Amendment 245
Christian Engström
on behalf of the Verts/ALE Group

Report
Pilar del Castillo Vera
European single market for electronic communications

Proposal for a regulation
Article 26 – paragraph 1 – point f

Text proposed by the Commission
(f) any compensation and refund arrangements, including an explicit reference to statutory rights of the end-user, which apply if contracted service quality levels are not met;

Amendment
(f) any compensation and refund arrangements, including an explicit reference to statutory rights of the end-user, which apply, including the right to rescind the contract, if contracted service quality levels are not met;

Or. en. Justification
Currently there is no EU-wide provision for terminating a contract for non-conformity of performance of electronic communications services (it is up to each Member State to decide).
26.3.2014

Amendment 246
Christian Engström
on behalf of the Verts/ALE Group

Report
Pilar del Castillo Vera
European single market for electronic communications

Proposal for a regulation
Article 28 – paragraph 4

Text proposed by the Commission

4. **End-users** shall have the right to terminate their contract without incurring any costs **upon notice of changes in the contractual conditions proposed by the provider of electronic communications to the public unless the proposed changes are exclusively to the benefit of the end-user**. **Providers** shall give **end-users** adequate notice, not shorter than one month, of any such change, and shall inform them at the same time of their right to terminate their contract without incurring any costs if they do not accept the new conditions. Paragraph 2 shall apply mutatis mutandis.

Amendment

4. **Member States** shall ensure that **consumers** have the right to terminate their contract **at any time** without incurring any costs, **except for the residual value of subsidised equipment bundled with the contract and a pro rata temporis reimbursement for any other promotional advantages marked as such at the moment of the contract conclusion. In case of changes to the contractual conditions proposed by the provider of electronic communications to the public, they shall give consumers adequate notice, not shorter than one month, of any such change, and shall inform them at the same time of their right to terminate their contract without incurring any costs if they do not accept the new conditions. Paragraph 2 shall apply mutatis mutandis.

Or. en

Justification

Consumers should be empowered, i.e. have the right to decide if a change is to their benefit or not. Arbitrary charges not linked to subsidised equipment or promotional offers marked as such at the moment of contract conclusions, should not be allowed as they discourage consumer switching and reduce consumer choice.