



# Press release

Bonn, 30 November 2021

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## Telephone and internet: more rights for consumers

*Jochen Homann: "More protection and transparency for consumers"*

As from 1 December 2021 consumers have more rights with regard to telephone, internet and mobile phone contracts. Among the most important changes are shorter notice periods when contracts are automatically extended, a right to a reduction in price when bandwidth is not delivered, as well as compensation payment for telephone or internet outages and for when a technician fails to keep an appointment.

*"The new regulations will provide more transparency and improve consumer protection," said Jochen Homann, Bundesnetzagentur President. "Our customer protection section provides information about the new customer rights. Our dispute resolution panel seeks joint solutions whenever disputes arise with the provider."*

The new Telecommunications Act (TKG) also applies to contracts that were entered into before 1 December 2021.

### The most important changes

#### Contract period and extension

The maximum term of a telephone or internet contract remains 24 months. If consumers miss their cancellation deadline and the contract is automatically extended, they can terminate the contract at any time with one month's notice. The provider must give notice in a timely fashion before the contract is tacitly extended.

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### Contract summary

Before a telephone or internet contract is finalised, the provider must furnish the consumer with a clear and easily understandable summary of the contract's most important terms and conditions. This is to include, among other things, services, price, contract duration and notice period. This enables customers to compare offers and know which services are included in their contract.

Consumers are especially protected when a contract is concluded by telephone. A contract only becomes binding when the customer receives a contract summary following the telephone call and approves the contract in writing (an email suffices).

### New rights in the event of a disturbance

If the telephone line, internet connection or mobile phone reception is disrupted, consumers have a legal right to have the disruption remedied as quickly as possible and free of charge.

If the provider cannot rectify the disturbance within one day of the fault report, then the provider must inform the customer no later than on the following day. The provider must indicate which measures it has implemented and when the disruption is expected to be remedied.

Consumers can claim indemnification as from the following day if the provider cannot remedy the disruption within two calendar days and no rules of exception such as force majeure take effect. Indemnification can also be claimed when the provider misses a scheduled appointment for customer service or installation.

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### Change of supplier, number portability and moving house

Customers can also claim indemnification if, when changing provider, moving house or porting a number, the telephone or internet service is disrupted for longer than one working day, provided that the customer did not agree to the delay or is not responsible for it.

Entitlement to indemnification also exists when the provider misses a scheduled appointment for customer service or installation.

When customers switch provider, they can now take their number with them free of charge.

### Right to a payment reduction when internet connection is too slow

When customers do not receive the internet performance agreed to in their contract, in future they can reduce the monthly payment they make to their provider or they can make use of their extraordinary right to terminate their contract.

This is dependent on there being a significant, continuous or regularly recurring deviation in speed between the internet performance they actually have and the performance that has been contractually agreed.

In a General Administrative Order to be published on 8 December 2021, the Bundesnetzagentur will determine when exactly such a deviation in the fixed network exists and when customers are entitled to reduce the monthly payment or make use of their extraordinary right to terminate their contract. The Bundesnetzagentur will also provide information on the specific requirements for a verification procedure.

At the same time that the General Administrative Order goes into effect on 13 December 2021, the Bundesnetzagentur will be releasing a revised version of its desktop broadband speed checker app. Consumers will then be able to use the new app to demonstrate their right to reduce their monthly payment

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as well as their right to extraordinary termination of contract under the new TKG provisions.

For mobile communications, the Bundesnetzagentur intends to formulate guidelines in 2022 for what constitutes reduced performance and to provide a monitoring mechanism for furnishing proof of reduced performance.

#### Right to provision of telecommunication services

Customers are entitled to the provision of telecommunication services. This includes a minimum set of telephony and broadband internet access services for social and economic participation in society. The exact data rate values are listed in a separate set of requirements that is reviewed annually by the Federal Ministry of Transport and Digital Infrastructure. These exact values are currently being drawn up on the basis of studies. The requirements are expected to be published in or after June 2022.

Detailed information, further updates and compensation payment amounts are available (in German) at: [www.bundesnetzagentur.de/kundenschutz-aktuell](http://www.bundesnetzagentur.de/kundenschutz-aktuell).

Our customer protection section will gladly assist you if you have any questions. Whenever disputes arise with the provider, customers can submit a request for dispute resolution to the Bundesnetzagentur's dispute resolution panel. Our dispute resolution panel strives to reach a solution that is mutually acceptable to the customer and the provider.

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The Bundesnetzagentur is an authority under the responsibility of the Federal Ministry for Economic Affairs and Energy. Its core tasks include supervising the energy, telecommunications, postal and railway markets.

As part of its mandate, the Bundesnetzagentur ensures that as many undertakings as possible can use the infrastructure in these sectors so that consumers benefit from competition and favourable prices.

The authority employs over 2,900 people at its headquarters in Bonn and Mainz and its 46 regional offices.

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