for blind persons, app to find wheelchair accessible places and restaurants). Several accessible software is available and a website helps to find the right one: http://www.barrierefrei-kommunizieren.de/datenbank/ .
ES	Spain added that the reference is made to disabled users in general.
NL	In the Netherlands this measure is part of the USO.
Country	Website information
AT	In Austria, the documents provided on the website of the providers must comply with the accessibility requirements for products and services. ¹³⁶
CZ	In the Czech Republic a website (app) is considered to be perceptible, operable, understandable and stable if it complies with the requirements of a harmonized standard or parts thereof, to which a reference has been published in the Official Journal of the European Union in accordance with Article 6(1) of Directive (EU) 2016/2102 of the European Parliament and of the Council. ¹³⁷
DE	In Germany it is required that public authorities at federal level realize accessibility with regard to information technology. ¹³⁸ The corresponding regulation (BITV) provides technical requirements in principle the same as the Web Content Accessibility Guidelines 2.0. The regulation should be reviewed periodically in consideration of technical development (section 4 BITV).
DK	In Denmark the executive order states that information to be published in accordance with EEC article 103 shall be published in a format accessible for people with impairments.
HR	In Croatia operators must promote equipment and services that are tailored to people with a disability. Operators are obliged to provide contact persons who are trained to provide assistance to people with disabilities, about products and services tailored to their needs.
IE	In Ireland undertakings are currently obliged by ComReg to ensure that their websites are in line with the W3C Web Content Accessibility Guidelines (WCAG 2.2). Please note that ComReg has answered this question on the basis of its intervention in the market.
IT	In Italy the main fixed and mobile operators have to publish on their website a dedicated page with detailed information on fixed and mobile offers addressed to end-users with disabilities, as well as the forms to be filled in (also digitally) to subscribe to the offers. ¹³⁹
PL	In Poland there are detailed requirements for the provision of facilities for persons with disabilities by providers of publicly available telephone services. ¹⁴⁰
Customer services and complaints	
Country	Statement setting out approach and policy in providing accessible services
AT	In Austria the relevant information provided by the operators for disabled users must also comply with the accessibility requirements for products and services (Article 129 (2) TKG 2021).
HU	Hungary has not adopted this at this time.

¹³⁶ Article 129 (2) TKG 2021).

¹³⁷ Act no. 99/2019 Coll., on accessibility of websites and mobile apps.

¹³⁸ Section 12a of the German Act on Equal Opportunities for Persons with Disabilities (BGG).

¹³⁹ The contents of the dedicated page have to be compliant with the WCAG guidelines (Web Content Accessibility Guidelines), according to law no. 4/2004, as amended by law no. 120/2020, which establishes the accessibility requirements of websites.

¹⁴⁰ Ordinance of the Minister of Administration and Digitization of 26 March 2014.

HR	In Croatia operators are obliged to provide contact persons who are trained to provide assistance to people with disabilities about products and services tailored to their needs.
IE	In Ireland, ComReg requires undertakings to publish an Accessibility Statement as regards its accessible products and services. Please refer to the following document: Measures for Disabled End-Users: Requirement for an Accessibility Statement. https://www.comreg.ie/publication/measures-for-disabled-end-users-requirement-for-an-accessibility-statement
NL	The Netherlands mentioned that they did not use the option in article 104 to require publication of the measures taken, but will explore this possibility at a later time.
Country	Accessibility of customer support services
AT	In Austria customer support services are provided by disability protection organizations and associations.
DE	Germany reported that they have not received any complaints about this topic so far.
ES	In Spain, customer service will be accessible to users with disabilities, as established in article 3 of the Regulation on the basic conditions for the access of people with disabilities to technologies, products and services related to the information society and social media (Royal Decree 1494/2007).
HU	In Hungary, this measure is not adopted, because the NRA's opinion is that the national implementation of the European Accessibility Act should come first because it contains many horizontal requirements also concerning customer services. Any remaining issues can be handled in sectoral legislation.
IE	In Ireland, ComReg requires an accessible means for disabled end-users to access the Undertaking's customer services. Please refer to the following document: Electronic Communications: Measures to Ensure Equivalence in Access and Choice for Disabled End-users. https://www.comreg.ie/publication/electronic-communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2
IT	In Italy the main fixed and mobile operators have to make available, from 8 a.m. to 12 p.m., a free dedicated digital channel for assistance to consumers with disabilities that allows them, upon identification, to request technical assistance, file a complaint and receive information. (see also Resolution n. 290/21/CONS).
NL	In the Netherlands it is not clear yet if measures are necessary
MT	Malta reported that service providers provide an array of customer support services which include: telephony support, visiting an outlet, email, online chat, online messengers (such as WhatsApp and Facebook Messenger).
Country	Accessible complaints procedures
AT	Austria reported that complaints receive telephone assistance in requesting conciliation if they are unable to complete the form and explained that explained that the conciliation body supports all types of disabled persons in submitting a conciliation request or in conducting conciliation proceedings.
IE	In Ireland, ComReg requires an accessible means for disabled end-users to access the Undertaking's customer services in order to lodge a complaint and/or make an enquiry. Please refer to the following document: Electronic Communications: Measures to Ensure Equivalence in Access and Choice for Disabled End-users. https://www.comreg.ie/publication/electronic-communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2

	communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2
LV	Latvia explained that everyone has the same possibilities and rights, and that there is no special adoption for disabled end-users.
MT	In Malta, service providers provide different channels for an end-user to submit his/her complaint which include: letter, visiting an outlet, email, and telephone.
Country	Information regarding operator's code of practice for complaints handling
HU	Hungary explained that the general terms and conditions contain the procedures for complaint handling. Terms and conditions must be accessible at customer service premises and on the service provider's website free of charge in an easily accessible format on the opening site. It must be downloadable, storable, printable, and searchable.
IE	In Ireland, ComReg requires an accessible means for end-users with disabilities to access a providers customer service in order to lodge a complaint and/or make an enquiry. Please refer to the following document: Electronic Communications: Measures to Ensure Equivalence in Access and Choice for Disabled End-users. https://www.comreg.ie/publication/electronic-communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2 .
Country	Availability of terminal equipment
DK	In Denmark the USP provides equipment for people with hearing at visual impairments for using the text relay service.
ES	In Spain the USO shall ensure the existence of a sufficient and technologically up-to-date supply of special terminals, adapted to different types of disabilities, such as text telephones, videophones or amplified telephones for the hearing impaired, or solutions to enable visually impaired persons to access the contents of the terminal screens, and make sufficient dissemination of it.
HR	Croatia has reported that operators must make available and free of charge to persons with disabilities equipment with specific characteristics and in particular audible signals of incoming calls or messages louder than usual, amplification, inductive connection or other means of facilitating the use of the telephone devices for people with hearing aids, replacement of sound signals of incoming calls and messages with visible ones, keyboards designed for use by the visually impaired or immobile persons and also devices to persons with hearing loss that allow calls equal to voice, via text messages or some other visual interface at a cost of calls not exceeding the price of an equal voice call.
IE	In Ireland, ComReg requires Service Providers selling terminal equipment to provide one of two services for disabled end-users who use a hearing aid or have a cochlear implant: <ul style="list-style-type: none"> – a testing facility to test terminal equipment at the Undertaking's retail shops, in advance of purchasing the terminal equipment; or – a returns policy which allows for terminal equipment which has not been tested in advance of purchase to be returned because it does not meet their specific hearing needs. The service provider selling terminal equipment must ensure that the testing facility is supported by on-site staff that are trained in the use of terminal equipment and are adequately equipped to address any queries raised by disabled end-users in advance of purchase. Please refer the following document:

	Electronic Communications: Measures to Ensure Equivalence in Access and Choice for Disabled End-users. https://www.comreg.ie/publication/electronic-communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2
PT	In Portugal, the USP must ensure that the following specific offers are made available free of charge: handset amplifier equipment and illuminated call alert equipment.
SI	In Slovenia the measures include equipment with minimum characteristics (Simplicity of use, larger and easy-to-use keys, simple management of screen settings such as brightness and contrast, possibility to adjust level of sound over the normal levels, hot keys short dialling keys), visual and sound warnings (over the normal levels) and connectivity with hearing aid.
SW	In Sweden the prescription of accessible equipment is regulated by provisions in various laws, such as the Health Care Act, HSL, and the Patient Act.
Other additional services/measures in place	
Country	Accessible top up facility for prepaid mobile users
IE	In Ireland, ComReg requires Undertakings to provide a SMS top-up facility for disabled end-users of pre-paid mobile services. Please refer to the following document: Electronic Communications: Measures to Ensure Equivalence in Access and Choice for Disabled End-users. https://www.comreg.ie/publication/electronic-communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2
Country	Accessible directory enquiries
EL	In Greece it is reported that measure consists of: 1. free directory enquiry service (up to 20 calls per month) to the blind or visually impaired (in such degree that does not allow them to have access to a printed telephone directory). 2. In addition the Universal Service Provider is obliged to make available the directory in electronic format using plain text without graphics (text only) via CD-ROM to blind end-users free of charge, as well as through its website.
ES	In Spain within the group of persons with disabilities, blind or severely visually impaired persons, persons who are deaf or severely hearing impaired, persons with serious speech problems and, in general, any other persons with physical disabilities that manifestly prevent them from normal access to the fixed telephone service or require a more onerous use of it, shall be considered to be included.
IE	In Ireland, ComReg requires Undertakings to provide for subscribers who are unable to use the phone book because of a vision impairment and/or have difficulty reading the phone book (so long as a printed directory is a Universal Service Obligation), special Directory Enquiry arrangements to allow the use of a directory enquiry service free of charge, once certification of disability is provided by a registered medical practitioner or by an appropriate agent. Please refer to the following document: Electronic Communications: Measures to Ensure Equivalence in Access and Choice for Disabled End-users. https://www.comreg.ie/publication/electronic-communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2
MT	In Malta in accordance with Chapter 399 – Law, Subsidiary Legislation 399.48 and MCA USO Decision Notice the universal service obligations referred to as ‘Other’ include (i) one call free of charge per week for the visually impaired to access a

	directory enquiry service, and (ii) comprehensive electronic directory which is accessible by means of an online directory enquiry service. Although the comprehensive electronic directory does not specifically target end-users with disabilities, it may facilitate access to the directory enquiry services for end-users with hearing impairment.
Country	Accessible information in respect of contracts, switching contracts and notification of modifications
HR	In Croatia necessary services that operators must make available free of charge to persons with disabilities include at least: <ol style="list-style-type: none"> 1. access to emergency services for the deaf, 2. access to the special information service for persons with disabilities it offers information service operator, 3. subscription contracts and invoices printed in a way that allows people with visual impairment, 4. written information about products in branches in a way that in all sales places (shops) information on prices and characteristics of the device be exposed vertically to be visible to wheelchair users
IE	All contractual information must be accessible and up to date. This includes notifications in respect to any changes to your contract that are set out in the Universal Service Regulations.
MT	In Malta in the number of portability process, there are no specific measures targeting end-users with disabilities. However, there are measures which may facilitate access to this process for end-users with disabilities such as the possibility for the subscribers to mandate an authorised representative to carry out porting on their behalf. The filled-in porting form may also be sent by email or post to the recipient operator so that subscribers do not have to physically visit the retail outlet of the recipient operator.
NL	Focus in the Netherlands is mostly on visual and hearing impairment, but ACM is interested to extend this to people with (for example) a mild intellectual disability.
Country	Accessible commercial and billing information
CZ	In the Czech Republic this service is not connected with special type of end-users. It has to be accessible to all customers.
EL	In Greece billing information is provided through a special phone line (short code)
IE	In Ireland, ComReg requires Undertakings to provide accessible billing information. Please refer to the following document: Electronic Communications: Measures to Ensure Equivalence in Access and Choice for Disabled End-users. https://www.comreg.ie/publication/electronic-communications-measures-to-ensure-equivalence-in-access-and-choice-for-disabled-end-users-2
IT	According to resolution n. 290/21/CONS, the main fixed and mobile operators have to send, free of charge, at the request of blind consumers, the invoice document in PDF format or in other formats compatible with assistive technologies for reading digital documents.
Country	Access to emergency services (112)
EL	Alternative access through SMS.
IE	AML has been implemented in Ireland since 2017. There has been no new legislation within the period regarding caller location accuracy. There were no new legislative measures adopted in 2021. However, we note that AML is now in place for SMS messages sent to our PSAPs. Also, the requirement to register for the

	purpose of sending SMS to the emergency service has been removed within the period.
IT	In Italy ministries are in charge of ensuring that access for end-users with disabilities to emergency services is available.
MT	In Malta besides calling the 112 service (as applicable by law), access to emergency services is also provided through an app and SMS.

4 Annex 4 - Competences of NRAs regarding the protection of end-users with disabilities

Country	Competences of NRAs
AT	The regulation pursuant to Article 46 (4) TKG 2021 may also set out appropriate measures that, in consideration of the needs of people with disabilities and in line with applicable legal provisions, make it possible for such individuals to make use of telecommunications services and to gain access to contractual content and precontractual information to the same extent as people without disabilities.
BE	<p>BIPT can adopt measures destined to ensure that end-users with disabilities:</p> <ul style="list-style-type: none"> - have an equivalent access to telecom services as the majority of end-users; - benefit from the same choice of operators as the majority of end-users. <p>BIPT can also adopt all measures necessary to ensure that end-users with disabilities have an access to emergency services which is equivalent to the majority of end-users.</p>
CY	<p>Order 56/2018. Special Retail Packages for users with low income and/ or special social needs.</p> <p>Additionally, to the special retail packages, the following are services or facilities for users with special needs:</p> <p>(a) The provider of the universal telecommunications service shall ensure that its customers who need to use Textphones because of their disabilities are able to access a Relay Service.</p> <p>(b) Customers who need to use Textphones because of their disabilities shall be charged for the conveyance of voice and text messages to which a Relay Service applies at no more than the provider of the universal telecommunications service's prevailing standard prices or other charges that are, so far as reasonably practicable, equivalent to such prices as if that conveyance had been made directly between the caller's network termination point and the network termination point of the called person and as if no additional time had been taken to make telephone calls using a Relay Service.</p> <p>(c) The provider of the universal telecommunications service shall ensure that any of its customers using Textphones have access to a public emergency call service, operator assistance and a telephone directory enquiry service using short code numbers; and receive call progress voice announcements in a form suitable for Textphone users.</p> <p>(d) The provider of the universal telecommunications service, when notified of any fault or failure of any of its necessary network elements, shall provide to any residential customers with disabilities who have a bona fide need for an urgent repair, a priority fault repair service so far as is reasonably practicable, at charges not exceeding standard charges.</p> <p>(e) Without prejudice to applicable provisions relating to the non-payment of bills, the provider of the universal telecommunications service shall make provision to ensure that its residential customers who are so disabled as to be dependent on the telephone are able to participate in a scheme to safeguard their telephone services which shall:</p> <ol style="list-style-type: none"> i. enable such customers to give prior notification to the provider of the universal telecommunications service of a nominee to whom that customer's telephone bill shall initially be sent; or any enquiry to establish why a telephone bill has not been paid shall be made; ii. permit the nominee to pay that customer's telephone bill on his behalf; iii. not require the nominee to accept liability to pay the telephone bills of that customer; iv. be provided at no cost to the eligible customer. <p>(f) The provider of the universal telecommunications service shall make available, free of charge, to any residential customer who is blind or whose vision is impaired, upon their</p>

	<p>request any contract (or any subsequent variation thereof) with that customer for the provision of fixed public telephone services (including any publicly available terms or conditions referred to in that contract or variation); and any bill rendered in respect of those services in print large enough for such customer to read, Braille or electronic format appropriate to the reasonable needs of the customer.</p> <p>(g) Pursuant to a decision of the Commissioner, the provider of the universal telecommunications service shall provide funds for the operation, by a person or body agreed by the Commissioner, the provider of the universal telecommunications service and any other person contributing to its funding, of a telephone relay service for customers of the provider of the universal telecommunications service or of another operator, who need to use textphones because of their disabilities.</p>
CZ	<p>An undertaking providing a publicly available number-based interpersonal communications service enabling end-users to call numbers in the national or international numbering plan shall provide all its end-users, including disabled users and users of public payphones, with access to emergency services through emergency communications to emergency numbers with an emergency communications centre, which is free of charge and which does not require the use of any means of payment. The undertaking shall ensure that disabled users have access to emergency services equivalent to that available to other users.</p> <p>A universal service provider to whom an obligation has been imposed shall provide disabled persons with access to a publicly available electronic communications service in a way that is affordable to them and enables equivalent access to that enjoyed by other consumers, including access to emergency services through emergency communications, including, where necessary, full conversation and conversion services.</p> <p>The Authority shall impose an obligation to allow persons with special social needs under sections 44 and 45 to choose prices or price plans which differ from price plans provided under normal commercial conditions so that such persons can access and benefit from the sub-services referred to in paragraph 2(a) and (b) (hereinafter referred to as "special prices"), and not only at a fixed location.</p> <p>Where a provider of an Internet access service or a publicly available interpersonal communication service imposes conditions on the provision of that service, it shall publish information in a clear, comprehensive and machine-readable manner and in a format accessible to end-users with disabilities in accordance with European Union law on the harmonisation of accessibility requirements for products and services.</p> <p>A provider of Internet access services or publicly available interpersonal communications services which controls at least some elements of the network, either directly or through an appropriate service level agreement, shall publish complete, comparable, reliable, user-friendly and up-to-date information for end-users on the quality of its services and on the measures taken to ensure equivalent access for disabled users. This information must be provided to the Czech Telecommunication office upon request.</p>
DE	<p>BNetzA is responsible for the execution of the national Telecommunications Act, which transposes amongst others Art. 85.4, 102,103,104, 109 and 111.</p> <p>BNetzA is the competent authority for implementing section 51 (Non-discrimination, consideration of the interests of end-users with disabilities) of the national Telecommunications Act, especially for ensuring relay service. BNetzA has to determine the extent and degree of coverage of the service as in conjunction with the associations and undertakings concerned and regularly organises a public tender for the relay service. Furthermore, BNetzA ensures financing of the relay service.</p>
EL	<p>Competences in quality of services, requirements for persons with disabilities, information requirements, contracts, web accessibility.</p> <p>Monitoring provisions on tariff packages (ministerial decision).</p>

HR	<p>Necessary equipment that operators must make available free of charge persons with disabilities includes at least:</p> <ol style="list-style-type: none"> 1. audible signals of incoming calls or messages louder than usual, 2. amplification, inductive connection or other means of facilitating the use of the telephone devices for people with hearing aids, 3. replacement of sound signals of incoming calls and messages with visible ones, 4. Keyboards designed for use by the visually impaired or immobile persons, 5. Operators of public communications services are obliged to offer devices to persons with hearing loss allow calls equal to voice, but via text messages or some other visual interface at a cost of calls not exceeding the price of an equal voice call, and with the aim of achieving an equal degree accessibility of public communication services for persons with disabilities. <p>(2) Necessary services that operators must make available without special charge persons with disabilities include at least:</p> <ol style="list-style-type: none"> 1. access to emergency services for the deaf, 2. access to the special information service for persons with disabilities it offers information service operator, 3. subscription contracts and invoices printed in a way that allows people with visual impairment, 4. written information about products in branches in a way that in all sales places (shops) information on prices and characteristics of the device be exposed vertically to be visible to wheelchair users, 5. adjust the branches in such a way that within them there are guides allowed blind and partially sighted people to move independently.
HU	<p>Yes, the NRA has law-making competencies in several areas to establish detailed rules. The NRA is the competent authority to supervise the compliance of ECS providers with the sectoral legislation. It also has competencies in the area of US.</p>
IE	<p>Powers to specify support measures under the provisions of equivalence of access and choice.</p>
IT	<p>The NRA competencies concern the adoption of specific regulation (fixed and mobile services) about equivalent access and choice, information requirements for contracts, transparency of information and quality of services and affordability of universal service.</p>
LT	<p>NRA has the right to impose requirements on providers of publicly available electronic communications services in relation to provision of electronic communications services, including total conversation services, to disabled end-users, including standards and/or technical specifications to be met or recommended.</p> <p>NRA determines the scope, monitoring, deadline, form and methods of submission and/or publication of information on electronic communications services and measures taken to ensure equivalent electronic communications services for disabled end-users for providers of publicly available electronic communications services.</p>
LV	<p>Tariff discounts are applied to persons with disabilities as a Universal Service obligation.</p>
NL	<p>ACM is responsible for:</p> <ul style="list-style-type: none"> - monitoring retail prices for adequate broadband internet access service and voice communication service, to ensure these services are affordable for people with special needs. - determination of quality parameters and additional standards with regard to quality of service for end-users with disabilities (using the guidelines established by BEREC) - imposing obligations for providers to take measures to ensure equal access for end-users with disabilities.

PL	The act of July 16, 2004. Telecommunication Law.
PT	According to the Portuguese Electronic Communication Law NRA is responsible to ensure that end-users with disabilities obtain the maximum benefit in terms of choice, price and quality of the services.
SE	The Swedish Post and Telecom Authority regularly examines the needs of people with disabilities and identifies barriers to the use of ICT. By procuring special services for people with disabilities, the NRA has also built up a great deal of competence in terms of the needs of people with disabilities and we regularly have contact with disability organizations.
SI	Imposing special tariff packages, determination of quality parameters, monitoring.

5 Annex 5 – Funding mechanism

Country	Funding mechanism
BG	National regulatory authority shares the net cost of universal service obligations between providers of electronic communications networks and services through a sectoral fund managed by representatives of the State administration.
CY	The financing for services within universal service is based on the compensation fund. The financing is from sectoral funds.
CZ	The universal service is paid for from the state budget.
DE	<p>In Germany social authorities provide financial assistance for the disabled end-users for promoting participation of disabled people in society and employment, Book IX of the Social Code (SGB IX)).</p> <p>Furthermore, there is a regulation to finance the integration of disabled people in the everyday working life in SGB IX. The undertakings have to pay a countervailing charge in the case of not providing working places for disabled people between 125 and 320 Euro/month/place. The money is spent on services for promoting participation of disabled people in employment (e.g.: to set-up the workplace to the special needs of disabled end-users).</p> <p>Concerning the relay service: The introduction of the relay service is based on a change of section 45 TKG of 18 February 2007 (today section 51 TKG). The Deutsche Telekom AG voluntarily contributed millions of euro to finance the technical rollout of the service and helped to organize the service in close cooperation with the "German Society for Deaf and Hearing-impaired Persons" (DG).</p> <p>Today he total costs per year are about 7,8 Mio. Euro.</p> <p>The law stipulates that the users of the relay service must pay charges and that these charges must be affordable.</p> <p>Unlike for the occupational use of the relay service, the call fees to be paid by the users for the private use of the relay service fall well short of covering the costs of the relay service. For the most part, the telephone service providers finance the costs of the private use of the relay service for deaf and hearing-impaired end-users.</p> <p>In the event that the providers of publicly available telephone services do not render the relay service themselves, the Telecommunications Act requires them to pay contributions towards the funding of the relay service. These contributions are based on the outgoing call minutes that they have rendered in a specific reference year as determined by the Bundesnetzagentur. The Bundesnetzagentur sets the amount of these contributions annually. For this purpose the Bundesnetzagentur asks the undertakings involved for their call minutes. On the basis of the data received, the Bundesnetzagentur establishes which undertakings have rendered at least 0.5% of the total volume of outgoing call minutes and determines the individual financial contribution of each of these undertakings. The contributions are then paid out to the provider of the video relay service.</p>
DK	Net costs of universal service obligations are shared between providers of electronic communications networks and services.in accordance with EEC article 90 (1) (a).
EL	<p>The compensation mechanism is based on sectoral funding.</p> <p>According to the relevant legislation, the NRA has to proceed to a net cost calculation for the US provision in case of a US provider cost compensation claim.</p> <p>The US provider can claim for the compensation of the net US cost on an annual basis. In that case, he has to justify the level of this cost by providing all the relevant information (using a detailed Top-down cost model). In order to calculate the net cost, he has to take into account any possible intangible benefits that related to the US provision. The above cost calculation has to be approved by the NRA and the US provider is compensated, by the telecom market players, if there is an unfair burden.</p>

	In any case, the compensated net cost cannot be higher than the one that has been declared by the US designation auction mechanism. There is no maximum or minimum threshold for financial contributions. The only threshold in force is, as prior mentioned, a minimum turnover for the contribution to the net cost.
ES	Universal service fund.
IT	Currently, the cost of the implementation of the measures is borne by the main fixed and mobile operators.
LT	The Description of the procedure for reimbursing the costs of providing technical assistance to the disabled and the acquisition of these facilities regulates the procedure for reimbursing the costs of the purchase of mobile terminals (telephones and tablets) for the disabled (public funds).
LV	The universal service is financed from the State budget.
ME	It will be financed from a public fund.
MT	Following an evaluation process on the USO claim submitted by the universal service provider for compensation for the net cost incurred for providing universal services, the Authority will decide on a case-by-case basis the source of funding which can either be from public funds and/ or by means of a sharing mechanism between providers of electronic communications networks and services.
NL	There is funding for the universal service provider, including special service to translate calls in text or video (as mentioned before).
NO	USP still covers
PT	The financing for services within universal service is based on the compensation fund that is supported by sectoral companies (companies with a certain eligible turnover in relation to the sector's eligible turnover).
SI	Currently: sector fund for compensation of net costs of USP. Planned: public fund (paid by Ministry for social affairs) for measures for disabled end-users
SK	If the Authority decides on the amount of net cost reimbursement pursuant to Article 101(3), the Authority shall establish and administer a special universal service account (hereinafter referred to as the "special account") for the reimbursement of the net cost calculated by the Authority, to which an undertaking providing public voice service and internet access service is obliged to contribute, if the volume of its revenues, if it is an undertaking using double-entry bookkeeping, or the volume of receipts, if it is an undertaking using single-entry bookkeeping, from the provision of public voice service and internet access service in the relevant financial year in the territory of the Slovak Republic is equal to or greater than EUR 1 000 000.