Roaming on public mobile communications networks within the Union. Recast

2011/0187(COD) - 12/12/2018

The Commission presents its report on the implementation of Regulation (EU) 531/2012 of the European Parliament and of the Council on roaming on public mobile communications networks within the Union, as amended by Regulation (EU) 2015/2120 and Regulation (EU) 2017/920.

As a reminder, in October 2015, the European Parliament and the Council adopted Regulation (EU) 2015 /2120 which mandated the end of retail roaming charges in the Union from 15 June 2017, subject to fair use policy and a sustainability derogation. These new roaming rules have been dubbed "Roam-Like-At-Home" (RLAH).

In accordance with Article 19 (3) of the Roaming Regulation the Commission has to submit to the co-legislators by 15 December 2018 an interim report summarising the effects of the abolition of retail roaming charges.

This is the purpose of this report.

Massive and rapid increase in roaming consumption

The report noted that the European consumers immediately and massively started to take advantage of the elimination of roaming charges in the EU/EEA from 15 June 2017. Already in summer 2017, the use of mobile data services while roaming in the EU/EEA was multiplied by 5.35 (+435%) compared to summer 2016, and the volume of roaming phone calls by 2.45 (+145%).

Travellers now use on average almost 4 times more data while roaming than before RLAH.

Particularly high increases in customers' EU/EEA roaming consumption have been observed by Polish, Romanian, Bulgarian, Croatian and Spanish operators for voice (increases by more than 3 times), and by Bulgarian, Croatian, Czech, Polish, Spanish, and Latvian operators for data (increases by about 10 times and more).

In the three Member States where all mobile network operators have been granted sustainability derogations since 15 June 2017 (Finland, Lithuania and Estonia), users have also markedly increased their consumption of mobile services abroad in the EU/EEA in proportions that are similar to many other Member States. This is because operators which were granted derogations nonetheless provided roaming services without surcharges to some extent and, when applied, the roaming surcharges authorised by the national regulatory authorities (NRAs) were substantially lower than the surcharges in place prior to 15 June 2017. Therefore customers of these operators have substantially benefitted from the new roaming rules as well and have reacted accordingly with increased demand.

Overall compliance

The Roaming Regulation entrusts national regulatory authorities with the task of monitoring, supervising and enforcing the roaming rules in Member States. Responding to the call by the Commission to ensure a proper implementation of RLAH rules from the first day (15 June 2017), each NRA actively reached out

to its mobile operators in the course of the first semester 2017 in order to ensure full compliance with the new rules. NRAs and the Commission remained in close contact throughout the period in order to respond to practical implementation questions from mobile operators ahead of the implementation date.

The report concluded that mobile operators have by and large abided by the new rules, accompanied by the vigilant monitoring from NRAs and the Commission. The safeguards foreseen in the Roaming Regulation to avoid distortions on domestic markets, namely fair use policy and the sustainability derogation, as expected have worked adequately where needed.

The sharp decline in wholesale roaming price caps, and for some the authorisation to derogate, have in general significantly mitigated the impact of RLAH on outbounder mobile network operators and mobile virtual network operators. The successive reductions of the data price cap established in the Roaming Regulation will further facilitate the provision of RLAH in the years to come.

Moreover, these reforms appear to have given significant impetus to internal market dynamics at the wholesale level. Lastly, the RLAH rules have allowed to unleash the untapped demand for mobile consumption among travellers in the EU.