

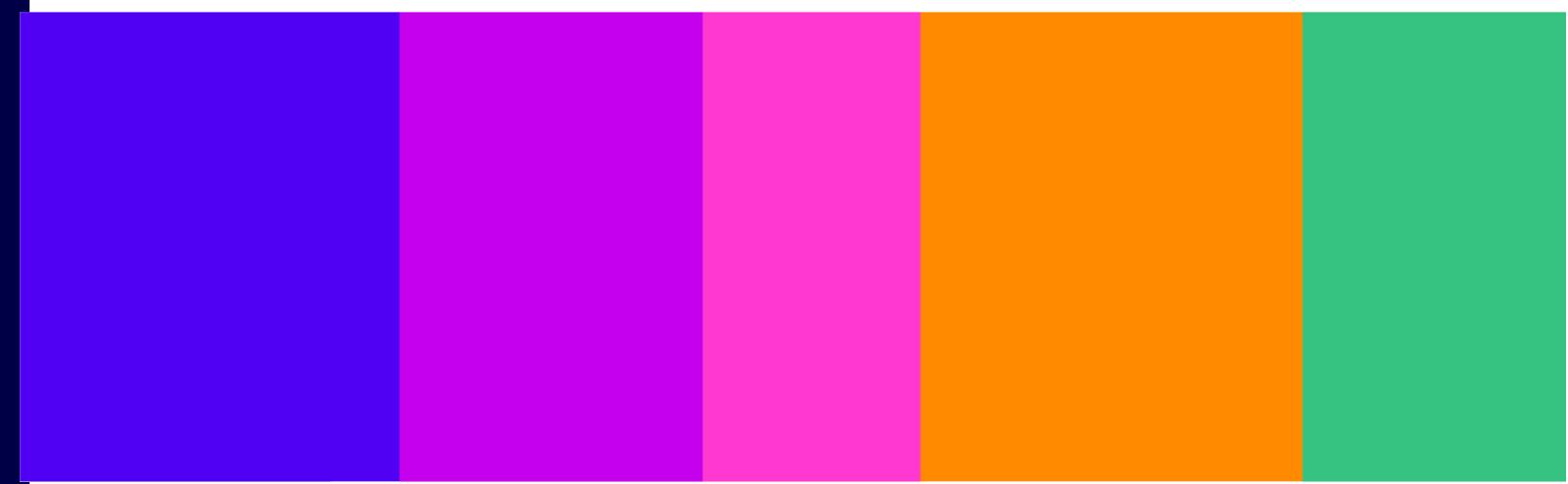
# Mobile Roaming: Strengthening customer protection

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New rules and guidance

**Statement**

Published 22 March 2024



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# 1. Overview

- 1.1 This statement sets out our decision to require regulation to help ensure customers can make informed choices and use their device with confidence when roaming, be able to manage their roaming spend and be protected from harms associated with roaming and inadvertent roaming (when a customer's device connects to a network in a different country even though the customer isn't physically in that country).
- 1.2 One of Ofcom's priorities for 2023-24 has been to continue our work to make sure customers are treated fairly and empowered to make choices that are right for them.
- 1.3 At the end of June 2022, several statutory protections designed specifically to protect customers when roaming, including by increasing price transparency, fell away. Following that, we reviewed customers' experiences of roaming (both in the EU and more widely) to understand whether customers are adequately protected from potential harms absent regulation.
- 1.4 Our review indicated that to make informed decisions about their roaming use, customers need to know when they are roaming and to have timely, clear and accurate information on roaming charges and how they can limit their spend. Our review also showed that customers continue to experience inadvertent roaming when abroad or still in the UK. This is a particular issue for customers in Northern Ireland.
- 1.5 In July 2023, we consulted on new rules to require providers to: 1) notify customers when they start roaming and to provide personalised roaming charges information, personalised mobile bill limit information and where to find further information on roaming, and 2) adopt measures to enable customers to reduce and/or limit inadvertent roaming spend whilst in the UK and provide customers with information on how to avoid inadvertent roaming.
- 1.6 Having considered the consultation responses, most of our remedies remain the same but we have made some changes. We have removed the requirement for providers to include personalised mobile bill limit information in roaming alerts as the implementation costs were significantly higher than expected. We have also modified our approach in relation to the information on roaming charges, allowing providers some flexibility on how they provide the information while still meeting our policy objective of ensuring that customers can make informed decisions when roaming.
- 1.7 We recognise that many providers already take several steps to protect customers from unexpected roaming bills, including from inadvertent roaming, and we have considered a range of options including the option of no regulation. However, our view is that targeted regulation, which sets out clearly Ofcom's expectations while providing a degree of flexibility for providers (where relevant), is both appropriate and proportionate to protect the interests of customers.

## What we have decided – in brief

### **Requiring providers to send roaming alerts so that customers can make informed decisions and are protected from unexpected bills**

Providers must notify customers when they start roaming (both in the EU and rest of world destinations). The notification(s) must provide clear, comprehensible, accurate information so a customer can make informed decisions when roaming and:

- enable customers to understand any charges that apply to using roaming services, any fair use limits and the time period that applies to any time-limited charges. The new rules give providers some flexibility in how they communicate the information to their customers;
- inform customers that they can specify or modify a mobile bill limit and direct them to information on how to put in place or amend such a limit; and
- direct customers to free to access, clear, comprehensible and accurate additional information on roaming.

While regulatory protections are already in place to ensure that customers are given pricing information and the option to set a mobile bill limit at the time they contract for mobile services, the roaming alert is intended to ensure customers are provided with timely, clear and accurate information at the point of roaming. It should ensure they can make an informed decision about the use of roaming services and are aware of their right to specify or modify a mobile bill limit, helping to protect customers from harms such as unexpected roaming bills.

#### **Providers must protect customers against the impact of inadvertent roaming**

The requirements on roaming alerts should ensure that customers are alerted to the fact that they are roaming, including where this is inadvertent. However, considering the potential for harm and to help protect customers from the impacts of inadvertent roaming, we have decided to bring into force the inadvertent roaming rules we consulted on. These will require providers to:

- have measures in place to enable customers to reduce and/or limit expenditure related to inadvertent roaming while they are in the UK (e.g. treating Ireland usage as UK usage).
- provide clear, comprehensible and accurate information to customers about the above measures and also how to avoid inadvertent roaming in and outside of the UK, particularly in border regions.

This approach takes account of providers' current practices such as treating certain roaming usage as UK usage, which protects customers from the impact of inadvertent roaming while in the UK. This will particularly benefit customers in Northern Ireland who can experience inadvertent roaming on a regular basis.

#### **Guidance setting out expectations and examples of good practice**

We are issuing guidance to accompany the new roaming rules to provide greater clarity to providers on what we expect and how we are likely to approach investigating compliance as well as to promote good practice. This includes examples of roaming alerts and steps that providers are already taking to help customers in Northern Ireland protect themselves from inadvertent roaming (e.g. treating Ireland usage as UK usage).

The new rules and guidance will apply from 1 October 2024.

- 1.8 The overview section in this document is a simplified high-level summary only. The decisions we have taken and our reasoning are set out in the full document.

## 2. Background

2.1 This section describes the background to our decision, including the evolution of mobile roaming customer protections, the aim and scope of our work in this area, and the relevant legislative and market context we have considered to inform our decision on new rules and guidance.<sup>1</sup>

### Roaming customer protections have been in place since 2007 but these fell away in July 2022

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2.2 The European Union (EU) put in place roaming regulations (the Roaming Regulations) in 2007.<sup>2</sup> Initial protections focused on roaming within the EU but were strengthened over time with certain protections applying to rest of world destinations. The rules were aimed at addressing customer harms related to roaming including helping residential and business customers to make informed roaming decisions, protecting against unexpectedly high roaming bills (e.g. surcharge free EU roaming subject to ‘fair use’ and wholesale price caps for EU roaming) and protecting against inadvertent roaming.<sup>3 4</sup>

2.3 At the end of the EU exit transition period, the UK Government retained a subset of the EU Roaming Regulations in domestic law (the Retained Roaming Regulations).<sup>5</sup> The Retained Roaming Regulations maintained rules aimed at increasing price transparency and improving the provision of information on charges to customers of roaming services. For example, roaming providers were required to:

- automatically provide a message, free of charge, to customers whenever they started roaming (and which was easy for customers to opt out/back in to receiving). That message needed to include basic personalised price information for the use of roaming calls, texts and data that was easy to understand. The information needed to be available by voice call for blind or partially sighted customers.
- make available more detailed pricing information on roaming services by means of a free of charge voice call or text.
- keep customers adequately informed about the risk of automatic and uncontrolled data roaming connections/downloads, data roaming charges and how to switch off automatic data roaming.
- provide consumers with the option of setting a financial or volume limit on data roaming services (including by setting a default financial limit of £45 (excluding VAT) per monthly billing period) which could not be exceeded without the

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<sup>1</sup> Mobile roaming is specific to mobile devices and therefore throughout this statement when we refer to ‘providers’ we mean ‘mobile providers’.

<sup>2</sup> [Regulation \(EC\) No 717/2007](#).

<sup>3</sup> [Regulation \(EU\) 531/2012](#) (as amended by [Regulation \(EU\) 2015/2120](#)).

<sup>4</sup> Inadvertent roaming occurs when you are in one country and your device connects to the network in another country (e.g. in border regions). This can happen because there is a weak signal from the network where you are located and a stronger signal from the network in the other country. It particularly impacts customers in Northern Ireland while in the UK but can affect anyone.

<sup>5</sup> Regulation (EU) 531/2012 became retained EU law after the end of the EU exit transition period. It was modified by [The Mobile Roaming \(EU Exit\) Regulations 2019](#) and protections including surcharge free periodic EU roaming and wholesale price caps for EU roaming fell away.

customer's explicit consent. Providers were also required to notify customers when they reached 80% and 100% of that limit.

- make available information on how to avoid inadvertent roaming in border regions and take reasonable steps to protect customers from paying inadvertent roaming charges while in the UK.

2.4 The Retained Roaming Regulations included the original sunset clause from the EU rules of 30 June 2022 which meant that these roaming rules fell away from July 2022.

2.5 The Retained Roaming Regulations did not include any pricing protections and since 1 January 2021, providers have had commercial flexibility on the retail prices they can charge in the EU.<sup>6</sup> Most providers have used this freedom to bring in daily charges for EU roaming.

## However, there are still other rules in place that offer some protections for roaming customers

2.6 There are a range of rules that apply to mobile services and that provide customers with some protections that are particularly relevant to roaming. These include:

- **Contract summary and information (General Condition (GC) C1.3-C1.7):** Residential and small business customers must be provided with a short summary of the main contract terms and a more detailed set of contract information, in writing, before entering the contract. This needs to include details of prices,<sup>7</sup> fair use policies<sup>8</sup> and facilities to monitor bills and usage. These ensure customers get clear information about services before entering a contract and help them make informed choices. Ofcom has provided guidance on rights to exit and roaming following contractual modifications.<sup>9</sup>
- **Information publication and transparency (GC C2.3):** Providers must publish specific information for residential and small business customers that includes a description of the services offered, pricing information and standard contract terms. These apply to roaming services as well as services within the UK. These requirements are to promote transparency by ensuring the availability of up to date and comparable information on prices and terms and conditions to help customers compare available offers.
- **Billing information and notifications (GC C3):** Providers are required to make up to date billing information available to residential and business customers (GC C3.7) and provide information that allows customers to understand charges on their bills (including charges related to inadvertent roaming - Metering and billing direction: section 4.6.3.2). Their published tariffs must also make clear what charges will be incurred for international and roaming calls and data and which, if any, such calls are included in bundles or inclusive call plans (Metering and billing direction: section 4.6.3.8).<sup>10</sup> They are also required to notify residential and small business customers when a service included in their tariff plan that is billed on a time or volume basis is fully consumed and the charges they will incur outside of

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<sup>6</sup> Providers already had this flexibility for the retail prices outside of the EU/EEA.

<sup>7</sup> Including any usage charges for any additional use of services or facilities, or for use of any additional services or facilities not included in the core subscription price.

<sup>8</sup> See Services and equipment section of [Statutory Instrument on Commission Implementing Regulation \(EU\) 2019/2243 of 17 December 2019](#) (as amended).

<sup>9</sup> Ofcom, May 2021, [Roaming services and customer rights to exit](#).

<sup>10</sup> Ofcom, [Metering and billing direction](#). Applies to providers with a Relevant Turnover of £55 million or above.

the tariff plan (GC C3.13-C3.14). This applies to the consumption of roaming services billed on a time or volume basis as well as services within the UK. These are to help customers understand what they are being charged for and to control spend.

- **Accessible formats (GC C5.15-C5.16):** Providers need to provide communications, including in relation to roaming services, in a reasonably acceptable format if a customer requests it and requires this because of their disability.<sup>11 12</sup> This is to safeguard the interests of disabled customers and ensure they are given equivalent access to information about their services.
- **Bill limits (section 124S of the Communications Act (the Act)):** providers must offer residential and business customers the option to set a bill limit/cap (referred to in this document as a 'mobile bill limit' or 'bill limit') and notify customers when that limit is likely to be reached (or has been reached) in a billing period.<sup>13</sup> Providers cannot charge a customer in excess of that limit in a billing period unless the customer has agreed to this. This applies to roaming usage as well as mobile usage within the UK.<sup>14</sup> It aims to help customers manage their spend and avoid unexpected bills.

2.7 We have taken account of these rules as part of our assessment for whether further customer protections on roaming are needed.

## The mobile market has changed considerably since 2007

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2.8 We have considered how the mobile market in the UK and customers' mobile roaming use has changed since the EU roaming protections were put in place.

## Mobile ownership is commonplace and data use has increased

2.9 Most people now have a mobile phone, with a very high proportion of these being smartphones. In 2023, 97% of UK households had a mobile phone, and of these 94% had a smartphone.<sup>15</sup>

2.10 Excluding Machine-to-Machine (M2M) connections,<sup>16</sup> the number of mobile phone subscriptions continued to grow slowly in 2022 and there were around 87 million such subscriptions at the end of 2022.<sup>17</sup> Data use has been increasing with average monthly data

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<sup>11</sup> Ofcom, May 2023, [General conditions](#).

<sup>12</sup> The requirements in GC C5.15 and C5.16 on providing communications in a reasonably acceptable format applies to all communications (other than marketing communications) that relate to a subscriber's services including the contract summary and information. It is broader in scope than the accessible format provisions that were previously required under the Retained Roaming Regulations.

<sup>13</sup> Ofcom, November 2017, [Mobile bill limits implementation](#).

<sup>14</sup> The mobile bill limit provisions in the Act apply to all mobile services including calls, texts and data. The default data roaming limit that was previously required under the Retained Roaming Regulations was narrower and only applied to data roaming services.

<sup>15</sup> Ofcom, 2023, [Technology Tracker](#). Table 46 QM1 "Is there a mobile phone in your household which is used to make and receive calls?" and Table 47 QM2 "Are any of the mobile phones in your household a smartphone?"

<sup>16</sup> M2M connection refers to machine-to-machine connections using a cellular network, which are automated mobile connections between two non-human endpoints.

<sup>17</sup> Ofcom, July 2023, [Communications Market Report](#).

use per mobile data user (excluding M2M) at 8.1 GB per month in 2022 – a 24% increase on the previous year.<sup>18</sup> Mobile data use is expected to continue to increase going forwards.

- 2.11 In contrast the average monthly call minutes has increased more slowly over the past ten years (and fell in 2021 and 2022) and the average number of text messages has been declining.<sup>19</sup>

## Foreign travel is growing again and with it roaming

- 2.12 Historically roaming charges were very high both for EU and Rest of World destinations. However, while the EU regulations covering surcharge free roaming subject to ‘fair use’ were in place, customers could use their UK allowances while travelling in the EU. Since 1 January 2021, providers have had commercial flexibility on the retail prices they can charge for roaming in the EU. While some providers have continued to offer surcharge free roaming in the EU (subject to fair use), other providers have re-introduced charges (e.g. daily charges of £2 to £2.30 to use UK allowances when periodically roaming in the EU). Charges for roaming outside the EU are typically higher and vary significantly between countries. For some destinations such as the USA and Australia many providers offer customers the option to use their UK allowance for around £6-£7 per day. However, charges in other countries can be much higher. For example, roaming charges in Saudi Arabia can be up to £2.34 per minute for calls and £65 per GB for data use, dependent on provider.<sup>20</sup> Annex 2 looks at current roaming charges in more detail.
- 2.13 Following the Covid pandemic, foreign travel has increased. UK residents made around 83 million trips abroad in the 12 months to September 2023. This figure is 30% higher than a year earlier but remains below pre-Covid levels.<sup>21</sup> Most customers who travel abroad use their phone when they do so.<sup>22</sup> In the twelve months to September 2023, UK mobile customers used a total of 1,750 million minutes of roaming calls, sent 176 million roaming text messages and used 105,076 TB of data while roaming.<sup>23</sup> In line with general trends in mobile use, the volume of roaming calls and text messages has been declining over the last few years, but roaming data use has increased significantly.

## We want to ensure customers are adequately protected when roaming

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### Our policy objective

- 2.14 Informed customers who are confident and able to engage in the market to get the right services for their needs are vital to a well-functioning market. One of our priority outcomes for 2023-24 is to deliver ‘internet we can rely on’. Part of this has been to continue our work

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<sup>18</sup> Ofcom, July 2023, [Communications Market Report](#). Note that customer data use varies between providers.

<sup>19</sup> Ofcom, July 2023, [Communications Market Report: Interactive Data](#).

<sup>20</sup> Based on providers’ websites as accessed in February 2024.

<sup>21</sup> [Overseas Travel and Tourism Data](#), January 2024.

<sup>22</sup> [Mobile Roaming Research 2022](#), Yonder. Q9: Which of the following activities did you do/do you intend to do on your mobile phone while you were outside the UK during the past 12 months/travel outside the UK in the next 6 months? - While connected to a mobile network. Base: All who have travelled outside of the UK in the last 12 months or will travel in the next 6 months (872).

<sup>23</sup> Data provided by mobile providers to Ofcom as part of its programme of regular market data collection.

to make sure customers are treated fairly and empowered to make choices that are right for them.<sup>24</sup>

- 2.15 Ofcom wants to ensure that roaming customers are adequately protected, given the expiry of the Retained Roaming Regulations. This includes customers being able to use their device with confidence when roaming and make informed decisions about whether (and if so how) to use their mobile service when roaming (e.g. by being able to access timely information which is clear, comprehensible and accurate), being able to manage their roaming spend and being protected from any harms associated with unexpected roaming bills and inadvertent roaming. For ease of reference, we use ‘customers’ in this statement to refer to consumers, microenterprise or small business customers and not-for-profit customers.<sup>25</sup> For this work, roaming covers public electronic communication services.<sup>26</sup>

## Our July 2023 consultation

- 2.16 As part of our work to understand residential and business customers’ experiences of roaming and the potential harms associated with roaming, we gathered and considered evidence from a range of sources, including customer research, responses to statutory information requests, information on providers websites, complaints and information from consumer organisations. More detail is included in Annex 1 and 2.
- 2.17 In light of the evidence, our consultation proposed to introduce new requirements by amending an existing General Condition (GC C3) and accompanying guidance requiring providers to:
- a) notify a customer when they connect to a network outside of the UK including providing personalised information on roaming charges, personalised information on mobile bill limits and directing them to at least one easily accessible and free of charge channel on which they can find further information; and
  - b) have measures in place to enable customers to reduce and/or limit expenditure related to inadvertent roaming while they are in the UK (e.g. by treating Ireland usage as UK usage) and publish details of those measures. Providers would also be required to provide clear, comprehensible and accurate information to customers about how to avoid inadvertent roaming both in and outside of the UK, particularly in border regions.
- 2.18 Our consultation received 23 responses.<sup>27</sup> The key issues raised by respondents focused on our proposals around personalised charging information, personalised bill limit information,

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<sup>24</sup> Ofcom, March 2023, Plan of Work 2023-24.

<sup>25</sup> In the General Conditions, microenterprise or small enterprise customers are defined as businesses with up to 10 employees (and that are not also a communications provider) and not-for-profits customers are bodies where up to 10 individuals work (excluding volunteers). The new requirements set out in Annex 3 do not cover larger business customers.

<sup>26</sup> The decisions set out in this statement do not cover advertising. Advertising (including online advertising on providers’ own websites) falls within the remit of the Advertising Standards Authority (ASA). In considering whether advertising is likely to breach the UK Code of Non-broadcast Advertising and Direct and Promotional Marketing (CAP Code), the ASA has regard to the Consumer Protection from Unfair Trading Regulations 2008 (the ‘CPRs’).

<sup>27</sup> All non-confidential responses can be found at Ofcom, 2023, [Consultation: Mobile roaming – Strengthening customer protections](#)

flexibility regarding length and number of messages and implementation timings. Section 3 covers these issues, our assessment of them, and conclusions, in more detail.

## Legal framework

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2.19 We set out below our powers and duties that are relevant to the decisions set out in this document. We explain how we have decided to exercise these powers and taken account of these duties in Sections 3 and 4.

### Our general duties

2.20 The Act places several duties on us that we must fulfil when exercising the regulatory functions we have been given.

2.21 Section 3(1) of the Act states that it shall be our principal duty, in carrying out our functions:

- to further the interests of citizens in relation to communication matters; and
- to further the interests of consumers in relevant markets, where appropriate by promoting competition.<sup>28</sup>

2.22 In performing our duties under section 3(1) of the Act, we are required to have regard to the principles under which regulatory activities should be transparent, accountable, proportionate, consistent, and targeted only at cases in which action is needed, as well as any other principles appearing to us to represent best regulatory practice (section 3(3) of the Act).

2.23 Section 3(4) of the Act provides that we must have regard, in performing our duties, to a number of matters, as they appear to us to be relevant in the circumstances, including the desirability of promoting competition in relevant markets; the desirability of encouraging investment and innovation in relevant markets; the needs of persons with disabilities, of the elderly and of those on low incomes; the opinions of consumers in relevant markets and of members of the public generally; the different interests of persons in the different parts of the United Kingdom, of the different ethnic communities within the United Kingdom and of persons living in rural and urban areas; and the extent to which, in the circumstances of the case, the furthering or securing of the matters mentioned in section 3(1) is reasonably practicable.

2.24 In addition, section 3(5) of the Act requires that, when performing our duty to further the interests of consumers, we must have regard, in particular, to the interests of those consumers in respect of choice, price, quality of service and value for money.

2.25 As required by section 2B(2)(a) of the Act, we also need to have regard to the UK Government's Statement of Strategic Priorities (SSP) for telecommunications, management of radio spectrum and postal services.<sup>29</sup> The SSP sets out that the Government's strategic priorities for current and future telecoms consumers include to:

- Tackle harmful industry practices and improve the support available to vulnerable consumers, who can pay more than others.

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<sup>28</sup> 'Consumer' is defined in section 405(5) of the Act and includes people acting in their personal capacity or for the purposes of, or in connection with, a business.

<sup>29</sup> DCMS, October 2019. [Statement of Strategic Priorities](#).

- Address the difficulties that customers experience in navigating the communications market by giving them the right data, information, and support to boost their engagement.
- 2.26 The SSP also states that Ofcom should continue to take all opportunities to improve the consumer experience in the telecoms sector, particularly for vulnerable consumers, including those with disabilities.

## Powers and duties in relation to general conditions

- 2.27 Section 45 of the Act says that we may set general conditions which contain provisions authorised or required by one or more of sections 51, 52, 57, 58 or 64. Section 46 of the Act makes clear that such conditions may apply generally either (a) to every person providing an electronic communications network or electronic communications service; or (b) to every person providing such a network or service of a particular description specified in the condition.
- 2.28 Under section 51(1)(a), we may set general conditions making such provision as we consider appropriate for the purpose of protecting the interests of the end-users of public electronic communications services.
- 2.29 Section 51(2) sets out a non-exhaustive list of the types of general conditions that we may set in pursuance of this purpose. This includes:
- conditions relating to the supply, provision or making available of goods, services or facilities in association with the provision of public electronic communications services (section 51(2)(a));
  - conditions to provide protection for end-users that is the same as, or similar to, any protection that was required by Title III of Part III of the EECC immediately before the end of the transition period (section 51(2)(b));
  - conditions to specify requirements in relation to the provision of services to disabled end-users (section 51(2)(c)); and
  - conditions which require the provision, free of charge, of specified information, or information of a specified kind, to end-users (section 51(2)(d)).
- 2.30 Section 47(2) of the Act governs the circumstances in which we can set or modify a general condition. It states that such a condition can be set or modified where it is not such as to discriminate unduly against particular persons or against a particular description of persons, proportionate to what the condition or modification is intended to achieve, and transparent in relation to what it is intended to achieve.<sup>30</sup>
- 2.31 Section 4(2) of the Act requires Ofcom to act in accordance with six requirements described when carrying out certain functions, including those in relation to setting or modifying general conditions as set out above. These requirements include a) to promote competition in the provision of electronic communications services; b) to promote the interests of all members of the public in the United Kingdom; and c) to promote connectivity and access to very high-capacity networks by members of the public and businesses in the United Kingdom.

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<sup>30</sup> Section 47(3) states that the setting of a general condition is not subject to the test of being objectively justifiable, although we are likely to consider this in any event when assessing whether the condition is proportionate.

## Trade agreements

- 2.32 The UK has a number of free trade agreements in place with principles around promoting transparency and ensuring that information on roaming charges is easily accessible e.g. the UK-EU Trade and Cooperation Agreement and the UK-Australia Fair Trade Agreement. Additionally the Norway, Iceland and Liechtenstein and UK trade agreement includes provisions for agreeing a cap on the wholesale charges providers will be allowed to charge each other for roaming between Norway, Iceland and the UK. These agreements form part of the broader context.

## Impact Assessment

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- 2.33 Section 7 of the Act requires us to carry out and publish an assessment of the likely impact of implementing a proposal which would be likely to have a significant impact on businesses or the general public, or when there is a major change in Ofcom's activities.
- 2.34 Impact assessments provide a valuable way of assessing different options for regulation and showing why the preferred option was chosen. They form part of best practice policymaking, and as a matter of policy we are committed to carrying out and publishing impact assessments in relation to most of our policy decisions. We use impact assessments to help us understand and assess the potential impact of our policy decisions before we make them. They also help us explain the policy decisions we have decided to take and why we consider those decisions best fulfil our applicable duties and objectives in the least intrusive way. Our impact assessment guidance sets out our general approach to how we assess and present the impact of our proposed decisions.<sup>31</sup>
- 2.35 Within this framework, the analysis in our consultation constituted an impact assessment in respect to the proposals we are deciding on for this statement.<sup>32</sup> In this statement we set out our updated impact assessment in light of the consultation responses and the additional evidence we have received.
- 2.36 Section 3 sets out our assessment of the evidence and explains our approach to protecting the interests of residential and small business customers when roaming. Section 4 contains a summary of our updated impact assessment. In particular, the impact of the costs of providing roaming alerts and information that enables customers to make informed roaming decisions are set out at paragraphs 4.22 to 4.37. The options we have considered are, in light of responses to the consultation and the evidence received: (i) do nothing and rely on voluntary measures; (ii) implement our consultation proposals without any changes; and (iii) implement a modified approach. The main changes with option (iii) are the removal of the requirement to provide personalised bill limit information in the roaming alert and giving providers some flexibility in how they provide information on roaming charges. Our overall impact assessment, undertaken within the consultation document and updated in this

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<sup>31</sup> Ofcom, 2023. [Impact assessment guidance](#).

<sup>32</sup> Ofcom, 2023. [Mobile Roaming: Strengthening customer protections consultation](#). The options considered in the consultation were: do nothing and rely on existing rules and voluntary measures (paragraphs 4.14-4.28); proposals relating to roaming alerts (paragraphs 4.29-4.39, 4.45-4.70, 4.75-4.97 and 4.103-4.108); and proposals relating to inadvertent roaming (paragraphs 4.40-4.45, 4.71-4.87 and 4.98-4.108).

statement has considered the extent to which each option would meet our policy objectives as well as the benefits, costs and other risks in light of the evidence.<sup>33</sup>

## Equality Act Impact Assessment

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- 2.37 Section 149 of the Equality Act 2010 (the EA 2010) imposes a duty on Ofcom, when carrying out its functions, to have due regard to the need to eliminate discrimination, harassment, victimisation and other prohibited conduct related to the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.
- 2.38 The EA 2010 also requires Ofcom to have due regard to the need to advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.
- 2.39 Section 75 of the Northern Ireland Act 1998 (the NIA 1998) also imposes a duty on Ofcom, when carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations across a range of categories outlined in the NIA 1998. Ofcom's Revised Northern Ireland Equality Scheme explains how we comply with our statutory duties under the 1998 Act.<sup>34</sup>
- 2.40 To help us comply with our duties under the EA 2010 and the NIA 1998, we assess the impact of our proposals on persons sharing protected characteristics and, in particular, whether they may discriminate against such persons or impact on equality of opportunity or good relations.
- 2.41 The requirements apply to mobile roaming. All customers who roam (whether intentionally or inadvertently, and regardless of their community background or other characteristics) will therefore benefit from mandatory protections, including clear, comprehensible, accurate and timely information about roaming charges and how to limit spend, as well as protections related to inadvertent roaming, regardless of their choice of provider. Providers are required to send the notification(s) free of charge and in an easily accessible format, and where it is necessary for the notification(s) to direct the customer to a channel (such as for additional information), that channel shall be free of charge and easily accessible.
- 2.42 However, our decisions are likely to particularly benefit those customers who value roaming alerts more or experience inadvertent roaming on a regular basis. Our research indicates that disabled customers are more likely than non-disabled customers to find most types of roaming alerts essential or helpful.<sup>35</sup> We note that in addition, Ofcom's General Conditions include requirements on communications in an accessible format, and upon request, providers must make available to any subscriber who requires it because of their disabilities, any communications which relate to their services, free of charge and in a reasonably acceptable format. Customers in Northern Ireland are also more likely than those in the UK

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<sup>33</sup> The evidence includes information gathered before and in response to our consultation.

<sup>34</sup> Ofcom, 2019. [Revised Northern Ireland Equality Scheme for Ofcom](#).

<sup>35</sup> Mobile Roaming Research 2022, Yonder. Q16: How do you feel about receiving the following types of alert: Messages when you first begin to roam informing you of charges? Base: All aware of roaming alerts (629). We note that disabled customers and financially vulnerably customers were as likely as all customers aware of roaming alerts to find alerts when first roaming annoying (1%). The new rules include a requirement for customers to be able to opt out/back in to receiving roaming alerts.

as a whole to experience inadvertent roaming.<sup>36</sup> As the new rules are intended to help prevent customers getting unexpected or higher than expected bills due to roaming charges, they will also protect those customers who are financially vulnerable, when they roam. These customers may benefit from our decisions more than others.

- 2.43 In light of the above, we are satisfied that we have complied with the public sector equality duty in the EA 2010, and the NIA 1998, in making the decisions set out in this document.

## Welsh language assessment

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- 2.44 The Welsh Language (Wales) Measure 2011 established a legal framework to impose duties on certain public bodies, including Ofcom, to comply with ‘Standards’ in relation to the Welsh language. Ofcom is required to take Welsh language considerations into account when formulating, reviewing or revising policies which are relevant to Wales (including proposals which are not targeted at Wales specifically, but are of interest across the UK).
- 2.45 Where the Welsh Language Standards are engaged, we consider the potential impact of a policy change on: (i) opportunities for persons to use the Welsh language; and (ii) treating the Welsh language no less favourably than the English language. We also consider how our approach could be formulated so as to have, or increase the likelihood of, a positive impact, or not to have adverse effects, or decrease any adverse effects.
- 2.46 No issues were raised in responses to our consultation related to the Welsh language. As reflected below, our decision includes requiring providers to provide clear, comprehensible and accurate information to enable customers to make informed decisions about roaming including information to help them understand any roaming charges that may apply, fair use limits and the start and end point for any time based charges and direct them to where they can set or modify a bill limit. As such, we consider that our decision will have no adverse effects on opportunities for persons to use the Welsh language, or on treating the Welsh language no less favourably than the English language.

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<sup>36</sup> Mobile Roaming Research 2022, Yonder. Q27 / [CCNI research 2023](#) Slide 37: Q: Have you experienced unintended roaming in the last 12 months? 1. When travelling outside of the UK (England/Scotland/Wales/Northern Ireland) 2. Within the UK (England/Scotland/Wales/Northern Ireland)? Base: All mobile phone users (Yonder 2,069, CCNI 993). 14% of the Yonder (total UK) sample and 28% of the CCNI (Northern Ireland) sample reported experiencing inadvertent roaming inside and/or outside of the UK in the last 12 months.

# 3. Assessment of options for protecting customers when roaming

## Overview

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- 3.1 Informed customers who are confident and able to engage in the market to get the right services for their needs are vital to a well-functioning market. We want to ensure that customers are treated fairly and empowered to make choices that are right for them.
- 3.2 As we set out in section 2, our policy objective is to ensure that customers are adequately protected from potential harms when roaming. We are particularly mindful, in setting this policy objective, that roaming can have significant adverse impacts on customers and that for certain customers these impacts can happen frequently. For example, those that live near a border region and are impacted by inadvertent roaming. We want customers to be able to use their device with confidence and make informed decisions about roaming and/or how they use their mobile service when roaming.
- 3.3 In this section, we explain potential customer harms when roaming, our consultation proposals, the responses we received, and our assessment and conclusions on protections for customers when roaming.

## Potential customer harms when roaming

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- 3.4 In our July consultation, we identified several potential customer harms if customers are not aware that they are roaming and/or are not sufficiently informed about the roaming charges that will apply to them or their right to set a mobile bill limit:
- **Customers getting unexpected or higher than expected bills due to roaming charges.** This can occur where customers are roaming (for example, while on a holiday abroad) but are unaware or incorrectly informed about roaming charges and have not set a mobile bill limit.<sup>37</sup> It can also occur where customers are roaming inadvertently and are not being protected from the impact of this;<sup>38</sup>
  - **Customers deciding not to use their device while travelling abroad** or using it less due to uncertainty over the costs of doing so.<sup>39</sup>
  - **Customers may be harmed because they encounter difficulties in trying to properly inform themselves.** This can occur where information on roaming charges is not easy to find, is inaccurate or is complex and difficult to understand and customers need to spend a lot of time to work out the roaming charges that apply to them.<sup>40</sup>
- 3.5 Respondents did not generally directly comment on the likely harms, instead focusing on whether and if so, what regulation was needed to address any potential harms. Therefore, our view remains that there are several potential customer harms associated with roaming.

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<sup>37</sup> For example, see paragraphs 3.6 to 3.8, paragraphs 3.12 to 3.13 and Annex 1 (e.g., A1.8 to A1.9 and A1.14 to A1.20).

<sup>38</sup> For examples, see paragraph 3.14 and Annex 1 (e.g., A1.23 to A1.29).

<sup>39</sup> For example, see paragraph 3.9 and Annex 1 (e.g., A1.13).

<sup>40</sup> For example, see paragraphs 3.10 to 3.11 and Annex 1 (e.g., A1.10 to A1.13 and A1.21 to A1.22).

These harms can occur if a customer is not aware that they are roaming and/or are not sufficiently informed about the roaming charges that will apply to them or their right to set a mobile bill limit. We set out the factors that contribute to these harms below.

## Customers may not be aware what charges will apply to them when roaming

- 3.6 Roaming charges can vary depending on the country the customer is travelling to and who their provider is, the type of contract a customer has signed up to and when they agreed it and if they use roaming services beyond any fair use limits.
- 3.7 Nearly one in five (19%) UK mobile customers who had travelled outside the UK in the last 12 months or intended to do so in the next 6 months did not know if they would be charged when travelling to the EU/EEA and 30% for the rest of the world. Even when customers are aware that charges apply, 16% of UK mobile customers travelling to EU/EEA did not know how much they would be charged, and this was 25% for those travelling to rest of world destinations.<sup>41</sup>
- 3.8 Around one in five (18%) UK mobile customers said they had not or would not take action to research roaming charges before travelling.<sup>42</sup> Of these customers 14% said this was because they expected to receive a message from their provider with details about roaming charges when they arrived in the country they were travelling to.<sup>43</sup>
- 3.9 Uncertainty about roaming charges could lead to customers being unable to use their mobile device with confidence when roaming or receiving unexpected or higher than expected roaming bills.

## Customers may not know where they can find clear information on roaming charges

- 3.10 As set out in Annex 1, information provided by Money Saving Expert (MSE) and our review of providers' websites highlighted substantial differences in the ease of accessing information on roaming charges. There was also mixed quality and clarity of information provided on roaming, for example some information which was provided required customers to know when they took out their contract, or the name of their plan, in order to access accurate information on roaming charges.
- 3.11 This means that there may be a time cost involved for customers to inform themselves of roaming charges. Customers may also make a mistake when looking up charges (e.g. if they look up charges that relate to a different plan to the one they have). If the information available is unclear or difficult to understand this could also lead to customers expending unnecessary effort to inform themselves or to receiving higher than expected bills as above.

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<sup>41</sup> Mobile Roaming Research 2022, Yonder. Q23: Do you know what you will be charged for using your mobile phone in countries outside of the UK? Base: All who have travelled outside of the UK in the last 12 months or will travel in the next 6 months (872)

<sup>42</sup> Mobile Roaming Research 2022, Yonder. Q10: Before travelling, did/will you do any of the following? Base: All who have travelled outside of the UK in the last 12 months or will travel in the next 6 months (872).

<sup>43</sup> Mobile Roaming Research 2022, Yonder. Q11: Why didn't you look into mobile roaming/take any action before you travelled? Base: All who have travelled outside of the UK in the last 12 months but did not look into mobile roaming / taken action before travelling (136).

## Customers may not be aware that they can set a bill limit that will apply when roaming to help them manage their spend

- 3.12 Information from providers shows that 49% of UK post-pay customers have put a bill limit in place,<sup>44</sup> and customers tend to set their mobile bill limits at a low level with the median limit ranging between £1 and £10 across providers, with an average of £4.08.<sup>45</sup>
- 3.13 Many customers did not know that mobile bill limits could also apply when roaming. We found that while 70% of customers were aware that they could set a mobile bill limit for usage inside the UK, only 55% were aware that they could also do this for usage outside the UK.<sup>46</sup> This lack of awareness may lead to customers receiving higher than expected bills because of roaming charges that could have been avoided if they had set a mobile bill limit.

## There are further potential harms where customers roam inadvertently

- 3.14 Further potential harms may occur where a customer roams inadvertently.<sup>47</sup> Our evidence found (see Annex 1 for further details) that:
- a) 14% of UK mobile customers reported experiencing inadvertent roaming in the last 12 month.<sup>48</sup> We note that 8% of customers reported experiencing inadvertent roaming when travelling outside of the UK and 6% within the UK, including 2% of customers connecting to French networks while on the English coast.
  - b) Inadvertent roaming is a particular problem for customers in Northern Ireland. CCNI research shows that 22% of customers in Northern Ireland reported experiencing inadvertent roaming onto networks in Ireland in the preceding 12 months.<sup>49</sup>
  - c) Inadvertent roaming can lead to customers receiving higher than expected bills or customers not using their device, or using it less, due to uncertainty over the costs of doing so. Before EU level roaming protections were put in place, customers in Northern Ireland were regularly charged significant amounts for inadvertent roaming.<sup>50</sup>

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<sup>44</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Figures for pay monthly customers' use of mobile bill limit ranges between 31% and 77% across different providers.

<sup>45</sup> Mobile providers responses to a statutory information request dated 11 October 2022.

<sup>46</sup> Mobile Roaming Research 2022, Yonder. Q42: Are you aware that you are already able to set your own overall spend limit for any data, calls and texts on your mobile, outside of your allowance/package a) in the UK, b) Outside the UK? Base: All who use a mobile phone (2,069).

<sup>47</sup> Inadvertent roaming is when a customer's device connects to a network in a different country even though the customer isn't physically in that country. This can happen because there is a weak signal from the network where the customer is located and a stronger signal from the network in the other country.

<sup>48</sup> Mobile Roaming Research 2022, Yonder. Q28: Where did the unintended roaming occur? Base: All with a mobile phone (2,069), All who have experienced unintended roaming (254). The term unintended roaming was used within our customer research questionnaire rather than inadvertent to aid participants' understanding.

<sup>49</sup> CCNI research 2023. Slide 39. Q: Where did the unintended roaming occur? Base: All who had experienced unintended roaming (277).

<sup>50</sup> Section 1.4 of Ofcom [Annual Review of Communications Markets in Northern Ireland](#).

## Customers are at risk of harm without further regulatory protections

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- 3.15 We have considered whether it is appropriate to rely on existing statutory and regulatory protections, together with existing voluntary measures already taken by providers, and whether this would meet our policy objectives.

### Our consultation proposals on the need for regulation

- 3.16 In our July consultation, we explained our provisional view that targeted regulation is appropriate and proportionate to protect consumers from the harms we identified and to meet our policy objectives. We recognised that existing rules and voluntary measures do help mitigate the potential harms identified. However, our view was that they are not sufficient and that there would be a significant risk of consumer harm if some or all providers were to stop providing these protections voluntarily or if they were to be altered so that they are less effective. We were also concerned by the mixture in quality of information provided in roaming alerts and on providers' websites.
- 3.17 We therefore considered that it would be appropriate to introduce regulatory protections to address the potential harms we identified and to meet our policy objective. Specifically, that mobile providers be required to send roaming alerts (and to set out the information that we consider is needed), and to adopt measures regarding inadvertent roaming.

### Summary of responses on the need for regulation

- 3.18 Most responses were supportive of the need for regulation. Respondents generally agreed that:
- a) customer protections were important, and
  - b) ensuring that customers are informed and confident in their choices when roaming is essential.
- 3.19 CCNI agreed that “regulatory protections should be formalised to reduce potential harms” and Citizens Advice Scotland (CAS) agreed that current measures “do not adequately protect consumers from the harms identified” and that regulation will “ensure a standardised and robust level of roaming information”.<sup>51 52</sup> BT also considered that “it is appropriate to introduce new rules to ensure all providers are transparent in the Welcome SMS and on their websites about the cost of roaming.”<sup>53</sup>
- 3.20 However, two respondents disagreed with our assessment that formal regulation was required, and thought that voluntary provision was sufficient.<sup>54 55</sup> Sky's view was that our proposals were “an unnecessary regulatory intervention in a sector which has well-

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<sup>51</sup> [Consumer Council NI](#) non-confidential consultation response, page 1.

<sup>52</sup> [Citizens Advice Scotland](#) non-confidential consultation response, page 2.

<sup>53</sup> [BT](#) non-confidential consultation response, page 4.

<sup>54</sup> [Sky](#) non-confidential consultation response and [Vodafone](#) non-confidential consultation response.

<sup>55</sup> These non-confidential consultation responses all agreed with the principle of roaming regulation: [ACNI](#), [BT](#), [Citizens Advice Scotland](#), [Communications Ombudsman](#), [Consumer Council NI](#), [Communications Consumer Panel](#), [Department for the Economy of Northern Ireland](#), [FCS](#), [giffgaff](#), [MSE](#), [Tourism Ireland](#), [Tourism Northern Ireland](#), [Three](#), [Utility Warehouse](#), [Verastar](#), [Virgin Media O2](#), [Which?](#) and confidential consultation response from [redacted].

established measures in place to provide customers with the information Ofcom intends to mandate”.<sup>56</sup> Vodafone commented that it “[did] not consider that there is sufficient evidence of a problem which requires fixing”.<sup>57</sup> Sky and Vodafone also said they already provide sufficient roaming information to customers, including information to enable them to make informed decisions, and intend to continue providing necessary information to customers.<sup>58</sup>

## Our assessment and conclusion on need for regulation

### Existing rules

- 3.21 As set out in paragraph 2.6, there are a range of rules that apply to mobile services and provide customers with some protections when roaming. Rules already in place require providers to:
- Provide residential and small business customers with details of prices, including roaming prices, fair use policies and facilities to monitor bills and usage in writing before entering a contract (GC C1.3-C1.7);
  - Publish specific information for residential and small business customers that includes a description of the services offered, pricing information including roaming prices and standard contract terms (GC C2.3) (Metering and billing direction: section 4.6.3.8);
  - Provide information to disabled customers in an accessible format if requested (GC C5.15-C5.16);
  - Notify residential and small business customers when a service included in their tariff plan that is billed on a time or volume basis is fully consumed (e.g. roaming services) and the charges they will incur outside of the tariff plan (GC C3.13-C3.14); and
  - Offer customers the option to set/amend a mobile bill limit and notify customers when that limit is likely to be reached (section 124S of the Act).
- 3.22 These rules go some way to help reduce or mitigate the harms described above. For example, providing pre contract information on roaming prices to customers will help inform those that read and retain this information of the roaming charges that are in effect at that point in time. Similarly publishing up to date information on roaming charges allows customers to find out what roaming charges are before they travel. Mobile bill limits enable a customer to limit their spend (including when roaming) and avoid unexpected bills. Rules requiring alerts to be sent to customers when they are nearing or have reached a mobile bill limit or another time or volume usage limit allow customers to avoid or manage additional charges, for example, by changing how they use their mobile device.
- 3.23 However, we consider that these protections do not adequately protect customers against the harms that we have identified. For example, since the Retained Roaming Regulations expired on 30 June 2022:
- There is no requirement for providers to alert customers to the fact that they are roaming, nor to provide them with information about roaming charges at the

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<sup>56</sup> Sky non-confidential consultation response, page 2.

<sup>57</sup> Vodafone non-confidential consultation response, page 2.

<sup>58</sup> Sky’s and Vodafone’s responses focused on specific elements of our July consultation proposals. We discuss below (see paragraphs 3.72 to 3.8 on personalised bill limit information and paragraph 3.51 on being able to send information in more than one message).

point that roaming begins. While information on roaming charges will have been provided to the customer at the start of the contract, not all customers will have read that information as they may not have considered it relevant at that time, and those that did read it may not be able to recall this easily at the point they are making decisions about using roaming services. Roaming charges or other aspects of how charges are applied, such as fair use limits may also have changed since the customer signed up to the contract.<sup>59</sup>

- There are also no rules which require providers to protect the interests of customers in relation to inadvertent roaming and address the associated harms customers may experience in or outside of the UK. Customers who are not expecting to roam into a different country are unlikely to have researched the impact and considered their options. Further, even customers who are well informed about inadvertent roaming may still face harm, e.g. some customers may have no choice but to roam onto another country's network when they are using or need to use their device and may then face additional charges despite using their device while they are located in the UK.

3.24 Also, while existing rules require providers to give new and re-contracting customers the opportunity to set a mobile bill limit before they sign up to the contract, they do not require providers to proactively inform or remind customers about their right to set or amend a bill limit at a later point (such as when roaming). Some customers therefore remain unaware that they can set/amend a limit or may not have put one in place when agreeing the contract (e.g. as they were not considering roaming at the time).

## Voluntary measures

3.25 Before the end of June 2022, providers were required to send customers several automatic alerts regarding roaming, including one when roaming commenced that included basic personalised information on roaming charges. They were also required to make available information on how to avoid inadvertent roaming in border regions (in and outside of the UK) and take reasonable steps to protect customers from paying inadvertent roaming charges while in the UK. For customers in Northern Ireland, providers applied a range of approaches to ensure customers were able to protect themselves in relation to inadvertent roaming (e.g. treating Ireland usage as UK usage).

3.26 Most providers have continued to provide some form of alert when customers start roaming on a voluntary basis. Many providers have also continued to provide, on a voluntary basis, information to customers on how to avoid inadvertent roaming and have measures in place to help protect customers from the impact of inadvertent roaming whilst in the UK.

3.27 While these voluntary measures go some way towards addressing the harms we have identified, we do not consider these to be sufficient, for example, there are inconsistencies in the quality of information being provided (see paragraphs A.1.11, A1.21 and A1.22). The varied quality of information in current roaming alerts/on providers' websites means customers may not always have access to the information they reasonably need to make an informed decision when roaming, and in some cases the information provided is not easy to find, clear and comprehensible. In addition, some providers have previously moved away from voluntary commitments relating to roaming. For example, when roam like at home

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<sup>59</sup> As noted in Section 2, there are various requirements that providers need to comply with relating to contracts and changes to contracts. We have published a [letter on roaming services and customers rights of exit following contract modifications](#).

retail price regulations expired at the end of December 2020 several providers indicated that, on a voluntary basis, they did not plan to re-introduce roaming charges. However, some of those providers subsequently revisited that position and re-introduced those charges.

- 3.28 We recognise that providers are driven by incentives. There are competing factors which impact upon the incentive to voluntarily deliver roaming alerts and protections relating to inadvertent roaming. For example, providers might benefit from removing protections if it leads to higher revenues from roaming charges. At the same time, if customers experiencing harm from unexpected bills choose to switch to another provider; then the provider may lose revenue as a result. The balance of these factors is uncertain and depends on variables such as consumer demand which can be hard to predict.
- 3.29 Provider incentives can change over time and not all providers necessarily face the same incentives. As set out in Section 2, there have been circumstances in the past where customers have experienced high unexpected bills from roaming charges.
- 3.30 Providers' changing incentives can lead to uncertainty and inconsistency for the customer. When one or more providers removes or varies voluntary roaming protections (e.g. roaming alerts, protections related to inadvertent roaming), or changes them in a way that reduces their effectiveness, there is potential for customers to experience significant harm (as set out above).<sup>60</sup> It may also prove more costly to re-introduce protections, for example if this necessitated new systems and processes to be built.
- 3.31 A situation where some, but not all, providers voluntarily offer roaming protections could also put those providers that do commit to roaming protections at a competitive disadvantage; which could put them under pressure to stop providing those voluntary protections.

## Our conclusion

- 3.32 As discussed above, we recognise a number of voluntary measures that many providers take to provide customers with access to information on roaming charges and measures to help protect customers against the impact of inadvertent roaming. However, it is our view that voluntary measures are insufficient to ensure lasting, robust protection for all customers. We are concerned that without formal regulation, information in roaming alerts/on providers' websites will be of varied quality while any provider could choose to remove or vary the measures they have in place leading customers to experience significant harm.
- 3.33 We also recognise that without formal regulation, there are no guidelines for providers to ensure that all customers have access to the same minimum level of information to make informed choices about roaming and to help protect them against the impact of inadvertent roaming. Our view remains that regulation is appropriate to ensure adequate roaming protections for customers.

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<sup>60</sup> Even if providers' current approach to charging for roaming in Ireland were to remain unchanged, some risks of unexpected charges would still remain. For example, fair use policies for roaming use can have a greater impact on customers in Northern Ireland as they may be more likely to exceed these limits due to frequent (inadvertent) roaming and be subject to additional charges.

## The scope of roaming regulation

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- 3.34 Having explained above why we consider regulation is necessary to achieve our policy objective, we explain in the remainder of this Section 3 what we think that regulation should look like and set out our reasons (including how we have taken account of respondents' submissions to the July consultation).
- 3.35 We do so on a thematic basis, considering each of the following points in turn: the importance of mobile providers sending roaming alerts (including the frequency and length of those alerts); what, if anything, regulation should say about the content of those roaming alerts (including about information on roaming charges, information on mobile bill limits and further information on roaming); opting out/back in to roaming alerts; additional proposals raised in responses; and regulatory protections related to inadvertent roaming.
- 3.36 For each theme, we set out: (i) a short summary of our consultation proposals, (ii) a summary of the responses we received on those proposals, and (iii) our final view taking account of respondents' comments. We then consider in Section 4 whether, taken as a whole, it is appropriate and proportionate to impose regulation and the form this will take.

## Providers should send customers timely roaming alerts providing clear, comprehensible and accurate information

### Our consultation proposals on sending roaming alerts

- 3.37 In our July consultation, our provisional view was that providers should be required to send roaming alerts to customers and that this is in principle an effective way to help protect customers from potential harms such as unexpected bills because of roaming or not using their device while travelling. If roaming alerts were no longer provided, we explained that customers would likely be unaware or less clear about when they are roaming (particularly when they are inadvertently roaming).
- 3.38 Specifically, we proposed that providers should notify their customers without undue delay when their mobile device connects to a roaming network. We proposed that the notification should be free of charge and in an accessible format and should provide clear, comprehensible and accurate information to enable the customer to make an informed decision about whether (and how) to use roaming services when roaming.<sup>61</sup>
- 3.39 We also proposed that the requirement to send roaming alerts should apply to residential and small business customers (with up to 10 employees) only.

### Summary of responses on sending roaming alerts

#### Sending timely roaming alerts which provide clear, comprehensible and accurate information

- 3.40 Most respondents supported the need for roaming alerts to be sent and that customers should have access to information that enables them to make informed decisions.<sup>62</sup> For example, Three noted that roaming alerts are "essential tools to help customers understand

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<sup>61</sup> Paragraphs 3.55 to 3.131 consider what, as a minimum, information should be included in the roaming alerts.

<sup>62</sup> Non-confidential consultation responses from [ACNI](#), [BT](#), [Citizens Advice Scotland](#), [Communications Ombudsman](#), [Consumer Council NI](#), [giffgaff](#), [MSE](#), [Sky](#), [Three](#), [Tourism Ireland](#), [Tourism Northern Ireland](#), [Utility Warehouse](#), [Verastar](#), [Virgin Media O2](#), [Which?](#) and confidential consultation response from [redacted],

their charges whilst abroad”.<sup>63</sup> And the Advisory Committee for Northern Ireland (ACNI) noted that providers should “ensure that consumers are appropriately informed” as while many customers do not have issues when roaming and are able to seek out the relevant information they need, customers “should not bear all of the burden of seeking to understand and avoid roaming charges”.<sup>64</sup>

### Sending roaming alerts as a single message

3.41 Four providers raised concerns about having to provide all the information in a single message.<sup>65</sup> Their concerns included:

- That this did not reflect current practice and in some cases it would be costly to change systems to enable sending roaming alerts as a single message.<sup>66</sup>
- It may not be possible to send the roaming alert as a single message due to limits on the number of characters and could lead to more messages not getting through.<sup>67</sup>
- That customers are less likely to engage with one long message compared to multiple shorter messages.<sup>68</sup>
- That providers should have flexibility to set up their roaming alerts in the most easily digestible format and be able to break up information sent in more than one message.<sup>69</sup>

### When the roaming alerts must be sent

3.42 Four responses raised concerns about wording in the guidance around sending the message ‘each and every time’ a customer’s phone registers onto a new roaming destination and that in some cases this could negatively impact customers.<sup>70</sup> For example, Vodafone gave the example of a customer driving between floors in the multi-storey car park in the Brenner Pass receiving multiple messages as their mobile picks up competing services in Italy and Austria at either end of the car park.<sup>71</sup> ACNI also raised concerns over too many alerts for customers who live and work in Northern Ireland border regions where mobile signal strength bounces from one side to the other. They were concerned that bombarding the same customer with identical messages may diminish their meaning and significance.

3.43 Three providers suggested this would be a significant change to existing working practices<sup>72</sup> and a departure from the BEREC guidelines (27 March 2017 version) that were previously in place.<sup>73</sup> The three providers requested some flexibility in how frequently to send information if the customer has already roamed in the same country within the same week. They suggested it was ‘standard’ practice to resend after 7 days and this helped strike the

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<sup>63</sup> [Three](#) non-confidential consultation response.

<sup>64</sup> [ACNI](#) non-confidential consultation response.

<sup>65</sup> Non-confidential consultation responses from [BT](#), [Three](#), [Virgin Media O2](#), [Vodafone](#).

<sup>66</sup> [Vodafone](#), non-confidential response.

<sup>67</sup> [Three](#) non-confidential consultation response, page 3.

<sup>68</sup> [Virgin Media O2](#) non-confidential consultation response, page 2.

<sup>69</sup> [BT](#) non-confidential consultation response, page 6.

<sup>70</sup> [ACNI](#) non-confidential consultation response, page 2, [BT](#) non-confidential consultation response, page 8, [Three](#) non-confidential consultation response, page 2, and [Vodafone](#) non-confidential consultation response, page 5.

<sup>71</sup> [Vodafone](#) non-confidential consultation response, page 5.

<sup>72</sup> [BT](#) non-confidential consultation response, page 8, [Three](#) non-confidential consultation response, page 2, and [Vodafone](#) non-confidential consultation response, page 5.

<sup>73</sup> [Three](#) non-confidential consultation response, page 2.

right balance between roaming alerts being helpful and adequately informing customers and them becoming a nuisance.<sup>74</sup> Vodafone noted that under the current approach, only 1% of customers find the roaming alerts annoying and they expected this to significantly increase if they were sent more frequently.

### Who the roaming alerts must be sent to

3.44 Responses to the consultation did not raise any specific points relating to the size of customer that roaming protections should apply to.

## Our assessment and conclusions on sending roaming alerts

### Sending timely roaming alerts which provide clear, comprehensible and accurate information

3.45 For the reasons set out below, and taking account of responses to our consultation, we remain of the view that providers should be required to notify their customers, without undue delay, when they roam and for any roaming alerts to be free of charge, in an accessible format and provide clear, comprehensible and accurate information which enables the customer to make an informed decision on whether (and, if so, how) to use roaming services.

3.46 Roaming alerts provide an essential reminder for customers to let them know that their device has connected to a network outside of the UK and that they may therefore face additional charges if they use their device. In response to our consultation, we note that no respondents disagreed with the importance of roaming alerts in principle to protect customers from harm. Respondents' comments tended to focus on the effectiveness of voluntary roaming alerts (as discussed at paragraphs 3.18 to 3.20 above), and the precise information that should be provided in roaming alerts in order to ensure that they are effective (as discussed from paragraph 3.56 below).

3.47 As noted in Annex 1, our research shows that:

- 94% of those who had roamed in the past 12 months were aware of roaming alerts, with 84% claiming to read them;<sup>75</sup>
- Of those who read their alerts, 94% rated them as either essential or helpful when they first begin to roam. A higher proportion of disabled customers (60%) compared to non-disabled customers (44%) rated messages when you begin to roam as essential.<sup>76</sup>

3.48 Further, we understand that customers rely on roaming alerts to plan and monitor their roaming usage. If roaming alerts were no longer provided, customers would likely be unaware or less clear about when they are roaming (particularly when they are inadvertently roaming). Where roaming alerts do not contain clear, comprehensive and accurate information to enable customers to make an informed decision on whether (and, if so, how) to roam, or those alerts are not provided to customers in a timely fashion, we

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<sup>74</sup> [BT](#) non-confidential consultation response, page 8, [Three](#) non-confidential consultation response, page 2, and [Vodafone](#) non-confidential consultation response, page 5.

<sup>75</sup> Mobile Roaming Research 2022, Yonder. Q15: Are you aware of mobile roaming alerts, and do you read them? Base: All who have used a mobile phone outside the UK in the past 12 months (673).

<sup>76</sup> Mobile Roaming Research 2022, Yonder. Q16: You said you are aware of mobile roaming alerts. We are interested in how you feel about receiving these even if you do not read them. How do you feel about receiving the following types of mobile roaming alert? Base: All aware of alerts (629).

consider there to be a risk of consumer harm, for example from unexpected bills. The evidence indicates that roaming alerts can empower customers to change their behaviour to mitigate potential harms such as unexpected bills. Analysis of customer complaints and queries data suggests that receiving roaming alerts prompts customers to understand that they are roaming and any issues associated with roaming.<sup>77</sup> Our customer research showed that 72% of customers changed their behaviour because of receiving a roaming alert.<sup>78</sup> The most common actions were to only connect to Wi-Fi while travelling (29%), to use less data (26%) and to switch off data roaming (24%).<sup>79</sup>

- 3.49 It is particularly important for customers to know they are roaming in the case of inadvertent roaming. This is because customers will not be in the country that their device has connected to and so are even less likely to be aware that roaming is occurring (or what charges they might incur) in the absence of roaming alerts. Customer research suggests that 14% of all UK customers and 28% of customers in Northern Ireland had experienced inadvertent roaming in the past 12 months either while in the UK or abroad.<sup>80 81</sup>

### Sending roaming alerts as a single message

- 3.50 We note that some responses raised concerns that they would need to provide all of the specified information in a single alert. It was not our policy intention to restrict providers to a single message and we agree the consultation could have been clearer on this point. We are aware that some providers currently send information through more than one message both for technical and customer impact reasons (e.g. limitations on the number of characters in a message, potential for information overload). We agree that it is important that customers can receive these alerts and engage with their content. We are also mindful of more general research and behavioural insights that indicates that customers tend to engage better with shorter messages with limited and focused calls to action. We confirm that providers have the flexibility to provide the specified information in more than one message.

### Frequency of roaming alerts

- 3.51 Taking account of consultation responses, our view remains (as discussed at paragraphs 3.45 to 3.49 above) that roaming alerts should be sent in a timely fashion to customers when they start roaming to be effective. However, we have considered the concerns raised in some responses about our proposed guidance and, in particular the expectation that roaming alerts be sent ‘each and every time’ a customer connects to a roaming network.
- 3.52 We agree that there may be limited circumstances where providing roaming notifications each and every time that a customer’s device connects to a roaming network may adversely impact that customer’s roaming experience (e.g. where a customer is in a border area and connects to (and de-connects from) a roaming network multiple times per day). We also

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<sup>77</sup> Analysis of roaming complaints and queries made to Ofcom between 1 January 2022 and 31 December 2023.

<sup>78</sup> Mobile Roaming Research 2022, Yonder. Q19: Did you do any of the following as a result of seeing the information in the alerts? Base: All who have read alerts (557).

<sup>79</sup> Mobile Roaming Research 2022, Yonder. Q19: Did you do any of the following as a result of seeing the information in the alerts? Base: All who have read alerts (557).

<sup>80</sup> Mobile Roaming Research 2022, Yonder. Q27: Have you experienced unintended roaming in the last 12 months? Base: All with a mobile phone (2,069).

<sup>81</sup> CCNI research 2023. Slide 37. Q: Have you experienced unintended roaming in the last 12 months? Base: All mobile phone customers (993).

note the risk that this could have a negative impact on how customers engage with the information in the notifications (e.g. it could lead to more customers finding roaming alerts annoying or ignoring the information in them).<sup>82</sup> Discussions with several providers highlighted that their current practices were developed and refined in response to customer feedback when the EU level roaming protections were introduced.<sup>83</sup> We also note that this issue has not been a driver of customer complaints to Ofcom to date.

- 3.53 Considering these points, we consider that providers must ensure that customers are notified without undue delay so that they have the information they need to be able to make informed decisions about using roaming services. However, we also recognise that there may be some limited circumstances where sending roaming alerts each time that a customers' device technically connects to a roaming network may adversely impact that customers' roaming experience and have a negative impact on how they engage with the information in the alerts. We have therefore amended the guidance to remove the reference to 'each and every time' and to give providers some flexibility. The amended guidance reflects that in such cases, we would expect providers to have taken, and be able to evidence that they have taken, reasonable steps to ensure that roaming notifications are sent with sufficient frequency, taking account of customer feedback (for example, customer complaints about the number of messages they receive being too high), and evidence of customer harm from unexpected roaming bills.

#### Who the roaming alerts must be sent to

- 3.54 Our view remains that the requirement to send roaming alerts should apply to residential and small business customers only. Our understanding is that large businesses, particularly those that are significant users of mobile services, are likely to have a stronger bargaining position and be better equipped with the skills and resources to manage their mobile service than residential and small business customers. We note however that providers may in practice choose to extend protections to larger businesses and our decisions would not prevent this.

## Roaming alerts should include information on roaming charges

### Our consultation proposals on including information on roaming charges

- 3.55 In our July consultation we proposed that, as a minimum, roaming alerts should contain the following personalised information on roaming charges:
- a) confirm if the relevant customer's tariff plan contains any allowance for the use of roaming services on that particular roaming network;
  - b) inform the customer about any charges for using roaming services on that particular roaming network, including if they exceed any allowance referred to above;
  - c) where there is a quantitative limit on the volume of roaming services that can be consumed by the relevant customer before charges are incurred or before different

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<sup>82</sup> Mobile Roaming Research 2022, Yonder. Q16: You said you are aware of mobile roaming alerts. We are interested in how you feel about receiving these even if you do not read them. How do you feel about receiving the following types of mobile roaming alert? Base: All aware of alerts (629). Q20: Are you aware you can opt out of roaming alerts? Base: All aware of alerts (629).

<sup>83</sup> Ofcom / BT meeting, 6 December 2023, Ofcom / Three meeting, 13 December 2023 and Ofcom / Vodafone meeting, 14 November 2023.

charges apply (such as a data volume limit), the notification should set out that limit; and

- d) where any such allowance or charges relate to the use of roaming services over a specific time period (such as for a 24-hour period), the notification should explain at what point the relevant time period would commence and end.

3.56 Our provisional view was that this information is key to ensuring that customers can make an informed choice about using their device while roaming and are protected from potential harms such as unexpected bills because of roaming.

### Summary of responses on including information on roaming charges

3.57 As covered in 3.40 above, most respondents supported sending roaming alerts to customers to enable them to make informed decisions when roaming. Most, including most providers, also supported the idea that customers should be provided with information, at point of roaming, about roaming charges.<sup>84</sup> However, ten responses raised concerns with the precise detail of our proposed rules in relation to information about roaming charges (i.e., the draft general condition and guidance on which we consulted).<sup>85</sup> Some of these points also relate to the provision of information on mobile bill limits, which is covered from paragraph 3.72 below.

3.58 Four respondents raised concerns that:

- including too much information in the roaming alert or alerts that are too long it will lead to less customer engagement/ a customer not reading the alert,<sup>86 87</sup>
- there was no evidence that customers want changes to current information in roaming alerts,<sup>88</sup>
- providers should have greater flexibility over the information to include in the roaming alerts and where they can direct customers to access specific or personalised information. Such an approach reduces the cost and time to implement and allows providers to competitively differentiate how they provide information to customers.<sup>89</sup>

3.59 Three responses were explicitly supportive of providing personalised information on roaming charges.<sup>90</sup> For example, CCNI said it was encouraged by the inclusion of explicit, personalised details in Ofcom's proposals given its research demonstrates most consumers are unaware of fair use limits.<sup>91</sup> MSE also supported personalised charging information given its research had identified that not all providers set out how they define a roaming day and

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<sup>84</sup> Non-confidential consultation responses from [ACNI](#), [BT](#), [Citizens Advice Scotland](#), [Communications Consumer Panel](#), [Department for the Economy of Northern Ireland](#), [Communications Ombudsman](#), [Consumer Council NI](#), [giffgaff](#), [MSE](#), [Sky](#), [Three](#), [Tourism Ireland](#), [Tourism Northern Ireland](#), [Utility Warehouse](#), [Verastar](#), [Virgin Media O2](#), [Which?](#).

<sup>85</sup> Non-confidential consultation responses from [BT](#), [FCS](#), [giffgaff](#), [Sky](#), [Three](#), [Utility Warehouse](#), [Verastar](#), [Virgin Media O2](#), [Vodafone](#), and confidential consultation response from [X].

<sup>86</sup> [BT](#) non-confidential consultation response, page 6, Department for the Economy for Northern Ireland non-confidential consultation response, page 1, [Three](#) non-confidential consultation response, page 3, and [Virgin Media O2](#) non-confidential consultation response, page 2.

<sup>87</sup> See paragraph 3.50 above for our response on this.

<sup>88</sup> [Three](#), non-confidential consultation response.

<sup>89</sup> Non-confidential consultation responses from [BT](#), [Three](#) and [Vodafone](#).

<sup>90</sup> Non-confidential consultation responses from [Citizens Advice Scotland](#), [Communications Consumer Panel](#), [MSE](#).

<sup>91</sup> [Consumer Council Northern Ireland](#) non-confidential consultation response, page 10

there is a lack of transparency about fair use policies.<sup>92</sup> However, several respondents raised concerns with the ‘personalised’ element of the proposal. For example:

- Three noted that the requirement to include contract start date information went further than the requirements in the previous EU rules/Retained Roaming Regulations.<sup>93</sup>
- BT sought clarification that including dynamic information on fair use limits (e.g. customer has 20GB of a 50GB fair use data roaming limit) was not required.<sup>94</sup>
- Several industry stakeholders (mobile network operators (MNOs), mobile virtual network operators (MVNOs) and a trade association) highlighted specific challenges that providers may face to include personalised information in the roaming alerts. For example, where providers send roaming messages to their customers through a third party and the third party does not have access to the relevant personal customer data information flows.<sup>95 96</sup>

3.60 Some of the responses mentioned likely impacts or and/or the associated potential costs of implementing our consultation proposal in relation to the information that should be included within roaming alerts on roaming charges. For example, because new systems and processes would be needed to include personalised charging information in the alerts.<sup>97</sup> In its response, Three said such system changes would be costly (and take time) to implement and be of limited additional benefit to customers. The cost estimates provided relating to our consultation proposals as a whole are discussed in more detail in 4.22 to 4.33.

## Our assessment and conclusions on including information on roaming charges

3.61 Our view remains that the provision of information (at the point of roaming) regarding the charges that apply to a customer is essential to achieve our policy objective. Responses to our consultation generally supported this, and our evidence demonstrates that customers value receiving accurate information about roaming charges at the point of roaming; and that they rely on this information to make informed decisions about when, where and how much to use their device while roaming and to avoid unexpected bills.<sup>98</sup> Roaming charges information (at the point of roaming) can offer customers certainty about what they will be charged and provide customers with more confidence regarding making decisions about using their device abroad.<sup>99</sup> While certain information about roaming charges is provided in the terms and conditions provided to customers at the point of sale, it is likely that customers may not fully understand or retain that information at the point when they

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<sup>92</sup> [MSE](#) non-confidential consultation response, page 5.

<sup>93</sup> [Three](#) non-confidential consultation response.

<sup>94</sup> [BT](#) non-confidential consultation response, page 7.

<sup>95</sup> For example, where it is not appropriate for the third party to access confidential and/or commercially sensitive information.

<sup>96</sup> Non-confidential responses from [FCS](#), [BT](#), page 13, [Utility Warehouse](#), page 2, [Verastar](#), page 2, [Vodafone](#), and confidential responses from [redacted], page [redacted] and [redacted], page [redacted]. And follow up meetings with Ofcom / [redacted] on [redacted] and Ofcom / [redacted] meeting on [redacted].

<sup>97</sup> Non-confidential consultation responses from [BT](#), [Three](#), [FCS](#), [Verastar](#) and confidential response from [redacted].

<sup>98</sup> See Annex 1 for more information on our evidence.

<sup>99</sup> Our research shows that 72% of roaming customers did something differently as a result of receiving a roaming alert. In many cases this was to reduce phone usage while roaming, but 9% of customers reported using their phone more as a result. Further detail in paragraph A1.13.

subsequently roam.<sup>100</sup> Such information is provided alongside a large amount of other information, and roaming may not be a key area of focus at the point of sale.<sup>101</sup> There may also be a long gap between a customer signing up to a contract and roaming for the first time, as many customers roam infrequently.

3.62 Specifically, at point of roaming, customers need information on:

- *Pricing and allowance information:* Customers should have clear, comprehensible and accurate information about the charges that will apply to them when they are roaming (and any roaming allowance that applies to them). The provision of unclear or general information such as providing non-country specific price schedules or large ranges (e.g. rates could cost between £0.01 and £15 per MB) can lead to customer confusion over likely charges.<sup>102</sup> It can also make it difficult for customers to make informed decisions on roaming and to plan and monitor their device use/ spend when roaming, leading to potential harm (e.g. higher than expected bills or reducing their usage unnecessarily).
- *Quantitative 'fair use' limits:*<sup>103</sup> These are applied by many providers when customers roam and have the effect of limiting the volume of roaming services that they can consume (either as part of an allowance or bundle) before any charges (or higher charges) apply. We continue to consider that, to make informed decisions about roaming use, customers should be able to understand the fair use policy that applies to their tariff. Not all providers who have such a limit in place specify what this is clearly on their websites or in roaming alerts. This could lead to customers incurring unexpected charges, which they could have avoided if they had been aware of the limit (e.g. by using Wi-Fi or switching roaming data off).
- *Time periods:* Customers may not always be clear on any applicable time period that may apply to a charge and when this period starts and ends. For example, a daily roaming charge and whether this is 24 hours from first use, midnight to midnight UK time, midnight to midnight local time or something else. Of the providers who have such a charging system, not all specify on their websites or in their current roaming alerts what time period a 'day' refers to. Providing this information when customers start roaming improves transparency and avoids the potential harm of customers receiving unexpected bills because they have not understood this charging policy.

3.63 We note that respondents generally supported the principle that customers should be appropriately informed about roaming charges when they start roaming. However, we also

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<sup>100</sup> GCs C1.3 to C1.7 require providers to provide customers with contract information before they are bound by the contract. This includes certain roaming related information.

<sup>101</sup> There is an estimated 50 minutes of reading time for mobile terms and conditions, excluding fair use policies and price guides. Estimated based on an internal review of Pay Monthly Mobile Terms and Conditions documents of providers that had at least 1.5% market share for four consecutive quarters as of Q4 2022. This research was done between 27 February - 3 March 2023 assuming a reading speed of roughly 250 words per minute.

<sup>102</sup> Analysis of roaming complaints and queries made to Ofcom between 1 January 2022 and 31 December 2023 and examples of provider roaming alerts between August 2022 and June 2023.

<sup>103</sup> Providers who charge customers a fixed amount to use their UK allowance while roaming (or in some cases include this in the package) often apply a fair use policy which includes quantitative limits (e.g. a fair use data limit). These limits vary significantly between different providers (e.g. 5GB to 50GB per month) and can sometimes be lower than the customer's UK allowance (e.g. unlimited data). Once these limits are exceeded, charges for roaming data use are often considerably higher.

note the challenges and costs highlighted by several respondents to our July consultation associated with implementing systems to facilitate sending all of the information within the roaming alert itself. We understand from consultation responses and subsequent discussions with certain providers that the costs of providing the personalised information within the roaming alerts could be significant for some providers (because systems changes would be required) and higher than the range included in our provisional impact assessment. We understand that the provision of more flexibility would involve lower costs (e.g. to update ‘templates’ used in roaming alerts and to update information that customers are signposted to).<sup>104</sup>

3.64 Consequently, we are modifying our approach to give providers some flexibility as to how they provide the required information to customers. We consider that our policy aim is still achieved with a more flexible approach to the delivery of information on roaming charges.

3.65 In particular, we consider it would be more proportionate but still achieve our policy objective if the roaming notification providers were required to:

“enable the relevant customer to understand:

- i) whether their tariff plan contains any allowance for the use of roaming services on that particular roaming network;
- ii) any charges for using roaming services on that particular roaming network, including if they exceed any allowance referred to in (i);
- iii) whether there is a quantitative limit on the volume of roaming services that can be consumed by the customer before charges are incurred or before different charges apply (such as a data volume limit) and, if so, the level of that limit; and
- iv) where any such allowance or charges relate to the use of roaming services over a specific time period (such as the use of roaming services for a 24-hour period), explain at what point the relevant time period would commence and end.”

3.66 Our modified approach still ensures that customers will be adequately protected when roaming by having access, at point of roaming, to the information they need to be able to understand the charges that may apply to them as well as future proof the requirements (e.g. to accommodate changes in how charges are structured over time).<sup>105</sup>

3.67 Providers will have greater flexibility regarding the delivery of the required information. For example, providers will be able to provide some ancillary information which a customer may need to understand precisely what charges or fair use policy apply to them (e.g. their contract start date or tariff plan name) by directing the customer to a free-of-charge and easily accessible channel. Where it is necessary for the roaming alerts to signpost customers to a free of charge and easily accessible channel where they can access further clear, comprehensible and accurate information (e.g. on a webpage), they would be able to do so.

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<sup>104</sup> See 4.22 to 4.33 for more detail on costs.

<sup>105</sup> In response to the July consultation, BT questioned whether personalised roaming charges information would require dynamic information to be provided in the alerts. For example, dynamic information would mean a provider telling a customer who has a tariff that includes 50GB of data that they have used 30GB to date and have 20GB remaining. We note that this was not our intention in the July consultation and that we were not proposing the provision of dynamic information in roaming alerts. Instead in this example our expectation was that providers tell customers that they have a tariff that includes 50GB of data. We also note that our modified approach would not require the provision of *dynamic* information either. BT non-confidential consultation response, page 3 and Ofcom / BT meeting, dated 5 December 2023.

- 3.68 We would still expect providers to include information within the roaming alerts about their charges, fair use policy and the time period that may apply for time-related charges where possible. It would not be sufficient for the roaming alerts to only signpost customers to a webpage or include a broad range of charges that does not enable them to understand what they may need to pay. Where a provider currently provides personalised information in the roaming alerts, we would expect them to continue to do so.
- 3.69 We understand that this would result in lower implementation costs for providers (see 4.28 for more detail). We expect that many providers will need to review and refresh the information they include in roaming alerts (e.g. updating ‘templates’ that are used in the alerts so that relevant up to date information can be sent out, including new signposting information in the roaming alerts) and refresh any information they direct customers to (e.g. updating information that customers are signposted to and checking it is easily accessible (e.g. information they publish online or provide through customer services)).
- 3.70 We consider that it may be easier for customers if all of the information they need is contained in the roaming alert itself. An alternative approach, such as providing some information in a link, could mean it takes a customer slightly longer to access all the relevant roaming information they require. However, where information is not included within the roaming alert itself, providers should direct customers to where the ancillary information can be accessed (e.g. to confirm their contract start date) and that this should be free of charge and easily accessible.
- 3.71 Taking account of the above, we are satisfied that our modified approach would achieve our policy objectives, while being more proportionate than the option on which we consulted.

## Information on mobile bill limits<sup>106</sup>

### Our consultation proposals on including mobile bill limit information

- 3.72 In our July consultation, we proposed that as a minimum a roaming alert should confirm if the relevant customer has in place a billing limit which will limit their expenditure on roaming services and, if so, the level of that limit.
- 3.73 We also proposed that the roaming alert direct the customer to at least one easily accessible and free of charge channel on which they can set, modify or remove (as appropriate) a billing limit, and which makes clear both the likely extent of any delay between the customer's request to set, modify or remove the limit and it taking effect, and how the customer can confirm that it has taken effect.
- 3.74 In our July consultation, we said that we understood that some providers were already providing personalised information and explained our provisional view that the costs of providing this information would be low. However, we noted that the requirement to provide personalised information on mobile bill limits was not a requirement under the Retained Roaming Regulations and could represent an additional cost for some providers (e.g. where information needs to be collated from different systems to send to the customer when roaming). We noted that the costs of doing this would be likely to vary depending on a

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<sup>106</sup> Under existing requirements, providers must give customers the opportunity to set a mobile bill limit when signing up to a new contract. Once in place, a provider notifies the customer when the limit is likely to be reached and has been reached, and it can only be exceeded with a customer's express consent.

provider's systems and whether a provider sends their own roaming alerts or contracts this out to a third party.

### Summary of responses on including mobile bill limit information

- 3.75 Most respondents supported the idea that customers should be provided with information, at point of roaming, on mobile bill limits. Some noted customers should be informed and empowered to manage their spending.<sup>107</sup>
- 3.76 However, many providers were concerned about including personalised bill limit information in the roaming alerts due to the challenges, time and costs of doing so with some questioning whether such a requirement was needed or justified.<sup>108 109</sup> For example, as customers could be sufficiently informed by providing general information about mobile bill limits and direct customers to access specific or personalised information about bill limits.

### Costs

- 3.77 Seven industry stakeholders (MNOs, MVNOs and a trade association) highlighted specific challenges that providers may face to include personalised information in the roaming alerts. For example, where providers send roaming messages to their customers through a third party and the third party does not have access to the relevant personal customer data information flows.<sup>110 111</sup>
- 3.78 Nine providers said that, to provide specific personalised information to customers about the level of their bill limit (if any) would require the development of new systems and processes which could take considerable time and/or involve significant costs, which some considered would be disproportionate and have limited benefit to customers.<sup>112 113</sup> The cost estimates provided that relate to our consultation proposals as a whole are discussed in more detail in paragraphs 4.22 to 4.33.

### Relevance to certain customers

- 3.79 BT and Virgin Media O2 also suggested that including mobile bill limits in roaming messages may not be relevant to certain customers.<sup>114</sup> For example, where a provider does not allow any out of bundle or roaming charges without a relevant 'bolt-on' or for business customers where only the account holders/administrators have the approval to specify, amend or remove a mobile bill limit, but the account holder/administrator are not likely to be the individuals receiving the message. BT pointed to the added complexity to deliver

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<sup>107</sup> Non-confidential consultation responses from [ACNI](#), page 1, [Citizens Advice Scotland](#), page 2, [Consumer Council Northern Ireland](#), page 11, [Sky](#), page 5, [Three](#), page 5, [Utility Warehouse](#), page 3, and [Which?](#), page 2.

<sup>108</sup> Non-confidential consultation responses from [BT](#), [Sky](#), [Three](#), [Utility Warehouse](#), [Verastar](#), [Virgin Media O2](#), [Vodafone](#), and confidential consultation response from [redacted].

<sup>109</sup> We discuss responses relating to the time period for implementation in paragraphs 4.41 to 4.48.

<sup>110</sup> For example, where it is not appropriate for the third party to access confidential and/or commercially sensitive information.

<sup>111</sup> Non-confidential responses from [FCS](#), [BT](#), page 13, [Utility Warehouse](#), page 2, [Verastar](#), page 2, [Vodafone](#), and confidential responses from [redacted], page [redacted] and [redacted], page [redacted]. And follow up meetings with Ofcom / [redacted] on [redacted] and Ofcom / [redacted] meeting on [redacted].

<sup>112</sup> Non-confidential consultation responses referring to impact of proposal from [BT](#), [Tesco Mobile](#), [Three](#), [Utility Warehouse](#), [Verastar](#), [Sky](#) and [Vodafone](#) and confidential responses from [redacted], page [redacted] and [redacted],

<sup>113</sup> Non-confidential consultation responses from [Sky](#), page 4, [Three](#), page 6, and [Vodafone](#), page 6.

<sup>114</sup> [BT](#) non-confidential consultation response, page 7 and [Virgin Media O2](#) non-confidential consultation response.

personalised bill limit information to business customers, as they would need to develop a solution that works for both end users and account holders.<sup>115</sup>

### Our assessment and conclusions on including mobile bill limit information

3.80 Our view remains that the provision of information to customers about mobile bill limits at the point of roaming can in principle be an effective means of reducing the risk of customer harm and achieving our policy objective. This is because:

- a) While information from providers shows that 49% of pay monthly customers have a mobile bill limit in place, our research highlighted low awareness that a single mobile bill limit would apply to roaming usage as well as their UK usage.<sup>116</sup> For example, 55% of customers were aware that they could set one for roaming and 28% of customers said they had a mobile limit in place which covered roaming charges.<sup>117</sup>
- b) There is value in mobile bill limit information being provided at point of roaming even for customers who already have a mobile bill limit in place. Information from providers indicates that customers set their mobile bill limits relatively low, at an average level of £4.08 across all providers.<sup>118</sup> Given daily roaming charges (where they apply) range between £2 – £8 a day (depending on the country a customer is roaming in), some customers would need to amend their mobile bill limit to be able to use mobile services when abroad/roaming if they were away for more than a couple of days.<sup>119</sup> This is because a mobile bill limit would prevent them from spending above the limit they have set. Having information on this at point of roaming should enable customers to understand the implications of their mobile bill limit (and amend it if necessary), enabling them to use their device with confidence when roaming.
- c) Being aware that you can limit roaming spend is likely to be especially important for pay monthly customers who do not already have a mobile bill limit in place where unexpected roaming charges could otherwise be theoretically unlimited.<sup>120</sup> In contrast, we recognise that for pre-pay customers the risk is generally limited by the amount of credit on a customer's account. There may be a higher risk of unexpected bills for pre-pay customers who have an automatic top-up system in place, but we recognise this risk is mitigated to some degree where customers are informed of any automatic top-ups occurring.<sup>121</sup>

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<sup>115</sup> BT confidential consultation response, page 11.

<sup>116</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Based on providers who responded to this question. Average proportion (mean) calculated across providers who responded to the question.

<sup>117</sup> Mobile Roaming Research 2022, Yonder. Q42: Are you aware that you are already able to set your own overall spend limit for any data, calls and texts on your mobile, outside of your allowance/package a) in the UK, b) Outside the UK? Base: All who use a mobile phone (2,069).

<sup>118</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Based on providers who responded to this question – median bill limits for all pay monthly customers who had one in place. We then calculated an average (mean) value across all providers.

<sup>119</sup> When a customer reaches their mobile bill limit, they may have to amend their mobile bill limit (i.e. log into their account and not just consent by return to increase it) to be able to use their mobile services.

<sup>120</sup> We note that some providers choose to apply by default a backstop spend limit beyond which a customer would need to give their explicit consent to continue to be charged for use of roaming services.

<sup>121</sup> In addition, GC C3.13 and C3.14 require providers to notify residential and small business customers when a service included in their tariff plan that is billed on a time or volume basis is fully consumed and the charges they will incur outside of the tariff plan.

- 3.81 We also note that no respondents disagreed with our suggestion that information about mobile bill limits could in principle be effective, nor with our proposal that roaming alerts should direct customers to a channel where they can specify, amend or remove a bill limit (and which makes clear both the likely extent of any delay between the customer's request to do so set and it taking effect, and how they can confirm it has taken effect).
- 3.82 However, in light of respondents' submissions, we recognise that our understanding (as explained in our July consultation) that several providers were already providing personalised information on mobile bill limits within roaming alerts was incorrect. While some providers were notifying customers about mobile bill limits already, these messages were not necessarily personalised.
- 3.83 We have therefore considered whether the provision of more general information to consumers (when they roam) about mobile bill limits could be a more proportionate means of achieving our policy objective. For the reasons set out below, we think it would be.
- 3.84 Our aim in the July consultation with proposing the inclusion of personalised bill limits in roaming alerts was for customers to be able, and encouraged, to manage their roaming spend and as a result be protected from harms associated with unexpected roaming bills. While we recognise that information about whether a customer has set a mobile bill limit (and, if so, what that is) would be particularly useful for customers, we do not think this is necessary in order for them to be made aware of their right to specify or modify a bill limit and therefore to achieve our policy objective.
- 3.85 Providing more general information within roaming alerts to explain to customers that they have the option to specify/amend a limit (and directing them to where they can do this) should ensure customers have sufficient information (at the point of roaming) to help them to manage their spend and avoid unexpected bills. We are satisfied that it would achieve our policy objective.

### **Costs**

- 3.86 We also note the challenges and costs highlighted by a number of respondents to our July consultation associated with implementing personalised bill limit information, and understand that the provision of more general information about mobile bill limits, as discussed above, would involve only relatively low costs for those providers that do not currently provide this information (e.g. to update their messages).<sup>122</sup>

### **Relevance to certain customers**

- 3.87 We note Virgin Media O2 and BT's point that there may be some limited circumstances where the provision of mobile bill limit information may not be relevant to the person receiving the roaming alert. For example someone using their work mobile to access roaming services but only their work's administrator has the authority to change or amend the bill limit. We would expect providers to inform customers about and direct them to information on mobile bill limits in most cases. However, we recognise that there may need to be some flexibility for providers to choose to tailor their messages to different customers (e.g. to certain business customers).
- 3.88 When deciding whether it is relevant to include bill limit information, we would expect providers to consider the impact on customers and whether they could potentially receive

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<sup>122</sup> See 4.22 to 4.33 for more detail on costs.

an unexpected bill or a bill which is higher than usual. For example, information on bill limits may be less relevant to customers who pay in advance a fixed, pre-defined non-recurring sum for the use of roaming services, after which (without their express consent) they are unable to use further roaming services.

### **Conclusion on including mobile bill limits information**

3.89 Based on the information currently available, we do not consider it would be proportionate to require the provision of personalised bill limit information within roaming alerts. Our view is that a more proportionate way to achieve our policy objective is to amend the rules and associated guidance to require, where relevant, the provision of more general information in the roaming alert (together with a requirement that the alert also direct the customer to a channel where they can specify, amend or remove a bill limit and which makes clear both the likely extent of any delay between the customer's request to do so and it taking effect, and how they can confirm that it has taken effect). This gives providers some flexibility to tailor their messages to different customers.

## **Roaming alerts must signpost customers to where they can access further information**

### **Our consultation proposals on signposting to further information**

- 3.90 We proposed that as a minimum roaming alerts should direct customers to at least one easily accessible and free of charge channel with clear, comprehensible and accurate additional information on roaming charges (and any associated fair use policies) and how to monitor and limit their roaming spend.
- 3.91 We noted that most providers have information about roaming on their websites and many signpost to this information in their roaming alerts. However, this is done voluntarily and, as noted at in Annex 1, there is a mixture of quality of information on providers' websites which means customers may not always have access to clear and comprehensible information about roaming.

### **Summary of consultation responses on signposting to further information**

- 3.92 Responses did not generally raise concerns with the proposal that roaming alerts should direct customers to where they can find additional information. As noted in paragraphs 3.41, 3.58 and 3.76 several providers requested or suggested flexibility to signpost to certain information.
- 3.93 Tesco Mobile suggested that a free website and/or free rated apps may not always be suitable. They noted that they currently use a phone/IVR based option.
- 3.94 MSE also suggested that Ofcom should consider mandating minimum quality and visibility requirements for providers' websites. It argued its analysis found information on websites was poor and meant customers must actively search for information that is not easily presented.

### **Our assessment and conclusions on signposting to further information**

3.95 Having considered the consultation responses, and for the reasons set out below, we remain of the view that providers should be required to direct customers (within roaming alerts) to at least one easily accessible and free of charge channel with clear, comprehensible and accurate additional information on roaming charges (and any associated fair use policies) and how to monitor and limit their roaming spend.

- 3.96 We consider this is important because the roaming alerts (by their nature) cannot contain all the detail or information a customer might need about roaming, for example:
- a) All of the details of any roaming fair use policies that would apply to the customer;
  - b) Risks and consequences of automatic and uncontrolled data roaming and how to avoid this (e.g. how to switch off roaming/data roaming);
  - c) Options for monitoring and limiting spend including any default bill limits set by providers and applying bars to roaming services (e.g. call barring options); and
  - d) Details on how customers can monitor spend (e.g. via apps or alerts which providers will send when nearing or reaching a limit).
- 3.97 If they were to include all the information, roaming alerts would be very long and risk making it more difficult for customers to take in the key information contained in the roaming alert. Having said this, we do consider it essential that roaming alerts clearly signpost customers to this additional information and that the information is free for the customer to access as well as clear, comprehensible and accurate.
- 3.98 In response to Tesco's comment that a free of charge website or app may not be appropriate in some cases, we note that our proposed rules did not specify it must be a website/app. We note that alternatives may include free to call number or text. This is set out in the GC and guidance. We have however updated the guidance to make clear that if a customer is directed to a weblink that is not free to access, providers should clearly flag that accessing the link could result in costs and highlight the free channel the customer can use.
- 3.99 We also consider that the cost of directing customers to a channel where they can access more information would be low. Providers were previously required under the Retained Roaming Regulations to make certain roaming information available by means of a free of charge call or text. Many providers also already provide customers with a way to access certain information for free including when they are roaming (e.g. through free to access content online, providing a free of charge customer services number). Some providers do this as the only way its customers can roam is by purchasing a roaming pass. Most providers also include links to their websites in existing roaming alerts so in many cases providers would only need to check the information on their websites includes the additional information on roaming charges, fair use policies and how to monitor, reduce and limit spend on roaming services (and is clear, comprehensible and accurate). We note several providers suggested directing customers to free to access information as a preferred method for example instead of including personalised bill limit information within the roaming alerts.
- 3.100 We note MSE's proposal that we consider mandating minimum quality and visibility requirements for providers' websites. In line with the concerns we set out in paragraph 3.32, we agree that some of the information that providers publish on roaming is not as clear or easily accessible as it could be. The new requirements specify that information provided to customers in roaming alerts must be clear, comprehensible and accurate and should enable customers to make an informed decision on whether (and if so how) to use roaming services. In addition, providers must offer at least one easily accessible and free of charge channel where customers can get further information on roaming that is also clear, accurate and comprehensible. We also set out in the guidance examples of what it might include (e.g. more detail on the charges applied for using roaming services, measures customers can take to monitor, reduce or limit their spend on roaming). We are not introducing further minimum quality or visibility requirements at this time.

## Opt out / opt back in

### Our consultation proposal on opting out of roaming alerts

- 3.101 Our proposed GC included a requirement for providers to give customers an option to easily opt out and back in to receiving roaming alerts. Providers would also be required to make it clear to customers that they have the option to opt out and back into roaming alerts.
- 3.102 The good practice examples set out in the proposed guidance document included providers periodically reminding customers about the option to opt back in to roaming notifications and give the option to pause receiving notifications, rather than ‘opting out’ completely. Our proposed guidance document also included good practice examples of roaming alerts which included text saying “Text STOP to pause these messages. Text START to re-start them”.

### Summary of responses on opting out of roaming alerts

- 3.103 Six providers commented on proposals regarding customers opting out of roaming alerts.<sup>123</sup> Providers noted that should customers opt out of alerts without fully considering the consequences they could be at greater risk of harm through unexpected bills if they do not see future roaming messages containing important information. Virgin Media O2, BT and giffgaff were concerned that enabling opt-out functionality via a text back process directly from the initial roaming alert would allow customers to opt-out of alerts without considering the potential consequences. Vodafone, giffgaff and Virgin Media O2 noted that if opt-out functionality via a text back process directly from the initial roaming alert was required this would require development work to implement.

### Our assessment and conclusions on opting out of roaming alerts

- 3.104 As set out in paragraphs 3.45 to 3.49, we consider that roaming alerts are important to protect customers and enable them to make informed decisions about roaming. Our research shows that most customers find them either ‘essential’ or ‘helpful’ but also suggests that a small proportion of customers would prefer not to receive roaming alerts, with 1% finding them ‘annoying’. In addition, 9% of customers said they had decided to opt out of receiving them.<sup>124</sup> CCNI research into the experiences of customers in Northern Ireland also highlighted that some customers would prefer not to receive roaming alerts and said that they did not need to be reminded more than once.<sup>125</sup> Therefore, we remain of the view that it is important that customers have, and are aware of, the option to opt out/back in to roaming alerts if they wish. We note that the Retained Roaming Regulations previously required providers to give customers the option to opt out/back in.
- 3.105 We recognise the points raised by providers around the potential for future harm if customers opt out of roaming messages without being aware of or understanding the

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<sup>123</sup> Non-confidential consultation responses from [BT](#), [giffgaff](#), [Tesco Mobile](#), [Three](#), [Virgin Media O2](#) and [Vodafone](#).

<sup>124</sup> Mobile Roaming Research 2022, Yonder. Q16: You said you are aware of mobile roaming alerts. We are interested in how you feel about receiving these even if you do not read them. How do you feel about receiving the following types of mobile roaming alert? Base: All aware of alerts (629). Q20: Are you aware you can opt out of roaming alerts? Base: All aware of alerts (629).

<sup>125</sup> [CCNI Research 2023](#) Slide 44. Q: How do you feel about receiving the following types of mobile roaming alert ...? Base: All who had used a mobile phone outside the UK in the 12 months prior to the research who were aware of mobile roaming alerts (464). Slide 45. Q: Why did you find these alerts not very helpful or annoying? Base: All who had used a mobile phone outside the UK in the 12 months prior to the research who found at least some of them not very helpful or annoying (140).

possible consequences, and forget to opt back in. We note that providers are not required to offer a text-based option and therefore any development work, that some providers mentioned in their responses, to implement this is not required. Our proposed rules and guidance were not intended to mandate that providers offer the ability to opt out/back in to roaming alerts via a text function, rather it was an example of opt out/back in approach that providers may choose to offer customers. This is an option that would remain open to providers, but we have removed it from the good practice examples in the guidance. Our guidance notes that the opt out/back in option should be available free of charge and easy for customers to access and use, for example by contacting the provider by phone and/or live chat. This would give providers the opportunity to provide relevant information to customers (e.g. the possible consequence of opting out) so they can make an informed decision. Our guidance also sets out that we consider it good practice for providers to periodically remind customers that have previously opted out of receiving roaming alerts about the option to opt back in (e.g. an annual reminder ahead of the peak travel period).

## Alternative options proposed by respondents

3.106 A small number of respondents suggested alternative approaches to help protect customers when roaming. We consider each of these below.

### Summary of responses on alternative options

- 3.107 Two respondents suggested we mandate a default data roaming limit. Utility Warehouse suggested this as a potential alternative to the proposal to include personalised bill limit information in roaming alerts.<sup>126</sup> MSE said the choice for the default data roaming limit to be voluntary represents a weakening of consumer rights following the UK's exit from the EU.<sup>127</sup> They flagged particular concern for vulnerable consumers who may find it difficult to set their own bill limits and previously benefited from a default data roaming limit.
- 3.108 MSE also said that our rules should go further and mandate the definition of a roaming day as "24-hours from first use".<sup>128</sup> It suggested the current variety of approaches by different providers could be confusing to customers, and in instances where a provider defines a 'day' as until 11.59pm, a customer could land somewhere at 11.55pm and be charged for a whole day roaming even where they have accessed roaming services for less than 5 minutes.
- 3.109 MSE also proposed we mandate that customers be notified shortly before rather than at the end of the roaming period (e.g. an hour before the end of the roaming 'day' instead of only at the end of the roaming period when a customer could already have been charged for a further day).<sup>129</sup>
- 3.110 Which? suggested that Ofcom should carry out further research with consumers on the new guidance and measures.<sup>130</sup> CCNI also suggested it would be helpful to test messages with customers.<sup>131</sup>

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<sup>126</sup> [Utility Warehouse](#) non-confidential response, page 3.

<sup>127</sup> [MSE](#) non-confidential consultation response, page 3.

<sup>128</sup> [MSE](#) non-confidential consultation response, page 4.

<sup>129</sup> [MSE](#) non-confidential consultation response, page 6.

<sup>130</sup> [Which?](#) non-confidential consultation response, page 2.

<sup>131</sup> [Consumer Council Northern Ireland](#) non-confidential consultation response, page 10 and 11.

## Our assessment and conclusions on alternative options

- 3.111 We note that the default roaming limit set out in the EU Roaming Regulations focused on data roaming and was put in place before the bill limit protections in the Act were introduced in the UK. The mobile bill limit provisions in the Act are broader and apply to all mobile usage including calls and texts as well as data and both in and outside of the UK. Information from providers highlighted that on average, only 1% of customers who roamed reached the default data roaming limit each month. Of these, 54% consented to continue to use data services while roaming once their limit had been reached.<sup>132</sup>
- 3.112 We note that many providers continue to offer default data roaming limits and/or general backstop spending limits (in addition to providing customers with the opportunity to set or amend a bill limit). The new GC requirements do not prevent providers from offering these and we have included in the guidance as an example of good practice. The information in the roaming alerts should help customers understand any roaming charges at the point of roaming (including any fair use limits) and signposting customers to further information on any likely delay between a request to set/amend and the limit being put in place, how to check if it is in place and how to monitor and limit spend. In response to the proposal to mandate the definition of a roaming day, we note that the new GC will require providers to provide information to customers so they can understand the start and end of any time period that applies to time limited charges. This should help to address potential for consumer confusion and ensure they have sufficient information to allow them to make an informed decision about using roaming services at a particular point in time. Providers advised their approaches to defining a roaming day are largely based on how their systems are set up.<sup>133</sup> However, we consider it good practice for providers to base it on 24 hours from first use.
- 3.113 In response to the proposal to change when customers are notified at the end of a roaming day, we note that this would require a change to GC C3.13 which requires a notification to be sent when a time/volume plan is ‘fully consumed’. This GC was only recently put in place so it is too early to assess any further changes to it. We also have not seen significant numbers of complaints about this issue from customers.
- 3.114 We note that providers are best placed to test and adapt specific message content to reflect their offers and feedback from customers. We encourage providers to carry out customer testing and have processes in place to refine their roaming alerts in light of customer feedback (e.g. on ease of understanding and readability and ease of access). We include this as an example of good practice in the guidance document.

## Inadvertent roaming

### Our consultation proposal on inadvertent roaming

- 3.115 As set out in paragraphs 3.4 and 3.14, we recognise that there is potential for harm to occur when a customer roams inadvertently. It is a particular issue in border regions but can also happen many miles from a border. It can happen when customers are in the UK, with instances of customers on the Kent border roaming to French networks, and particularly

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<sup>132</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Total number of customers that reached Default Data Roaming Limit during 1 September 2021 to 31 August 2022 and, of these, how many consented to continue to use data services while roaming.

<sup>133</sup> Mobile providers responses to a statutory information request dated 11 October 2022.

between Northern Ireland and Ireland, or while UK customers are travelling abroad (when their device connects to a network based in a different country to where they have travelled).

- 3.116 Our research found that 14% of UK mobile customers reported experiencing inadvertent roaming in the last 12 months, with 8% of customers experiencing inadvertent roaming when travelling outside of the UK and 6% within the UK, including 2% of customers connecting to French networks while on the English coast.<sup>134</sup> Switch off of networks in different countries in the coming years could also have an impact on the extent to which customers experience inadvertent roaming (e.g. switch off of 2G and 3G networks could impact on which networks are available for a device to connect to on either side of a border).
- 3.117 For customers who are not expecting to roam into a different country, they are unlikely to have researched the impact and considered their options. Therefore, unless they are notified when their device starts roaming, they may receive unexpected bills or may choose not to use their device if they are unclear about when they are roaming and/or don't know how their usage will affect those charges.
- 3.118 Given the harm identified and the potential for future harm, we proposed a new GC to require providers to:
- have measures in place to enable customers to reduce and/or limit expenditure related to inadvertent roaming while they are in the UK; and
  - provide clear, comprehensible and accurate details about the above measures and also how to avoid inadvertent roaming in and outside of the UK, particularly in border regions.
- 3.119 We proposed the new requirements related to inadvertent roaming would apply to residential and small business customers (with up to 10 employees) only.

### Summary of responses on inadvertent roaming

- 3.120 Most responses broadly agreed with our inadvertent roaming proposals.<sup>135</sup> Responses did not generally raise specific issues with our assessment of inadvertent roaming or the need for specific measures for customers who inadvertently roam. Responses also did not raise issues relating to the size of customer that the inadvertent roaming proposals should apply to.
- 3.121 However, as noted in paragraphs 3.20, Sky did not agree that any regulation is required, and this included formal regulatory requirements to protect customers who inadvertently roam. However, Sky did note that it will continue to have in place and publish measures to enable customers to reduce and/or limit expenditure related to inadvertent roaming while in the UK and to provide information on how to avoid inadvertent roaming both in and outside of the UK.<sup>136</sup>

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<sup>134</sup> Mobile Roaming Research 2022, Yonder. Q28: Where did the unintended roaming occur? Base: All with a mobile phone (2,069), All who have experienced unintended roaming (254). The term unintended roaming was used within our customer research questionnaire rather than inadvertent to aid participants' understanding.

<sup>135</sup> Non-confidential consultation responses from [ACNI](#), [BT](#), [Citizens Advice Scotland](#), [Communications Ombudsman](#), [Consumer Council Northern Ireland](#), [Department for the Economy of Northern Ireland](#), [FCS](#), [giffgaff](#), [MSE](#), [Three](#), [Tourism Ireland](#), [Tourism Northern Ireland](#), [Which?](#), [Utility Warehouse](#), [Verastar](#), [Vodafone](#), and confidential response from [redacted]

<sup>136</sup> [Sky](#) non-confidential consultation response, page 7.

3.122 Several consumer organisations suggested our inadvertent roaming proposals should go further:

- ICBAN asked that Ofcom work alongside ComReg to use the Common Travel Area Memorandum of Understanding (MoU) to ban providers from charging for roaming between the UK and Ireland.<sup>137</sup>
- The Communications Consumer Panel (CCP) felt that providers should carry the cost for inadvertent roaming in Northern Ireland, and that providers should treat the issue between the UK and Ireland differently to customers travelling elsewhere outside the UK.<sup>138</sup>
- Which? suggested that providers should compensate customers for UK based inadvertent roaming.<sup>139</sup>
- Tourism Northern Ireland said that companies should be required to offer advice to consumers who are impacted by inadvertent roaming, specifically where it has resulted in a default of payment.<sup>140</sup>

### Our assessment and conclusions on inadvertent roaming

3.123 Inadvertent roaming is a particular issue for customers in Northern Ireland. CCNI research found that 22% of Northern Ireland mobile customers experience inadvertent roaming when in the UK.<sup>141</sup> More than 818,000 people live in Northern Ireland Council areas that share a border with Ireland and we note that this is a soft border, with some homes physically straddling it.<sup>142</sup> In addition, the geography of the island means inadvertent roaming can happen many miles from the border (e.g. our analysis of mobile crowdsourcing data from Opensignal identified examples of this happening in Newry, Keady, Castlerock and Greysteel).<sup>143</sup>

3.124 However, we note that it is not an issue exclusive to the border of Northern Ireland and Ireland, it is also an issue that impacts customers in other parts of the UK and outside the UK. One such example is instances of customers in Kent roaming onto French networks. We want to ensure that providers recognise this issue and all the customers it impacts and will highlight an example of inadvertent roaming outside of Northern Ireland in our guidance.

3.125 We are mindful that it may not be possible to eliminate all potential harms caused by inadvertent roaming simply by notifying customers that they are roaming. Customers who are well informed about inadvertent roaming may still face harm. For example, some customers may have no choice but to roam onto another country's network when they are using or need to use their device. They may then face additional charges despite using their device while they are located in the UK. This is a common problem for those living or working in UK border regions. There may be particular harm caused where a customer's device moves on and off a network in another country even though the customer is still in the UK (e.g. during daily activities as such school and work), making it difficult for the

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<sup>137</sup> [Irish Central Border Area Network](#) non-confidential consultation response, page 2.

<sup>138</sup> [Communications Consumer Panel](#) non-confidential consultation response, page 2 and 3.

<sup>139</sup> [Which?](#) non-confidential consultation response, page 1 and 2.

<sup>140</sup> [Tourism Northern Ireland](#) non-confidential consultation response, page 2.

<sup>141</sup> [CCNI research 2023](#). Slide 39. Q: Where did the unintended roaming occur? Base: All who had experienced unintended roaming (277).

<sup>142</sup> Northern Ireland Statistics and Research Agency, Table MS-A01 Usual resident population, [Census 2021 statistics](#)

<sup>143</sup> Crowdsourcing is an approach that gathers network measurements over many different devices, to build up a view of the network quality in an area. See Figure 5 and paragraphs A1.25 and A1.26 in Annex 1.

customer to effectively manage spend, even if they are well informed that their device may roam.

- 3.126 Roaming alerts go some way to reducing the risk of harm to customers from inadvertent roaming. However, a requirement for providers to send roaming alerts with pricing information when they inadvertently roam does not guarantee that providers will take any targeted steps to protect the interests of such customers. And such customers may therefore continue to suffer adverse consequences from roaming while in the UK (or suffer adverse consequences if they choose to not roam). We note that, before EU level roaming protections were put in place, customers in Northern Ireland were regularly charged significantly more for inadvertent roaming and there is a risk that this could happen again in the future.<sup>144</sup>
- 3.127 Therefore, additional protections are necessary in relation to inadvertent roaming. We consider that a requirement for providers to have in place additional measures to enable customers to reduce or limit their expenditure on roaming services while they are in the UK is important to reduce the risk of consumer harm. We also consider the provision of information by providers to customers on how to prevent inadvertent roaming in border regions to be an important transparency protection alongside roaming alerts as it should give customers more confidence about using their device and enable them to take any available and appropriate actions to reduce their risk of unexpected bills. For example, providers could make it clear to customers where inadvertent roaming often happens (e.g. they may highlight that customers roaming in Cyprus may inadvertently roam in Turkey and provide information on how to adjust the settings on the device to connect to a Cyprus network).
- 3.128 We remain of the view that requirements relating to inadvertent roaming should apply to residential and small business customers only. As set out in paragraph 3.54, our understanding is that large businesses, particularly those that are significant users of mobile services, are likely to have a stronger bargaining position and be better equipped with the skills and resources to manage their mobile service than residential and small business customers. We note however that providers may in practice choose to extend protections relating to inadvertent roaming to larger businesses and our approach would not prevent this.
- 3.129 We recognise that Sky alongside many other providers are already providing measures to help protect customers from the impact of inadvertent roaming while in the UK. However, without formal regulation we cannot guarantee that providers will continue to provide these measures, nor can we ensure that all customers, regardless of their provider receive measures to protect them from the impact of inadvertent roaming. Our approach seeks to take account of providers' current practices and we have included examples of these in our guidance document (e.g. treating Ireland usage as UK usage to customers in Northern Ireland to protect them from inadvertent roaming).
- 3.130 In response to suggestions that our proposals should go further, we note that the Common Travel Area MoU does not include specific provisions that would prohibit providers for charging for roaming between the UK and Ireland. However, under our proposals, providers would need to have measures in place to enable customers to reduce and/or limit expenditure related inadvertent roaming while they are in the UK. An example of this would

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<sup>144</sup> Section 1.4 of Ofcom [Annual Review of Communications Markets In Northern Ireland](#).

be to treat Ireland usage as UK usage and providers could also consider providing refunds or compensation to customers affected by inadvertent roaming whilst in the UK. We would also encourage providers to target roaming alerts at customers who are at an increased risk of inadvertent roaming (e.g. tailoring messages for customers roaming in countries where this may be more likely to happen and highlighting steps they can take to help protect themselves from inadvertent roaming). Ofcom has highlighted in its news centre pages examples of the roaming tariffs providers offer customers in NI.<sup>145</sup>

- 3.131 We remain of the view that we should introduce new rules requiring providers to:
- have measures in place to enable customers to reduce and/or limit expenditure related to inadvertent roaming while they are in the UK; and
  - provide clear, comprehensible and accurate details about the above measures and also how to avoid inadvertent roaming in and outside of the UK, particularly in border regions.

## Summary of conclusions on protections for customers when roaming

- 3.132 In summary, we remain of the view that regulation is the most appropriate way to limit the risk of customer harm associated with roaming. In particular, that providers should be required to:

- a) send roaming alerts to customers when they start roaming, providing information relating to roaming charges, bill limits and where to find further information; and
- b) have measures to help customers reduce and/or limit spend on inadvertent roaming in the UK and provide customers with information relating to inadvertent roaming.

- 3.133 However, having taken account of responses to our consultation, we recognise that some of the specific requirements on which we consulted might have been more onerous than required in order to achieve our policy objective (specifically, relating to the information that should be provided to customers in roaming alerts about mobile bill limits and charges). For that reason, we have considered alternative requirements regarding mobile bill limits and charging information and have explained in this section why we consider that they would be a more proportionate means of achieving our policy objective. We have also considered modifications to our proposed guidance in light of consultation responses (for example, regarding the frequency of alerts).

- 3.134 We explain in Section 4 why, when taken as a whole (including with the modifications made to address comments from consultation responses') and having regard to Ofcom's statutory duties, this targeted regulation is proportionate and satisfies the relevant legal tests.

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<sup>145</sup> Ofcom [News centre article on roaming charges](#).

## 4. Decision and implementation

### Overview

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- 4.1 We have considered in Section 3 whether regulation is needed in order to adequately protect customers when roaming; and what the scope of that regulation should look like.
- 4.2 Having done so and taking into account consultation responses and the evidence we have received; it is our view that new rules are required in order to meet our policy objectives and protect customers from harm.
- 4.3 As a reminder, the options we have considered in making our assessment are: (i) do nothing and rely on voluntary measures; (ii) implement our consultation proposals without any changes; and (iii) implement a modified approach. As discussed in Section 3, do nothing is not appropriate as it does not meet our policy objectives. We have also assessed that our consultation proposals needed modification based on the responses and evidence received.
- 4.4 On that basis, we set out below why we consider it is appropriate and proportionate to introduce option (iii) the modified approach, having regard to Ofcom's statutory duties. In particular, we explain our decision that it is appropriate to introduce the new rules and new guidance as set out in Annex 3 to achieve our policy objective and therefore protect the interests of customers. These rules are targeted to be effective in addressing the risk of customer harm we have identified, while also being the least onerous means of achieving our objective. We consider that the new rules are proportionate and will deliver benefits to a material number of customers, while not imposing significant costs on providers.
- 4.5 We also explain our decision that the new rules should come into force on 1 October 2024.

### Proportionality of the general conditions changes and guidance

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- 4.6 Under our regulatory principles, we operate with a bias against intervention. This is based on our duty under s.3(3)(a) of the Act to have regard to the principles under which regulatory activities should be proportionate and targeted only at cases where action is needed. In assessing the proportionality of the changes to GC C3 and guidance we have undertaken an assessment to:
- a) consider whether it would be an effective means of achieving our policy objectives;
  - b) consider whether using our power to set General Conditions specifying roaming customer protections is necessary to achieve our policy objectives or could be achieved by a less onerous approach; and
  - c) assess the proportionality of our proposals in the round, including whether requiring providers to implement the proposals would give rise to adverse effects which are disproportionate to the policy objectives.
- 4.7 Overall, we consider that new roaming requirements in the General Conditions (as set out in Annex 3) go no further than is necessary to ensure that customers are adequately protected when roaming.

## Effective means of achieving our policy objective

- 4.8 As set out in paragraphs 2.14 and 2.15, our policy objectives are to ensure customers are adequately protected when roaming. Customers should be able to make informed decisions and use their device with confidence when roaming. This means being able to access timely information which is clear and accurate, being able to manage their roaming spend and being protected from any harms associated with unexpected roaming bills and inadvertent roaming.
- 4.9 As set out at paragraphs 3.21 to 3.33, while existing rules and voluntary measures help mitigate some of the harms we have identified, our view is that relying on these and the ‘do nothing’ option would not meet our policy objective. Consequently, our view is that regulation which sets out clearly Ofcom’s expectations is required.
- 4.10 In contrast, as we have set out in Section 3, both our consultation proposals and the modified approach will prevent the customer harms associated with the absence of suitable roaming alerts and protections for consumers who inadvertently roam. The modified approach will ensure that all customers who roam (whether intentionally or inadvertently), regardless of their chosen provider, will benefit from specific roaming protections including such information as is necessary to enable them to understand any roaming charges that may apply, how to avoid inadvertent roaming and how to reduce and/or limit their expenditure on roaming services while they are still located in the UK (e.g. Ireland usage is treated as UK usage).

## Our decisions are the least onerous way of achieving our policy objective

- 4.11 As our assessment is that only formal rules would meet our policy objectives, we have considered whether there are any aspects of the rules and guidance that are not necessary to achieve the objectives.
- 4.12 While we consider that our consultation proposal would meet our policy objective, we think that we can achieve our regulatory objective without a requirement to provide personalised mobile bill limit information (e.g. the balance of a customers’ mobile bill limit within the roaming alert) and by implementing a more flexible outcomes-focused approach to providing information on roaming charges.<sup>146</sup>
- 4.13 Subject to these changes, our view is that each element of our modified approach is necessary and that this package of measures is the least onerous way to deliver against our policy objective. We consider that it is necessary for providers to send alerts including information on roaming charges, bill limits and where to find further information and have measures in place to mitigate harms related to inadvertent roaming. This means customers have timely information to enable them to understand what they may be charged, make informed decisions about using roaming services and avoid unexpected bills.
- 4.14 The new requirements apply to mobile roaming. All customers who roam (whether intentionally or inadvertently) will therefore benefit from mandatory protections, including clear, comprehensible, accurate and timely information about roaming charges and how to

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<sup>146</sup> Other changes discussed in Section 3 include providing greater flexibility in relation to the frequency of sending roaming alerts and clarifying that all of the required information does not need to be sent in a single alert.

limit spend, as well as protections against the impact of inadvertent roaming, regardless of their choice of provider. The new requirements are likely to particularly benefit those customers who value roaming alerts more or experience inadvertent roaming on a regular basis. Our research indicates that disabled customers are more likely to find roaming alerts essential or helpful.<sup>147</sup> <sup>148</sup> Customers based in Northern Ireland are more likely to experience inadvertent roaming than UK customers as a whole.<sup>149</sup> Therefore these customers may benefit more.

- 4.15 The revised GCs and guidance take account of providers' current practices and provide a degree of flexibility for providers on what information they provide to customers and how they provide it as well as the measures they can put in place to help customers reduce/limit spend related to inadvertent roaming whilst in the UK. The requirements are clearly linked to the outcomes we want to deliver for consumers which should also help provide a degree of future proofing (e.g. if roaming tariff structures change over time). The requirements do not prevent providers continuing any additional roaming safeguards (e.g. retaining default spend limits for roaming).

## Our decisions do not give rise to disproportionate adverse effects

- 4.16 We have considered whether our decisions give rise to adverse effects which are disproportionate to the policy objectives. For the reasons set out below, we do not consider that this is the case.

### There are clear and meaningful benefits of providing roaming alerts and information that enables customers to make informed roaming decisions

- 4.17 Roaming alerts benefit all customers who roam (whether intentionally or inadvertently). Data from providers suggests that in the 12 months to August 2022 the number of UK customers who roamed was likely to be around 13.1m in the EU and 6.2m in the rest of the world.<sup>150</sup> These customers will benefit from roaming alerts in different ways depending on their specific circumstances.
- 4.18 Roaming alerts have multiple uses for customers, with most finding them essential or helpful for knowing when they're roaming, monitoring charges and limits and how much they'll be

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<sup>147</sup> Mobile Roaming Research 2022, Yonder. Q16: You said you are aware of mobile roaming alerts. We are interested in how you feel about receiving these even if you do not read them. How do you feel about receiving the following types of alert: Messages when you first begin to roam informing you of charges? Base: All aware of roaming alerts (629). 60% of disabled customers compared to 44% of non-disabled customers rated messages when you begin to roam as essential.

<sup>148</sup> We note that disabled customers and financially vulnerably customers were as likely as all customers aware of roaming alerts to find roaming alerts annoying (1%).

<sup>149</sup> Mobile Roaming Research 2022, Yonder. Q27 / [CCNI research 2023](#) Slide 37: Q: Have you experienced unintended roaming in the last 12 months? 1. When travelling outside of the UK (England/Scotland/Wales/Northern Ireland) 2. Within the UK (England/Scotland/Wales/Northern Ireland)? Base: All mobile phone users (Yonder 2,069, CCNI 993). 14% of the Yonder (total UK) sample and 28% of the CCNI (Northern Ireland) sample reported experiencing inadvertent roaming inside and/or outside of the UK in the last 12 months.

<sup>150</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Note that there is likely to be an overlap between these two figures i.e. customers who roam in both the EU and rest of world countries.

charged if they go over their limit.<sup>151</sup> Overall, the evidence highlights that timely information on roaming charges is valued by customers and that most customers change their behaviour in some way after receiving roaming alerts.<sup>152</sup> Roaming alerts with timely information on fair use policies (e.g. fair use data limits), how a time period is defined (e.g. the start and end point for daily charges) and information on mobile bill limits will further increase transparency and help customers to make informed decisions about using mobile services when roaming, monitor and manage spend and avoid unexpected bills.

4.19 The extent of the harm avoided by individual customers will also vary depending on customers' individual circumstances.

- a) Customers on pay monthly contracts who do not have a mobile bill limit in place (around 28.2 million customers<sup>153</sup>) may, in the absence of intervention, be exposed to relatively high unexpected charges because there is no limit in place.<sup>154</sup> Potential unexpected costs to pre-pay customers (of which there are around 24.1 million) will be limited to the amount of credit on their account (although some customers have auto-top ups in place which could lead to them being exposed to a larger bill). Customers with a mobile bill limit in place (28.5 million customers) will have their charges limited to the level of the cap they have set (unless they give their consent to continue to use services beyond this).
- b) The level of charges can vary greatly depending on where a customer is roaming (e.g. some providers do not charge customers to use their UK allowances when roaming periodically in the EU while others apply daily charges to do this of between £2 to £2.30. Roaming charges are generally much higher in countries outside the EU) and may also be subject to fair use limits.<sup>155</sup>
- c) Evidence suggests that disabled customers who are aware of roaming alerts are more likely to find them essential or helpful (60% of disabled customers said that alerts at the start of roaming were essential compared to 44% of non-disabled customers).<sup>156</sup>
- d) Customers that do not look up charges before they roam would be at risk of unexpected bills in the absence of roaming alerts. They may also avoid using their device because of the uncertainty over the charges they may face. A key benefit of roaming alerts is the role they play in avoiding this harm.
- e) Even customers who look up charges before they leave the UK (see paragraph A1.10) may still benefit from roaming alerts because they provide clear and accurate information at the right time (i.e. at the point they start roaming). This could provide greater confidence to those customers and reduce the risk that they might have made a mistake or misunderstood the charges they will face (based on their earlier research).

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<sup>151</sup> See paragraphs 3.6 to 3.9 and Annex 1 for further details.

<sup>152</sup> See paragraphs 3.6 to 3.14 and Annex 1.

<sup>153</sup> Mobile providers' responses to a statutory information request dated 11 October 2022.

<sup>154</sup> We note that our survey evidence indicates that customers without a mobile bill limit are less likely to do additional research; 30% of customers who said they do not have a mobile bill limit said that they do not do any research before travelling (compared to 18% for all customers). Mobile Roaming Research 2022, Yonder. Q10 "Before travelling did you/will you do any of the following?"

<sup>155</sup> For further details on current roaming charges see Annex 2.

<sup>156</sup> Mobile Roaming Research 2022, Yonder. Q16: You said you are aware of mobile roaming alerts. We are interested in how you feel about receiving these even if you do not read them. How do you feel about receiving the following types of mobile roaming alert? Base: All aware of alerts (629).

- f) Customers can change their behaviour and be more confident in their device use when roaming as a result of the roaming alert. Our research shows that 72% of roaming customers did something differently because of receiving a roaming alert. In many cases this was to reduce phone usage while roaming, but 9% of customers reported using their phone more as a result.<sup>157</sup>
  - g) Roaming alerts benefit customers who experience inadvertent roaming. Customer research shows that 14% of all UK customers<sup>158</sup> and 28% of customers in Northern Ireland have experienced inadvertent roaming in the past twelve months.<sup>159</sup> The provision of roaming alerts is typically the only way that customers will find out that their device has connected to a mobile network located in another country.
- 4.20 We note that roaming charges may change over time and this will affect the scale of the benefits that roaming alerts provide. Before the EU Roaming Regulations were in place, roaming charges for UK customers travelling to EU countries were much higher than they are currently, and if prices change in the future then roaming alerts will provide an important benefit in reminding customers and helping them to understand the charges that apply to them. If roaming charges are increased in the future, then the benefit in terms of harm avoided will also increase.
- 4.21 We note that while many providers are currently providing roaming alerts voluntarily, differences exist in the quality of the content and clarity of information provided in roaming alerts; particularly around fair use data limits, how providers define a day and signposting customers to where they can set or amend mobile bill limits or find more information on how to limit their spend. Additionally, a benefit of our proposals on roaming alerts is through addressing the risk that one or more providers may choose not to send roaming alerts in the future. Our revised GC requires providers to provide sufficient clear, comprehensible and accurate information so that customers can make informed decisions and are able to understand how their usage when roaming may affect the charges they will incur and how they can manage and limit their spend and avoid unexpected bills.

### The costs of providing roaming alerts and information that enables customers to make informed roaming decisions

- 4.22 Prior to the end of June 2022, providers were required to provide customers with several automatic alerts regarding roaming, including one when roaming commenced. These alerts had to include basic personalised information about roaming charges. Providers were also required to provide other information on roaming such as the risks of automatic and uncontrolled data roaming connections/downloads and how to switch off automatic data roaming.<sup>160</sup>
- 4.23 Most providers have continued to provide roaming alerts and signpost customers to information on roaming on their websites voluntarily, even though they are no longer

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<sup>157</sup> Mobile Roaming Research 2022, Yonder. Q19: Did you do any of the following as a result of seeing the information in the alerts? Base: All who have read alerts (557).

<sup>158</sup> Mobile Roaming Research 2022, Yonder. Q27: Have you experienced unintended roaming in the last 12 months? Base: All with a mobile phone (2,069).

<sup>159</sup> [CCNI research 2023](#). Slide 37 Q: Have you experienced unintended roaming in the last 12 months? Base: All mobile phone customers (993).

<sup>160</sup> Further details on the Retained Roaming Regulations at paragraph 2.3.

obliged to do so.<sup>161</sup> Because of that, providers already publish certain information about roaming and have systems and processes in place to send roaming alerts.<sup>162</sup> Additionally, sending text messages to customers is standard practice for providers in many situations (e.g. mobile bill limit alerts, tariff limit alerts, switching information and switching codes). As such, providers have general systems and processes in place to support sending customers messages rather than systems and processes solely for sending roaming alerts. Information from providers indicates that the cost of providing these existing roaming alerts is relatively low, in the range of 0.05p-0.52p per customer per month.<sup>163</sup>

4.24 In our July consultation, we set out that we expected the cost of providing roaming alerts containing information on roaming charges (as set out in our original proposals) would be in this range, and that the cost of providing personalised information on mobile bill limits could represent an additional cost for providers on top of this. We said that the costs of this were likely to vary depending on a provider's systems and whether a provider sent their own roaming alerts or contracted this out to a third party.

4.25 Several responses to our consultation included cost estimates for implementing our consultation proposals as a whole (including the requirements on personalised mobile bill limits and personalised roaming charges information). These varied between providers and were up to £2m.

- BT estimated that the implementation costs of our proposals would be around £[X] and said that these costs were driven by the requirement to provide information on personalised bill limits within the roaming alert and providing 'dynamic' quantitative limits on roaming services.<sup>164</sup>
- Three advised its implementation costs would be £[X] to £[X]<sup>165</sup> and confirmed that this cost estimate was largely driven by the requirement to provide personalised bill limit and personalised charging information within the roaming alert.<sup>166</sup>
- Vodafone estimated its implementation costs would be £[X] to £[X]<sup>167</sup> and confirmed that these costs were driven by the requirement to provide information on personalised mobile bill limits.<sup>168</sup>

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<sup>161</sup> We note that there is some information related to roaming that providers do need to make available to customers. Further details are set out in paragraph 3.21.

<sup>162</sup> As set out in paragraph 2.6, GC C2 requires providers to publish information for residential and small business customers including a description of the services offered, pricing information and contract terms. These apply to roaming services as well as services in the UK.

<sup>163</sup> Mobile providers' responses to a statutory information request dated 11 October 2022. We asked providers to tell us the annual cost of providing roaming alerts, which we divided by 12 and then by the total number of customers at each provider to give this range of costs per subscriber per month. Six providers submitted numerical data in response to this request. However, the figure provided by one provider included a number of costs not related to roaming specifically, so we have not included this in the calculation as it was not comparable. For the other five providers who provided data, the majority of these provided a figure which included the costs of alerts and other services and/or systems relating to roaming, suggesting that this is likely to be an over-estimate of the costs to providers of providing roaming alerts alone. Several other providers also responded that there was no separate cost to them in providing these alerts, for example because alerts are provided by their network partner as part of a wholesale service.

<sup>164</sup> BT confidential consultation response, section 5.

<sup>165</sup> Three confidential consultation response, page 6.

<sup>166</sup> Ofcom / Three meeting, 13 December 2023 and Three follow-up email dated 19 January 2024.

<sup>167</sup> Vodafone confidential consultation response, page 6.

<sup>168</sup> Ofcom / Vodafone meeting, 14 November 2023.

- Sky said that the inclusion of personalised bill limits would require extensive development that would demand significant budget.<sup>169</sup>
  - Utility Warehouse commented that the inclusion of personalised bill limits would be significantly more costly and expensive for MVNOs and wholesale providers.<sup>170</sup>
  - Several industry stakeholders (MNOs, MVNOs and a trade association), highlighted that there can be particular challenges in providing detailed and accurate information on roaming charges at an individual customer level; where a provider contracts out the sending of roaming alerts.<sup>171</sup>
- 4.26 As set out in paragraph 3.89 we have decided to change our approach to providing information on mobile bill limits within roaming alerts, such that providers will be required to provide only more general information about mobile bill limits. As a result, providers will not have to incur these costs to comply with our rules.
- 4.27 As we have also set out in paragraphs 3.61 to 3.71, we have changed our approach to information on roaming charges to allow providers greater flexibility in how they deliver the required information to their customers.
- 4.28 Several providers said that the cost of this modified approach would be lower than the cost of implementing our consultation proposals.
- BT advised its cost estimates would be lower than £[redacted] if they did not have to include personalised bill limits in the roaming alerts nor dynamic information on quantitative limits (e.g. a customer has 30GB left of a 50GB fair use data roaming limit).<sup>172</sup> It said that our proposed changes provided greater flexibility regarding the information provided in roaming alerts and confirmed that the reduction in complexity would mean that its implementation costs would be lower than originally forecast.<sup>173</sup>
  - Three confirmed that if personalised or dynamic information was no longer mandatory within roaming alerts its costs would fall within the range of 0.05p to 0.52p per customer per month originally set out in our July consultation. It would still need to undertake a review of its roaming alerts to ensure they comply with the new requirements and update a number of supporting webpages.<sup>174</sup>
  - Vodafone said that it anticipated that the revised requirements could be satisfied through their existing messaging, and that if that were the case the cost for implementation would be low and under the bottom end of the scale that it originally provided (£[redacted] to £[redacted]).<sup>175</sup>
- 4.29 As noted above, several respondents noted difficulties with sending detailed information on roaming charges where a provider contracts out the sending of roaming alerts. For example, via a wholesale arrangement with an MNO or a contract with another third party. This is because the provider typically holds the customer's specific information, which means that MNO or other third party would not necessarily hold or have access to the roaming charge

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<sup>169</sup> [Sky](#) non-confidential consultation response, page 4.

<sup>170</sup> [Utility Warehouse](#) non-confidential consultation response, page 2.

<sup>171</sup> [BT](#) non-confidential consultation response, [FCS](#) non-confidential consultation response, [Three](#) non-confidential consultation response, [Utility Warehouse](#) non-confidential consultation response, [Verastar](#) non-confidential consultation response, and [redacted] confidential consultation response.

<sup>172</sup> BT follow-up letter dated 21 December 2023.

<sup>173</sup> BT follow-up letter dated 6 March 2024.

<sup>174</sup> Three follow-up email dated 7 March 2024.

<sup>175</sup> Vodafone follow-up email dated 7 March 2024.

information to be included in the roaming alert. It is typically the MNO that has timely information about when a device starts roaming on a network outside the UK; which can make it difficult for the provider to provide information in a timely way. These issues are explained in more detail in paragraph 3.60.

- 4.30 Our new rules give providers the flexibility to provide the information a customer needs to understand their roaming charges in a number of different ways. For example, by providing some information in the roaming alert and signposting the customer to where they can access further information. To comply with the modified approach the information provided must be timely, clear and accurate and any signposted information must be delivered through an easily accessible and free of charge channel such as a free to call number or a zero-rated website.
- 4.31 Providers and their partners will need to work together to deliver roaming alerts in line with the new rules. We expect both parties to engage constructively with each other and to take proactive steps to ensure compliance with our new rules.
- 4.32 We note that some providers indicated that significant costs were associated with not being able to send more than one message to notify a customer at point of roaming. We have clarified in our modified approach that providers will be able to send information in more than one alert if they wish to do so.
- 4.33 We consider that our modified approach addresses providers' concerns about costs while still meeting our policy objective to ensure that customers can make informed roaming decisions. For most providers their current systems and processes will be sufficient to meet the requirements or they will be able to meet these requirements with small changes to their current practice.

### The benefits of providing additional inadvertent roaming protections

- 4.34 As set out in paragraph 3.14, inadvertent roaming can occur both in and outside the UK and can result in customers receiving higher bills. Some customers may have no choice but to roam onto another country's network when they are using or need to use their device. It can be a common problem for those living or working near a border (e.g. customers in Northern Ireland).
- 4.35 Requiring the provision of information about how to avoid inadvertent roaming in border regions is an important transparency protection alongside roaming alerts as it should give customers more confidence about using their device and enable them to take any available and appropriate actions to reduce their risk of unexpected bills.
- 4.36 Requiring providers to have measures in place to enable customers to reduce and/or limit expenditure related to inadvertent roaming while in the UK, will help ensure that customers are able to mitigate the impact of inadvertent roaming and use their device with confidence in the UK. It will particularly benefit customers in Northern Ireland for whom inadvertent roaming is often a common issue.
- 4.37 We note that many providers are already providing measures to protect customers from the impact of inadvertent roaming while in the UK, so the benefit of our regulation is in ensuring that all providers have adequate measures in place and that all customers are adequately protected from the harms associated with inadvertent roaming.

## Assessing the costs of providing additional inadvertent roaming protections

- 4.38 Our assessment is that the implementation costs of our decision to require providers to make customers aware of the risk of inadvertent roaming and the steps that they can take to avoid this, will be low. Providers already did this under the Retained Roaming Regulations and the majority of providers have continued to do this voluntarily.<sup>176</sup> Therefore, the required action is likely to be minimal (e.g. checking and updating websites to ensure there is clear, comprehensible and accurate information about steps that customers can take to avoid inadvertent roaming). In terms of ongoing costs to providers, these are also likely to be very low as once this information has been published/uploaded to the website it should not need to be updated frequently.
- 4.39 We also expect the costs to providers of having measures in place to enable customers to reduce and/or limit expenditure related to inadvertent roaming while in the UK, for example by treating Ireland usage as UK usage, will be low. Providers already did this because of the Retained Roaming Regulations and most providers have continued to do this voluntarily.<sup>177</sup>

## Final decision

- 4.40 Having carefully considered the information currently available in the round, our assessment is that regulation is both appropriate and proportionate to protect the interests of customers when roaming, whether inadvertent or not. We consider the revised GCs and guidance, set out in Annex 3, would be effective in meeting our policy objectives, are necessary to achieve the objectives and would not produce adverse effects which would be disproportionate to the objectives.

## Implementation timings

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### Overview of consultation proposals

- 4.41 We proposed an implementation period of six months from publication of the statement and the changes to GC C3 and guidance. This reflected that:
- Providers were previously required to send roaming alerts and many had advised that they currently continue to send these on a voluntary basis.
  - Providers already have systems and processes in place to send and update their roaming alerts and further changes were expected to be fairly limited (e.g. review and update information in the alerts and/or on their websites).

### Summary of responses

- 4.42 Consumer organisations that responded said that six months was long enough, or that the implementation period should be shorter. Which? highlighted concerns that customers would still face harm during the implementation period. Two responses suggested that there was a need to monitor implementation and the impact of the changes.

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<sup>176</sup> Further details on the Retained Roaming Regulations at paragraph 2.3.

<sup>177</sup> Further details on the Retained Roaming Regulations at paragraph 2.3.

4.43 Providers generally asked for more time to implement required changes. Several highlighted that the consultation proposals would be challenging and require significant new systems and processes to be developed and put in place. Some also said that they are working on implementing other requirements. For example:

- Three commented that if Ofcom required personalised and dynamic information within roaming alerts it would need a minimum of 18 months to implement.<sup>178</sup>
- Virgin Media O2 requested an implementation period of 12 months to implement changes. The inclusion of personalised mobile bill limits and a text-based facility to opt out/back into roaming alerts would require development work.<sup>179</sup>
- Sky considered at least 12 months would be needed to develop build and test technical systems to include personalised bill limits in roaming alerts. Sky also noted “the other significant regulatory interventions” they are implementing at the same time.<sup>180</sup>
- Giffgaff suggested that a minimum nine month period would be more suitable to enable them to contract, liaise and work with the third party they use to send roaming alerts to implement the proposals including an opt out/back in functionality within the alert<sup>181</sup>
- BT said six months is not long enough to implement all of the proposals, in particular to deliver dynamic information on quantitative limits and personalised bill limits information in roaming alerts. BT said it could implement this information quicker if it could direct customers to that information.<sup>182</sup>
- Vodafone said six months is not long enough to deliver the changes, namely to implement personalised bill limits within the roaming alert. Vodafone also noted “the other regulatory and commercial commitments” they are delivering.<sup>183</sup>
- Tesco Mobile noted that six months would prove a challenge to include personalised mobile bill limits within roaming alerts. Tesco Mobile said directing customers to that information would be easier.<sup>184</sup>
- [X], Utility Warehouse and Verastar noted that timings would depend on changes being implemented alongside relevant third parties.<sup>185</sup>

## Our assessment

4.44 We note that respondents’ rationale for requesting a longer implementation period tended to focus on (i) our consultation proposals on including personalised roaming charges and/or personalised bill limits in the roaming alerts and/or (ii) putting a text-based option in place for customers to opt out/back in to roaming alerts. We have modified the rules and guidance to address concerns related to (i). We also clarified that providers are not required to implement (ii) and are not limited to sending relevant information in a single alert. The changes we have made mean that providers have more flexibility in how they provide the required information to customers when roaming. The changes providers would need to

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<sup>178</sup> [Three](#) non-confidential consultation response, page 6.

<sup>179</sup> [Virgin Media O2](#) non-confidential consultation response, page 3.

<sup>180</sup> [Sky](#) non-confidential consultation response, page 2 and 8.

<sup>181</sup> [Giffgaff](#) non-confidential consultation response, page 2.

<sup>182</sup> [BT](#) non-confidential consultation response, page 12.

<sup>183</sup> [Vodafone](#) non-confidential consultation response, page 6.

<sup>184</sup> [Tesco Mobile](#) non-confidential consultation response, page 1.

<sup>185</sup> [X] confidential consultation response, page [X], [Utility Warehouse](#) non-confidential consultation response, page 4 and [Verastar](#) non-confidential consultation response, page 2.

make are therefore more limited (e.g. updating the information to be included in the roaming alerts and the information they make available through the free to access channel).

- 4.45 We note that some providers contract out the sending of roaming alerts. For example, via a wholesale arrangement with an MNO or a contract with another third party. Providers and their partners will need to work together to deliver roaming alerts in line with the new rules. We expect both parties to engage constructively with each other and to take proactive steps to ensure compliance with our new rules.
- 4.46 Therefore, we consider that it would be appropriate to proceed with an implementation period of six months from publication of this statement and the GC changes and guidance.

## Our decision

- 4.47 The new rules and guidance will apply from 1 October 2024.
- 4.48 We will engage with providers on implementation of the new requirements. We will also monitor customers experiences and the impacts after the changes have been implemented.

## Legal tests

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- 4.49 We consider the legal tests under section 47(2) of the Act are met in the context of the changes we have decided to make to General Condition C3 as those amendments are:
- not unduly discriminatory, as the requirement will be imposed on all mobile service providers equally and can be relied on by all customers when roaming. In relation to roaming charges information, we have taken an outcome-driven approach to the requirement, which allows flexibility in the provision of the information to customers whilst still achieving our policy objective. This approach will ensure that all roaming customers can access the information necessary to make informed decisions about whether (and how) to use roaming services, and there will be no unduly discriminatory impact on providers.
  - proportionate, as there is evidence of potential harm to customers caused by a gap in regulation protections since the Retained Roaming Regulations fell away. We are concerned that voluntary measures are not sufficient to address the risk of harm; they have resulted in an inconsistent quality of information being provided and we are concerned that without formal regulation in place any provider could choose to remove or vary the measures they have in place (with the risk of significant consumer harm). The new rules are limited to delivering the protections that are necessary. In relation to roaming charges information, they are prescriptive in outcome rather than prescriptive in method, there is some flexibility for providers in how they can meet the requirements, which means that associated costs are likely to be relatively low. Our regulation is therefore the least onerous and most proportionate intervention; and
  - transparent, as the rules are targeted at protecting consumers from the potential harms. The full reasons for the rules we have decided to implement are explained above. Providers are generally familiar with many of the requirements given the previous regulation which was in place. The intention and effects of the rules are clear to providers within the condition itself, namely that the information provided

must enable customers to make an informed decision about whether (and how) to use roaming services and have measures in place that help customers to limit and/or reduce expenditure related to inadvertent roaming while they are in the UK. We have also issued guidance alongside the General Condition to clarify our expectations and our likely approach to compliance and enforcement.

- 4.50 While not a requirement of the Act in the context of a General Condition, we nonetheless also consider that the changes we have decided to make are objectively justifiable as they are aimed at protecting the interests of customers by ensuring they can make informed decisions on roaming, can manage their roaming spend and avoid unexpected roaming bills by being provided with timely, clear, comprehensible and accurate information including on roaming charges and are adequately protected from harms associated with inadvertent roaming including while in the UK.
- 4.51 We also consider that our decisions are consistent with our general duties set out in section 3 of the Act and the six requirements in section 4 of the Act. In formulating and finalising our decisions, we have also had regard to the Statement of Strategic Priorities.

# A1 Summary of customer experiences of roaming and inadvertent roaming

A1.1 As part of our work to understand residential and business customers' experiences of roaming and the potential harms associated with roaming, we have considered evidence from a range of sources including:

- customer research (our own online survey of over 2,000 UK adults) and research commissioned by the Consumer Council for Northern Ireland (CCNI), with a sample size of 1,000 which provided information on the specific experiences of mobile customers in Northern Ireland. The sample for the Ofcom and CCNI research included residential and business customers (where all business customers also had a residential contract);<sup>186 187</sup>
- responses to a statutory information request;<sup>188</sup>
- information on providers' websites and examples of provider roaming related communications to customers;<sup>189</sup>
- complaints;
- information from the Communications Consumer Panel as well as consumer organisations (including MSE, Which?);<sup>190 191</sup> and
- mobile crowdsourcing data collected by Opensignal.

A1.2 This section summarises the evidence gathered of customers' experiences of roaming and inadvertent roaming.

## Customers' experiences of roaming

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### Large numbers of customers are using mobile roaming services

A1.3 Our research shows that:

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<sup>186</sup> Yonder conducted an [online omnibus survey](#) in November 2022. The sample consisted of 2108 adults aged 16+ who were UK mobile customers. The sample was weighted to be nationally representative of the UK. The sample included both residential (98%) and business (15%) customers where all business customers also had residential contracts. The [data tables](#) are available on our website.

<sup>187</sup> In January 2023, CCNI conducted an online survey of 1000 Northern Ireland mobile customers which was weighted to be representative of the Northern Ireland population. The sample included both residential (99%) and business (13%) customers where all business customers also had residential contracts. CCNI also conducted three online focus groups (6-8 participants) which focused on: customers based in Northern Ireland (general), customers who live in border regions of Northern Ireland and customers based in Northern Ireland who had travelled to Europe in the previous 12 months. CCNI, 2023. [Mobile roaming experiences of Northern Ireland customers](#).

<sup>188</sup> We issued an information request on 11 October 2022 under section 135 of the Act to the eleven providers with the largest number of mobile customers.

<sup>189</sup> We collected and analysed information from providers' websites between September 2022 and February 2024 and analysed examples of providers' roaming alerts from between August 2022 and June 2023.

<sup>190</sup> MSE, August 2022. [The roaming risk: how lapsed protections could cost consumers](#).

<sup>191</sup> Which?, 2023. [Which response to Ofcom Plan of Work 2023/24](#).

- just over half (53%) of UK mobile customers have travelled outside the UK in the past 12 months and nearly half (42%) intended to travel in the next six months;<sup>192</sup> and
- most of these customers (84%) had/intended to use their mobile phone over a network connection while abroad.<sup>193</sup>

A1.4 Information from providers shows that in a typical month between September 2021 and August 2022, 6.9% of all mobile customers roamed in the EU and 2.1% roamed in the rest of the world.<sup>194</sup> Roaming increases during the summer when UK customers are more likely to go on holiday. For example, in August 2022, 11.8% of all mobile customers roamed at least once in the EU and 3.4% in the rest of the world.

## Roaming alerts are highly valued by customers, particularly disabled or financially vulnerable customers

A1.5 There is a high level of awareness of roaming alerts among customers. Our research showed that of those who had used their mobile phone outside the UK in the last 12 months, 94% were aware of roaming alerts and 84% said they had read them.<sup>195</sup>

A1.6 As Figure 1 below shows, most customers who were aware of roaming alerts found them essential or helpful. The most valued alerts were those sent at the start of roaming informing customers of charges. Of UK customers who were aware of roaming alerts:

- 94% rated alerts when you first begin to roam as either essential or helpful,<sup>196</sup>
- 60% of disabled customers compared to 44% of non-disabled customers rated messages when you begin to roam as essential;
- very few customers (1%) found roaming alerts informing them of charges when they first begin to roam annoying;<sup>197</sup>
- 89% of customers rated messages informing them that they had reached a usage limit as either essential or helpful,<sup>198</sup> and

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<sup>192</sup> Mobile Roaming Research 2022, Yonder. Q3: Have you travelled outside the UK in the last 12 months? Base: All who use a mobile phone (2,069). Q4: Do you intend to travel outside the UK in the next 6 months? Base: All who use a mobile phone (2,069).

<sup>193</sup> Mobile Roaming Research 2022, Yonder. Q9: Which of the following activities did you do/do you intend to do on your mobile phone while you were outside the UK during the past 12 months/travel outside the UK in the next six months? - While connected to a mobile network. Base: All who have travelled outside of the UK in the last 12 months or will travel in the next six months (872).

<sup>194</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Total number of customers that roamed on at least one occasion during 1 September 2021 to 31 August 2022 in the EU and Rest of World. Calculated based only on providers who report monthly data.

<sup>195</sup> Mobile Roaming Research 2022, Yonder. Q15: Are you aware of mobile roaming alerts, and do you read them? Base: All who have used a mobile phone outside the UK in the past 12 months (673).

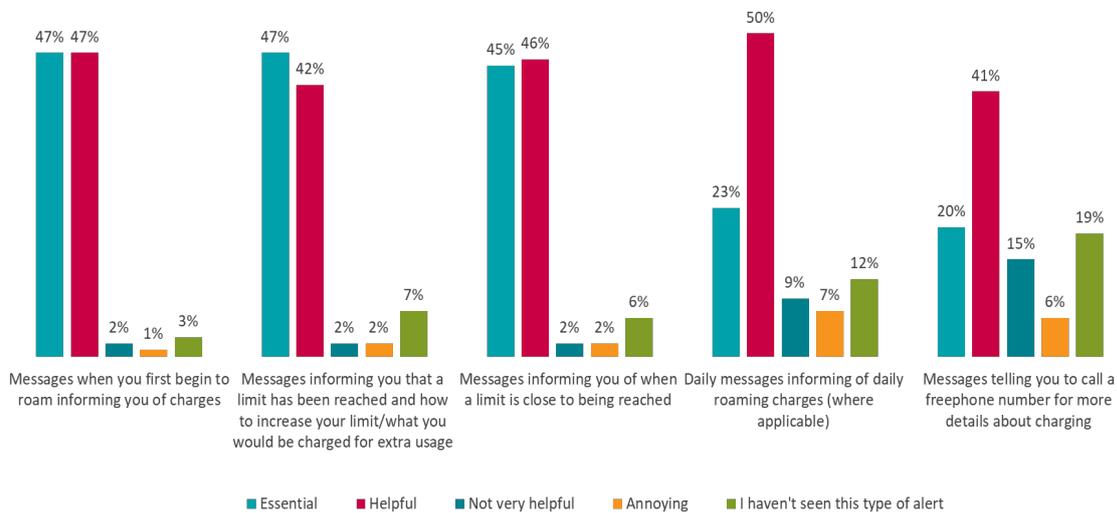
<sup>196</sup> 47% rated alerts when you first begin to roam as essential and 47% rated them as helpful.

<sup>197</sup> Mobile Roaming Research 2022, Yonder. Q16: You said you are aware of mobile roaming alerts. We are interested in how you feel about receiving these even if you do not read them. How do you feel about receiving the following types of mobile roaming alert? Base: All aware of alerts (629).

<sup>198</sup> 47% rated messages informing them that they had reached a usage limit as essential and 42% rated them as helpful.

- 53% of the most financially vulnerable customers compared to 37% of the least financially vulnerable customers rated messages informing you of when a limit is close to being reached as essential.<sup>199 200</sup>

**Figure 1: UK customers views of different types of roaming alerts**



Source: Mobile Roaming Research 2022, Yonder. Q16: You said you are aware of mobile roaming alerts. We are interested in how you feel about receiving these even if you do not read them. How do you feel about receiving the following types of mobile roaming alert? Base: All aware of alerts (629).

A1.7 CCNI research supports our finding that roaming alerts are valued by customers and most customers in Northern Ireland who were aware of alerts felt positively about the various types of roaming alerts. For example, 93% of those aware of alerts rated messages when you first begin to roam informing you of charges as either essential or helpful. Overall, 30% of CCNI research respondents aware of alerts found one or more of these types of alerts to be not very helpful or annoying. Almost half of these (49%) said this was because they did not need to be reminded more than once.<sup>201 202</sup>

## Customers find information on roaming charges from a variety of sources, but value alerts highly

A1.8 Our research found that 18% of customers said they had not or would not take action to research roaming charges before travelling.<sup>203</sup> Of these customers 14% said this was because

<sup>199</sup> Mobile Roaming Research 2022, Yonder. Q16: You said you are aware of mobile roaming alerts. We are interested in how you feel about receiving these even if you do not read them. How do you feel about receiving the following types of mobile roaming alert? Base: All aware of alerts (629).

<sup>200</sup> Respondents providing sufficient personal data (household income and number of children in household) have been allocated to three levels of financial vulnerability: Most, Potentially and Least.

<sup>201</sup> [CCNI research 2023](#), Slide 44. Q: How do you feel about receiving the following types of mobile roaming alert ...? Base: All who had used a mobile phone outside the UK in the 12 months prior to the research who were aware of mobile roaming alerts (464).

<sup>202</sup> [CCNI research 2023](#), Slide 45. Q: Why did you find these alerts not very helpful or annoying? Base: All who had used a mobile phone outside the UK in the 12 months prior to the research who found at least some of them not very helpful or annoying (140).

<sup>203</sup> Mobile Roaming Research 2022, Yonder. Q10: Before travelling, did/will you do any of the following? Base: All who have travelled outside of the UK in the last 12 months or will travel in the next 6 months (872).

they expected to receive a message from their provider with details about roaming charges when they arrived in the country they were travelling to.<sup>204</sup>

A1.9 Just under two in five customers (39%) said they used alerts to monitor their usage while abroad.<sup>205</sup>

## Customers still value roaming alerts even if they have researched roaming before travelling

A1.10 Our research found that most customers (82%) said that before travelling they did or would do something to look into mobile roaming and potential charges. When customers were asked to select all options that applied, our research found that:

- 41% of customers said they would look on their provider's website for information about roaming charges;
- 40% looked at general information on roaming on their provider's website;
- 30% said they would look at their phone contract to find information about roaming charges;
- 25% said they would switch off data roaming to avoid charges; and
- 18% of customers said they would ask friends or family about roaming costs.<sup>206</sup>

A1.11 We note that some of these actions may not provide customers with accurate information (e.g. asking friends or family who may not be aware of the customer's tariff or recent price changes). We also note that information provided by MSE and our review of providers' websites highlighted substantial differences in the ease of accessing information on roaming charges. There was also mixed quality and clarity of information provided on roaming. For example:

- Customers needing to know when they took out their contract or the name of their plan to determine whether roaming is included or if they must pay a daily charge to roam;
- A lack of clarity on the time period that applies to roaming charges e.g.
  - where there is a reference to a daily charge but no explanation if that means 24-hours from first use, midnight to midnight local time, or midnight to midnight UK time; or
  - specifying different time periods apply to roaming charges but without explaining which periods apply to which customers.
- The language used on some providers' websites described inclusive EU roaming tariffs as 'roam free' or 'roam like at home' but without specifying applicable fair use limits; and

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<sup>204</sup> Mobile Roaming Research 2022, Yonder. Q11: Why didn't you look into mobile roaming/take any action before you travelled? Base: All who have travelled outside of the UK in the last 12 months but did not look into mobile roaming / taken action before travelling (136).

<sup>205</sup> Mobile Roaming Research 2022, Yonder. Q13: When you are outside of the UK, which, if any of the following do you do to keep an eye on the amount of data, voice minutes and texts you have used? Base: All who have used their mobile phone abroad in the last 12 months while connected to a mobile network (579).

<sup>206</sup> Mobile Roaming Research 2022, Yonder. Q10: Before travelling, did/will you do any of the following? Base: All who have travelled outside of the UK in the last 12 months or will travel in the next 6 months (872).

- Key information can be difficult to identify on some providers' websites which requires customers to click through multiple links or search through a long list of terms and conditions.<sup>207 208</sup>

A1.12 Our research shows that roaming alerts were valued even when customers have researched roaming before travelling:

- Most customers who had researched roaming before travelling and were aware of alerts were positive about the information contained in the alerts:
  - 94% said messages informing you when you first begin to roam are essential or helpful;
  - 91% said this of messages informing you that a limit is close to being reached; and
  - 89% said this of messages informing you that a limit had been reached and instructions of how to increase your limit/what you will be charged for further use.<sup>209</sup>
- Figure 2 below shows that most customers who were aware of alerts and had looked into roaming before travelling considered the information in roaming alerts about how much they would be charged to be as good as or better than the information they had found themselves before travelling. Where customers found the information in the roaming alerts better:
  - 47% of customers said the timeliness of receiving the information on what they would be charged was better than their own research;
  - 39% said the ease of accessing the information/the convenience of the roaming alert was better than their own research;
  - Customers said the ease of understanding when you would be charged (36%) and the ease of understanding what you would be charged (34%) were better in the alerts compared to their own research.<sup>210</sup>

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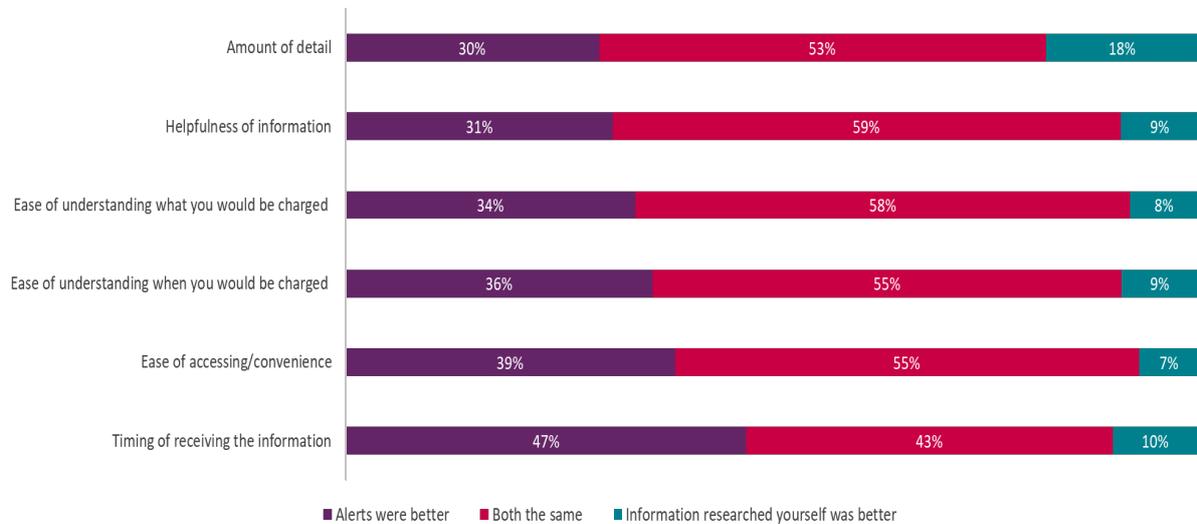
<sup>207</sup> MSE, 2023. [Response to Ofcom's plan of work 2023-24](#) and non-confidential consultation response.

<sup>208</sup> Ofcom analysis of providers' websites carried out between September 2022 and February 2024.

<sup>209</sup> Extra analysis of Q16 Mobile Roaming Research 2022, Yonder data. Customers who were aware of alerts and who had researched roaming prior to travel.

<sup>210</sup> Mobile Roaming Research 2022, Yonder. Q22: How did the information in the alerts you received when you were outside the UK compare with the information you researched yourself about when or how much you would be charged to use your mobile outside of the UK? Base: All who have read the alerts and looked into roaming before travelling (456).

**Figure 2: Customer views on how roaming alerts compare to information they researched themselves**



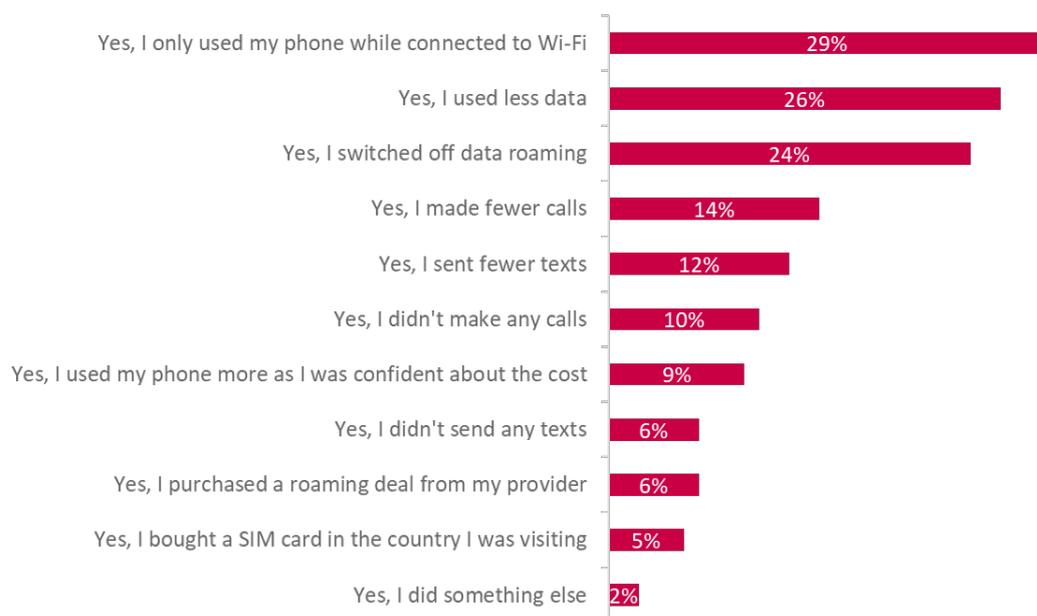
Source: Mobile Roaming Research 2022, Yonder. Q22: How did the information in the alerts you received when you were outside the UK compare with the information you researched yourself about when or how much you would be charged to use your mobile outside of the UK? Base: All who have read the alerts and looked into roaming before travelling (456).

## Roaming alerts empower customers to change their behaviour when roaming

A1.13 Our research found that of the UK customers who read the roaming alerts, 72% modified their behaviour because of receiving the roaming alert and Figure 3 shows the actions customers took. The most common actions were to reduce data usage by only connecting to Wi-Fi while travelling (29%), to use less data (26%) and to switch off data roaming (24%). However, we note that 9% of customers said they used their phone more as they were confident about the cost.<sup>211</sup>

<sup>211</sup> Mobile Roaming Research 2022, Yonder. Q19: Did you do any of the following as a result of seeing the information in the alerts? Base: All who have read alerts (557).

**Figure 3: Actions customers took after receiving roaming alert messages**



Source: Mobile Roaming Research 2022, Yonder. Q19: Did you do any of the following as a result of seeing the information in the alerts? Base: All who have read alerts (557).

### There are gaps in customers' knowledge of roaming charges

A1.14 Our research found that 19% of UK mobile customers who had travelled outside the UK in the last 12 months or intended to do so in the next 6 months did not know if they would be charged when travelling to the EU/EEA and 30% for the rest of the world. Even when customers are aware that charges apply, 16% of UK mobile customers travelling to EU/EEA did not know how much they would be charged, and this was 25% for those travelling to rest of world destinations.<sup>212</sup>

A1.15 We note that roaming charges and the packages available to customers vary between providers.<sup>213</sup> Overall EU roaming charges remain relatively low, with some providers still allowing customers to use their UK call/text/data allowance at no extra charge while roaming in the EU or by charging a daily fee of between £2 and £2.30 to be able to use UK allowances when roaming in the EU. However, most providers have a fair use data roaming limit and this may be set considerably lower than their UK allowance (e.g. unlimited UK data but 5GB fair use data roaming limit). Charges for roaming beyond fair use data roaming limits are generally between £3 per GB and £3.60 per GB within the EU.<sup>214</sup>

A1.16 Outside of the EU, roaming charges are typically higher and the charges applied can differ based on the country and provider.<sup>215</sup>

<sup>212</sup> Mobile Roaming Research 2022, Yonder. Q23: Do you know what you will be charged for using your mobile phone in countries outside of the UK? Base: All who have travelled outside of the UK in the last 12 months or will travel in the next 6 months (872).

<sup>213</sup> See Annex 2 for detail.

<sup>214</sup> Analysis of information published on provider websites September 2022, June 2023 and between December 2023 and February 2024.

<sup>215</sup> Analysis of information published on provider websites September 2022 and June 2023.

- Pay-monthly customers who use their device a typical amount while roaming would be charged between £0 and £15.75 for their weekly mobile usage in the EU compared to £25 to £47.95 for the same level of usage in the USA or Australia, and £47.95 to £215.55 for this usage in Saudi Arabia.<sup>216</sup>
- The difference between charges for roaming in countries inside and outside the EU can also affect customers travelling in border areas who inadvertently roam onto a network outside the EU. For example, a customer travelling in Italy whose device connects to a network in Albania would be charged between £2 and £2.34 a minute for calls (dependent on provider) and between £6 and £7.20 per MB of data used,<sup>217</sup> in comparison to paying between £2 and £2.30 a day to be able to use their UK allowance in Italy, or in some cases being able to do this without having to pay an additional charge.

## Knowledge about limiting mobile spend when roaming varies among customers

A1.17 Mobile bill limits enable customers to limit any spend outside of their agreed tariff or allowance. If put in place, a mobile bill limit applies even if a customer is roaming. Information from providers shows that:

- 49% of UK post-pay customers have put a bill limit in place;<sup>218</sup> and
- customers tend to set their mobile bill limits at a low level with the median limit ranging between £1 and £10 across providers, with an average of £4.08.<sup>219</sup>

A1.18 Our research found that many customers did not know that mobile bill limits could also apply when roaming. We found that while 70% of customers were aware that they could set a mobile bill limit for usage inside the UK, only 55% were aware that they could also do this for usage outside the UK.<sup>220</sup>

A1.19 We also asked UK customers about their knowledge of the default data roaming limit of £45 (excluding VAT) per month which providers were previously required to offer.<sup>221</sup> Our research found that:

- 71% were not aware there had been a default data roaming limit of £45 (excluding VAT) per month;<sup>222</sup>

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<sup>216</sup> Based on published mobile roaming charges for EE, O2, Three and Vodafone, February 2024.

<sup>217</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Figures for pay monthly customers' use of mobile bill limit ranges between 31% and 77% across different providers.

<sup>218</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Figures for pay monthly customers' use of mobile bill limit ranges between 31% and 77% across different providers.

<sup>219</sup> Mobile providers responses to a statutory information request dated 11 October 2022.

<sup>220</sup> Mobile Roaming Research 2022, Yonder. Q42: Are you aware that you are already able to set your own overall spend limit for any data, calls and texts on your mobile, outside of your allowance/package a) in the UK, b) Outside the UK? Base: All who use a mobile phone (2,069).

<sup>221</sup> The default limit that was set out in the Retained Roaming Regulations was focused on data usage when roaming. The mobile bill limit requirement under the Act is broader and applies to all mobile usage (i.e. it includes calls and texts as well as data both in and outside of the UK). Since the Retained Roaming Regulations expired from July 2022 providers are not required to provide a default data roaming limit of £45 (excluding VAT) per month. However, many providers currently continue to offer this protection voluntarily. We consider it is good practice for providers to continue to provide default roaming limits and set this out in the good practice section of our guidance (see Annex 3).

<sup>222</sup> Mobile Roaming Research 2022, Yonder. Q36: When you travelled outside the UK, were you aware that your roaming data use would be automatically capped at £45 (excluding VAT) per month by your mobile provider? Base: All who have used their mobile outside the UK in the last 12 months (673).

- 61% of customers who were aware of the limit thought that £45 (excluding VAT) per month was the right amount, 27% thought it was too high and 12% thought it was too low,<sup>223</sup> and
- 90% of customers thought that an automatic cap on overall spend/usage of data, texts and calls while abroad would be either ‘very’ or ‘quite’ useful.<sup>224</sup>

A1.20 Information from providers highlighted that on average, only 1% of customers who roamed reached the default data roaming limit each month. Of these, 54% consented to continue to use data services while roaming once their limit had been reached.<sup>225</sup>

### The information within the current roaming alerts does not completely address the gaps in knowledge among customers

A1.21 We note that information provided by MSE and our review of roaming alerts highlighted substantial differences in the content and clarity of information particularly around fair use data limits and how providers define a day.<sup>226</sup> For example, not all providers mention fair use limits in their alerts or if they do, not all providers include the specific fair use data roaming limit (e.g. 5GB). Where providers have a daily charge, not all providers specify what time period that daily charge covers (e.g. 24 hours from first use).<sup>227</sup> We also note that roaming alerts often do not provide information on how a customer could limit their spend or make an informed decision about how to avoid unexpected bills (e.g. signposting customers to where they can set or amend mobile bill limits or find other information about limiting spend).

A1.22 Although numbers are generally low, customer complaints and queries and analysis of examples of provider roaming alerts have raised some concerns about the quality of current roaming alerts including:

- Not receiving roaming alerts from their provider even though the customer had not opted out of receiving them or delays in roaming alerts being provided.
- Alerts containing inaccurate information on the charges that the customer would be liable to pay for using roaming services e.g. alerts stating the customer would need to purchase a bolt on to use roaming services when roaming for the visited country was included in the customer’s tariff plan.
- Lack of clarity on what the customer will be charged for certain roaming services including providing price schedules that are non-country specific or large ranges e.g. data roaming rates vary between £0.01 and £15 per MB.<sup>228</sup>

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<sup>223</sup> Mobile Roaming Research 2022, Yonder. Q40: Do you think that an automatic £45 (excluding VAT) per month default data roaming limit was the right amount? Bases: aware of existence of data roaming limit (216), reached at least 80% limit (112), Reached limit and received notification at 80% and/or 100% (96), Aware of £45 data roaming limit (103).

<sup>224</sup> Mobile Roaming Research 2022, Yonder. Q41: How useful would an automatic cap on overall spend/amount of use of data, texts and calls be to you when abroad? Base: Previously unaware of limit, or aware but did not reach limit, or reached limit but did not receive notification (574).

<sup>225</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Total number of customers that reached Default Data Roaming Limit during 1 September 2021 to 31 August 2022 and, of these, how many consented to continue to use data services while roaming.

<sup>226</sup> [MSE response to Ofcom’s plan of work 2023-24](#) and [MSE non-confidential consultation response](#).

<sup>227</sup> Mobile providers responses to a statutory information request dated 11 October 2022. Providers have different approaches to defining a day largely based on their propositions and how their systems are set up.

<sup>228</sup> Analysis of roaming complaints and queries made to Ofcom between 1 January 2022 and 31 December 2023 and examples of provider alerts between August 2022 and June 2023.

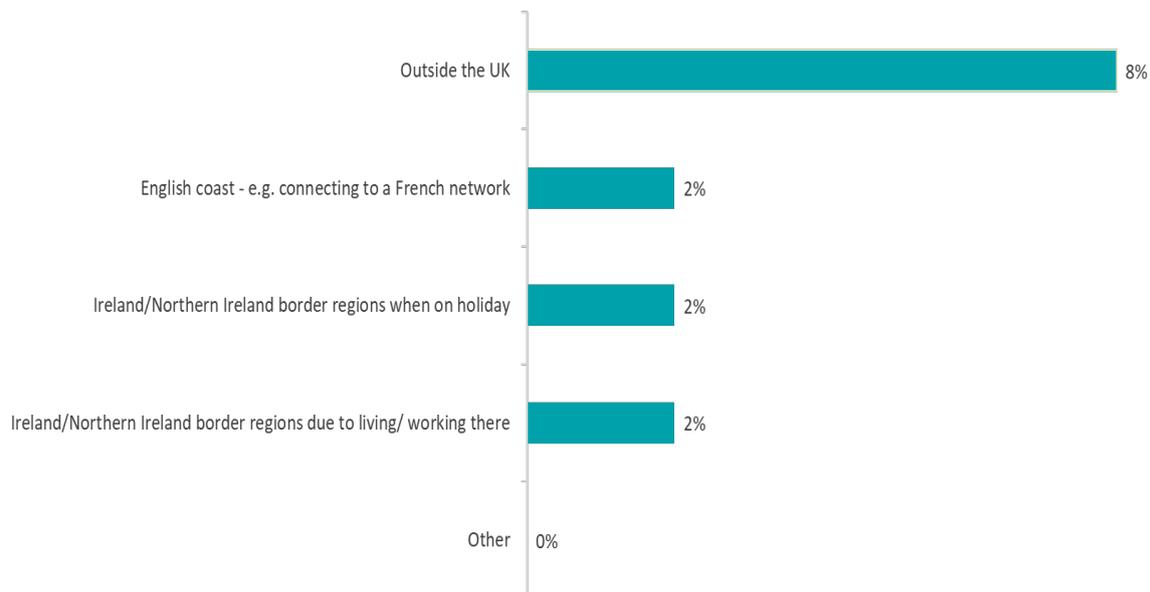
- Lack of detail/clarity in certain information signposted in roaming alerts which had made it more difficult for customers to make informed decisions on which roaming option best met their needs.

## Inadvertent roaming

### Inadvertent roaming continues to impact customers while they are in the UK and when travelling abroad

A1.23 As Figure 4 below shows, our research found that 14% of UK mobile customers reported experiencing inadvertent roaming in the last 12 months.<sup>229</sup> We note that 8% of customers reported experiencing inadvertent roaming when travelling outside of the UK and 6% within the UK, including 2% of customers connecting to French networks while on the English coast.<sup>230</sup>

**Figure 4: Where UK customers experience inadvertent roaming**



*Source: Mobile Roaming Research 2022, Yonder. Q28: Where did the unintended roaming occur? Asked of all who had experienced unintended roaming in the preceding 12 months (254), chart re-based on all with a mobile phone (2,069).*

A1.24 Inadvertent roaming can often result in negative consequences for customers. We found that 72% of those who reported experiencing inadvertent roaming outside the UK in the last 12 months had experienced at least one negative consequence:

- 42% of customers were charged additional fees; and

<sup>229</sup> The term unintended roaming was used within our customer research questionnaire rather than inadvertent to aid participants' understanding.

<sup>230</sup> Mobile Roaming Research 2022, Yonder. Q28: Where did the unintended roaming occur? Base: All with a mobile phone (2,069), All who have experienced unintended roaming (254).

- 26% had their services restricted by their provider.<sup>231</sup>

## Inadvertent roaming is a particular issue for customers in Northern Ireland

- A1.25 While inadvertent roaming can happen in many different locations worldwide it is often a regular and unavoidable experience for customers in Northern Ireland. More than 818,000 people in Northern Ireland live in Council areas that share the border with Ireland, with some homes physically straddling the border.<sup>232</sup> The geography of the island also means inadvertent roaming can happen many miles away from the border. CCNI research shows that 22% of customers in Northern Ireland reported experiencing inadvertent roaming onto networks in Ireland in the preceding 12 months.<sup>233</sup>
- A1.26 Our analysis of mobile crowdsourcing data from Opensignal found that inadvertent roaming occurs more frequently near the border between Northern Ireland and Ireland (e.g. Strabane) but can also occur further from the border (e.g. Newry, Keady, Castlerock and Greysteel).<sup>234</sup>

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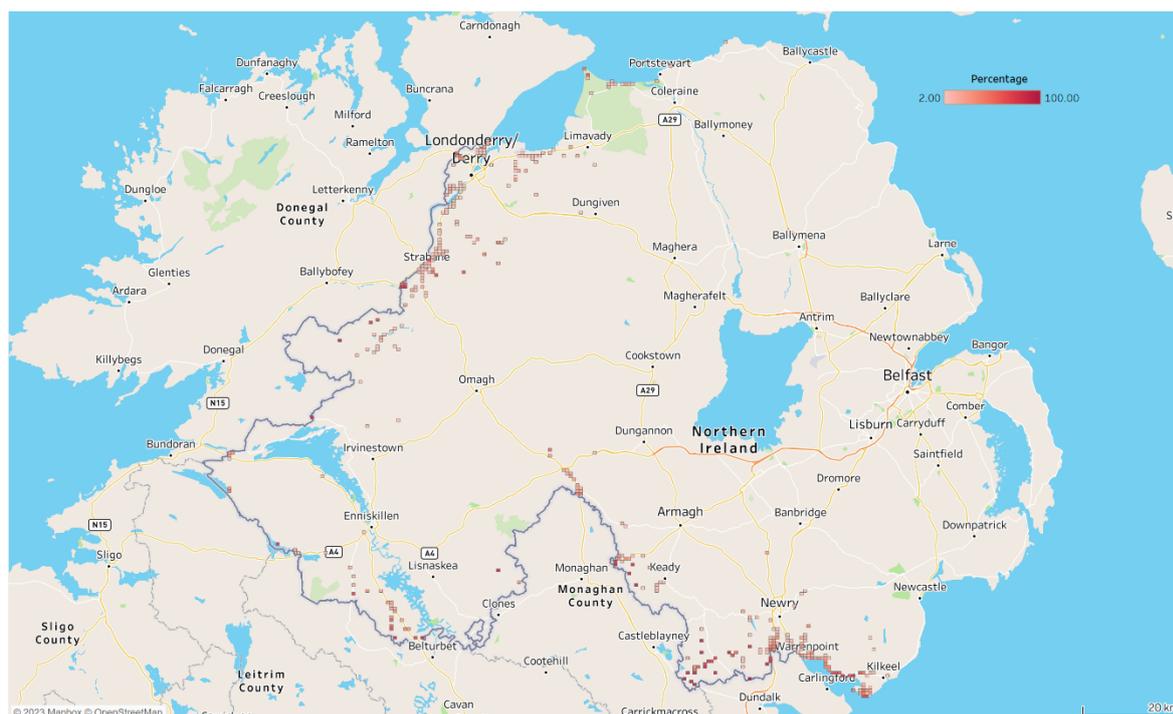
<sup>231</sup> Mobile Roaming Research 2022, Yonder. Q29: Did you experience any consequences of unintended roaming? Base: All who experienced unintended roaming outside the UK (158). This excludes customers who reported experiencing inadvertent roaming on the English coast or in Ireland/Northern Ireland border regions.

<sup>232</sup> Northern Ireland Statistics and Research Agency, Table MS-A01 Usual resident population, [Census 2021 statistics](#).

<sup>233</sup> [CCNI research 2023](#), Slide 39. Q: Where did the unintended roaming occur? Base: All who had experienced unintended roaming (277).

<sup>234</sup> Crowdsourcing is an approach that gathers network measurements over many different devices, to build up a view of the network quality in an area.

**Figure 5: Inadvertent roaming between Northern Ireland and Ireland in 2022**



Source: The map shows 'Geohash 6' areas which have at least 100 total tests and at least a 2% inadvertent roaming rate. This dataset is comprised of tests from Android devices with a UK sim card that are located within Northern Ireland. A test is when an app collects data about the device and networks it is connected to. Inadvertent roaming is when one of these devices is connected to a mobile network in Ireland.

Note: 1. Ofcom analysis of Opensignal data. Based on data provided by Opensignal, provided under a CC BY-SA 4.0 (Creative Commons) licence. Data may not be used for any commercial purpose; 2. Map from [OpenStreetMap](#) provided under a CC BY-SA 2.0 licence.

## Customers' actions and providers' current practices are helping to protect customers from the negative consequences of inadvertent roaming

A1.27 Information from providers shows some providers are still voluntarily taking steps to help customers in Northern Ireland protect themselves against paying extra when inadvertently roaming in Ireland. For example, some providers treat Ireland usage as UK usage, do not apply daily roaming charges to be able to use UK allowances in Ireland, or offer special tariffs.

A1.28 CCNI research showed that 52% of customers in Northern Ireland had at least one measure to protect themselves from roaming onto networks in Ireland. This was particularly common for those living in border regions of Northern Ireland compared to those who lived elsewhere (57% vs. 48%). The main measure was selecting a mobile tariff which prevented these charges (e.g. Ireland usage being treated as UK usage).<sup>235</sup> This means that many customers in Northern Ireland, who had experienced inadvertent roaming while in the UK, reported that they did not experience consequences due to inadvertent roaming when it occurred in Ireland/ Northern Ireland border regions. For example:

<sup>235</sup> [CCNI research 2023](#). Slide 36. Q: Which, if any, of the following do you have in place regarding unintended roaming on to networks in the Republic of Ireland? Base: All mobile phone customers (993); All mobile phone customers living in border Local Government Districts (LGDs) (319); All mobile phone customers living in non-border LGDs (674).

- 30% were notified that this was covered by their tariff; and
- 27% were notified that they would not be charged for roaming.<sup>236</sup>

A1.29 However, the CCNI research did highlight that around a third of customers in Northern Ireland who had experienced inadvertent roaming while in the UK, had experienced consequences due to inadvertent roaming, for example:

- 14% of customers said they were charged additional fees by their provider;
- 9% said their services were restricted by their provider; and
- 7% said they restricted their usage to avoid additional charges.<sup>237</sup>

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<sup>236</sup> [CCNI research 2023](#). Slide 39. Q: Did you experience any consequences because of unintended roaming on the Ireland/Northern Ireland border? Base: all who had experienced unintended roaming on the Ireland/Northern Ireland border (216), All living in border LGDs who had experienced unintended roaming on the Ireland/Northern Ireland border (107), All living in non-border LGDs who had experienced unintended roaming on the Ireland/Northern Ireland border (109).

<sup>237</sup> [CCNI research 2023](#). Slide 39. Q: Did you experience any consequences because of unintended roaming on the Ireland/Northern Ireland border? Base: All who had experienced unintended roaming on the Ireland/Northern Ireland border (216), All living in border LGDs who had experienced unintended roaming on the Ireland/Northern Ireland border (107), All living in non-border LGDs who had experienced unintended roaming on the Ireland/Northern Ireland border (109).

## A2 Current roaming charges

- A2.1 Roaming charges and roaming packages available to customers vary between providers and between countries. In addition, customers with the same provider may also be charged different amounts in the same country depending on when their contract began and whether they are a pre-pay or pay monthly customer.
- A2.2 We collected and analysed information on roaming charges from providers' websites between September 2022 and February 2024. We summarise our findings below.
- A2.3 Generally, EU roaming charges remain relatively low, with some providers allowing customers to use their UK call/text/data allowance at no extra charge while roaming in the EU.<sup>238</sup> Customers who cannot use their UK allowance free of charge in the EU are typically able to pay a daily fee of between £2 and £2.30 to do so.
- A2.4 However, most providers have a fair use data roaming limit and this may be set considerably lower than their UK allowance (e.g. they may have unlimited UK data but a 5GB fair use data roaming limit). Charges for data roaming beyond this limit are generally between £3 per GB and £3.60 per GB within the EU.<sup>239</sup>
- A2.5 For customers roaming outside the EU, charges are typically higher, and there is more variation between countries and providers. Some operators offer customers roaming plans in certain circumstances. For example:
- Some providers offer pay monthly customers roaming in certain destinations (such as the USA and Australia) the option to either use their UK allowance (data, minutes and texts) for a set cost of around £6-7 per day; and
  - Some providers offer roaming to some destinations as a set amount of data such as 500MB for around £5-8 per day.
- A2.6 Where roaming plans are not available customers must pay standard roaming rates. This is typically the case for pre-pay customers roaming outside the EU, but can also apply to pay monthly customers with some providers and for some destinations. Standard roaming rates tend to be more expensive and they vary considerably between providers and countries.
- A2.7 To illustrate how charges might apply to customers using their mobile device while roaming, we compared typical mobile usage with the pricing schedules of some of the larger mobile providers. Figure 6 below summarises the weekly cost of roaming to certain destinations for pay monthly customers,<sup>240</sup> assuming an average weekly usage of 1.86GB of data, 40.6 call minutes and 8.7 SMS messages.<sup>241</sup> These figures are based on typical UK weekly usage.

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<sup>238</sup> Some providers offer this to all customers, and other providers offer this to those who took out their contract before a certain date.

<sup>239</sup> Analysis of information published on provider websites September 2022, June 2023 and between December 2023 and February 2024.

<sup>240</sup> As some providers' roaming charges vary depending upon when the contract was taken out, we have made an assumption, for the purposes of this illustration, that the contract in question began on 1 January 2022.

<sup>241</sup> Usage figures from [July 2023 Communications Market Report](#). These totals do not include the price of the UK allowances consumers might be using, it only accounts for extra charges due to roaming. Note that the data use figure is an average for data users only.

**Figure 6: Illustration of potential roaming charges for a week of typical mobile device usage, by destination and provider, pay monthly customers**

	EE <sup>242</sup>	O2	Three	Vodafone
<b>EU</b>	£16.03	£0.00	£14.00	£15.75
<b>USA</b>	£25.00	£42.00	£35.00	£47.95
<b>Australia</b>	£25.00	£42.00	£35.00	£47.95
<b>Saudi Arabia</b>	£211.38	£215.55	£119.25 <sup>243</sup>	£47.95

Source: Providers' websites accessed in February 2024

A2.8 It is important to note that other factors will influence what charges customers pay in practice. As set out in paragraph A1.17, information from providers shows that 49% of pay monthly customers have a mobile bill limit in place, with an average level of £4.08. Customers with such a limit in place will be protected, to some extent, from large unexpected roaming bills. Pre-pay customers will have a set amount of credit on their phone. Rather than receiving large bills, the risk to these customers is that their credit could run out unexpectedly, meaning that they will need to top up their credit to continue to use their phone. There may be a higher risk of unexpected bills for pre-pay customers who have an automatic top-up system in place, but this risk is mitigated to some degree where customers are informed of any automatic top-ups occurring.<sup>244</sup>

<sup>242</sup> EE offers pay monthly customers the option to purchase a 'Roam abroad' pass for £25/month, which enables them to use their UK allowance in 47 European destinations and five additional countries abroad. We have assumed that customers will opt to do this where it is less expensive than paying standard roaming charges for the country they are visiting.

<sup>243</sup> In our July 2023 consultation, we stated that this cost would be £11,244.25. However, this estimate did not take into account the £5/day data passport offered by Three for Saudi Arabia which reduces this cost substantially.

<sup>244</sup> As set out in paragraph 4.19.

# A3 Notification modifying General Condition C3 – roaming requirements

Notification of Ofcom’s decision to modify General Condition C3 under section 48(1) of the Communications Act 2003.

## Background

1. On 20 July 2023, Ofcom published a Notification pursuant to sections 48(1) and 48A(3) of the Act, which included proposals to:
  - a) amend General Condition of Entitlement C3 by adding C3.1(f) and C3.15 to C3.17; and
  - b) add new definitions to those set out in the Definitions section of the General Conditions.
2. Ofcom proposed that, if implemented, the changes would enter into force six months from publication of the statement or such later date as specified in any final Notification.
3. Ofcom’s reasons for making these proposals, and the effect of each proposal, were set out in the accompanying consultation document.<sup>245</sup> Ofcom invited representations about the proposals by 28 September 2023.
4. A copy of the Notification and the accompanying consultation document was sent to the Secretary of State in accordance with section 48C(1) of the Act.
5. By virtue of section 48A(6) and (7) of the Act, Ofcom may give effect to these proposals, with or without modification, only if—
  - a) they have considered every representation about the proposal that is made to them within the period specified in the Notification; and
  - b) they have had regard to every international obligation of the United Kingdom (if any) which has been notified to them for this purpose by the Secretary of State.
6. Ofcom received responses to the Notification and has considered every such representation made to them in respect of the proposals set out in the Notification (and the accompanying explanatory documents).
7. The Secretary of State did not notify Ofcom of any international obligation of the United Kingdom for the purpose of section 48A(6) of the Act.

## Decision

8. In accordance with sections 45 and 48(1) of the Act, Ofcom has decided to modify:
  - a) General Condition C3 by adding C3.1(f) and C3.15 to C3.17; and
  - b) the Definitions section of the General Conditions by adding new definitions.
9. These modifications are set out in the Schedule to this Notification.

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<sup>245</sup> Ofcom, July 2023. [Mobile roaming: Strengthening customer protections - Proposals for new rules and guidance](#)

10. This modified General Condition C3 and the new definitions shall enter into force on 1 October 2024.
11. Ofcom's reasons for reaching this decision, and the effect of the decision, are set out in the explanatory statement accompanying this Notification. Modified General Condition C3 and the new definitions are set out in the Schedule to this Notification.
12. Ofcom considers that it has complied with the requirements of sections 45 to 48C of the Act, insofar as they are applicable.
13. Ofcom has considered and acted in accordance with their general duties under section 3 of the Act and the six requirements set out in section 4 of the Act. Ofcom has also had regard to the Statement of Strategic Priorities in making the decision referred to in this Notification.<sup>246</sup>
14. A copy of this Notification and the accompanying explanatory statement have been sent to the Secretary of State in accordance with section 48C(1) of the Act.
15. In this Notification:
  - a) **'the Act'** means the Communications Act 2003;
  - b) **'General Conditions of Entitlement'** or 'General Conditions' means the general conditions set under section 45 of the Act by Ofcom on 19 September 2017, as amended from time to time;
  - c) **'Ofcom'** means the Office of Communications;
  - d) **'Statement of Strategic Priorities'** means the Statement of Strategic Priorities for telecommunications, the management of radio spectrum, and postal services designated by the Secretary of State for Digital, Culture, Media and Sport for the purposes of section 2A of the Communications Act 2003 on 29 October 2019.
16. Words or expressions shall have the meaning assigned to them in this Notification, and otherwise any word or expression shall have the same meaning as it has in the Act.
17. For the purposes of interpreting this Notification: (i) headings and titles shall be disregarded; and (ii) the Interpretation Act 1978 shall apply as if this Notification were an Act of Parliament.
18. The Schedules to this Notification shall form part of this Notification.

Signed by Cristina Luna-Esteban



Director – Telecoms Policy

A person authorised by Ofcom under paragraph 18 of the Schedule to the Office of Communications Act 2002

**22 March 2024**

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<sup>246</sup> DCMS, [Statement of Strategic Priorities for telecommunications, the management of radio spectrum and postal services](#)

## Schedule

This Schedule shows the changes we are making to the General Conditions in order to give effect to the policy decisions outlined in the accompanying explanatory statement. In particular:

- Table 1 shows the additional provisions that we are including in General Condition C3, including new conditions General Condition C3.15 to General Condition C3.17 (inclusive); and
- Table 2 shows the definitions that we are inserting into the “Definitions” section of the General Conditions.

We are not making any amendments to General Conditions C3.2 to C3.14 as part of this statement.

Table 1: Changes to General Condition C3

General Condition (15 May 2023 version)	Revised General Condition (1 October 2024 version) [changes shown in bold]	Short description of amendments
Summary box	This condition aims to ensure that customers of communications providers are not overcharged and that they receive the services they are charged and pay for, that they can adequately control how much they spend on the usage of voice call and data services <b>including when roaming</b> , and that they are treated fairly where they have not paid their bills. <b>This condition also requires the provision of information about roaming and additional protections relating to roaming in certain circumstances.</b>	Update to description of what the condition covers to include the new roaming requirements.
Scope	C3.1 The provision of this Condition apply as follows:  ....  <b>(f) Conditions C3.15 to C3.17 apply to any Mobile Service Provider who provides Roaming Services to Subscribers who are:</b>  <b>(i) Consumers; and/or</b>  <b>(ii) Microenterprise or Small Enterprise Customers or Not-For-Profit Customers, such Subscribers being ‘Relevant Customers’ for the purposes of those provisions.</b>	Set scope for new obligations in relation to roaming.
<i>Roaming notifications</i>	<b>C3.15 Subject to Condition C3.16, Mobile Service Providers shall take all reasonable steps to ensure that their Relevant Customers are notified without undue delay when their Mobile Device connects to a Roaming Network. The notification(s) shall be sent to the Relevant Customer’s Mobile Device and shall provide clear, comprehensible and accurate information to enable the Relevant Customer to make an informed decision about whether (and how) to use Roaming Services on that particular Roaming Network. The notification(s) shall, as a minimum:</b>	Set new obligations in relation to roaming notifications.  No modifications to obligations in C3.2 to C3.14.

General Condition (15 May 2023 version)	Revised General Condition (1 October 2024 version) [changes shown in bold]	Short description of amendments
	<p>a. be free of charge and in an easily accessible format and, where it is necessary for the notification(s) to direct the Relevant Customer to a channel (such as for additional information), that channel shall be free of charge and easily accessible;</p> <p>b. inform the Relevant Customer that their Mobile Device has connected to a Roaming Network;</p> <p>c. enable the Relevant Customers to understand:</p> <ul style="list-style-type: none"> <li>i) whether their tariff plan contains any allowance for the use of Roaming Services on that particular Roaming Network;</li> <li>ii) any charges for using Roaming Services on that particular Roaming Network, including if they exceed any allowance referred to in (i);</li> <li>iii) whether there is a quantitative limit on the volume of Roaming Services that can be consumed by the Relevant Customer before charges are incurred or before different charges apply (such as a data volume limit) and, if so, the level of that limit;</li> <li>iv) where any such allowance or charges relate to the use of Roaming Services over a specific time period (such as the use of Roaming Services for a 24-hour period), at what point the relevant time period would commence and end;</li> </ul> <p>d. where relevant, inform the Relevant Customer that they may be able to specify, modify or remove (as appropriate) a billing limit and direct them to at least one channel where they can do this. That channel should make clear both the likely extent of any delay between the Relevant Customer’s request to specify, modify or remove the limit and it taking effect, and how the Relevant Customer can confirm that it has taken effect; and</p> <p>e. direct the Relevant Customer to at least one channel on which they can find clear, comprehensible and accurate additional information on the charges applied for using Roaming Services (and any associated</p>	

General Condition (15 May 2023 version)	Revised General Condition (1 October 2024 version) [changes shown in bold]	Short description of amendments
	<p>fair use policies), and the measures that Relevant Customers can take to monitor, reduce and limit their expenditure on Roaming Services.</p> <p><b>C3.16 Mobile Service Providers shall provide Relevant Customers with an option to easily opt out / opt back in to receiving the notification(s) required by Condition C3.15. Mobile Service Providers must make it clear to Relevant Customers that they have the option to opt out/ back in.</b></p>	
<i>Inadvertent roaming policies</i>	<p><b>C3.17 Mobile Service Providers shall:</b></p> <ul style="list-style-type: none"> <li><b>a. provide clear, comprehensible and accurate information to Relevant Customers about how to prevent their Mobile Device connecting to a Roaming Network which is situated in a different country to the location of the Relevant Customer, particularly in border regions;</b></li> <li><b>b. adopt measures to enable Relevant Customers to reduce and/or limit their expenditure on Roaming Services while they are in the UK; and</b></li> <li><b>c. publish clear, comprehensible and accurate information, which is easily accessible, about the measures referred to in b.</b></li> </ul>	<p>Set new obligations in relation to inadvertent roaming.</p> <p>No modifications to obligations in C3.2 to C3.14.</p>

**Table 2: Changes to definitions used in General Condition C3**

Current definition (15 May 2023 version of the General Conditions)	New definition	Short description of amendments
Not applicable as terms not currently used in the GCs	<p><b>'UK Network'</b> means the public electronic communications network(s) intended to be used by the Mobile Service Provider to provide Mobile Services to the Relevant Customer whilst they are in the United Kingdom.</p> <p><b>'Roaming Network'</b> means a public electronic communications network used by the Mobile Service Provider to provide Mobile Communications Services to a Relevant Customer, but which is not the Relevant Customer's UK Network.</p> <p><b>'Roaming Services'</b> means Mobile Communications Services provided to a Relevant Customer by means of a Roaming Network.</p>	<p>New definitions for use in relation to proposed amendments to C3.</p> <p>No modifications to other terms.</p>

# Guidance on General Condition C3 – roaming requirements (1 October 2024)

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## Purpose of this document

1. This document sets out Ofcom’s guidance under General Conditions C3.15 to C3.17 (Conditions C3.15 to C3.17) in the following areas:
  - a) roaming notifications; and
  - b) inadvertent roaming.
2. This guidance does not form part of Condition C3. Its purpose is to assist mobile service providers to comply with the minimum requirements of Conditions C3.15 to C3.17 by outlining Ofcom’s likely approach to investigating compliance.
3. We will take a pragmatic approach to compliance monitoring and enforcement and consider the evidence available (e.g. providers’ records relating to sending roaming notifications) and whether providers have taken reasonable steps to help achieve the objective implemented through Conditions C3.15 to C3.17 of ensuring that customers are adequately protected when roaming. This includes customers being able to:
  - make informed decisions about the use of roaming services;
  - take steps to reduce or limit their spend on roaming services including when they are still in the UK; and
  - avoid unexpected roaming bills.
4. This guidance is not exhaustive and is not binding on Ofcom, and while we will take it into account, we will determine compliance with Conditions C3.15 to C3.17 on the basis of the individual circumstances of any given case. However, where we decide to depart from the position set out in this guidance, we expect to give reasons for doing so.
5. Words and expressions used in Condition C3.15 to C3.17 shall have the same meaning when used in this guidance, unless otherwise indicated.

## Good practice

6. In addition to setting out how providers can comply with the minimum mandatory requirements under Conditions C3.15 to C3.17, this document includes examples of what we consider to be good practice that we encourage providers to adopt.
7. In 2019, several providers committed to putting fairness at the heart of their business and going beyond their legal obligations for how they treat their customers by signing up to the Fairness for Customers commitments.<sup>247</sup> We consider that some of these commitments are relevant to roaming and that signatories should therefore take account of these as part of their approach. In particular, the commitments which are likely to be most relevant include:
  - a) customers get a fair deal, which is right for their needs (Commitment 1);
  - b) customers get the support they need when their circumstances make them vulnerable (Commitment 2); and

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<sup>247</sup> Ofcom, [Fairness for customers](#).

- c) customers are supported to make well-informed decisions with clear information about their options before, during and at the end of their contract (Commitment 3).

## Roaming notifications

8. Condition C3.15 requires mobile service providers ('providers') to notify customers<sup>248</sup> for free when their mobile device connects to a roaming network, including in the EU and rest of world destinations.
9. The notification(s) must be sent to the relevant mobile device, and mobile service providers shall give customers the option to easily opt out and back into receiving roaming notifications, for example by contacting the provider by phone.
10. Providers can provide the necessary information to customers in a single or multiple notifications.
11. The notification(s) shall provide clear, comprehensible and accurate information to enable customers to make an informed decision about whether (and how) to use roaming services on that particular roaming network. Providers need to notify customers without undue delay and:
  - enable customers to understand:
    - whether their tariff plan includes an allowance for the use of roaming services.
    - the charges for using roaming services on that particular network.
    - where there is a time period for charges, the start and end time.
    - where there is a volume limit (such as a data roaming limit) that applies to roaming services, the level of the limit and the charges that would apply to use services beyond that limit.
  - where relevant, inform the customer about the option to specify, modify or remove a bill limit and direct customers to at least one easily accessible and free of charge channel (e.g. a zero rated website/ a free-to-call phone number or free-to-text number) on which they can do this (and which makes clear the likely extent of any delay between the customer requesting to set or modify the limit and it taking effect, and how the customer can confirm that it has taken effect).
  - direct customers to at least one easily accessible and free of charge channel (e.g. a zero rated website/ a free-to-call phone number or free-to-text number) which contains clear, comprehensible and accurate additional information on roaming charges, fair use policies and how to monitor, reduce and/or limit spend on roaming services.

### Timing of the notification(s)

12. Providers must ensure that customers are notified without undue delay so that they have the information they need to be able to make informed decisions about using roaming services.

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<sup>248</sup> While we use the term 'customer' throughout this guidance for simplicity, Conditions C3.15 to C3.17 refer to 'Relevant Customer'. For the purposes of C3.15 to C3.17, a Relevant Customer is a Subscriber who is a 'Consumer', 'Microenterprise or Small Enterprise Customer' and 'Not-For-Profit Customer' as already defined in the General Conditions of Entitlement.

13. Providers are required to notify the customer when they connect to a mobile network in a country outside of the UK. The notifications are to cover both advertent and inadvertent roaming.<sup>249</sup> For example:
- If a customer travels to Country A then Country B then Country A again, they must (subject to paragraph 15 below) get 3 notifications – one for Country A, one for Country B and then a further notification for Country A.
  - If a customer travels to Country A and while they are in Country A they inadvertently roam in Country B, they must get 2 notifications – one for Country A and one for Country B.
  - If a customer is in the UK and connects to a network in a country outside of the UK, they must get a notification for that country (e.g. for Ireland or France).
  - If a customer travels to Country A, returns to the UK and travels to Country A again, they must (subject to paragraph 15 below) get 2 notifications for Country A – one when they first visit Country A and another when they return to Country A.
14. We will take a pragmatic approach to compliance monitoring and enforcement. In assessing compliance with the timing of the notification(s), we will consider whether providers have taken reasonable steps to ensure that roaming notifications are sent without undue delay and to address problems with delays in notifications being sent.
15. We also recognise that there may be some limited circumstances where sending roaming notifications each time that a customer's device technically connects to a roaming network may adversely impact that customer's roaming experience and have a negative impact on how they engage with the information in the notifications. For example, where a customer is in a border area and connects to (and de-connects from) a roaming network multiple times per day. In such cases, we would expect providers to have taken, and be able to evidence that they have taken, all reasonable steps to ensure that roaming notifications are sent with sufficient frequency, taking account of customer feedback (for example, customer complaints about the number of messages they receive being too high), and evidence of customer harm from unexpected roaming bills.

### Format of the notification(s)

16. Roaming notifications must be sent directly to the customer's mobile device, irrespective of the type and form of that device (e.g. handset, tablet, laptop with a dongle).<sup>250</sup> The notification(s) needs to be provided in an easily accessible format (e.g. text message, pop up message, free of charge landing page) and avoid customers having to actively search for the relevant roaming information. It also needs to be provided free of charge in a way that does not require the customer to use a paid roaming service in order to access it.
17. As required by Condition C5, providers should provide, on request and free of charge, information in a reasonably acceptable format to customers that need it because of their disabilities.<sup>251</sup>

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<sup>249</sup> Inadvertent roaming occurs when a mobile device connects to a network intended for use in a country outside of the country that the customer is located in. This can happen when the signal strength from the network in the other country is stronger than the network in the country the customer is located in (e.g. near a border).

<sup>250</sup> Device or devices where there is more than one SIM attached to the customer's account.

<sup>251</sup> Ofcom, 2020 [Fair treatment and easier switching for broadband and mobile customers - Implementation of the EECC](#).

18. When assessing compliance with the requirements and whether to take enforcement action, we would consider the type of device and channel being used to provide the notification(s) and if reasonable steps were being taken to ensure customers can easily access the notification(s).

### Content of the notification(s)

19. Condition C3.15 specifies information that providers need to include in the roaming notifications. We set out below Ofcom's expectations relating to:

- Information on roaming charges (paragraphs 21 to 26).
- Information on mobile bill limits (paragraphs 27 to 34).
- Further information on roaming charges, fair use policies and how to monitor, reduce and limit spend on roaming services (paragraphs 35 to 38).

20. When assessing compliance with the requirements and whether to take enforcement action, we will consider:

- whether the information is accurate, clear and comprehensible; and
- the extent to which it has achieved the objective of enabling customers to make an informed decision about whether (and how) to use roaming services on the particular roaming network and enable customers to protect themselves against unexpected roaming bills.

### Information on roaming charges

21. The notification(s) must include information so that a customer can understand what charges they are liable to pay if they choose to use roaming services for the particular country (and the impact how much they use will have on the charges).

22. Providers need to provide customers with sufficient information to enable them to understand:

- Whether roaming in the given country is included in their tariff plan.
- If roaming is not included in a customer's plan or tariff, how much they will be charged (e.g. per minute, per text and per GB).
- If there is a charge based on a period of time, how much they will be charged for each period and when the period starts and ends (e.g. £X for 24 hours from first use, £X for each 24 hour period based on midnight to midnight local time, £X for each 24 hour period based on midnight to midnight UK time).
- If there is a limit on what a customer can use before they incur charges (or different charges apply), what that limit is and the level of charges for using services beyond that limit (e.g. no charges up to fair use data roaming limit of XGB and then £X per GB or a finite amount of data/calls/texts before a new pass or bolt on must be purchased). We note some providers might cap calls and texts as well as data, and that information on any volume caps on calls and text should also be provided.

23. This information should be included within the notification(s) where possible but there is some flexibility where necessary to provide information through a clearly signposted,<sup>252</sup> easily accessible, and free of charge channel rather than solely through the notification. Where

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<sup>252</sup> Where the notification sets out what information can be accessed through that channel and informs the customer that the channel is free of charge.

providers are already providing personalised information in their notification(s), we would expect them to continue to do so.

24. In developing and reviewing the information they set out in their notifications to customers, we expect providers to ensure that they consider:

- How to present pricing information in a way that does not mislead customers or omit relevant information that could impact on the roaming choices customers make.
- The terms and conditions that apply to different tariff plans, and any changes to tariff plans over time.
- Whether there is additional information that they should provide in the notification(s) itself or by signposting customers to where relevant information can be accessed (e.g. elements of a fair use policy other than volume limits that would impact on the charges the customer would need to pay in practice).

25. Price/charge information should be expressed in sterling and inclusive of any applicable taxes. Prices/charges for business customers can be expressed exclusive of VAT.

26. In addition to the roaming notification(s) requirements in Condition C3.15, Condition C3.13 requires providers to notify consumers (and, unless agreed otherwise, microenterprise or small enterprise and Not-for-Profit customers) when services included in their tariff plan and billed on the basis of time or volume have been fully consumed (e.g. when reaching a fair use limit or the end of a daily charging period). Under Condition C3.14, such notifications must include information on any usage charges the customer will incur if they continue to use the service. These provisions apply to roaming services as well as UK usage.

***Good practice in this area includes:***

- A provider includes fully personalised information within the notifications.
- A provider sends a further roaming notification to a customer when they remain on a roaming network for an extended period of time (for example, seven days or more).
- A provider having a single approach to how a time period is defined across different roaming services, systems and countries.
- Where a daily charge applies for using roaming services, defining a day as 24 hours from first use.
- Providing customers with information about the possibility of accessing emergency services by dialling 112 free of charge while roaming in the EU.

## Information on bill limits

27. Section 124S of the Communications Act 2003 (the Act) requires providers to:

- Give all customers the ability to put a mobile bill limit in place when taking out a new contract or when renewing an existing contract, and to specify, amend or remove a mobile bill limit on reasonable notice at any time.<sup>253</sup>
- Notify customers in reasonable time (and so far as practicable) when their mobile bill limit is likely to be reached before the end of a billing period, and notify customers as soon as practicable if their mobile bill limit is reached before the end of the billing period.

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<sup>253</sup> Ofcom, July 2017. [Mobile bill limits implementation](#)

- A customer's limit can only be exceeded with their express consent. If a service continues to be provided without this consent, the customer's use of the service does not constitute agreement to the limit being exceeded.
28. These rules apply to mobile services used when roaming as well as to mobile services used within the UK.
29. Under Condition C3.15 providers are required, where relevant, to inform customers in the roaming notification(s) about their right to specify, modify or remove a mobile bill limit.
30. We would expect this information to be relevant in most cases. For example:
- If a customer would need to amend a bill limit to be able to purchase and use a roaming pass or add on.
  - If without a bill limit being in place, a customer could receive an unexpected bill or a bill which is higher than usual (e.g. outside of their core subscription price, due to exceeding the usage or fair use policy of a roaming pass or roaming add-on and then being charged standard roaming charges) due to using roaming services.
31. We recognise however that there may be some limited circumstances where the provision of this information may not be relevant. For example, for customers who pay in advance a fixed, pre-defined non-recurring sum for the use of roaming services, after which (without their express consent) they are unable to use further roaming services.
32. Where relevant, the notification(s) must also direct customers to at least one easily accessible and free to access channel where the customer can specify, amend or remove a mobile bill limit. For example, a zero-rated link to the relevant section of a provider's website, a free-to-call phone number or free text number where they can access further information.
33. Providers should explain clearly on that channel how long it will likely take them to apply a request from a customer to specify, amend or remove a mobile bill limit from the point at which it is requested by the customer; and how a customer can confirm the mobile bill limit is in place. This is particularly important where a provider does not apply the mobile limit immediately (or within minutes/hours).
34. We note that the requirement to give customers the option to specify or amend a mobile bill limit and to inform them about this does not preclude providers from putting additional backstop spend limits in place (e.g. to help customers manage their spend and avoid unexpected bills).

***Good practice in this area includes:***

- Informing customers whether they would need to amend an existing bill limit in order to use roaming services.
- Providers applying by default a backstop spend limit beyond which a customer would need to give their explicit consent to continue to be charged for use of roaming services (e.g. a default data roaming limit or a backstop spend limit that applies to all roaming services). This is particularly relevant where providers take longer to apply a request from a customer to set or amend a mobile bill limit.
- Considering the needs of different customer groups including disabled or vulnerable customers (e.g. easy to use usage monitoring tools to help financially vulnerable consumers manage their spend).
- Providers having systems and processes in place that apply changes customers have requested to their mobile bill limit (e.g. to specify a limit or to amend the level of an existing limit) immediately or very soon after (e.g. within minutes/hours).

### Additional information on roaming

35. The notification(s) must direct customers to at least one easily accessible channel on which they can find clear, comprehensible, and accurate additional information on the charges applied for using roaming services (and any associated fair use policies) and the measures that customers can take to monitor, reduce and limit spend on roaming services ('further information').
36. That channel should be free to access. For example, a zero-rated link to the relevant roaming section of a provider's website, a free-to-call phone number or free-to-text number where they can access further information.
37. We would expect the further information to include:
- More details on the charges applied for using roaming services and further details of any roaming fair use policies that would apply to the customer.
  - The measures customers can take to monitor, reduce and/or limit their spend on roaming services. This includes more information on opt-in measures such as mobile bill limits or default limits set by the provider and applying bars to roaming services (e.g. call barring options) and the risks and consequences of automatic and uncontrolled data roaming and how to avoid this (e.g. how to switch off roaming/data roaming). Providers should set out how customers can monitor spend (e.g. via apps or notifications which providers will send when a limit is nearing or has been fully consumed).
  - Other relevant information that providers consider will be important in helping customers make informed decisions and understand what may impact on use of roaming services and the charges they would be liable for (e.g. the types of services that may be subject to increased charges such as premium rate numbers, and/or quality of service information).
38. We would expect providers to ensure that the further information they provide, particularly in relation to more detailed charging information, is quickly and easily accessible for customers regardless of the time of day.

**Good practice in this area includes:**

- Providers testing roaming information with customers and acting on feedback, including on ease of understanding, readability, and ease of access.
- Providers making it easy to identify and access information that is relevant to them (e.g. checking search terms bring up the appropriate content, providing a country ‘look up’ facility to bring up information related to particular countries).
- Providing information to customers to help them understand how network switch off (e.g. ‘2G and 3G switch off’) happening in other countries may impact on their roaming experience when travelling. This may include communicating directly with customers who are more likely to be directly impacted (e.g. those who are regular travellers to relevant destinations) and explaining actions they could take.<sup>254</sup>
- Providing information on issues that may arise when roaming services are provided by a third party and are not therefore provided as part of the customer’s mobile subscription contract (e.g. provided directly by a ferry company).

## Option to opt out and back in

39. Under Condition C3.16, customers must have the option to opt out and opt back in to receiving roaming notifications. This option should be available free of charge and easy for customers to access and use, for example by contacting the provider by phone and/or live chat. Providers are required to make the option to opt out/back in clear to customers for example by including it on their roaming information webpages or in response to relevant customer queries.

**Good practice in this area includes:**

- If a customer has previously opted out of receiving roaming notifications, periodically reminding them about the option to opt back in (e.g. an annual reminder ahead of the peak travel period). This can be particularly helpful for consumers who may not roam frequently and may not remember they previously opted out.

## Examples

40. Examples of what the roaming notifications could look like are set out at as an Annex to this guidance. The content of the notifications will depend on a customer’s tariff plan and how the provider provides information to enable the customer to make informed decisions on roaming.

## Inadvertent roaming protections

41. Condition C3.17 requires providers to:

- Provide clear, comprehensible and accurate information to customers on how to avoid inadvertent roaming, particularly in border regions.
- Have measures in place to enable customers to reduce and/or limit expenditure related to inadvertent roaming while they are in the UK.

## Information on how to avoid inadvertent roaming in and outside of the UK

42. We expect that clear, comprehensible and accurate information on how to avoid inadvertent roaming both in and outside of the UK should include:

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<sup>254</sup> Ofcom, February 2023, [2G and 3G switch off: Our expectations of mobile providers](#) para 3.35.

- Where customers may be more likely to experience inadvertent roaming (e.g. in particular border regions).
  - The potential impacts to customers of inadvertent roaming and how to mitigate these (e.g. how to adjust settings to connect to a particular network, how to switch off roaming, options available to bar certain roaming services).
43. Providers can publish such information on their website and can also include or signpost relevant information in their roaming alerts.

***Good practice in this area includes:***

- Proactively alerting customers to the likelihood of inadvertent roaming in areas where this often happens. For example, customers roaming in Cyprus may be advised in the alert that “During your stay you may connect to a network in Turkey. If this happens you will be charged XX. To prevent this you can XX”.

## Measures to enable customers to reduce and/or limit their spend on roaming services while in the UK

44. Providers are required to have measures in place to enable customers to reduce and/or limit their spend on roaming services while in the UK. We expect providers to have particular regard to customers in Northern Ireland given they are at greater risk of inadvertent roaming in Ireland while they are still in the UK. For the avoidance of doubt, we do not consider that satisfying the duty relating to mobile bill limits under section 124S of the Communications Act 2003 is a sufficient measure.
45. We recognise that providers have different business models and offer a range of roaming services and tariffs. When assessing compliance with the above requirement, and whether to take enforcement action, we would consider the potential for, and extent of, any customer harm and whether the measures the provider has in place have achieved the objective of helping customers to reduce and/or limit their spend on roaming services while they are still in the UK.
46. Examples of such measures may include:
- Treating Ireland usage as UK usage.
  - Offering special tariffs covering Northern Ireland and Ireland.
  - Not applying daily roaming charges for customers in Northern Ireland to use their UK allowance in Ireland.
  - Not applying roaming fair use policies for customers in Northern Ireland for use in Ireland or applying the same fair use policies for Ireland as for Northern Ireland.
  - Providing easy to use contact channels for customers to apply for refunds of roaming charges in the South of England (e.g. a customer in Kent who experienced inadvertent roaming onto a French network).

## Access to information

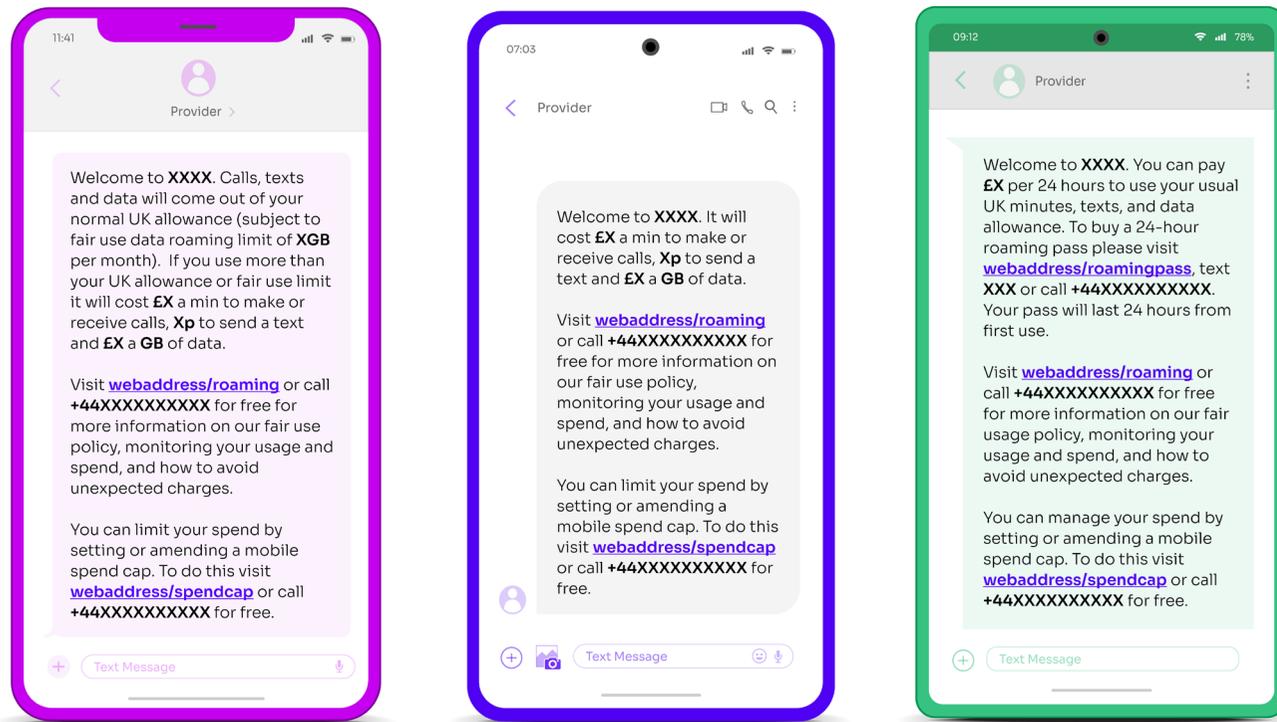
47. Providers should take steps to ensure that information on the measures they have in place to enable customers to reduce and/or limit their spend on roaming services while in the UK are easily accessible. This includes:
- Having a dedicated webpage or website section.
  - Making sure website search functions bring up relevant measures and useful information.

- Making information accessible (e.g. readable by screen reader software).

## Annex to Guidance on General Condition C3 – examples of roaming notifications

48. Examples of what the roaming notifications could look like are set out below. The content of the notifications will depend on a customer's tariff plan.

**Figure 1: Examples of roaming notifications**



*Example notes (left to right): (1) Alert where: (i) roaming included in plan (ii) no time period charges and (iii) a fair use data roaming limit. (2) Alert where: (i) roaming not included in plan (ii) no time period charges and (iii) no quantitative fair use roaming limits. (3) Alert where: (i) customer needs to buy a pass (ii) UK allowance unlocked via daily roaming pass charge and (ii) no quantitative fair use roaming limits.*