

## Open internet and end of roaming charges: MEPs confirm deal with council

Industry committee MEPs confirmed, Wednesday morning, the informal deal to ban surcharges ("roaming fees") for making mobile phone calls, sending text messages or using mobile internet while in another EU country, from June 2017. The deal, struck between EP and council negotiators on 30 June, also includes guarantees that all internet traffic is treated equally, without discrimination. To enter into force, this deal still needs to be endorsed by the full Parliament and the Council of Ministers.

"I am deeply satisfied with ITRE's vote today. We are now closer to achieve the end of roaming. It is indeed very good news for 500 million Europeans who will not pay for roaming charges from June 2017", said [Pilar Del Castillo](#) (EPP, ES), Parliament's lead negotiator. "The agreement also lays down in a regulation clear safeguards for open internet access, in other words, guarantees that everyone has the right to access and distribute information and content, use and provide applications and services and use the terminal equipment of their choice, irrespective of their location, origin or destination of the service, information or content. This deal constitutes an important step forward in the development of the Digital Single Market".

The Industry committee confirmed the deal by 50 votes to 12, with 1 abstention.

### No "roaming" charges after 15 June 2017

One of Parliament's main priorities was to have a fixed date after which roaming fees would be banned. Under the deal, no "roaming" charges, on top of what users pay at home, will be allowed after 15 June 2017.

Prices for using a mobile phone while abroad in another EU country will in fact be reduced substantially as soon as 30 April 2016. From that date, the maximum surcharge for voice calls made abroad will be 5 euro cents per minute (down from current 19 euro cents retail cap), whereas text messages (SMS) will cost only an additional 2 euro cents (down from 6 euro cents retail cap today) and 5 euro cents per megabyte (20 eurocents retail cap today). These are ceilings, so operators are free to offer cheaper rates.

### Cost recovery and preventing abuse

EU member states won a stipulation that if operators can prove that they cannot recover their costs and that this affects domestic prices, national regulatory authorities may authorize them to

impose minimal surcharges in exceptional circumstances to recover these costs.

MEPs won guarantees that national regulatory authorities would have the means to amend or reject the surcharges if they are unfounded.

To protect the industry against abuses such as “permanent roaming”, operators could in certain circumstances be allowed to charge a small fee, lower than current caps, according to a “fair use” policy. The exact details for this will be defined by the EU Commission and telecoms regulators.

### **Net neutrality/open internet**

MEPs inserted wording to “safeguard equal and non-discriminatory treatment of traffic” on the internet. Internet providers would not be permitted to block or slow down internet speeds for certain services for commercial reasons. Internet traffic could be “managed” only to deal with temporary or exceptional congestion, protect against cyber-attacks or in response to a court order or a legal obligation. If such traffic management measures are needed, they would have to be “transparent, non-discriminatory and proportionate” and may not be maintained longer than necessary.

An operator would nonetheless be able to offer specialized services (e.g. the improved internet quality needed for certain services), but only on condition that this does not have an impact on general internet quality.

### **Consumer information**

At Parliament’s request, the deal includes a provision to give consumers a right to better information about their contracts. Until 15 June 2017, consumers will continue to be informed by text message (SMS) of roaming tariffs when they go abroad and thereafter in the exceptional case of the “fair use” clause being triggered.

As to internet quality, consumers will be informed, in clear language, about the minimum, normally available and maximum internet speeds they can expect when signing a contract. If the operator does not deliver the promised speeds, this would be deemed to be a breach of contract.

### **Next steps**

The agreed text will need to be formally approved the Council of Ministers and the full Parliament before it can enter into force. This is expected to happen this autumn.

Disclaimer: this is an informal message intended to help journalists covering the work of the European Parliament. It is neither an official press release nor a comprehensive record of proceedings.

## Further information

[Committee on Industry, Research and Energy](#)

[Watch press conference after the informal deal \(30 June 2015\)](#)

[The agreement - full text](#)

[Press release after the confirmation in Coreper \(8 July\)](#)

[Roaming charges and open Internet: questions and answers \(30 June, from the Commission\)](#)

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