

Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and retail charges for regulated intra-EU communications and amending Directive 2002/22/EC and Regulation (EU) No 531/2012 (Text with EEA relevance)

Article 5

Supervision and enforcement

1 National regulatory authorities shall closely monitor and ensure compliance with Articles 3 and 4, and shall promote the continued availability of non-discriminatory internet access services at levels of quality that reflect advances in technology. For those purposes, national regulatory authorities may impose requirements concerning technical characteristics, minimum quality of service requirements and other appropriate and necessary measures on one or more providers of electronic communications to the public, including providers of internet access services.

National regulatory authorities shall publish reports on an annual basis regarding their monitoring and findings, and provide those reports to the Commission and to BEREC.

2 At the request of the national regulatory authority, providers of electronic communications to the public, including providers of internet access services, shall make available to that national regulatory authority information relevant to the obligations set out in Articles 3 and 4, in particular information concerning the management of their network capacity and traffic, as well as justifications for any traffic management measures applied. Those providers shall provide the requested information in accordance with the time-limits and the level of detail required by the national regulatory authority.

3 By 30 August 2016, in order to contribute to the consistent application of this Regulation, BEREC shall, after consulting stakeholders and in close cooperation with the Commission, issue guidelines for the implementation of the obligations of national regulatory authorities under this Article.

4 This Article is without prejudice to the tasks assigned by Member States to the national regulatory authorities or to other competent authorities in compliance with Union law.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) 2015/2120 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 5(1) words omitted by [S.I. 2018/1243 reg. 3\(6\)\(b\)](#)
- Art. 5(1) words omitted by [S.I. 2018/1243 reg. 3\(6\)\(c\)](#)
- Art. 5(1) words substituted by [S.I. 2018/1243 reg. 3\(6\)\(a\)](#)
- Art. 5(2) word substituted by [S.I. 2018/1243 reg. 3\(6\)\(e\)](#)
- Art. 5(2) words substituted by [S.I. 2018/1243 reg. 3\(6\)\(d\)](#)
- Art. 5(3) omitted by [S.I. 2018/1243 reg. 3\(6\)\(f\)](#)
- Art. 5(4) omitted by [S.I. 2018/1243 reg. 3\(6\)\(g\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2018/1243 reg. 3\(11\)](#)
- Art. 2(3) inserted by [S.I. 2018/1243 reg. 3\(3\)](#)
- Art. 3(3)(a) substituted by [S.I. 2018/1243 reg. 3\(4\)\(b\)](#)
- Art. 10(2)(c) omitted by [S.I. 2018/1243 reg. 3\(10\)\(a\)](#)