



THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC
10TH TERM

411TH

RESOLUTION OF THE SENATE

Delivered on the 22nd session held on 20th April 2016

on the Proposal for a Regulation of the European Parliament and of the Council on ensuring the cross-border portability of online content services in the internal market /Senate Print no. N 059/10, COM(2015) 627/

The Senate

I.

1. Welcomes

the proposal for a Regulation of the European Parliament and of the Council on ensuring the cross-border portability of online content services in the internal market which removes some internal market obstacles related to the territorial scope of copyright;

2. Is of the opinion

that blocking access to online services on the basis of geographic location is unjustified within the single market, as the Senate has already stated in its resolution No. 236 of 23 September 2015 (10th legislative term) on the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Digital Single Market Strategy for Europe;

II.

1. Considers

the proposal for a Regulation to be balanced, complying with consumers rights and the rights of copyright holders;

2. Believes, however,

that some definitions in the proposal for a Regulation should be better specified, particularly the term "temporarily present", to prevent future misuse of the mode of portability of digital content and avoid uncertainty of providers of online content services regarding the application of this Regulation;

3. Recommends also

the extension of the proposed six-month period for the coming of the Regulation into effect, so that the online service providers could adapt to the new rules;

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

František Bradáč
sign manual
Senate Verifier