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Committee on Civil Liberties, Justice and Home Affairs

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OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council on digital networks, amending Regulation (EU) 2015/2120, Directive 2002/58/EC and Decision No 676/2002/EC and repealing Regulation (EU) 2018/1971, Directive (EU) 2018/1972 and Decision No 243/2012/EU (Digital Networks Act)
(COM(2026)0016 – C10-0014/2026 – 2026/0013(COD))

Rapporteur for opinion: Ana Vasconcelos

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SHORT JUSTIFICATION

The Commission proposal for a Digital Networks Act (COM(2026) 0016) consolidates the European Electronic Communications Code, the Open Internet Regulation, and three other sector-specific instruments into a single directly applicable regulation. The rapporteur supports the objective of regulatory simplification but considers that the proposal, as drafted, does not adequately safeguard fundamental rights, data protection, privacy, and net neutrality. The rapporteur's approach is guided by three principles: the primacy of individual rights and freedoms in the digital space, including the safeguarding of the open internet as a precondition for freedom of expression and access to information; genuine simplification to reduce regulatory burdens; and institutional independence to safeguard technical decision-making from political interference. The LIBE committee opinion seeks to amend the proposal accordingly, taking into account the EDPS Opinion 8/2026.

The rapporteur considers the protection of privacy, personal data and net neutrality to be central priorities in this opinion. On data protection, the opinion introduces a horizontal lex specialis clause recalling the applicability of the GDPR and the ePrivacy Directive to any processing of personal data under the Regulation, addressing a gap identified by the EDPS. Recital 11 is amended to ensure that the processing of personal data is not treated as remuneration or counter-performance. To safeguard net neutrality, the opinion recalls the interpretive guidance of the Open Internet Regulation, reverses the burden of proof so that providers must demonstrate compliance with open internet rules, and requires EDPS consultation on implementing acts affecting personal data. The opinion adds data protection safeguards to recitals authorising broad access to granular household and socioeconomic data. Noting that the ePrivacy Directive predates the GDPR and was not designed for the current technological environment, the opinion includes a review clause requiring the Commission to assess the appropriateness of fully incorporating its provisions into the GDPR.

The opinion addresses fraud prevention by requiring that anti-fraud measures be legally binding and by empowering end-users with accessible number-blocking tools. Emergency communication obligations, including caller location and public warnings, are extended to number-independent interpersonal communications services to ensure a level playing field, with proportionality safeguards to address the compliance burden on providers. A fundamental rights safeguard provision, reinstating Article 100 of the EECC, ensures that measures restricting access to services respect the principles of presumption of innocence, privacy, and fair procedure. The independence of national regulatory authorities and of BEREC is reinforced, Commission veto decisions on draft national measures are made subject to judicial review, and an explicit right of appeal is guaranteed for individuals affected by decisions of competent authorities.

Throughout the opinion, the principle of proportionality is applied. Reporting obligations are streamlined, cooperation duties are made less burdensome, and information already publicly available or held by other authorities need not be collected again. The rapporteur is satisfied that the amendments, taken together, strengthen the fundamental rights architecture of the Digital Networks Act while preserving the regulatory simplification and harmonisation objectives the Commission rightly seeks to achieve.

AMENDMENTS

The Committee on Civil Liberties, Justice and Home Affairs submits the following to the Committee on Industry, Research and Energy, as the committee responsible:

Amendment 1

Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission	*Amendment*
	(5a) As confirmed by the jurisprudence of the European Court of Human Rights[1a], the Internet has become one of the principal means by which individuals exercise their right to freedom of expression and information, providing essential tools for participation in public debate on political and other matters of general interest.
	[1a] Judgment of the European Court of Human Rights in the case of Ahmet Yildirim v. Turkey (Application no. 3111/10), para. 54, https://hudoc.echr.coe.int/eng?i=001-115705

Amendment 2

Proposal for a regulation
Recital 5 b (new)

Text proposed by the Commission	*Amendment*
	(5b) Any measures adopted pursuant to this Regulation should respect fundamental rights and observe the principles recognised by the Charter of Fundamental Rights of the European Union ('the Charter') and the European Convention for the Protection of Human Rights and Fundamental Freedoms ('the Convention'), including the rights to

private and family life, home and communications and to the protection of personal data as enshrined in Articles 7 and 8 of the Charter, the freedom to conduct a business as enshrined in Article 16 of the Charter and the right to freedom of expression as enshrined in Article 10 of the Convention. The integration into this Regulation of certain provisions of Directive 2002/58/EC[1a] of the European Parliament and of the Council ('ePrivacy Directive') should not, in any way, reduce the level of protection enjoyed by end-users. This Regulation should also respect the freedom to conduct a business, non-discrimination and consumer protection.

[1a] Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, pp. 37–47, ELI: http://data.europa.eu/eli/dir/2002/58/oj).

Amendment 3

Proposal for a regulation
Recital 5 c (new)

Text proposed by the Commission	*Amendment*
	(5c) It must be stressed, in particular, that Internet access service providers should comply with Article 11 of the Charter guaranteeing freedom of expression and information, which may be incompatible with systems for filtering all electronic communications via its services, especially peer-to-peer software, applied indiscriminately to all customers as a preventive measure, exclusively at its expense, and for an unlimited period, capable of identifying and blocking the transfer of files infringing copyright on

	the provider's network, in accordance with the requirements laid down in the jurisprudence of the Court of Justice[1a].
	[1a] Judgment of the Court of Justice in case C-70/10, Scarlet Extended SA v SABAM, EU:C:2011:771, para. 50.

Amendment 4

Proposal for a regulation
Recital 5 d (new)

Text proposed by the Commission	*Amendment*
	(5d) This Regulation should be interpreted and applied in conformity with the European Declaration on Digital Rights and Principles for the Digital Decade[1a], and in particular with the principles of affordable and high-speed connectivity for all, the promotion of a neutral and open Internet, and equal access to the Internet as a condition for the exercise of freedom of expression and information. In accordance with this Declaration and the Charter, it should be stressed, furthermore, that everyone has the right to the confidentiality of their communications and the information on their electronic devices, including the related metadata, and not to be subjected to unlawful online surveillance or interception measures.
	[1a] 2023/C23/01 (OJ C 23, 23.1.2023, pp. 1-7).

Amendment 5

Proposal for a regulation
Recital 6

Text proposed by the Commission	*Amendment*
(6) This Regulation does not cover the content delivered over electronic communications networks using electronic communications services, such as broadcasting content, financial services, and certain information society services, and is without prejudice to measures taken at Union or national level in respect of such services, in accordance with Union law or national law, in order to promote cultural and linguistic diversity and to ensure the defence of media pluralism. The content of television programmes is covered by Directive 2010/13/EU of the European Parliament and of the Council[11] . The regulation of audiovisual policy and content aims at achieving general interest objectives, such as freedom of expression, media pluralism, impartiality, cultural and linguistic diversity, social inclusion, consumer protection and the protection of minors. The separation between the regulation of electronic communications and the regulation of content does not affect the taking into account of the links existing between them, in particular in order to guarantee media pluralism, cultural diversity and consumer protection. Within the limits of their competences, competent authorities should contribute to ensuring the implementation of policies aiming to promote those objectives.	(6) This Regulation does not cover the content delivered over electronic communications networks using electronic communications services, such as broadcasting content, financial services, and certain information society services, and is without prejudice to measures taken at Union or national level in respect of such services, in accordance with Union law or national law, in order to promote cultural and linguistic diversity and to ensure the defence of media pluralism. The content of television programmes is covered by Directive 2010/13/EU of the European Parliament and of the Council[11] . The regulation of audiovisual policy and content aims at achieving general interest objectives, such as freedom of expression, media pluralism, impartiality, cultural and linguistic diversity, social inclusion, consumer protection and the protection of minors. The separation between the regulation of electronic communications and the regulation of content does not affect the taking into account of the links existing between them, in particular in order to guarantee ***freedom of expression and information,*** media pluralism, cultural diversity and consumer protection. Within the limits of their competences, competent authorities should contribute to ensuring the implementation of policies aiming to promote those objectives.
[11] Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1, ELI: http://data.europa.eu/eli/dir/2010/13/oj).	[11] Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1, ELI: http://data.europa.eu/eli/dir/2010/13/oj).

Amendment 6

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission	*Amendment*
	(6a) This Regulation is without prejudice to the application of Regulation (EU) 2016/679[1a] of the European Parliament and of the Council (General Data Protection Regulation, 'GDPR'), Regulation (EU) 2018/1725[1b] of the European Parliament and of the Council, and of the ePrivacy Directive. Any processing of personal data conducted in the context of activities falling within the scope of this Regulation should comply with those legal acts.
	[1a] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).
	[1b] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, pp. 39–98, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).

Amendment 7

Proposal for a regulation
Recital 11

Text proposed by the Commission	*Amendment*
(11) In order to fall within the scope of the definition of electronic communications service, a service normally needs to be provided in exchange for remuneration. ***While fully recognising that the protection of personal data is a fundamental right and that therefore personal data cannot be considered a commodity***, ***access, use, or otherwise processing of personal data in the context of the supply of electronic communications services should be treated in same manner as remuneration,where the provider of a service requests and the end-user knowingly provides personal data within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council[14] directly or indirectly to the provider. This encompasses situations where the end-user allows access to information without actively supplying it, such as personal data, including the IP address, or other automatically generated information, such as information collected and transmitted by a cookie or similar technologies. The processing of personal data should in any event comply with Union data protection law.*** In line with the case-law of the Court of Justice of the European Union (Court of Justice) on Article 57 TFEU[15] , remuneration also exists within the meaning of the Treaty if the service provider is paid by a third party ***and not by*** the service ***recipient.*** The concept of remuneration ***should therefore also*** encompass situations in which the end-user is exposed to advertisements.	(11) In order to fall within the scope of the definition of electronic communications service, a service normally needs to be provided in exchange for remuneration. ***However***, in line with the case-law of the Court of Justice of the European Union (Court of Justice) on Article 57 TFEU[15], remuneration also exists within the meaning of the Treaty if the service provider is paid by a third party ***rather than directly by the recipient of*** the service***. Accordingly,*** the concept of remuneration ***could*** encompass situations in which the end-user is exposed to advertisements ***or other commercial models, while fully recognising that the protection of privacy and personal data is a fundamental right and therefore personal data cannot be considered a commodity***. ***The processing of personal data carried out in the context of providing electronic communications services should, in any event, comply with Union data protection law. In particular, any use of the data protected under Articles 5 and 6 of the ePrivacy Directive for advertising purposes can only take place with the valid consent of the individual concerned.***

[14] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the

processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).

[15] Judgment of the Court of Justice of 26 April 1988, Bond van Adverteerders and Others v The Netherlands State, C-352/85, ECLI: EU:C:1988:196.

Amendment 8

Proposal for a regulation
Recital 18

Text proposed by the Commission	*Amendment*
(18) Strengthening the resilience of digital infrastructure and services of the Union is of vital importance in view of increasing preparedness against natural disasters, man-made threats and crises, as well as interference in networks and radio signals. To this end, this Regulation should strengthen the Union's strategic autonomy, ensuring resilient digital infrastructure and services and ensuring preparedness for contingencies, such as physical, cyber and hybrid attacks and natural disasters, making mitigating measures available, improving resilience, in particular redundancy of critical network segments based on the coherent integration of terrestrial and non-terrestrial networks, and providing for the needed network capabilities for the society to respond to crises.	(18) Strengthening the resilience of digital infrastructure and services of the Union ***and of its Member States*** is of vital importance in view of increasing preparedness against natural disasters, man-made threats and crises, as well as interference in networks and radio signals. To this end, this Regulation should strengthen the Union's strategic autonomy ***and security***, ensuring resilient digital infrastructure and services and ensuring preparedness for contingencies, such as physical, cyber and hybrid attacks and natural disasters, making mitigating measures available, improving resilience, in particular redundancy of critical network segments based on the coherent integration of terrestrial and non-terrestrial networks, and providing for the needed network capabilities for the society to respond to crises.

Amendment 9

Proposal for a regulation
Recital 18 a (new)

Text proposed by the Commission	*Amendment*
	(18a) Digital networks constitute critical infrastructure for the Union's economy, democracy and security. Their development and operation should strengthen the Union's capacity to retain control over critical technologies, data processing capacities and essential digital services, while preserving an open, competitive and innovation-friendly internal market.

Amendment 10

Proposal for a regulation
Recital 32

Text proposed by the Commission	*Amendment*
(32) In order to ensure the effective preparedness of electronic communications networks and digital infrastructure, as well as the uninterrupted provision of electronic communications services, including in situations of natural or man-made disasters, crises or force majeure, and relying on resilient national and cross-border interconnections, the role of BEREC at Union level in the areas of preparedness and crisis management should be strengthened. In this regard, BEREC should complement Union-level efforts to ensure a high level of preparedness and resilience by adopting a report titled 'Union Preparedness Plan for Digital Infrastructures' (the 'Plan'), prepared by the ODN. The Plan should consist of a comprehensive assessment, operational recommendations and crisis management practices. These should ensure a consistent approach to resilience across the Union including to funding mechanisms ensuring redundancy and enhancing Union-level preparedness for crisis.	(32) In order to ensure the effective preparedness of electronic communications networks and digital infrastructure, as well as the uninterrupted provision of electronic communications services, including in situations of natural or man-made disasters, crises or force majeure, and relying on resilient national and cross-border interconnections, the role of BEREC at Union level in the areas of preparedness and crisis management should be strengthened. In this regard, BEREC should complement Union-level efforts to ensure a high level of preparedness and resilience by adopting a report titled 'Union Preparedness Plan for Digital Infrastructures' (the 'Plan'), prepared by the ODN. The Plan should consist of a comprehensive assessment, operational recommendations and crisis management practices. These ***operational recommendations should take into account the recommendations set out in the EU Toolbox for 5G Security and in the EU Cable Security Toolbox[1a]. These*** should ensure a consistent approach to resilience across the Union including to

funding mechanisms ensuring redundancy and enhancing Union-level preparedness for crisis.

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*[1a] **Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on Secure 5G deployment in the EU - Implementing the EU toolbox (COM/2020/50 final https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52020DC0050).***

Amendment 11

Proposal for a regulation
Recital 255

Text proposed by the Commission	*Amendment*
(255) The second Report from the Commission to the European Parliament and the Council on the implementation of Regulation (EU) 2015/2120 confirmed that the principles governing open internet access continue to be fit for purpose and to strike an appropriate balance between protecting end-users and enabling technological progress. However, in light of the significant evolution of networking technologies since 2015, there is a need to define the conditions under which specialised business services should be offered. Those specialised business services are becoming integral part of network offering for interconnecting data centres, in provision of edge computing and for AI services. The provision of low latency and guaranteed quality of service are essential features of specialised business services. Critical government services should also be considered as priority services in order to make sure that electronic communications networks are meeting increased demand for security and defence needs, such as detection response	(255) The second Report from the Commission to the European Parliament and the Council on the implementation of Regulation (EU) 2015/2120 confirmed that the principles governing open internet access continue to be fit for purpose and to strike an appropriate balance between protecting end-users and enabling technological progress. However, in light of the significant evolution of networking technologies since 2015, there is a need to define the conditions under which specialised business services should be offered. Those specialised business services are becoming integral part of network offering for interconnecting data centres, in provision of edge computing and for AI services. The provision of low latency and guaranteed quality of service are essential features of specialised business services. Critical government services should also be considered as priority services in order to make sure that electronic communications networks are meeting increased demand for security and defence needs, such as detection response

and mobility. While BEREC is empowered to issue guidelines to support consistent implementation by national regulatory authorities, ***additional*** guidance at Union level may ***be necessary to ensure a harmonised approach*** to emerging services and technologies, including network slicing, experimental services and differentiated industrial use-cases. ***Empowering*** the Commission to ***adopt implementing act on the implementation of specialised services*** should ***therefore contribute to legal certainty and regulatory coherence across the Union, by providing clear criteria for compliance, including***, inter alia, quality-of-service parameters or minimum levels to be ensured for general internet access services. ***Such implementing act*** should complement BEREC guidelines, support uniform application of the framework, and encourage investment and innovation in advanced connectivity services and in the business-to-business segment in particular, thereby strengthening the competitiveness of the Union's digital economy as well as ensuring prioritisation of critical government services.

and mobility. While BEREC ***has proven its ability to impartially take technical and economic developments into account and*** is empowered to issue guidelines to support consistent implementation by national regulatory authorities, ***further*** guidance at Union level may ***prove beneficial in relation*** to emerging services and technologies, including network slicing, experimental services and differentiated industrial use-cases. ***In order to specify the conditions for the offering of services other than internet access services which are optimised for specific content, applications or services, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to*** the Commission to ***supplement this Regulation. Those delegated acts*** should ***be based on the guidelines, opinions and reports issued by BEREC and should specify***, inter alia, quality-of-service parameters or minimum levels to be ensured for general internet access services. ***When preparing those delegated acts, the Commission should consult BEREC and the European Data Protection Board. Those delegated acts should ensure that the provision of specialised services does not undermine the overall primacy of the neutral and open internet,*** should complement BEREC guidelines, support uniform application of the framework, and encourage investment and innovation in advanced connectivity services and in the business-to-business segment in particular, thereby strengthening the competitiveness of the Union's digital economy as well as ensuring prioritisation of critical government services.

Amendment 12

Proposal for a regulation
Recital 284

Text proposed by the Commission	*Amendment*
(284) End-users are increasingly vulnerable to fraudulent activities carried out through interpersonal communications services. Several Member States have introduced national measures to combat evolving fraud schemes, such as CLI spoofing, phishing, smishing, and vishing. However, those measures remain uncoordinated and reflect primarily national perspectives, enabling fraudsters to shift their activities to jurisdictions where such practices are not effectively addressed. The ODN should enable the gathering of relevant information and best practices to enable BEREC to issue technical and legal guidelines on the measures that could effectively protect end-users against fraudulent activities in the Union. The BEREC guidelines should enable Member States adopt coordinated measures to be implemented by interpersonal communications services, with full respect of Union legislation on personal data ***protection. The Commission*** should be ***empowered to adopt delegated acts to supplement the effectiveness of measures that interpersonal communications services put in place to protect end-users against fraudulent activities.***	(284) End-users are increasingly vulnerable to fraudulent activities carried out through interpersonal communications services. ***These activities are highly pervasive, undermining legitimate communication channels, and are defrauding and distressing European businesses and consumers. Providers also have an interest to combat fraudulent activities.*** Several Member States have introduced national measures to combat evolving fraud schemes, such as CLI spoofing, phishing ***(impersonation fraud)***, smishing ***(SMS scams)***, and vishing ***(voice scams) and scam URLs***. However, those measures remain uncoordinated and reflect primarily national perspectives, enabling fraudsters to shift their activities to jurisdictions where such practices are not effectively addressed. The ODN should enable the gathering of relevant information and best practices to enable BEREC to issue technical and legal guidelines on the measures that could effectively protect end-users against fraudulent activities in the Union. The BEREC guidelines should enable Member States ***to*** adopt coordinated measures to be implemented by interpersonal communications services, with full respect of Union legislation on ***privacy and protection of*** personal data***. These guidelines*** should be ***updated when necessary in order to ensure that the deployed solutions remain effective over time.***

Amendment 13

Proposal for a regulation
Recital 286

Text proposed by the Commission	*Amendment*
(286) In parallel with the missing children	(286) In parallel with the missing children

hotline number ‘116000’, ***many*** Member States also ensure that children have access to a child-friendly service operating a helpline that helps children in need of care and protection through the use of the ‘116111’ number. ***Such*** Member States and the Commission should ensure that awareness is raised among citizens, and in particular among children and among national child protection systems, about the existence of the ‘116111’ helpline.	hotline number ‘116000’, ***each*** Member State ***should*** also ensure that children have access to a child-friendly service operating a helpline that helps children in need of care and protection through the use of the ‘116111’ number. ***The*** Member States and the Commission should ensure that awareness is raised among citizens, and in particular among children and among national child protection systems, about the existence of the ‘116111’ helpline.

Amendment 14

Proposal for a regulation
Recital 286 a (new)

Text proposed by the Commission	*Amendment*
	(286a) Helplines should be accessible, in addition to telephone, through information and communication technologies, including websites and online applications. These services may also be provided via chat-boxes.

Amendment 15

Proposal for a regulation
Recital 298

Text proposed by the Commission	*Amendment*
(298) Where the effective reach of all end-users concerned, independently of their place or Member State of residence, is ensured and fulfils the highest level of data security, Member States should be able to provide for the transmission of public warnings by ***using*** the European Digital Identity Wallets issued under Regulation (EU) 910/2014. while ensuring that the citizens of the Union are effectively protected when travelling in another Member State.	(298) Where the effective reach of all end-users concerned, independently of their place or Member State of residence, is ensured and fulfils the highest level of data security, Member States should be able to provide for the transmission of public warnings by ***means of a mobile application, which may be coupled with*** the European Digital Identity Wallets issued under Regulation (EU) 910/2014, while ensuring that the citizens of the Union are effectively protected when travelling in another Member State.

Amendment 16

Proposal for a regulation
Recital 307

Text proposed by the Commission	*Amendment*
(307) Publicly available directories consist of any directory or service containing information of end-users, such as phone numbers (including mobile phone numbers), email address, contact details and includes inquiry services. The main function of directory services is to enable to identify such persons***.*** ***The increasing availability and use of digital alternatives like online search engines, social media and online directories that offer an up-to-date way to find contact information do not justify maintaining the obligation on number-based interpersonal communications services providers***. In addition, many directory enquiry services are now available as apps or online, allowing users to search for information digitally. Furthermore, it is appropriate for ensuring a high level of protection of the right to privacy and to protection of the personal data that end-users who are natural persons are asked for consent before their personal data are included in a directory. Different from natural persons, legitimate interests of legal entities related to their data being included in a directory should be also protected. The application of Directive 2002/58/EC showed divergent practices across Member States as regards the exercise of the choice of end-users that are natural persons for inclusion of their personal data in a directory. Sometimes, Member States provide that end-users have the right to object the inclusion of their personal data in their national laws or the withdrawal of consent of a natural person is not shared with third parties processing personal data from the directories, which may not only lower the level of protection	(307) Publicly available directories consist of any directory or service containing information of end-users, such as phone numbers (including mobile phone numbers), email address, contact details and includes inquiry services. The main function of directory services is to enable to identify such persons. In addition, many directory enquiry services are now available as apps or online, allowing users to search for information digitally. Furthermore, it is appropriate for ensuring a high level of protection of the right to privacy and to protection of the personal data that end-users who are natural persons are asked for consent before their personal data are included in a directory. Different from natural persons, legitimate interests of legal entities related to their data being included in a directory should be also protected. The application of Directive 2002/58/EC showed divergent practices across Member States as regards the exercise of the choice of end-users that are natural persons for inclusion of their personal data in a directory. Sometimes, Member States provide that end-users have the right to object the inclusion of their personal data in their national laws or the withdrawal of consent of a natural person is not shared with third parties processing personal data from the directories, which may not only lower the level of protection throughout the Union, but also expose end-users to fraudulent practices by malicious actors. Requesting consent for sharing contact details in an electronic form irrespective of the provider should ***always be required***.

throughout the Union, but also expose end-users to fraudulent practices by malicious actors. Requesting consent***, including*** for sharing contact details in an electronic ***or paper*** form irrespective of the provider should ***be in accordance with Regulation (EU) 2016/679***.

Amendment 17

Proposal for a regulation
Recital 329

Text proposed by the Commission	*Amendment*
(329) In light of the increasing convergence between the sectors providing electronic communications services, and the horizontal dimension of regulatory issues related to their development, BEREC and the ODN should cooperate with, and without prejudice to the role of, national regulatory authorities, other Union bodies, offices, agencies and advisory groups, in particular the RSPB, the European Data Protection Supervisor established by Regulation (EU) 2018/1725 of the European Parliament and of the Council[38] , the European Data Protection Board established by Regulation (EU) 2016/679, the European Regulators Group for Audiovisual Media Services established by the Directive 2010/13/EU of the European Parliament and the Council, the European Union Agency for Network and Information Security established by Regulation (EU) 526/2013 of the European Parliament and of the Council[39] , the European GNSS Agency established by Regulation (EU) No 912/2010 of the European Parliament and of the Council[40] , the Consumer Protection Cooperation Network established pursuant to Regulation (EC) No 2006/2004 of the European Parliament and the Council[41] , the European Competition Network and European standardisation organisations, as well as with existing committees (such as	(329) In light of the increasing convergence between the sectors providing electronic communications services, and the horizontal dimension of regulatory issues related to their development, BEREC and the ODN should cooperate with, and without prejudice to the role of, national regulatory authorities, other Union bodies, offices, agencies and advisory groups, in particular the RSPB, the European Data Protection Supervisor established by Regulation (EU) 2018/1725 of the European Parliament and of the Council[38] , the European Data Protection Board established by Regulation (EU) 2016/679, the European Regulators Group for Audiovisual Media Services established by the Directive 2010/13/EU of the European Parliament and the Council, the European Union Agency for Network and Information Security established by Regulation (EU) 526/2013 of the European Parliament and of the Council[39] , the European GNSS Agency established by Regulation (EU) No 912/2010 of the European Parliament and of the Council[40] , the Consumer Protection Cooperation Network established pursuant to Regulation (EC) No 2006/2004 of the European Parliament and the Council[41] , the European Competition Network and European standardisation organisations, as well as with existing committees (such as

the Communications Committee and the Radio Spectrum Committee). Where appropriate, BEREC and the ODN should also cooperate with relevant competent authorities of Member States responsible for competition, consumer protection, cybersecurity and data protection, and with the competent authorities of third countries, in particular, regulatory authorities competent in the field of electronic communications or groups of those authorities, as well as with international organisations when necessary for the carrying out of their tasks. BEREC should also be able to consult interested parties by means of public consultation.

the Communications Committee and the Radio Spectrum Committee). Where appropriate, BEREC and the ODN should also cooperate with relevant competent authorities of Member States responsible for competition, consumer protection, cybersecurity***, privacy*** and data protection, and with the competent authorities of third countries , in particular, regulatory authorities competent in the field of electronic communications or groups of those authorities, as well as with international organisations when necessary for the carrying out of their tasks. BEREC should also be able to consult interested parties by means of public consultation.

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[38] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).

[39] Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act) (OJ L 151, p. 15, ELI: http://data.europa.eu/eli/reg/2019/881/oj).

[40] Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, , p. 69, ELI: http://data.europa.eu/eli/reg/2021/696/oj).

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[38] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).

[39] Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act) (OJ L 151, p. 15, ELI: http://data.europa.eu/eli/reg/2019/881/oj).

[40] Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, , p. 69, ELI: http://data.europa.eu/eli/reg/2021/696/oj).

[41] Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (OJ L 345, p. 1, ELI: http://data.europa.eu/eli/reg/2017/2394/oj).

[41] Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (OJ L 345, p. 1, ELI: http://data.europa.eu/eli/reg/2017/2394/oj).

Amendment 18

Proposal for a regulation
Recital 384

Text proposed by the Commission	*Amendment*
(384) Accurate calculation of availability (premises passed), readiness (premises connected) and take-up (premises activated) of the geographical reach of gigabit networks connectivity coverage, take-up rates as well as market shares require a precise denominator. To ensure the robustness of these calculations, national regulatory authorities and other competent authorities should have access to the authoritative count of households and physical premises per address point, as held by National Statistical Institutes or Cadastral Authorities. Access to this reliable data is essential to calculate accurate connectivity coverage and penetration rates for the monitoring of Digital Decade targets and to ensure robust and consistent market analysis across the Union.	(384) Accurate calculation of availability (premises passed), readiness (premises connected) and take-up (premises activated) of the geographical reach of gigabit networks connectivity coverage, take-up rates as well as market shares require a precise denominator. To ensure the robustness of these calculations, national regulatory authorities and other competent authorities should have access to the authoritative count of households and physical premises per address point, as held by National Statistical Institutes or Cadastral Authorities. Access to this reliable data is essential to calculate accurate connectivity coverage and penetration rates for the monitoring of Digital Decade targets and to ensure robust and consistent market analysis across the Union. ***Where such data could indirectly identify natural persons, access should be subject to appropriate safeguards, including purpose limitation and data minimisation, in accordance with Union data protection law.***

Amendment 19

Proposal for a regulation
Recital 386

Text proposed by the Commission	*Amendment*
(386) Data concerning household composition, age structure, and disposable income could be relevant for assessing demand elasticity and potential barriers to the adoption of broadband services. Furthermore, where available income and poverty indicators may be used for the automatic verification of eligibility for social vouchers. The processing of these metrics would allow Member States to target public subsidies to support the most vulnerable citizens while limiting any possible distortion of competition.	(386) Data concerning household composition, age structure, and disposable income could be relevant for assessing demand elasticity and potential barriers to the adoption of broadband services. Furthermore, where available income and poverty indicators may be used for the automatic verification of eligibility for social vouchers ***in compliance with Regulation (EU) 2016/679***. The processing of these metrics would allow Member States to target public subsidies to support the most vulnerable citizens while limiting any possible distortion of competition.

Amendment 20

Proposal for a regulation
Recital 415

Text proposed by the Commission	*Amendment*
(415) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered their opinion on ***[dd month 2026]***.	(415) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered their opinion on ***18 March 2026***.

Amendment 21

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission	*Amendment*
	Article 3a
	Fundamental rights
	1. Measures adopted pursuant to this Regulation shall respect the Charter and general principles of Union law.
	2. Any measure regarding end-users' access to, or use of, services and

applications through electronic communications networks liable to limit the exercise of the rights or freedoms recognised by the Charter shall be imposed only if it is provided for by law and respects those rights or freedoms, is proportionate, necessary, and genuinely meets general interest objectives recognised by Union law or the need to protect the rights and freedoms of others in line with Article 52(1) of the Charter and with general principles of Union law, including the right to an effective remedy and to a fair trial.

Accordingly, such measures shall be taken only with due respect for the principle of the presumption of innocence and the right to privacy and to the confidentiality of communications and of terminal equipment, including the related metadata. A prior, fair and impartial procedure shall be guaranteed, including the right to be heard of the person or persons concerned, subject to the need for appropriate conditions and procedural arrangements in duly substantiated cases of urgency in accordance with the Charter.

Amendment 22

Proposal for a regulation
Article 5 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*Amendment*
Providers of public electronic communications networks, publicly available electronic communications services and other providers referred to in Article 9(2), national regulatory authorities, national competent authorities designated pursuant to Article 8(1) of Directive (EU) 2022/2555[56] and other competent authorities including, where relevant, national crisis management and civil protection authorities, ***including cyber***	Providers of public electronic communications networks, publicly available electronic communications services and other providers referred to in Article 9(2), national regulatory authorities, national competent authorities designated pursuant to Article 8(1) of Directive (EU) 2022/2555[56] and other competent authorities including, where relevant, national crisis management and civil protection authorities, ***shall***

crisis management authorities designated pursuant to Article 9(1) of Directive (EU) 2022/2555, ***shall cooperate to ensure the continuous availability of*** electronic communications networks and services ***as well as their necessary capabilities to anticipate, prevent, prepare*** for and ***respond*** to natural or man-made disruptions, crises or force majeure that may negatively affect the population.	***cooperate, within their respective competences and without prejudice to*** Directive (EU) 2022/2555, ***to strengthen the resilience of the*** electronic communications networks and services ***by anticipating, preventing, preparing*** for and ***responding*** to natural or man-made disruptions, crises or force majeure that may negatively affect the population.
[56] Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive)), (OJ L 333, 27.12.2022, p 80, ELI: http://data.europa.eu/eli/C/2025/3445/oj).	[56] Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive)), (OJ L 333, 27.12.2022, p 80, ELI: http://data.europa.eu/eli/C/2025/3445/oj).

Amendment 23

Proposal for a regulation
Article 5 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. In case of natural or man-made disruptions, crises or force majeure that may negatively affect the population, Member States shall take appropriate measures to swiftly restore public electronic communications networks and publicly available electronic communications services as a priority in their emergency response.

Amendment 24

Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission	*Amendment*
3. When implementing new technologies in their electronic communications networks or services, providers of public electronic communications networks and publicly available electronic communications services and PSAPs shall take all the necessary preparatory measures, including testing and validation of solutions, to ensure the availability of emergency communication and public warning services within the Union.	3. When implementing new technologies in their electronic communications networks or services, providers of public electronic communications networks and publicly available electronic communications services and PSAPs shall take all the necessary ***and proportionate*** preparatory measures, including testing and validation of solutions, to ensure the availability of emergency communication and public warning services within the Union.

Amendment 25

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission	*Amendment*
2. To support the preparation of the Plan, national regulatory authorities shall, on a biennial basis, collect information on the architecture, capacity, capabilities and use of public electronic communications networks, publicly available electronic communications services and, where relevant, networks used, wholly or mainly, for the purpose of providing electronic communications services or information society services available to the public, insofar as such information has not already been made available to them or to other national competent authorities pursuant to Union law or national law.	2. To support the preparation of the Plan, national regulatory authorities shall, on a biennial basis, collect information on the architecture, capacity, capabilities and use of public electronic communications networks, publicly available electronic communications services and, where relevant, networks used, wholly or mainly, for the purpose of providing electronic communications services or information society services available to the public, insofar as such information has not already been ***public or*** made available to them or to other national competent authorities pursuant to Union law or national law.

Amendment 26

Proposal for a regulation
Article 7 – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. The application of this Article shall not lead to any general monitoring obligation for providers of public electronic communication networks, publicly available electronic communications services and other providers referred to in Article 9(2).

Amendment 27

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission	*Amendment*
2. Each Member State shall designate a national single contact point tasked with communicating with the ODN and with maintaining up-to-date information about the national legislation and procedures applicable to the provision of electronic communications networks and services, in particular those related to general authorisation conditions, including the conditions regarding cybersecurity, access to data and data protection and the obligations laid down in this Regulation.	2. Each Member State shall designate a national single contact point tasked with communicating with the ODN and with maintaining up-to-date information about the national legislation and procedures applicable to the provision of electronic communications networks and services, in particular those related to general authorisation conditions, including the conditions regarding cybersecurity, access to data and data protection and the obligations laid down in this Regulation***, including the obligations relating to the protection of privacy and personal data***.

Amendment 28

Proposal for a regulation
Article 31 – paragraph 6 – subparagraph 3

Text proposed by the Commission	*Amendment*
The Commission decision referred to in the first subparagraph, point (a), shall be accompanied by a detailed and objective analysis of the reasons why the draft market shaping measure or the limited duration should not be adopted or	The Commission decision referred to in the first subparagraph, point (a), shall be accompanied by a detailed and objective analysis of the reasons why the draft market shaping measure or the limited duration should not be adopted or

explaining how they should be amended.	explaining how they should be amended. ***Regulation (EC) No 1049/2001 [the access to documents Regulation] shall apply to this decision and the accompanying analysis.***

Amendment 29

Proposal for a regulation
Article 31 – paragraph 6 – subparagraph 3 a (new)

Text proposed by the Commission	*Amendment*
	The Commission decision referred to in the first subparagraph, point (a), shall be subject to review by the Court of Justice of the European Union.

Amendment 30

Proposal for a regulation
Article 52 – paragraph 2

Text proposed by the Commission	*Amendment*
2. National regulatory authorities shall have the power to require providers of public electronic communications networks or publicly available electronic communications services to adopt preventive measures ***by*** blocking access to numbers or services where this is justified by reasons of fraud or misuse and to ***require that in such cases providers of electronic communications services*** withhold relevant interconnection or other service revenues.	2. National regulatory ***authorities or competent*** authorities shall have the power to require providers of public electronic communications networks or publicly available electronic communications services to adopt preventive measures ***such as the*** blocking ***of*** access to***, or use of,*** numbers or services***, or the cancelling of subscriptions,*** where this is justified by reasons of fraud or misuse and to withhold relevant interconnection or other ***premium rate*** service revenues ***from premium rate numbers***.

Amendment 31

Proposal for a regulation
Article 87 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. The provision of universal service shall be unconditional, and data subjects shall not be required to consent to the processing of their personal data or metadata beyond what is strictly necessary for the provision of the service.

Amendment 32

Proposal for a regulation
Article 93 – paragraph 3 – subparagraph 2

Text proposed by the Commission	*Amendment*
The first subparagraph shall not prevent providers of internet access services from implementing reasonable traffic management measures. In order to be deemed to be reasonable, such measures shall be transparent, non-discriminatory and proportionate, and shall not be based on commercial considerations but on objectively different technical quality of service requirements of specific categories of traffic. Such measures shall not monitor the specific content and shall not be maintained for longer than necessary.	The first subparagraph shall not prevent providers of internet access services from implementing reasonable traffic management measures. In order to be deemed to be reasonable, such measures shall be transparent, non-discriminatory and proportionate, and shall not be based on commercial considerations but on objectively different technical quality of service requirements of specific categories of traffic. Such measures shall not monitor the specific content and shall not be maintained for longer than necessary ***and shall not involve the interception, monitoring, or storage of the content of communications***. ***This shall not preclude the technical visibility of service categories and traffic patterns. Measures based on the inspection of metadata shall be restricted to the information that is strictly necessary for the intended purpose and shall not be maintained for longer than necessary.***

Amendment 33

Proposal for a regulation
Article 93 – paragraph 4

Text proposed by the Commission	*Amendment*
4. Any traffic management measure may entail processing of personal data only if such processing is necessary and proportionate to achieve the objectives set out in paragraph 3. Such processing shall be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council. Traffic management measures shall also comply with Directive 2002/58/EC of the European Parliament and of the Council.	4. Any traffic management measure may entail processing of personal data only if such processing is necessary and proportionate to achieve the objectives set out in paragraph 3. Such processing shall be carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council. Traffic management measures shall also comply with ***Article 7 of the Charter and with*** Directive 2002/58/EC of the European Parliament and of the Council.

Amendment 34

Proposal for a regulation
Article 93 – paragraph 6 – subparagraph 1

Text proposed by the Commission	*Amendment*
The Commission may adopt ***implementing acts detailing*** the conditions referred to in this Article for the offering of services other than internet access services which are optimised for specific content, applications or services, or a combination thereof.	The Commission may adopt ***delegated acts in accordance with Article 198 supplementing this Article concerning*** the conditions referred to in this Article for the offering of services other than internet access services which are optimised for specific content, applications or services, or a combination thereof.

Amendment 35

Proposal for a regulation
Article 93 – paragraph 6 – subparagraph 1 a (new)

Text proposed by the Commission	*Amendment*
	When preparing delegated acts pursuant to this Article, the Commission shall consult BEREC and the EDPB.

Amendment 36

Proposal for a regulation
Article 94 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission	*Amendment*
	These providers shall make available the requested information within the time-limits and to the level of detail specified by the corresponding national regulatory authority.

Amendment 37

Proposal for a regulation
Article 95 – paragraph 1 – subparagraph 3

Text proposed by the Commission	*Amendment*
The information shall***, upon request,*** be provided in an accessible format for end-users with disabilities in accordance with the accessibility requirements of Annex I to Directive (EU) 2019/882.	The information shall be provided in an accessible format for end-users with disabilities in accordance with the accessibility requirements of Annex I to Directive (EU) 2019/882.

Amendment 38

Proposal for a regulation
Article 103 – paragraph 1

Text proposed by the Commission	*Amendment*
1. Providers of ***internet access services and of*** publicly available ***interpersonal*** communications services shall cooperate with national competent authorities to identify effective measures to prevent fraudulent activities perpetrated by making use of those services, that affect end-users, while ensuring full compliance with Union legislation on personal data protection.	1. Providers of ***public electronic communications networks and*** publicly available ***electronic*** communications services shall cooperate with national competent authorities to identify effective measures to prevent fraudulent activities perpetrated by making use of those services, that affect end-users, while ensuring full compliance with Union legislation on ***the confidentiality of communications and*** personal data protection.

Amendment 39

Proposal for a regulation
Article 103 – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. The processing of traffic data or location data for the purposes referred to in paragraph 1 shall, in particular:
	(a) be limited to what is strictly necessary and proportionate for that purpose;
	(b) not extend to the content of communications;
	(c) comply with the principles of data minimisation and storage limitation;
	(d) not be used to profile end-users; and
	(e) not be repurposed for commercial, advertising or any other purpose.

Amendment 40

Proposal for a regulation
Article 103 – paragraph 3

Text proposed by the Commission	*Amendment*
3. BEREC, after consulting the European Data Protection Board and ENISA, shall issue guidelines on technical and legal measures that could effectively protect end-users against fraudulent activities in the Union, in particular measures relying on the empowerment of national regulatory authorities or competent authorities to block numbers and services pursuant to Article 52(2). The first such BEREC guidelines shall be adopted [12 months after the date of entry into force of this Regulation]. BEREC shall update the guidelines when necessary ***but at least every two years after their adoption***.	3. BEREC, after consulting the European Data Protection Board and ENISA ***and in close cooperation with the platform on combatting fraud in the area of payment services in the Union***, shall issue guidelines on technical and legal measures that could effectively protect end-users against fraudulent activities in the Union, in particular measures relying on the empowerment of national regulatory authorities or competent authorities to block ***access to, or use of,*** numbers and services pursuant to Article 52(2). The first such BEREC guidelines shall be adopted [12 months after the date of entry into force of this Regulation]. BEREC shall update the guidelines when necessary.

Amendment 41

Proposal for a regulation
Article 103 – paragraph 4

Text proposed by the Commission	*Amendment*
4. National competent authorities shall adopt measures preventing fraudulent activities perpetrated by making use of the services referred to in paragraph 1, by taking account the guidelines issued under paragraph 3.	4. National competent authorities shall adopt ***legally binding*** measures preventing fraudulent activities perpetrated by making use of the services referred to in paragraph 1, by taking ***into*** account the guidelines issued under paragraph 3.

Amendment 42

Proposal for a regulation
Article 103 – paragraph 5

Text proposed by the Commission	*Amendment*
5. The Commission may adopt, delegated acts in accordance with Article 198 supplementing paragraph 3 of this Article concerning the measures necessary to ensure the effectiveness, coordination and complementarity of fraud preventing measures within the Union.	***deleted***

Amendment 43

Proposal for a regulation
Article 103 – paragraph 5 a (new)

Text proposed by the Commission	*Amendment*
	5a. Where a provider of number-based interpersonal communications services, or another provider of electronic communications networks or services subject to measures adopted pursuant to paragraphs 3 to 5 of this Article, is also subject to fraud-prevention, cooperation, data-sharing or liability obligations under Regulation (EU) [Payment Services

Regulation], in particular Article 59 thereof, in relation to the same underlying fraudulent conduct, compliance with the measures adopted pursuant to this Article shall be presumed to satisfy the corresponding requirements under that Regulation, unless the competent authority responsible for the application of that Regulation demonstrates that such compliance is manifestly insufficient having regard to the specific risk concerned.

Amendment 44

Proposal for a regulation
Article 103 – paragraph 5 b (new)

Text proposed by the Commission	*Amendment*
	5b. BEREC and the platform on combatting fraud in the area of payment services in the Union shall cooperate to ensure the coherent, proportionate and non-duplicative application of this Article and of the relevant provisions of Regulation (EU) [Payment Services Regulation], in particular as regards calling line identification, number-spoofing prevention, and fraud-related data-sharing obligations imposed on the same category of providers.

Amendment 45

Proposal for a regulation
Article 103 – paragraph 5 c (new)

Text proposed by the Commission	*Amendment*
	5c. Member States shall ensure that national regulatory authorities and the national competent authorities responsible for the application of Regulation (EU) [Payment Services Regulation] cooperate and exchange

relevant information for that purpose.

Amendment 46

Proposal for a regulation
Article 104 – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. Providers of number-based interpersonal communications services shall ensure free of charge access for end-users, including end-users with disabilities, to the service operating a hotline to report cases of violence against children, including child sexual abuse, bullying and cyberbullying. When travelling within the Union, end-users shall have free of charge access to the visited country's service. The hotline shall be available on the number '116111'.

Amendment 47

Proposal for a regulation
Article 104 – paragraph 2

Text proposed by the Commission	*Amendment*
2. Member States shall take appropriate measures to ensure that the authority or undertaking to which the ***number*** '116000' ***has*** been assigned allocates the necessary resources to operate the ***hotline***.	2. Member States shall take appropriate measures to ensure that the authority or undertaking to which the ***numbers*** '116000' ***and '116111' have*** been assigned allocates the necessary resources to operate the ***hotlines in a safe, confidential, accessible and child-friendly manner, with specific attention to children's vulnerabilities, including through adequately trained staff***.

Amendment 48

Proposal for a regulation
Article 104 – paragraph 3

Text proposed by the Commission	*Amendment*
3. Member States and the Commission shall ensure that end-users are ***adequately*** informed of the existence and use of services provided under the numbers '116000' and***, where*** appropriate***, '116111'***.	3. Member States and the Commission shall ***raise public awareness and*** ensure that end-users are ***well*** informed of the existence and use of services provided under the numbers '116000' and ***'116111'.*** ***Member States and the Commission shall, in particular, take*** appropriate ***measures to ensure that children are well informed about their rights to use these reporting mechanisms***.

Amendment 49

Proposal for a regulation
Article 104 – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. Services provided under the numbers '116000' and '116111' shall also be available through other secure and accessible information and communication technologies, including online applications and websites.

Amendment 50

Proposal for a regulation
Article 105 – paragraph 1 – point a

Text proposed by the Commission	*Amendment*
(a) uses of internet access services and publicly available interpersonal communications services to engage in unlawful activities or to disseminate harmful content, in particular where it may prejudice respect for the rights and freedoms of others, of the right to the protection of personal data, copyright and related rights;	(a) uses of internet access services and publicly available interpersonal communications services to engage in unlawful activities or to disseminate harmful content, in particular where it may prejudice respect for the rights and freedoms of others, of the right to ***privacy, respect for communications and*** the protection of personal data, copyright and related rights;

Amendment 51

Proposal for a regulation
Article 105 – paragraph 1 – point b

Text proposed by the Commission	*Amendment*
(b) the means of protection against risks to personal security, privacy and personal data when using internet access services and publicly available interpersonal communications services, including protection against fraudulent activities perpetrated by making use of those services.	(b) the means of protection against risks to personal security, privacy***, respect for communications,*** and personal data when using internet access services and publicly available interpersonal communications services, including protection against fraudulent activities perpetrated by making use of those services.

Amendment 52

Proposal for a regulation
Article 106 – title

Text proposed by the Commission	*Amendment*
Emergency ***communication*** and the single European emergency number	Emergency ***communications*** and the single European emergency number

Amendment 53

Proposal for a regulation
Article 106 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*Amendment*
Providers of publicly available number-based interpersonal communications services shall provide end-users access to emergency services through emergency ***communication***, mandated by the Member State. Those emergency ***communication*** shall be provided free of charge and without having to use any means of payment, including by using the single European emergency number '112' and any national emergency number specified	Providers of publicly available number-based interpersonal communications services shall provide end-users***, including end-users with disabilities,*** access to emergency services through emergency ***communications***, mandated by the Member State.

by Member States.

	Providers of number-independent interpersonal communications services shall also provide such access, where mandated by the Member State, and provided that end-to-end encryption is not weakened and that the necessary technical conditions are fulfilled, including the operational readiness of public safety answering points (PSAPs), the ability to ensure routing and caller location, and compatibility with terminal devices and their interfaces.
	Those emergency ***communications*** shall be provided free of charge and without having to use any means of payment, including by using the single European emergency number '112' and any national emergency number specified by Member States.

Amendment 54

Proposal for a regulation
Article 106 – paragraph 1 – subparagraph 3

Text proposed by the Commission	*Amendment*
Member States may mandate access to emergency services through emergency communication from number-independent interpersonal communications services as long as the national PSAP system allows for routing to the most appropriate PSAP and receipt of caller location information.	***deleted***

Amendment 55

Proposal for a regulation
Article 106 – paragraph 2

Text proposed by the Commission	*Amendment*
2. No later than 24 months after the	2. No later than 24 months after the

adoption of the delegated act referred to in paragraph 8, Member States shall ensure that end-users can originate emergency ***communication*** by means of a mobile application coupled with the European Digital Identity Wallets issued under Regulation (EU) 910/2014.	adoption of the delegated act referred to in paragraph 8, Member States shall ensure that end-users can originate emergency ***communications*** by means of a mobile application***, which may be*** coupled with the European Digital Identity Wallets issued under Regulation (EU) 910/2014.

Amendment 56

Proposal for a regulation
Article 106 – paragraph 6

Text proposed by the Commission	*Amendment*
6. Providers of emergency communication shall ensure that caller location information is made available to the most appropriate PSAP without delay after emergency communication is set up. This shall include network-based location information and, where the radio equipment device makes it available for transmission, handset-derived caller location information. Providers of emergency communication shall ensure that the establishment and the transmission of the caller location information are free of charge for the end-user and the PSAP with regard to all emergency ***communication to the single European emergency number '112'***. PSAP organisations shall ensure that the technical and organisational measures are in place to receive and process the caller location information. ***Member States may extend these obligations to cover emergency communication to national emergency numbers.***	6. Providers of emergency communication shall ensure that caller location information is made available to the most appropriate PSAP without delay after emergency communication is set up. This shall include network-based location information and, where the radio equipment device makes it available for transmission, handset-derived caller location information. Providers of emergency communication shall ensure that the establishment and the transmission of the caller location information are free of charge for the end-user and the PSAP with regard to all emergency ***communications***. PSAP organisations shall ensure that the technical and organisational measures are in place to receive and process the caller location information.

Amendment 57

Proposal for a regulation
Article 106 – paragraph 8

Text proposed by the Commission	*Amendment*
8. The Commission may adopt delegated acts in accordance with Article 198 supplementing paragraphs 1, 2, 3, 5 and 6 of this Article by laying down the measures necessary to ensure effective emergency communication in the Union with regard to technical specifications to allow the origination of emergency communication by means of a mobile application coupled with the European Digital Identity Wallets, caller location information solutions, harmonised European caller location criteria, equivalent access for end-users with disabilities and routing to the most appropriate PSAP.	8. The Commission may adopt delegated acts in accordance with Article 198 supplementing paragraphs 1, 2, 3, 5 and 6 of this Article by laying down the measures necessary to ensure effective emergency communication in the Union with regard to technical specifications to allow the origination of emergency communication by means of a mobile application ***which may be*** coupled with the European Digital Identity Wallets, caller location information solutions, harmonised European caller location criteria, equivalent access for end-users with disabilities and routing to the most appropriate PSAP.

Amendment 58

Proposal for a regulation
Article 107 – paragraph 1

Text proposed by the Commission	*Amendment*
1. Providers of mobile number-based interpersonal communications services shall transmit public warnings to the end-users concerned, via the technology mandated by the Member ***States*** where they provide the service, in the geographic areas potentially being affected by imminent or developing major emergencies and disasters during the warning period, as determined by the competent authorities.	1. Providers of mobile number-based interpersonal communications services shall transmit public warnings to the end-users concerned, ***including end-users with disabilities,*** via the technology mandated by the Member ***State*** where they provide the service, in the geographic areas potentially being affected by imminent or developing major emergencies and disasters during the warning period, as determined by the competent authorities.

Amendment 59

Proposal for a regulation
Article 107 – paragraph 2

Text proposed by the Commission	*Amendment*
2. The Commission may adopt implementing acts laying down technical provisions concerning the transmission of public warnings by means of a mobile application coupled with the European Digital Identity Wallets issued under Regulation (EU) 910/2014 to all end-users concerned, including roaming end-users. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 199(3).	2. The Commission may adopt implementing acts laying down technical provisions concerning the transmission of public warnings by means of a mobile application***, which may be*** coupled with the European Digital Identity Wallets issued under Regulation (EU) 910/2014 to all end-users concerned, including roaming end-users. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 199(3).

Amendment 60

Proposal for a regulation
Article 107 – paragraph 3

Text proposed by the Commission	*Amendment*
3. Member States shall ensure that one year after the first implementing act adopted under paragraph 3 of this Article, public warnings are also transmitted to all end-users concerned by means of a mobile application coupled with the European Digital Identity Wallets issued pursuant to Regulation (EU) 910/2014.	3. Member States shall ensure that one year after the first implementing act adopted under paragraph 3 of this Article, public warnings are also transmitted to all end-users concerned by means of a mobile application***, which may be*** coupled with the European Digital Identity Wallets issued pursuant to Regulation (EU) 910/2014.

Amendment 61

Proposal for a regulation
Article 107 – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. The use of mobile applications, including those coupled with the European Digital Identity Wallet issued under Regulation (EU) 910/2014, shall be without prejudice to existing obligations to ensure the transmission of public warnings via cell broadcast or location-

based SMS technologies.

Amendment 62

Proposal for a regulation
Article 107 – paragraph 3 b (new)

Text proposed by the Commission	*Amendment*
	3b. In accordance with Article 5a(15) of Regulation (EU) No 910/2014, the use of the European Digital Identity Wallet shall be voluntary. Member States shall ensure that end-users who do not use a European Digital Identity Wallet can originate emergency communications and receive public warnings by means of a mobile application.

Amendment 63

Proposal for a regulation
Article 110 – paragraph 1 – point a

Text proposed by the Commission	*Amendment*
(a) to block, where technically feasible, incoming calls from specific numbers or from anonymous sources;	(a) to block, where technically feasible, incoming calls from specific numbers***, codes or prefixes*** or from anonymous sources;

Amendment 64

Proposal for a regulation
Article 111 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. In pursuit of equivalent access according to paragraph 1 (a) of this Article requirements on services in Directive (EU) 2019/882 shall be applied where feasible for end-users with disabilities.

Amendment 65

Proposal for a regulation
Article 118 – paragraph 1

Text proposed by the Commission	*Amendment*
1. Without prejudice to Article 122(9), national regulatory authorities shall act independently and objectively, including in the development of internal procedures and the organisation of staff, shall operate in a transparent and accountable manner in accordance with Union law, and shall not seek or take instructions from any other body in relation to the exercise of the tasks assigned to them under national law implementing Union law. This shall not prevent supervision in accordance with national constitutional law. Only appeal bodies set up in accordance with Article 197 shall have the power to suspend or overturn decisions of the national regulatory authorities.	1. Without prejudice to Article 122(9), national regulatory authorities shall act independently and objectively, including in the development of internal procedures and the organisation of staff, shall operate in a transparent and accountable manner in accordance with Union law, and shall not seek or take instructions from any other body***, including the Commission or the ODN,*** in relation to the exercise of the tasks assigned to them under national law implementing Union law. This shall not prevent supervision in accordance with national constitutional law. Only appeal bodies set up in accordance with Article 197 shall have the power to suspend or overturn decisions of the national regulatory authorities.

Amendment 66

Proposal for a regulation
Article 122 – paragraph 11

Text proposed by the Commission	*Amendment*
11. BEREC shall, where appropriate, consult and cooperate with relevant national authorities, such as those competent in the fields of competition, consumer protection, cybersecurity and data protection.	11. BEREC shall, where appropriate, consult and cooperate with relevant national authorities, such as those competent in the fields of competition, consumer protection, cybersecurity***,*** ***privacy*** and data protection.

Amendment 67

Proposal for a regulation
Article 128 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. When exercising its powers under this Regulation, the Commission shall respect the independence of the Board of Regulators as provided for in paragraph 1.

Amendment 68

Proposal for a regulation
Article 151 – paragraph 1 – subparagraph 1 – point g

Text proposed by the Commission	*Amendment*
(g) to ensure ***adequate*** follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF) and of the European Public Prosecutor Office;	(g) to ensure ***that both the ODN and itself perform effective*** follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-Fraud Office (OLAF) and of the European Public Prosecutor Office;

Amendment 69

Proposal for a regulation
Article 167 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The processing of personal data by the ODN shall be subject to Regulation (EU) 2018/1725.	3. The processing of personal data by ***the RSPB and*** the ODN shall be subject to Regulation (EU) 2018/1725.

Amendment 70

Proposal for a regulation
Article 171 – paragraph 5 a (new)

Text proposed by the Commission	*Amendment*
	5a. Where information exchanged under this Article constitutes personal

	data, 'other competent authorities' shall include the Member States' data protection authorities for the purposes of this Article.

Amendment 71

Proposal for a regulation
Article 174 – title

Text proposed by the Commission	*Amendment*
Combating fraud	***Protection of the Union's financial interests***

Amendment 72

Proposal for a regulation
Article 192 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission	*Amendment*
	The agreement referred to in point (c) and the options referred to in point (d) shall respect the provisions safeguarding open internet access laid down in Article 93.

Amendment 73

Proposal for a regulation
Article 197 – paragraph 3

Text proposed by the Commission	*Amendment*
3. Where the appeal body referred to in paragraph 1 of this Article is not judicial in character, it shall always give written reasons for its decision. Furthermore, in such a case, ***its*** decision ***shall be subject to review*** by a court or a tribunal within the meaning of Article 267 TFEU.	3. Where the appeal body referred to in paragraph 1 of this Article is not judicial in character, it shall always give written reasons for its decision. Furthermore, in such a case, ***the appellant shall have the right to judicial review of the*** decision by a court or a tribunal within the meaning of Article 267 TFEU.

Amendment 74

Proposal for a regulation
Article 198 – paragraph 2

Text proposed by the Commission	*Amendment*
2. The power to adopt delegated acts referred to in Article 22(3), Article 39(4), point (f), Article 82(1), Article 103(5), Article 106(8) and Article 114 shall be conferred on the Commission for a period of five years from [the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	2. The power to adopt delegated acts referred to in Article 22(3), Article 39(4), point (f), Article 82(1), ***Article 93(6),*** Article 103(5), Article 106(8) and Article 114 shall be conferred on the Commission for a period of five years from [the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Amendment 75

Proposal for a regulation
Article 198 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The delegation of power referred to in Article 22(3), Article 82(1), Article 103(5), Article 106(8) and Article 114 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 22(3), Article 82(1)***, Article 93(6)***, Article 103(5), Article 106(8) and Article 114 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 76

Proposal for a regulation
Article 198 – paragraph 6

Text proposed by the Commission	*Amendment*
6. A delegated act adopted pursuant to Article 22(3), Article 82(1), Article 103(5), Article 106(8) and Article 114 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Article 22(3), Article 82(1)***, Article 93(6)***, Article 103(5), Article 106(8) and Article 114 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 77

Proposal for a regulation
Article 207 – paragraph 1

Text proposed by the Commission	*Amendment*
Articles 7, 8, 10***, 11 and 12*** of Directive 2002/58/EC are deleted.	Articles 7, 8, 10 ***and 11*** of Directive 2002/58/EC are deleted.

Amendment 78

Proposal for a regulation
Article 207 – paragraph 2

Text proposed by the Commission	*Amendment*
References to Article 8 of Directive 2002/58/EC shall be read as references to Article ***109*** of this Regulation.	References to Article 8 of Directive 2002/58/EC shall be read as references to Article ***108*** of this Regulation.

ANNEX: DECLARATION OF INPUT

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur for opinion declares that she included in her opinion input on matters pertaining to the subject of the file that she received, in the preparation of the draft opinion prior to the adoption thereof in committee, from the following interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register[1], or from the following representatives of public authorities of third countries, including their diplomatic missions and embassies:

1. Interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register
GSMA
Epicenter.works
MVNO Europe
Cisco
European Broadcasting Union
BREKO Bundesverband Breitbandkommunikation e.V.
EU Amazon Web Services
Orange
United Internet
CloudFlare
Information Technology Industry Council
Colt Technology Services
freenet
Connect Europe
Dutch Data Center Association
Telefonica
EUTC European Utilities Telecom Council
CCIA
Deutsche Telekom AG
BEUC - The European Consumer Organisation
NOS, SA
The European Disability Forum
GÉANT
internet society
Free Software Foundation
Prof. J. Scott Marcus
Chamber of Labour of Austria
BEREC
ASSOCIAZIONE ITALIANA INTERNET PROVIDER
Vodafone
DOT Europe
EDPS
Ericsson
2. Representatives of public authorities of third countries, including their diplomatic missions

[1] Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register (OJ L 207, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2021/611/oj).

and embassies
None

The list above is drawn up under the exclusive responsibility of the rapporteur for opinion.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Digital networks, amending Regulation (EU) 2015/2120, Directive 2002/58/EC and Decision No 676/2002/EC and repealing Regulation (EU) 2018/1971, Directive (EU) 2018/1972 and Decision No 243/2012/EU (Digital Networks Act)
References	COM(2026)0016 – C10-0014/2026 – 2026/0013(COD)
Committee(s) responsible Date announced in plenary	ITRE 27.4.2026
Opinion by Date announced in plenary	LIBE 27.4.2026
Rapporteur for opinion Date appointed	Ana Vasconcelos 2.3.2026
Discussed in committee	24.6.2026
Date adopted	4.11.2026
Result of final vote	+: 39 –: 0 0: 28

FINAL VOTE BY ROLL CALL
BY THE COMMITTEE ASKED FOR OPINION

39	+
NI	Erik Kaliňák
PfE	Susanna Ceccardi, Marieke Ehlers, Ondřej Knotek, Fabrice Leggeri, Jorge Martín Frías, Tom Vandendriessche, Alexandre Varaut
Renew	Barry Andrews, Malik Azmani, Raquel García Hermida-Van Der Walle, Anna-Maja Henriksson, Irena Joveva, Fabienne Keller, Brigitte van den Berg, Sophie Wilmès
S&D	Alicia Homs Ginel, Evin Incir, Marina Kaljurand, Murielle Laurent, Ana Catarina Mendes, Matjaž Nemec, Chloé Ridel, Joanna Scheuring-Wielgus, Birgit Sippel, Krzysztof Śmiszek, Kristian Vigenin, Alessandro Zan
The Left	Giuseppe Antoci, Pernando Barrena Arza, Damien Carême, Estrella Galán, Ilaria Salis
Verts/ALE	Jaume Asens Llodrà, Saskia Bricmont, Mélissa Camara, Alice Kuhnke, Erik Marquardt, Leoluca Orlando

0	-

28	0
ECR	Nicolas Bay, Alessandro Ciriani, Paolo Inselvini, Mariusz Kamiński, Assita Kanko, Georgiana Teodorescu, Charlie Weimers, Jadwiga Wiśniewska
ESN	Mary Khan, Milan Uhrík, Roberto Vannacci
NI	Martin Sonneborn
PPE	Magdalena Adamowicz, François-Xavier Bellamy, Ioan-Rareş Bogdan, Krzysztof Brejza, Marie-Sophie Christ, Paulo Cunha, Lena Düpont, Loucas Fourlas, Ondřej Kolář, Jeroen Lenaers, Verena Mertens, Ana Miguel Pedro, Giusi Princi, Tomas Tobé, Michał Wawrykiewicz, Javier Zarzalejos

Key to symbols:
+ : in favour
- : against
0 : abstention