

*Courtesy translation*



THE SENATE  
OF THE PARLIAMENT OF THE CZECH REPUBLIC  
11<sup>TH</sup> TERM

55<sup>TH</sup>

**RESOLUTION OF THE SENATE**

Delivered on the 3<sup>rd</sup> session held on 14<sup>th</sup> December 2016

**on the Electronic Communications Package**

**Senate Print no. N 115/10, COM(2016) 590** - Proposal for a directive of the European Parliament and of the Council establishing the European Electronic Communications Code (Recast)

**Senate Print no. N 116/10, COM(2016) 591** - Proposal for a regulation of the European Parliament and of the Council establishing the Body of European Regulators for Electronic Communications

**Senate Print no. N 117/10, COM(2016) 589** - Proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) No 1316/2013 and (EU) No 283/2014 as regards the promotion of Internet connectivity in local communities

**Senate Print no. K 119/10, COM(2016) 587** - Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Connectivity for a Competitive Digital Single Market - Towards a European Gigabit Society

**The Senate**

**I.**

**1. Considers**

available and high-quality connection to be a necessary prerequisite for the achievement of the digital single market in the EU;

**2. Emphasizes**

that the regulation of the electronic communications market must support the development of investment and other activities in this significant sector;

**II.**

**1. Is of the opinion**

that the Body of European Regulators for Electronic Communications (BEREC) should not be transformed into a European agency because the Senate believes

that the body is effective in the current form and contributes to the achievement of the objectives of the regulatory framework; at the same time the Senate has doubts whether the BEREC in the proposed form would remain politically independent after the transformation into the agency and reminds the Commission in this context that the Senate disagrees with the Commission's attempts to extend its powers and that this has been the Senate's position for a long time;

**2. Agrees**

with the proposed improvement of the consumer protection; however, it will be necessary to refrain from decreasing the level of consumer protection in the Czech Republic in case of the full harmonisation of terms of contracts with the end-users;

**3. Supports**

in general the proposal for the promotion of Internet connectivity in local communities (the "WiFi4EU" initiative) which could partly solve the digital gap between rural and urban areas;

**4. Perceives, however,**

negatively that the Commission did not prepare a detailed impact assessment of the proposal, because such practice is not in compliance with the principle of better regulation and at the same time does not allow to fully evaluate the impact of the proposed initiative;

**5. Supports**

the positions of the Government on the submitted documents;

**6. Points out**

that the position of the Government on the Article 77 of the proposal for a directive of the European Parliament and of the Council establishing the European Electronic Communications Code states no reasons and does not even correspond with the preliminary analyses of relevant markets which the Czech Telecommunication Office has published for the consultation;

**III.**

**1. Requests**

the Government to inform the Senate about the way this position was taken into account and to provide the Senate with further information on the proceeding of negotiations;

**2. Authorises**

the President of the Senate to forward this resolution to the European Commission.

Milan Štěch  
sign manual  
President of the Senate

Pavel Štohl  
sign manual  
Senate Verifier