[IT] New regulation on protection of customers in the supply of electronic communications services

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On 5 October 2015, the *Autorità per le garanzie nelle comunicazioni* (Italian Communications Authority - AGCOM) issued Resolution no. 519/15/CONS on protection of customers in connection with contracts relating to the supply of electronic communication services.

According to Articles 70 and 71 of Legislative Decree no. 253 of 1 August 2003, electronic communications providers must adopt all measures necessary to provide customers, in a clear and detailed manner, with the information required by law, particularly in case of distance contracts and off-premises contracts.

The Regulation is aimed at (i) implementing the abovementioned statute provisions; (ii) protecting a customer's right to choose freely the provider of the service; and (iii) preventing activations not requested by customers or based on incomplete or misleading information.

The provider shall communicate changes to contractual terms to customers in a transparent and efficient manner; a format arranged by the Authority shall be used for the purpose of such communication. If the customer does not like the changes, he may terminate the agreement at no costs.

The minimum initial commitment for customers shall not exceed 24 months. Furthermore, the provider shall also make available at least one offer with a duration no longer than 12 months. In addition, AGCOM will promote adoption of self-regulatory codes of conduct, with the involvement of consumer associations.

Finally, the Authority approved guidelines relating to contracts for the supply of electronic communications services concluded by phone. AGCOM shall monitor compliance with the related provisions of the Consumers Code (Legislative Decree no. 206 of 6 September, 2005).

Delibera n. 519/15/CONS, Approvazione del regolamento recante disposizioni a tutela degli utenti in materia di contratti relativi alla fornitura di servizi di comunicazioni elettroniche

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Resolution no. 519/15/CONS, Approval of Regulation on protection of customers in connection with contracts relating to the supply of electronic communication services

Delibera n. 520/15/CONS, Approvazione degli orientamenti per la conclusione per telefono di contratti relativi alla fornitura di servizi di comunicazioni elettroniche

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Resolution no. 520/15/CONS, Approval of Guidelines on conclusion by phone of contracts relating to the supply of electronic communication services

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