

Roaming Regulation

2021/0045(COD) - 24/03/2022 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 581 votes to 2, with 5 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on Roaming on public mobile communications networks within the Union (recast).

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

Subject matter and scope

The Regulation provides for a common approach for ensuring that users of public mobile communications networks, when travelling within the Union, **do not pay excessive prices for Union-wide roaming services** in comparison with competitive national prices, when making calls and receiving calls, when sending and receiving SMS messages and when using packet switched data communication services.

In addition, the Regulation:

- sets out the conditions for wholesale access to public mobile communications networks for the purpose of providing regulated roaming services;
- applies both to charges levied by network operators at wholesale level and to charges levied by roaming providers at retail level;
- aims to increase transparency and improving the provision of information on charges to users of roaming services, including users of non-regulated roaming services in third countries. It also increases transparency for users of non-regulated roaming services when they connect to a non-terrestrial public mobile communications network, such as on board vessels or aircraft, where applicable.

Extension of the roaming regime at national rates until 2032

The regime abolishing all roaming charges expired on 30 June 2022. The validity of this Regulation will be for a fixed period of **10 years**, until 2032, in order to provide certainty to the market and to minimise regulatory burdens. The Regulation introduces a requirement for the Commission to conduct **reviews** and report to the European Parliament and the Council in 2025 and 2029, followed, if appropriate, by a legislative proposal to amend this Regulation, should market developments so require.

Provision of regulated retail roaming services

Roaming providers will not offer regulated retail roaming services under conditions that are **less advantageous than those offered domestically**, in particular in terms of the quality of service provided for in the retail contract, where the same generation of mobile communications networks and technologies are available on the visited network. Mobile communication operators will avoid unreasonable delays in handovers between networks at internal Union border crossings.

Wholesale charges for regulated data roaming services

The wholesale charge for making **regulated roaming calls** will be limited to EUR 0.022 per minute. This maximum wholesale charge will be reduced to EUR 0.019 per minute on 1 January 2025 and will remain at EUR 0.019 per minute until 30 June 2032.

The wholesale charge for regulated roaming **SMS** messages will be limited to EUR 0.004 per SMS. This maximum wholesale charge will be reduced to EUR 0.003 per SMS on 1 January 2025 and will remain at EUR 0.003 until 30 June 2032.

Wholesale charges for regulated **data roaming services** will be limited to EUR 2.00 per gigabyte of data transmitted. This maximum wholesale charge will be gradually reduced to EUR 1.00 in 2027, after which it will remain at EUR 1.00 per gigabyte of data transmitted until 30 June 2032.

If roaming consumers exceed their contractual limits, any additional charges will not exceed the wholesale roaming price limit.

Transparency of retail conditions for roaming calls and SMS messages

Roaming service providers should be required to:

- provide roaming customers, when they enter a Member State other than that of their home provider, with information, **free of charge and as soon as possible, via an automatic message**, on the potential risk of being charged a higher price when using value-added services, except where the roaming customer has notified his roaming provider that he does not wish to avail himself of this service;
- take all reasonable steps to protect their customers from paying additional charges for voice calls and SMS messages for **inadvertently connecting** to non-terrestrial public mobile networks.

Transparency with regard to the means of access to emergency services

The roaming provider will be required to inform the roaming customer, by means of an automatic message, that the latter may access emergency services free of charge by calling the **single European emergency number ‘112’**. That message will also provide the roaming customer with a link to access, free of charge, accessible to **persons with disabilities**, which provides information on alternative means of access to emergency services through emergency communications mandated in the visited Member State.

By 31 December 2022, BEREC should establish, and subsequently maintain: (a) a single, Union-wide database of numbering ranges for value-added services in each Member State; and (b) a single, Union-wide database of means of access to emergency services that are mandated in each Member State and that are technically feasible to be used by roaming customers.

Intra-EU communications

Consumers do not always distinguish between access to electronic communications services while roaming, namely where end-users access such services in visited Member States, and intra-EU communications, namely where consumers located in their home Member State make calls or send SMS messages to another Member State. Since 15 May 2019, the retail price, excluding VAT, that can be charged to consumers for regulated intra-EU communications has been capped at EUR 0.19 per minute for calls and EUR 0.06 per SMS message.

The amended text invites the Commission to assess the effects of the existing measures and determine whether and to what extent there is an ongoing need to **reduce the caps** to protect consumers. That assessment should take place at least one year before the expiry of those measures on 14 May 2024.