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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Telecommunications and Information Society
Subject:	Digital Networks Act: Part VI - Services: Presentation

Delegations will find in the annex the presentation given in the Working Pary on 12 March.

European Commission

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DIGITAL NETWORKS ACT

Council WP on Telecommunications and Information Society
12 March/26 March 2026

Part VI SERVICES
6.1. Title I: Universal Service Obligations (USO)

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Articles and Recitals

- Articles: 87 – 92
- Recitals: 228 – 252

Definitions

- Internet access service (Art. 2(7))
- Voice communications service (Art. 2(33))
- Total conversation service (Art. 2(36))
- Terminal equipment (Art. 2(44))

Universal service obligations (USO): key aspects proposed to continue

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Remains a safety net

- Eurostat: 2.1% of persons cannot afford internet (2024). Affordability measures (where used) around 1.1 percent of population.

Adequate internet access (MSs define, BEREC) and voice communications at a fixed location
Art. 87 (recitals 228 –231)

- **Affordability**: National monitoring, if not affordable, Member States (MSs) choose the measures. Art. 88 (recitals 232, 234-242); control of expenditure Art. 91 (249-250).
- **Availability**: in case the market or other public policy tools do not ensure an adequate connection for reasonable requests. Art. 90 (recitals 243-247).
- **Consumers with disabilities**: Art 88(4) (recitals 241-242).

Universal service obligations: new aspects proposed

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Context: review of the scope and evaluation

- Differences between Member States (MSs), administrative burden.

Proposed adjustments

- **Bandwidth definition**: Annex V deletion, BEREC guidelines and possibility for EC implementing act for the methodology. Art. 87 and 89.
- **Increased harmonisation**: direct obligations for Member States (Regulation); possibility for EC implementing act for criteria and methodology. Art. 89.
- **Updated scope**: affordability – consumers; availability – consumers, micro- and small enterprises and not-for-profit organisations.
- **Simplification**: removal of sector-specific designation and financing rules, more flexible application of public funding under the Services of General Economic Interest (SGEI) package.
- **Transitional provision** in Art. 92.

Part VI SERVICES
6.2. Title II: Open Internet Access (Articles 93-94, Recitals: 253-256)

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- **Integrating open internet rules**:
  - DNA incorporates the open internet provisions of Regulation (EU) 2015/2120, while **fully preserving net neutrality principles**
- **Adapting to technological evolution**:
  - While the open internet framework remains fit for purpose, evolving innovative technologies (e.g. low-latency, guaranteed QoS) require clear conditions for innovative services.
- **Ensuring legal clarity for specialised services**:
  - To complement BEREC OIR Guidelines, **Commission is empowered to adopt Implementing Acts** in case necessary to ensure a harmonised approach to emerging services and technologies, including network slicing, experimental services and differentiated industrial use-cases

Part VI SERVICES
6.3. Title III: End-user rights
6.3.1 Chapter I Rights of consumers; 6.3.2. Chapter II Rights of end-users

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Articles and recitals

- Chapter I Articles : 95-99 (Recitals 257-274)
- Chapter II Articles: 100-102 (Recitals: 275-283)

Definitions

- End-user (Art. 2(17))
- Consumer (Art. 2(18))
- Interpersonal communications service (Art. 2(8))
- Number-based interpersonal communications service (Art. 2(9))
- Number-independent interpersonal communications service (Art. 2(10))

6.3.1. Chapter I Rights of consumers (Articles 95-99)

- **Context:** current rules mostly still fit for purpose, however: differing approaches, calls for simplification.
- **Scope:** consumers; rights of enterprises in **Art. 99** (recital 259) microenterprises and not-for-profit organisations in scope of protection of Art 95, most of 97, most of 98 (following EECC scoping); SMEs in Art 97(2), (3) and (5).
- **Maximum harmonisation approach; simplified caveats** in last paragraph of each Article.
- **Integration of Regulation 2015/2120 Art. 4 transparency measures:** in annexes III and IV, Art. 188(3), Art. 97(4).
- **Articles**
  - **Art 95 (recitals 257-266)** – Annex III, contract summary, **clarification of relation with the Consumer Rights Directive**, cost control and monitoring, **itemised billing and right to receive non-itemised** (ePrivacy Directive Art. 7).
    - Maximum harmonisation, right of MSs to maintain provisions on additional facilities.
  - **Art 96 (recital 265)** – Transparency measures (Annex IV), **BEREC guidelines for QoS** in Art. 94, **no mandatory** comparison tools.
    - Maximum harmonisation.
  - **Art 97 (recitals 268-273)** – follows EECC rules on contract termination, **bigger enterprises removed from scope**.
    - Maximum harmonisation, right of MSs to maintain shorter contract duration.
  - **Art 98 (recital 274)** – follows EECC rules on bundled offers.
    - Maximum harmonization.

NEW compared to EECC in blue

6.3.2. Chapter II: Rights of end-users (Articles 100 – 102)

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- **Scope:** all end-users.
- **Articles**
  - **Art 100 (recitals 275-281)** – follows EECC rules, **integration** of EECC Annex VI/C, **BEREC guidelines**, penalties in **Art. 196**.
    - Maximum harmonisation, right of MSs to adopt rules on compensation.
  - **Art 101 (recital 282)** – similar to the EECC exemption for NI-ICS microenterprises.
  - **Art 102 (recital 283)** – similar to the EECC provision on non-discrimination.

NEW compared to EECC in blue

Part VI SERVICES
6.3. Title III: End-user rights
6.3.3. Chapter III: Facilities and functionalities for end-users

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Articles and recitals

- Articles: 103-114.
- Recitals: 213, 284-316.

Definitions

- Public safety answering point (Art. 2(37))
- Most appropriate PSAP (Art. 2(38))
- Emergency communication (Art. 2(39))
- Effective emergency communication (Art. 2(40))
- Contextual information (Art. 2(41))
- Emergency service (Art. 2(42))
- Caller location information (Art. 2(43))
- Personal data (Art. 2(49))
- Consent (Art. 2(50))

Protecting against fraud & distribution of public interest information

Protecting end-users against fraudulent activities

- Cooperation at national level with IAS and ICS to identify effective measures
- Data gathering by ODN + European, Global, including EUROPOL and ENISA
- BEREC guidelines on technical and legal measures after consulting EDPB and ENISA [12 months]
- National measures to be adopted based on the guidelines
- Commission may adopt delegated acts aiming at effectiveness, coordination and complementarity

Public interest information

- Obligation broadened to all publicly available interpersonal communications services
- protection against risks to personal security, privacy and personal data, including protection against fraudulent activities
- May cover other topics

NEW compared to EECC in blue

Emergency communications, public warning and Missing children hotlines

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Emergency communication and the single European emergency number

- Call back for PSAPs
- May extend to NIICS
- Obligation on non-public that enable calls to public networks
- Via EDIWallet; 24 month to implement after adoption of the DA
- Specific obligation for seamless access when travelling

- Routing to the most appropriate PSAP
- Equivalence requirements for end-users with disabilities
- Mandate for delegated acts extended to EDIWallet
- E 164 numbers database by ODN

Transmission of public warnings

- Mobile NB ICS directly applicable obligation
- Technology mandated by Member State
- To the geographic area affected
- COM may adopt IA for public warning app via EDIW
- Member States 1 year to implement in EDIW

Missing children and child helpline hotlines

- Access to the visited country service when using 116000

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Combat CLI/OI spoofing, preserve privacy rights

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Who is protected

- All end-users:
- Natural persons and legitimate interests of legal entities

Who is in the scope

- ECNs
- ICS (NB-ICS&NI-ICS)
- IAS

What is new

- Originating identification (OI)
- Obligations to present CLI/OI for all providers in the scope
- Obligations for providers of ICS offering automated calling systems not to prevent CLI/OI
- No more sector-specific rules for directory enquiry services by NB-ICS

What is kept

- Right to privacy – to present and to prevent the CLI/OI
- Exemptions from the rights to privacy for tracing malicious or nuisance communications and emergency communications
- Stop automatic call forwarding

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6.3.2. Chapter III: Facilities and functionalities for end-users (Articles 111 – 114)

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- **Articles**
  - **Art 111 (recitals 308-309)** – "equivalent access" follows EECC rules.
  - **Art 112 (recitals 310-313, Annex V)** – follows EECC, sets the interoperability requirement **directly** to entities dealing with car radio receivers and consumer digital TV equipment; any car radio receiver integrated in a new vehicle of category M should provide at least DAB
  - **Art 113 (recitals 314-316) –** "must-carry" follows EECC, **reduces the frequency of MS review obligations** (**only where national market conditions or general interest objectives change**)
  - **Art 114 (recital 213)** – "technological and social developments" similar to the EECC provision, **adapted to the reduced amount of annexes.**

NEW compared to EECC in blue

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Thank you



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