

Electronic communications: universal service, users' rights relating to networks and services, processing of personal data, protection of privacy, consumer protection cooperation.

'Telecoms Package'

2007/0248(COD) - 13/11/2007 - Legislative proposal

PURPOSE: to reform Community rules in the telecommunications sector with a view to ensuring a high level of consumer protection and of users' rights, in particular the right to personal privacy and data protection in the electronic communications field.

PROPOSED ACT: Directive of the European Parliament and of the Council.

CONTEXT: in June 2006, the Commission presented a report to the European Parliament and the Council on the functioning of the regulatory framework for electronic communications networks and services. The report noted that the framework had yielded considerable benefits for citizens, consumers, and businesses in terms of better choice, lower prices and more innovation, but there was room for improvement in the field of consumer protection and security to ensure that it kept pace with technological developments and remained effective for the coming decade.

In order to ensure the safeguarding of universal service and users' rights, as well as the protection of personal data, the Community rules need to be adapted with the dual aim of:

1. Strengthening and improving consumer protection and user rights in the electronic communication sector, through — amongst other aspects — giving consumers more information about prices and supply conditions, and facilitating access to and use of e-communications, including emergency services, for disabled users; and
2. Enhancing the protection of individuals' privacy and personal data in the electronic communications sector, in particular through strengthened security-related provisions and improved enforcement mechanisms.

This proposal deals with the changes to be made to the Universal Service (2002/22/EC) and the Directive on privacy and electronic communications (2002/58/EC). It is one of a package of reforms that also includes:

- a proposal to amend the Framework Directive (2002/21/EC) and the Authorisation (2002/19/EC) and Access (2002/20/EC) Directives (see [COD/2007/0247](#)) and
- a proposal for a Regulation creating a new European Electronic Communications Market Authority (see [COD/2007/0249](#)).

CONTENT:

The proposed directive adapts the regulatory framework by strengthening certain consumers' and users' rights (in particular with a view to improving accessibility and promoting an inclusive Information

Society), and ensuring that electronic communications are trustworthy, secure and reliable and provide a high level of protection for individuals' privacy and personal data. The proposal does not alter the current scope or concept of universal service in the EU, which will be subject to a separate consultation in 2008.

The main amendments to the **Universal Service Directive** are as follows:

- improving the transparency and publication of information for end-users;
- facilitating use of and access to e-communications for disabled users;
- facilitating the switching of suppliers by consumers through, among other things; strengthened provisions on number portability;
- improving obligations related to emergency services;
- ensuring basic connectivity and quality of service; and
- modernising specific provisions of the Directive to bring them into line with technology and market developments, including the deletion of a number of obsolete or redundant provisions.

The main amendments to the **Directive on privacy and electronic communications** are as follows:

- introducing mandatory notification of security breaches resulting in users' personal data being lost or compromised;
- strengthening implementation provisions related to network and information security to be adopted in consultation with the Authority;
- strengthening implementation and enforcement provisions to ensure that sufficient measures are available at Member State level to combat spam;
- clarifying that the Directive also applies to public communications networks supporting data collection and identification devices (including contactless devices such as Radio Frequency Identification Devices);
- modernising certain provisions that have become outdated, including the deletion of some obsolete or redundant provisions.