

Digital Single Market – Portability of online content services

What is the objective of the Regulation?

The aim is to ensure that Europeans who buy or subscribe to films, sports broadcasts, music, e-books and games in their home Member State are able to access this content when they travel or stay temporarily in another EU country. The Regulation comes into force on 1 April 2018 in all EU Member States.

Who benefits from the new rules?

- Consumers who reside in the EU: new rules enable them to watch films or sporting events, listen to music, download e-books or play games – when visiting or staying temporarily in other EU countries.
- Providers of online content services: they will be able to provide cross-border portability of online content to their subscribers without having to acquire licences for other territories where the subscribers stay temporarily.

The interests of right holders are safeguarded to avoid abuses.

Do providers have to offer the same service wherever the subscriber is travelling? How will it work for video-on-demand services like Netflix, which is active in more than one country in the EU?

Yes, providers of paid-for online content services (such as online movie, TV or music streaming services) have to provide their subscribers with the same service wherever the subscriber is in the EU. The service needs to be provided in the same way in other Member States, as in the Member State of residence. So for Netflix for example, you will have access to the same selection (or catalogue) anywhere in the EU, if you are temporarily abroad, just as if you were at home.

The new rules do not prevent service providers to offer additional options to their users when they are abroad, such as access to the content which is available in the country they travel in. Whether the service provider in question will allow or maintain access to the local content in addition to their obligation under the regulation will therefore depend entirely on the service provider.

Is there a limitation in time? What will happen if a person lives in one country and works in another on a daily basis?

The portability regulation covers situations in which subscribers are temporarily abroad. This term is not defined in the Regulation. However, what is meant by this is to be present in a Member State other than the Member State of residence. It covers various scenarios including holidays and business trips.

The new rules do not set any limits for the use of the portability feature, as long as the user resides in another Member State. Service providers should inform their subscribers of the exact conditions of their portability offers. For example, if you live in Belgium and subscribe to a paid music streaming service there, you will have access to the same selection of music in other Member States, as at home in Belgium.

This portability of your online content will be available if you commute daily to other Member States, like France or Luxembourg for example.

How will the content service providers verify the country of residence of their users?

The service provider will have to verify the subscriber's country of residence. This will be done at the conclusion and renewal of the contract.

Service providers will be able to verify the country of residence through different information provided by the subscriber. The Regulation provides for a closed list of such verification means to limit interference with consumers' privacy. The means listed include for example payment details, payment of a licence fee for broadcasting services, the existence of a contract for internet or telephone connection, IP checks or the subscriber's declaration of their address of residence. The service provider will be able to apply not more than two means of verification from this list. Any processing of personal data will have to be carried out in accordance with EU data protection rules.

Does the Regulation also apply to online services that are free of charge?

Providers of online content services that are free of charge are able to choose whether they want to benefit from these new rules. Once they opt-in and allow portability under the Regulation, all rules will apply to them in the same manner as for the paid services. This means that the subscribers will have to log-in to be able to access and use content when temporarily abroad, and service providers will have to verify the Member State of residence of the subscriber.

How can a consumer know which online services provided free of charge have opted-in?

If providers of free of charge online content services decide to make use of the new portability rules, they are required to inform their subscribers about this decision prior to providing the service. Such information could, for example, be announced on the providers' websites.

Are public broadcasters covered? Can I watch BBC, Arte or other services?

Online content services covered by the Regulation may also include services offered by public broadcasters. The question whether a particular broadcaster is covered by the scope of the Regulation depends on whether the following conditions are fulfilled:

- Consumer can already access the services on different devices and not

limited to a specific infrastructure only,

- The TV programmes are provided to subscribers whose Member State of residence is verified by the provider and,
- The online content services are either provided against payment or the provider has decided to make use of the new portability rules on a voluntary basis.

Can I watch films from the broadcasters in another country online, such as movies from Spanish or Estonian TV in Belgium?

If a broadcaster of online content in your home Member State is covered by the new portability rules, you will be able to watch your content when you are temporarily abroad in another Member State.

On the contrary, accessing content that is offered in another Member State from your home country is not covered by the new portability rules. Consumers would, however, for certain TV and radio programmes benefit from the proposed [Regulation on broadcasters' online transmissions and retransmissions of radio and TV programmes](#) currently under negotiations. This will give the broadcasters and producers the additional choice to give cross-border access to more programmes (see [factsheet](#)).

Do you have examples of problems that the Regulation solves?

People travelling or staying temporarily in other EU countries have often faced restrictions: they can be cut off from their online content services or have only limited access. Many people – especially when they leave for short trips – will not find it convenient to buy a subscription to a local service, or may find that their favourite films and series are not available or only in a foreign language.

- A subscriber trying to watch films using his Home Box Office (HBO) Nordic account when on holiday in Italy sees a message saying that the service “is only available in Sweden, Norway, Denmark and Finland”.
- A French user of the MyTF1 film and series service is not able to rent a new film while on business trip to the UK.

Users may have been able to, for example, only view the content that they have already downloaded onto their portable device.

- Users of the Belgian film service Universciné must remember to download a film they have rented before leaving for a trip in another EU country. They are not able to use the Universciné streaming feature when away from their home country or download films when they are abroad.

These issues will be resolved by the new portability rules. The restrictions concerning the portability of subscriptions to online music services (like Spotify or Deezer) or e-books seem to be less significant. But restrictions in the future cannot be excluded, that is why today's rules are also important for such services.

Is the portability of sports online subscriptions covered by the new rules?

Yes, various online sports content services will be covered. This includes services where sports are part of a paid-for TV online content service (for example, streaming services such as Zattoo in Germany), or where sports are part of the overall online services package (for example Sky Go), as well as where a sports organiser sets up a dedicated online content service.

Will the service provider be able to charge for portability?

No, under the new rules, online content services will not be allowed to impose additional charges on subscribers for providing cross-border portability of their content.

What are the new rules saying if a service provider starts to limit the titles of music, films or games available when travelling abroad?

Subscribers to paid-for online content services and free online content services that have opted-in will have the same access to these services when they travel as in their Member State. This means that when accessing the service in another Member State, it will be like at home: offering the same content on the same range and number of devices, and with the same range of functionalities.

Any action taken by a provider that would prevent subscribers from accessing or using the service while temporarily present in another Member State: for example, restrictions to the functionalities of the service are contrary to the Regulation. This means that the provider cannot limit the catalogues of music, films or TV series available when you travel to another Member State.

Are the main providers of online content technically ready to apply the new Regulation from 1 April?

The Commission has been in close contact with the main providers of online content services (like platforms for TV shows, movies, music, sports, etc.) and has received positive feedback from them that the roll out of the new portability rules has been going smoothly and on time. Where service providers had encountered issues, we understood that they were in the process of overcoming them. The Commission has been monitoring closely the process and will continue to do so.

The regulation is binding for paid-for services. Providers of free content may opt in to benefit from the new rules, but do not have to do so. Some service providers have already announced to opt in (YLE in Finland, RTBF in Belgium), and the Commission expects that others will follow now that the new rules have become applicable.

For more information

[Factsheet](#)

[Press Release](#)

[Travel with your digital subscriptions: Joint statement by the European Commission, the European Parliament and the Bulgarian Presidency of the EU](#)

Travel with your digital subscriptions: Joint statement by the European Commission, the European Parliament and the Bulgarian Presidency of the Council of the EU

From 1 April 2018 onwards, Europeans will be able to access the online content that they have subscribed to at home, wherever they are in the EU. European Commission Vice-President Andrus **Ansip**, Commissioner Mariya **Gabriel**, Bulgarian Minister of Transport, Information Technology and Communications Ivaylo **Moskovski** and Members of the European Parliament Pavel **Svoboda** and Jean-Marie **Cavada** issued the following statement:

"Citizens are at the core of all our digital initiatives. As of 1 April, wherever you are travelling to in the EU, you will no longer miss out on your favourite films, TV series, sports broadcasts, games or e-books, that you have digitally subscribed to at home. The rules will apply to paid-for services, but providers of free content may opt in. Providers of online content will also benefit from the new rules. They will no longer have to acquire licences for other territories where their subscribers are travelling to.

Removing the boundaries that prevented Europeans from travelling with digital media and content subscriptions is yet another success of the Digital Single Market for our citizens, following the effective abolition of roaming charges that consumers all over Europe have enjoyed since June 2017.

Our new rules directly respond to new behaviours and habits amongst European citizens using new technologies. For example, consumer spending on video subscription services rose by 113% per year between 2010 and 2014, and the number of users by 56% between 2014 and 2015. It is also estimated that at least 29 million people, or 5.7% of consumers in the EU, could make use of cross-border portability, and many more in the future – up to 72 million people by 2020.

In addition, almost 60% of young Europeans say that being able to travel with their subscriptions is an important factor in choosing to subscribe to online services. Making portability a reality addresses this concern, and in turn, will help service providers increase the numbers of subscribers.

Reaching an agreement on portability is a great result of close collaboration between the EU institutions and European companies and stakeholders; and we have full confidence that broadcasters and platforms will take this as an opportunity to enhance the user experience. Today we have taken another

concrete step towards building a true Digital Single Market and a united European digital society, accessible for all our citizens and profitable for our businesses.”

For More Information

[Q&A](#)

[Factsheet](#)

[Statement by Vice-President Ansip after the vote in the European Parliament](#)

Commission welcomes ambitious agreement on first ever EU legislation to monitor and report CO₂ emissions from heavy-duty vehicles

Representatives from the European Parliament and the Council reached yesterday evening a provisional agreement on the Regulation for monitoring and reporting CO₂ emissions and fuel consumption data from new heavy-duty vehicles (HDVs), i.e. lorries, buses and coaches. This is the first ever EU legislation focusing on the CO₂ emissions from these vehicles. The new rules are part of the EU's [Strategy on low-emission mobility](#) and [Communication on delivering on low-emission mobility](#) laying out actions for a fundamental modernisation of European mobility and transport. Accelerating the shift to clean and sustainable mobility is essential to improve the quality of life and health of citizens and contribute to the EU's climate objectives under the Paris Agreement. The clean mobility transition offers major opportunities for the European economy and reinforces the EU's global leadership in clean vehicles. Monitoring and reporting CO₂ emissions and fuel consumption of new heavy-duty vehicles will also increase transparency enabling transport operators to make well-informed purchasing decisions and save fuel costs. It will also drive innovation amongst European manufacturers.

Welcoming the political agreement, Commissioner for Climate Action and Energy Miguel **Arias Cañete** said: *“This agreement is proof of Europe's firm intention to curb the growing CO₂ emissions from heavy-duty vehicles. I thank the European Parliament and the Council for their work to reach this ambitious outcome. With this new robust, reliable and transparent monitoring and reporting system, we are on track for the next step: CO₂ emissions standards for heavy-duty vehicles to be proposed in May 2018.”*

Main elements

- Member States to monitor and report registration data concerning all new HDVs registered in a calendar year, including trailers.
- Vehicle manufacturers to monitor and report information related to CO₂ emissions and fuel consumption, determined according to the [certification procedure](#) for each new vehicle simulated with the Vehicle Energy Consumption Calculation Tool (VECTO) during a calendar year.
- The Commission to make reported data publicly available in a register, managed by the European Environment Agency. Sensitive data on grounds of personal data protection and fair competition will not to be published, i.e. the Vehicle Identification Numbers and name of component manufacturers. Some other data will be published in a range format, i.e. the aerodynamic drag value of each vehicle.
- The Commission to set up a system of administrative fines in case of vehicle manufacturers not reporting the data or reporting falsified data.
- The Commission to set up a system for monitoring and reporting the results of future on-road tests for the verification of the CO₂ emissions and fuel consumption of heavy-duty vehicles.

Next steps

The provisional agreement must now be formally approved by the European Parliament and Council of Ministers bringing together the national governments of the EU Member States. Following approval, the Regulation will be published in the EU's Official Journal and enter into force 20 days later.

Read more:

[Reducing CO₂ emissions from heavy-duty vehicles](#)

[Determination of CO₂ emissions and fuel consumption of trucks from 1 January 2019](#)

[Europe on the Move](#)

[Communication "Road from Paris"](#)

[CO₂ emissions of lorries, buses and coaches: provisional agreement with](#)

Parliament on new rules for monitoring and reporting

Press contacts

Katharina Pausch-Homblé

Press officer

+32 2 281 62 63

+32 470 88 42 96

On 26 March, the Bulgarian presidency reached a provisional agreement with the European Parliament on a regulation on **monitoring and reporting of CO2 emissions as well as fuel consumption of new heavy-duty vehicles**. This regulation forms part of the EU's overall efforts to reduce CO2 emissions, and is a further step towards a competitive low carbon economy.

The provisional text will be presented to EU ambassadors for approval. Once approved, the text will be submitted to the European Parliament for a vote and then to the Council for final adoption. It will enter into force 20 days after its publication in the Official Journal.

The new system of monitoring and reporting will provide the basis for setting and enforcing standards on CO2 emissions and fuel consumption, and constitutes a precursor to a further legislative proposal which the Commission aims to present later this year.

For cars and vans, rules are already in place. The regulation on which we now have a provisional agreement is aimed at new lorries, buses and coaches. **Emissions of heavy-duty vehicles registered in the EU will for the first time be measured and monitored in a standardised way.** The regulation will allow for the creation of a central EU register where authorities and manufacturers will provide data on CO2 emissions and fuel consumption performance. In order to be transparent and to allow for easier comparison between different vehicle models this data will be made accessible to the public. The only exception being cases which are justified by the need to protect private data and to ensure fair competition.

At its meeting of 28 June 2007, the Environment Council called for a reinforced strategy to reduce CO2 emissions of road vehicles including heavy-duty vehicles. In response, the European Commission presented a proposal on 1 June 2017 to create a mandatory EU wide system for monitoring and reporting CO2 emissions and fuel consumption of new heavy-duty vehicles.

On 15 December 2017, EU ambassadors agreed on a mandate for negotiations

with the European Parliament. The Bulgarian Presidency started negotiations with the European Parliament on 27 February and reached **an agreement already at the second trilogue on 26 March.**

According to the European Environment Agency, greenhouse gas emissions from road transport in 2015 were 19% above 1990 levels. In 2015 road transport was responsible for almost 73 % of total greenhouse gas emissions from transport, including aviation and international shipping. Of these emissions, 44.5 % were contributed by passenger cars, while **18.8 % came from heavy-duty vehicles**. However, in order to reach the 2030 climate policy framework objectives, the EU aims to reduce **greenhouse gas emissions** from transport to around 20% below their 2008 level by 2030.

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Remarks by President Juncker at the joint press conference with President Tusk, Prime Minister Borissov and President Erdoğan, resident of Turkey, following the EU-Turkey Leaders' Meeting in Varna, Bulgaria

Je voudrais d'abord remercier mon ami Boyko Borissov de nous accueillir à Varna pour ce sommet. C'est la deuxième fois que je me trouve à Varna. La première fois il y avait un ciel bleu, une vue non perturbée sur la mer Noire. Cette fois-ci, il y a du brouillard, il y a de la pluie; je ne vois pas la mer Noire, mais je sais où je me trouve.

Et donc je suis heureux d'avoir pu contribuer – je l'espère – à restaurer aujourd'hui un climat de confiance entre l'Union européenne et la Turquie.

La Turquie pour moi, je me répète en le disant, est une grande nation avec laquelle nous partageons de nombreux liens historiques, culturels, économiques, stratégiques évidents. Et le peuple turc est un grand peuple toujours digne, souvent courageux, pour lequel j'ai beaucoup de respect et une admiration soutenue.

Nous voulons que la Turquie soit un véritable partenaire stratégique de l'Union européenne. Et entre partenaires stratégiques, nous devons savoir maintenir en permanence un dialogue ouvert et franc afin d'approfondir ce qui nous rapproche et de résoudre ce qui nous divise.

Je crois qu'et la Turquie et l'Union européenne font une erreur colossale en décrivant surtout devant nos opinions publiques les divergences qui nous séparent. Nous ne parlons jamais des intersections qui peuvent nous réunir autour des ambitions conjointement communes.

Nous avons avec nos amis turcs de nombreux intérêts et de nombreux défis que nous devons relever ensemble. Nous partageons évidemment des intérêts géostratégiques, notamment de la sécurité dans nos approvisionnements énergétiques. Et je me félicite – on n'en parle jamais – des progrès significatifs que nous avons accomplis dans la mise en œuvre du corridor gazier sud auquel l'Europe apporte une importante contribution financière, y compris un prêt de 1,5 milliard d'euros accordé récemment par la Banque européenne d'investissement. Je suis confiant que les premières fournitures en gaz azéri pourraient arriver en Turquie d'ici l'été 2018 et en Europe d'ici 2020.

Nous devons aussi confronter les défis communs notamment dans la lutte contre le terrorisme. C'est un devoir conjoint qui concerne à la fois la Turquie et l'Union européenne au même degré. C'est seulement en unissant nos forces que nous parviendrons à gagner notre combat contre ce terrible fléau. Toujours est-il que je voudrais que les interventions sur le territoire syrien se fassent en conformité avec le droit international – c'est une exigence que nous imposons à nous-mêmes, c'est une exigence que nous devons imposer à nos alliés.

Enfin, en matière de migration, tout ne baigne pas dans l'huile, mais l'accord que nous avons su conclure entre le gouvernement turc et l'Union européenne se révèle être très efficace quant aux résultats vérifiables puisque le nombre des réfugiés venant de Turquie vers le continent européen a diminué de 97%. C'est d'abord le mérite de la République turque, qui a su accueillir sur son territoire entre 3,5 millions et 4 millions de réfugiés venant de Syrie, ce qui prouve que la Turquie, lorsqu'il s'agit donner l'exemple en matière de solidarité internationale et surtout de solidarité entre son pays et l'Union européenne, a su consentir des efforts extraordinairement importants. Ce à quoi nous ne pouvons qu'applaudir.

La Facilité en faveur des réfugiés en Turquie est la traduction tangible de la solidarité entre la Turquie et l'Union européenne, devrais-je dire le résultat tangible de la solidarité européenne aussi avec les réfugiés qui ont trouvé refuge sur le territoire turc. L'Union européenne a honoré son engagement d'apporter 3 milliards d'euros en 2016 et 2017 et la Commission a lancé le 14 mars dernier le processus de mobilisation de fonds supplémentaires pour la deuxième tranche de 3 milliards d'euros, et je voudrais que les Etats membres – je n'en doute pas – se joignent à cet effort.

Sur ce point, je voudrais dire que oui, nos amis turcs ont l'habitude, que j'ai quelque difficulté à appréhender dans son entièreté, de dire que l'Union européenne jusqu'à ce jour n'a déboursé qu'1,8 milliards d'euros. Il y a des règles comptables en Europe; ça peut surprendre les autres, mais il y a des règles comptables. Nous avons déboursé 1,8 milliards d'euros, nous nous sommes engagés pour déboursier 1,2 milliards d'euros, affecter aux projets – il y en a 72, si je m'abuse – le jour où ces projets auront trouvés une application vérifiable. Donc il n'y a pas de doute à avoir sur l'engagement entier, solennel de l'Union européenne sur ces 3 milliards d'euros, tout comme je voudrais dire que l'engagement de l'Union européenne pour mettre à la disposition des réfugiés en Turquie, sur les 3 milliards d'euros pour les

années à suivre, sera suivi évidemment d'effet.

Pour le reste, je dois vous dire que je suis – enfin, je suis romantique, nostalgique – un peu triste de l'état des relations entre la Turquie et l'Union européenne. Voilà des années que j'appuie la voix, les efforts de la Turquie pour devenir membre de l'Union européenne. Jusqu'à ce jour, il n'y a pas d'autre décision que celle qui consiste à promettre à faire en sorte que l'adhésion turque à l'Union européenne se fasse le jour venu. Je suis contre cette idée simple, superficielle, parfois démagogique et populiste qui voudrait que nous rompions les négociations d'adhésion avec la Turquie. Non, moi je suis le garant de la poursuite des engagements qui furent ceux de l'Union européenne à l'égard de la Turquie.

Il faut poursuivre les efforts de part et d'autre, ce qui fait qu'avec mon ami le Président Erdoğan j'ai voulu ce soir dire en vérité ce qu'il en est: il faut que la Turquie améliore ses relations avec les pays membres de l'Union européenne – je veux parler de Chypre et je veux parler de la Grèce. C'est indispensable pour que nous puissions avancer sur une route prometteuse d'avenir.

The European Union understands perfectly that Turkey has to defend its institutions. The defence of the Turkish institutions is the European defence of Turkish and European institutions. There is no nuance between the two undertakings. And the attempted coup that took place on 15 July 2016 was a national trauma. We were one of the first to show our solidarity. We were gathering in Mongolia in the desert of Gobi and we issued a statement at 2:10 in the morning without knowing what would be the outcome of the putsch. We wanted to be there, we wanted to prove that we are close allies to Turkey because in this complicated world, we are sharing something in common and we had to prove it during that night. And so it was normal, obvious, evident that we had to condemn the actions in the middle of that night even before the outcome was clear. And our reaction was not depending on the outcome but it was depending on what people inside Turkey tried to do – reverse democracy and kill the President of Turkey. We did not know during that night that there has been an attempt to assassinate the President. We knew it later and we are condemning this with all our means and strength.

But now we think that the Turkish institutions, thanks to the efforts which have been undertaken, are strong enough for the state of emergency to end. We would ask Turkey to have a new look on at the imprisoning of journalists. Turkey is a big nation, a strong power inside the country and outside the country, and so I think that even as far as the Greek soldiers are concerned, efforts should be undertaken to resolve this problem in normal times.

To sum up, this was a Summit of mixed feelings but not of mixed messages. It was a good meeting, because – as this is the normal principle between big democracies – we were able to talk in all frankness and openness.

Thank you, President Erdoğan, for having been here. We will have – as we had in the past – many, many meetings to resolve the problems between Turkey and Europe. I do think that Turkey and the European Union have to move together.

Questions and Answers

Q1 What concrete responses have you gotten this evening to EU concerns from journalists' jailing to the East Mediterranean to Turkey's actions in Syria? If those responses are not forthcoming – you talk about continuing accession talks, but what kind of relationship can the EU have with Turkey in the future if not based on common values?

Président Juncker: Je voudrais dire que pour ce qui est de la lutte contre le terrorisme qui frappe la Turquie, nous sommes aux côtés de la Turquie. Toujours est-il que nous voudrions que la lutte contre le terrorisme lorsqu'il a lieu hors des frontières turques se fasse en conformité stricte avec le droit international. Pour ce qui est du problème concernant les deux soldats grecs, nous faisons confiance à la partie turque, façon technocratique d'exprimer nos relations à nos amis turcs, de résoudre ce problème d'une façon qui me paraît être souhaitable avant la fête de Pâques grecque. Mais nous faisons toute confiance à nos amis turcs pour résoudre ce problème de la meilleure façon possible. Finalement, je voudrais faire une remarque qui concerne le protocole: j'ai observé depuis le début de la présidence bulgare que le gouvernement bulgare, le protocole bulgare, les ministres bulgares qui obéissent évidemment au protocole bulgare, font un travail remarquable. Et lorsque je suis venu à Varna, entre l'aéroport et le lieu où nous sommes, j'ai observé des centaines – if not thousands – of soldiers, probably policemen, staying there in the rain. We were sitting in a dry car. They did their job, big job. The Bulgarians can be proud of their police.