



112  
EMERGENCY CALL

# What you need to know about the delegated regulation supplementing the EECC

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# On the programme today...

1. Introduction: basics of EU legislations
2. Introduction: EU law on emergency communications
3. Content of the delegated regulation
4. Summary

# Introduction: different norms in EU law

- Directives
- Regulations
- Delegated acts
- Other norms

# Introduction: different norms in EU law

- Directives
  - Mandatory
  - Require transposition into the Member States' national law
- Regulations
- Delegated acts
- Other norms

# Introduction: different norms in EU law

- Directives
- Regulations
  - Mandatory
  - Self-executive (does not require transposition into Member States' national law)
- Delegated acts
- Other norms

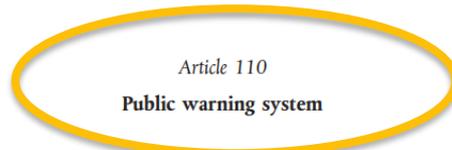
# Introduction: different norms in EU law

- Directives
- Regulations
- Delegated acts
  - Mandatory
  - Can only modify the non-essential elements of a directive or regulation
  - Aims to complete specific provisions of a directive/regulation
  - Power explicitly delegated to the European Commission to adopt such acts
- Other norms

# Introduction: how to read EU law

Those delegated acts shall be adopted without prejudice to, and shall have no impact on, the organisation of emergency services, which remains in the exclusive competence of Member States.

BEREC shall maintain a database of E.164 numbers of Member State emergency services to ensure that they are able to contact each other from one Member State to another, if such a database is not maintained by another organisation.



## Articles

*Binding elements of a legislation*

1. By 21 June 2022, Member States shall ensure that, when public warning systems regarding imminent or developing major emergencies and disasters are in place, public warnings are transmitted by providers of mobile number-based interpersonal communications services to the end-users concerned.

2. Notwithstanding paragraph 1, Member States may determine that public warnings be transmitted through publicly available electronic communications services other than those referred to in paragraph 1, and other than broadcasting services, or through a mobile application relying on an internet access service, provided that the effectiveness of the public warning system is equivalent in terms of coverage and capacity to reach end-users, including those only temporarily present in the area concerned, taking utmost account of BEREC guidelines. Public warnings shall be easy for end-users to receive.

## Important note:

Shall = mandatory

May = optional

By 21 June 2020, and after consulting the authorities in charge of PSAPs, BEREC shall publish guidelines on how to assess whether the effectiveness of public warning systems under this paragraph is equivalent to the effectiveness of those under paragraph 1.

# Introduction: how to read EU law

Whereas:

- (1) Directives 2002/19/EC <sup>(4)</sup>, 2002/20/EC <sup>(5)</sup>, 2002/21/EC <sup>(6)</sup> and 2002/22/EC <sup>(7)</sup> of the European Parliament and of the Council have been substantially amended. Since further amendments are to be made, those Directives should be recast in the interests of clarity.
- (2) The functioning of the five Directives which are part of the existing regulatory framework for electronic communications networks and services, namely Directives 2002/19/EC, 2002/20/EC, 2002/21/EC and 2002/22/EC, and Directive 2002/58/EC of the European Parliament and of the Council <sup>(8)</sup>, is subject to periodic review by the Commission, with a view, in particular, to determining the need for modification in light of technological and market developments.
- (3) In its communication of 6 May 2015 setting out a Digital Single Market Strategy for Europe, the Commission stated that its review of the telecommunications framework would focus on measures that aim to provide incentives for investment in high-speed broadband networks, bring a more consistent internal market approach to radio spectrum policy and management, deliver conditions for a true internal market by tackling regulatory fragmentation, ensure effective protection of consumers, a level playing field for all market players and consistent application of the rules, as well as provide a more effective regulatory institutional framework.



Recitals

*Not binding as such but gives justifications for a provision and key hints on how to interpret the articles.*

# Introduction: how to read EU law

Article 2  
**Definitions**



## Definitions

For the purposes of this Directive, the following definitions apply:

- (1) 'electronic communications network' means transmission systems, whether or not based on a permanent infrastructure or centralised administration capacity, and, where applicable, switching or routing equipment and other resources, including network elements which are not active, which permit the conveyance of signals by wire, radio, optical or other electromagnetic means, including satellite networks, fixed (circuit- and packet-switched, including internet) and mobile networks, electricity cable systems, to the extent that they are used for the purpose of transmitting signals, networks used for radio and television broadcasting, and cable television networks, irrespective of the type of information conveyed;
- (2) 'very high capacity network' means either an electronic communications network which consists wholly of optical fibre elements at least up to the distribution point at the serving location, or an electronic communications network which is capable of delivering, under usual peak-time conditions, similar network performance in terms of available downlink and uplink bandwidth, resilience, error-related parameters, and latency and its variation; network performance can be considered similar regardless of whether the end-user experience varies due to the inherently different characteristics of the medium by which the network ultimately connects with the network termination point;
- (3) 'transnational markets' means markets identified in accordance with Article 65, which cover the Union or a substantial part thereof located in more than one Member State;

# Introduction: how to read EU law

Article 124

## Transposition

1. Member States shall adopt and publish, by 21 December 2020, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall immediately communicate the text of those measures to the Commission.

## Deadlines

17.12.2018

EN

Official Journal of the European Union

L 321/189

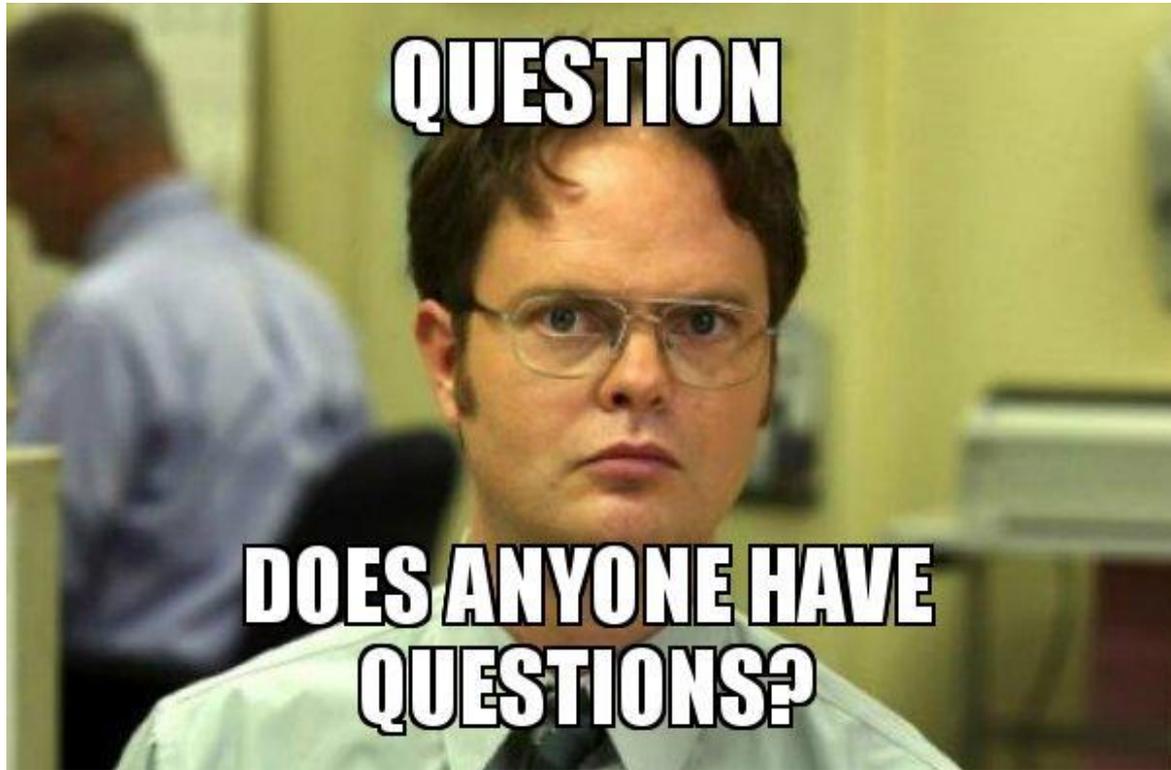
Member States shall apply those measures from 21 December 2020.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directives repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.

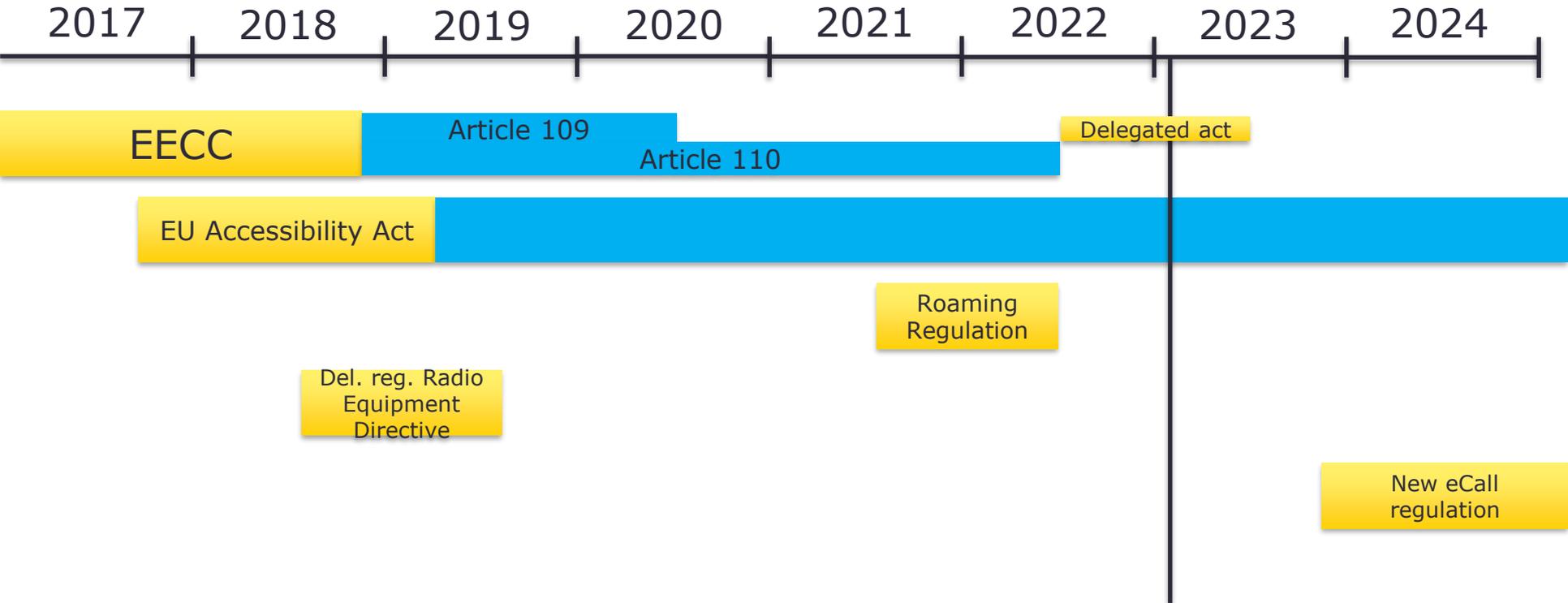
2. By way of derogation from paragraph 1 of this Article, Article 53(2), (3) and (4) of this Directive shall apply from 20 December 2018 where harmonised conditions have been set by technical implementing measures in accordance with Decision No 676/2002/EC in order to enable the radio spectrum use for wireless broadband networks and services. In relation to radio spectrum bands for which harmonised conditions have not been set by 20 December 2018, Article 53(2), (3) and (4) of this Directive shall apply from the date of the adoption of the technical implementing measures in accordance with Article 4 of Decision No 676/2002/EC.

By way of derogation from paragraph 1 of this Article, Member States shall apply the measures necessary to comply with Article 54 from 31 December 2020.

3. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.



# Introduction: EU law on emergency communications



# Introduction: European Electronic Communications Code

- **Article 108:** Uninterrupted access to emergency services
- **Article 109:** Emergency communications
  1. Accessibility free of charge of 112 in all the EU.
  2. Routing of emergency communications to the most appropriate PSAP.
  3. 112 handling in the « manner best suited to the national organisation of emergency systems. »
  4. Mandatory report of the European Commission on the implementation of 112.
  5. Accessibility for people with disabilities
  6. Caller location information
  7. Promotion of 112
  8. PSAP Directory + Delegation to the European Commission to adopt delegated acts
- **Article 110:** Public Warning Systems

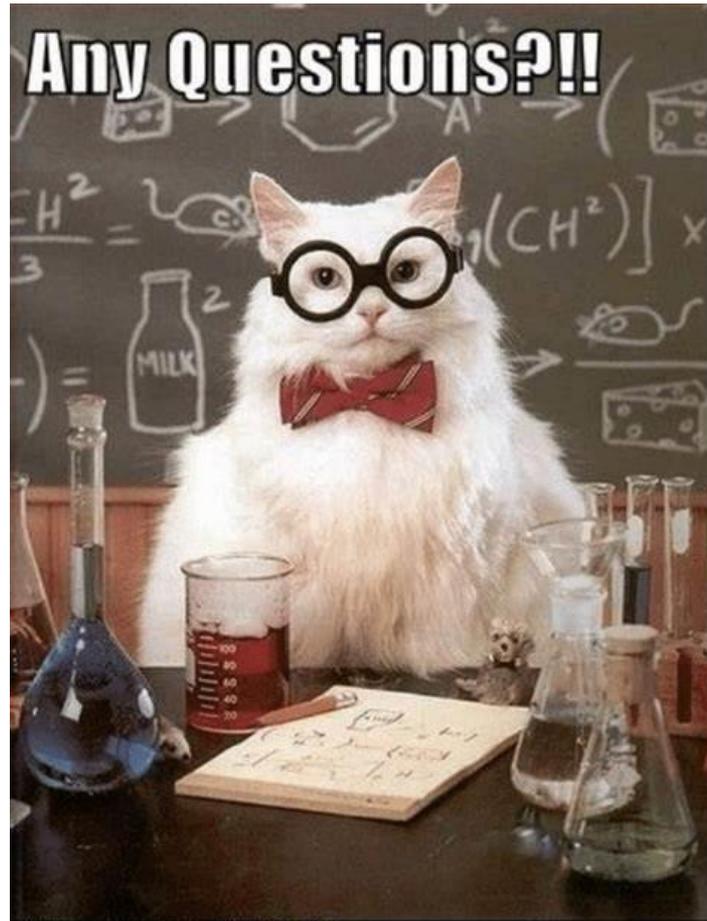
# Introduction: European Electronic Communications Code

- Article 109(8):

8. In order to ensure effective access to emergency services through emergency communications to the single European emergency number '112' in the Member States, the Commission shall, after consulting BEREC, adopt delegated acts in accordance with Article 117 supplementing paragraphs 2, 5 and 6 of this Article on the measures necessary to ensure the compatibility, interoperability, quality, reliability and continuity of emergency communications in the Union with regard to caller location information solutions, access for end-users with disabilities and routing to the most appropriate PSAP. The first such delegated act shall be adopted by 21 December 2022.

Those delegated acts shall be adopted without prejudice to, and shall have no impact on, the organisation of emergency services, which remains in the exclusive competence of Member States.

**Any Questions?!!**



# Caller location



# Caller location

- Recall of the obligations on national authorities to establish caller location accuracy and reliability criteria.

## Article 3(1)

"When laying down criteria for the accuracy and reliability of caller location information pursuant to Article 109 (6) of Directive EU 2018/1972, competent regulatory authorities shall ensure, within the limits of technical feasibility, that the end-user's position is located as reliably and accurately as is necessary to enable the emergency services to come to the end-user's assistance."

# Caller location

- Criteria adopted should ensure that the location is precise enough for emergency services to assist the victim. This also applies to network-based location.

## Recital 7:

"[...] the criteria should ensure, within the limits of technical feasibility, that the end-user's position is located as reliably and accurately as is necessary to enable the emergency services to usefully come to the end-user's assistance. The mix of these technologies ensures that even where a handset-derived caller location solution fails to make the caller location information available to the most appropriate PSAP, emergency services can rely on network-based location to usefully come to the end-user's assistance, in line with the caller location accuracy and reliability criteria established by Member States."

# Caller location

- Criteria should be expressed in "x % of emergency communications providing a location within x meters" for mobile networks.
- National authorities may also adopt vertical criteria.

Article 3(3):

*"With respect to the mobile networks:*

*(a) the accuracy criterion for caller location information shall be expressed in metres. If applicable, the elevation or vertical accuracy criterion shall be expressed in metres as well;*

*(b) the reliability criterion for caller location information shall be expressed as the success rate, in percentage, of the technical solution or mix of technical solutions to establish and transmit to the most appropriate PSAP a search area corresponding to the accuracy criterion."*

# Caller location

- Criteria should be related to the physical address of the network termination point for fixed networks.

Article 3(2):

*"With respect to the fixed networks:*

*(a) the accuracy criterion for caller location information shall be expressed as information related to the physical address of the network termination point;*

*(b) the reliability criterion for caller location information shall be expressed as the success rate, in percentage, of the technical solution or mix of technical solutions to establish and transmit to the most appropriate PSAP a caller location information corresponding to the accuracy criterion."*

# Caller location

- Deadline to adopt these criteria: 1 year
- Authorities to report these criteria to the European Commission

## Article 3(2):

*"Member States shall report to the Commission no later than [one year after entry into force of this Regulation]:*

*(a) the criteria for the accuracy and reliability of caller location information expressed according to the parameters referred to in Article 3, [...]"*

# Caller location

- Towards European cooperation on this matter?

## Recital 7:

*Moreover, it is important to recall that pursuant to the principle of sincere cooperation laid down in Article 4(3) of the Treaty on European Union, competent regulatory authorities are to cooperate among each other when laying down the criteria for the accuracy and reliability of the caller location information by consulting the Body of European Regulators for Electronic Communications (BEREC) or other relevant fora competent to provide guidance in this regard, in order to ensure the full effectiveness of Article 109(6) of Directive (EU) 2018/1972."*

# Caller location

- Towards European cooperation on this matter? Not in the short term
  - No concrete action has been taken by any official organisation on this matter.
  - Some organisations consider they lack competence to work on this matter and the legislation is not directive enough to trigger an action.
  - At the same time... time is running out

# Caller location

- How EENA intends to assist national authorities in defining caller location criteria
  - EENA will work with relevant stakeholders to provide recommendations on caller location criteria derived from handsets which could be adopted. The work will not look at other types of location (network based, fixed networks...)
  - First work to be presented at the EENA Conference
  - Publication of EENA's work is scheduled for September 2023

# Accessibility



# Accessibility

## Reminder of current EU legislations:

- EECC: Access to emergency services should be equivalent for people with disabilities compared to other end-users.
- Accessibility Act: Real-Time Text to be deployed by 2027.
- Roaming Regulation: Accessibility means to work when roaming + such means to be promoted when entering another Member State.

# Accessibility

## Reminder of current EU legislations:

- EECC: Access to emergency services should be **equivalent** for people with disabilities compared to other end-users.
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The delegated act defines what this means

# Accessibility

## Functional equivalence requirements:

- A. Emergency communication enables two-way interactive communication between the end-user and the PSAP.
- B. Emergency comm is available in a seamless way, without pre-registration to end-users travelling in another Member State.
- C. Emergency comm is provided free of charge to the end-user.
- D. Emergency comm routed without delay to the most appropriate PSAP.
- E. Equivalent levels of caller location information.
- F. Awareness raising measures

# Accessibility

- Member States to assess and report how accessibility means meet the functional requirements

## Article 8:

*"Member States shall report to the Commission no later than [one year after entry into force of this Regulation]:*

*[...]*

*(b) the means of access to emergency services through emergency communications to be used by end-users with disabilities, including those using roaming services, and the assessment of their compliance with the functional equivalence requirements in Article 5."*

# Routing to the most appropriate PSAP



# Routing to the most appropriate PSAP

New concept: **contextual information**

## Article 2(2):

“contextual information’ means the information conveyed through an emergency communication by the end-user or derived and transmitted automatically from the device of the end-user or the relevant network in order to enable the timely identification of the intervention resources of the emergency services and the fast arrival of the emergency services at the intervention scene.”

# Routing to the most appropriate PSAP

- Stage-1 PSAPs should be able to transmit caller location and other contextual information to emergency services.

## Article 5:

*"Member States shall ensure that emergency communications and caller location information are routed without delay to the most appropriate PSAP that is technically capable to convey the contextual information to the emergency services when alerting those services."*

# Routing to the most appropriate PSAP

- Member States to cooperate with the European Commission to identify common interoperability requirements for mobile apps.

## Article 8:

*"For the purpose of ensuring the technical feasibility of the seamless access to emergency services as provided in Article 4(1), point (b) of this Regulation, without prejudice to the implementation of Directive (EU) 2019/882, Member States shall cooperate with the Commission to identify common interoperability requirements that enable the emergency communication to the most appropriate PSAP via a mobile application anywhere in the Union."*

# Towards NG112



# Towards NG112

- Member States to adopt a roadmap on the migration to NG112 (emergency comms through packet-switched technologies).

## Article 7(2):

*"Member States shall prepare and report to the Commission no later than [nine months after entry into force of this Regulation] a roadmap for upgrading the national PSAP system in order to be able to receive, answer and process emergency communications through packet-switched technology. The roadmap shall indicate the date of the expected deployment of voice, text or video based emergency communications through packet-switched technologies. The roadmap shall also include the indicative date by when PSAPs will be ready to receive such emergency communications."*

# Towards NG112

- The roadmap should contain (recital 17):
  - Expected timeline and date of deployment of emergency communications through packet-switched technologies;
  - Whether these are enabled in the core network or via a mobile application;
  - Timeline of the upgrade of the capabilities of the PSAP systems;
  - Expected legal mandate;
  - Intermediary milestones (public and stakeholder consultations, legislative measures, interoperability, public procurement...)
  - Any interoperability or continuity issue
- Deadline: 9 months after the entry into force of the legislation.

# To sum up



# To sum up

- Improvements on caller location
- Precisions on what equivalent access means
- Conveyance of contextual information from PSAP to appropriate emergency service

# To sum up

## Member States to adopt:

- Accuracy and reliability caller location criteria for communications provided by fixed networks and mobile networks.

## Member States to report to the European Commission on:

- Roadmap on the transition to emergency comms through packet-switched technologies
- Caller location requirements adopted
- Assessment of how the means of access to emergency services for people with disabilities meet the functional equivalence criteria detailed in the legislation.
- Performance of the routing of emergency communications and caller location information to the most appropriate PSAP

## Member States to cooperate with the European Commission to:

- identify common interoperability requirements for mobile apps

# Next steps

16 Dec 2022: Adoption of the Delegated Regulation by the Commission.

16 Feb 2022: Deadline for European Parliament and Council of the EU to make objections to the text.

Few days after:  
Publication in the Official Journal of the EU.

**Early March 2023 (tbc):  
Entry into force**

# Next steps

T0: MAR 2023

- Estimated date of entry into force

T0+9 months: DEC 2023

- Roadmap on migration to NG112

T0+12 months: MAR 2024

- Adoption of caller location criteria
- Report on accessibility means



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