

COMPETITION LAW POLICY

Policy agenda—telecoms sector—implementation of European Electronic Communications Code—need to reduce entry barriers, services' costs and ensure greater consumer switching

☞ Barriers to entry; Codes; Competition policy; Consumer interests; Electronic communications services; EU law; National competition authorities; Portugal; Telecommunications

The Portuguese Competition Authority (PCA) keeps a watchful eye on the telecoms sector

The telecoms sector has become extremely important in the context of the COVID-19 pandemic, and in this context the President of the PCA gave evidence in January 2021 to a parliamentary hearing regarding the rules of the 5G spectrum auction. During the hearing, Matos Rosa highlighted some weaknesses that prevent efficient competition operating in the sector. On the one hand, the PCA's president considers that the cartels investigated in 2020 (involving MEO, NOS, NOWO and Vodafone), led to price increases and quality reductions in the services provided. On the other hand, Matos Rosa stressed that loyalty clauses in telecommunication services contracts (usually with a 24-month duration) are too burdensome, that services' costs are high and there is low consumer mobility between service providers. The President also emphasised the urgent need to transpose the European Electronic Communications Code (the transposition deadline has already passed; the Commission opened infringement procedures in the beginning of February against Portugal and another 23 Member States). The PCA seems to be focused on keeping the promises set out in the 2021 priorities agenda to reduce the entry barriers for new market players and to promote consumer mobility.

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