Wholesale roaming markets

2016/0185(COD) - 17/05/2017 - Final act

PURPOSE: to regulate the functioning of national wholesale roaming markets in order to abolish retail roaming surcharges by 15 June 2017.

LEGISLATIVE ACT: Regulation (EU) 2017/920 of the European Parliament and of the Council amending Regulation (EU) No 531/2012 as regards rules for wholesale roaming markets.

CONTENT: this Regulation amends Regulation (EU) No 531/2012 by introducing rules which limit the amount that operators may charge between themselves to authorize roaming throughout Europe.

The reform of the wholesale market makes it possible, as from 15 June 2017, to '**roaming national tariffs**' , i.e. the removal of roaming charges on the retail market for consumers who live in Europe and travel to other EU countries.

Caps for the wholesale supply of roaming services:

With effect from 15 June 2017,

- the average wholesale charge that the visited network operator may levy on the roaming provider for the provision of a regulated roaming call shall not exceed a safeguard limit of EUR 0.032 per minute. That maximum wholesale charge shall remain at EUR 0.032 until 30 June 2022;
- the average wholesale charge that the visited network operator may levy on the roaming provider for the provision of a regulated roaming SMS message originating on that visited network shall not exceed a safeguard limit of **EUR 0.01 per SMS message** and shall remain at EUR 0.01 until 30 June 2022;
- the average wholesale charge that the visited network operator may levy on the roaming provider for the provision of regulated data roaming services by means of that visited network shall not exceed a safeguard limit of **EUR 7.70 per gigabyte** of data transmitted. That maximum wholesale charge shall **decrease** to EUR 6.00 per gigabyte on 1 January 2018, to EUR 4.50 per gigabyte on 1 January 2019, to EUR 3.50 per gigabyte on 1 January 2020, to EUR 3.00 per gigabyte on 1 January 2021 and to EUR 2.50 per gigabyte on 1 January 2022. It shall remain at **EUR 2.50 per gigabyte** of data transmitted until 30 June 2022

Conditions for wholesale access to roaming services: where specified in a reference offer, such conditions shall include the specific measures that the visited network operator may take to prevent permanent roaming or anomalous or abusive use of wholesale roaming access as well as the objective criteria on the basis of which such measures may be taken.

Disputes between visited network operators and other operators on rates applied to inputs necessary for the provision of regulated wholesale roaming services may be referred to the competent national regulatory authority or authorities. In such a case, the competent national regulatory authority or authorities may consult Body of European Regulators for Electronic Communications (BEREC) about the action to be taken to resolve the dispute. Where BEREC has been consulted, the competent national regulatory authority or authorities shall await BEREC’s opinion before taking action to resolve the dispute.

Review: the Commission shall submit **biennial reports** on how the rules are working, and if necessary, propose new caps. The first report shall be submitted by 15 December 2019.

ENTRY INTO FORCE: 12.6.2017.

The rules on caps for the wholesale supply of roaming services shall apply from 15.6.2017.