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

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.

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Milan Štěch  
sign manual  
President of the Senate

František Bradáč  
sign manual  
Senate Verifier