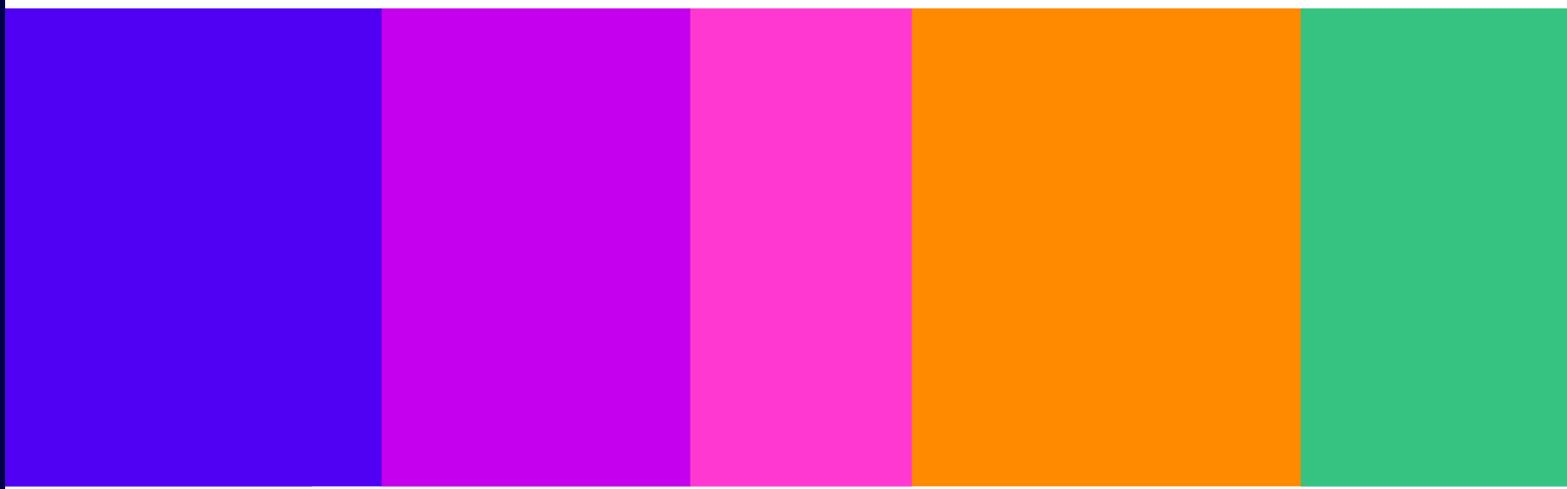


# Guidance on General Condition C3: Roaming requirements (1 October 2024)

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**Guidance**

Published 1 October 2024



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# Guidance on General Condition C3 – roaming requirements

## Purpose

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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>1</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);

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<sup>1</sup> Ofcom, [Fairness for customers](#).

- b) customers get the support they need when their circumstances make them vulnerable (Commitment 2); and
- 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

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8. Condition C3.15 requires mobile service providers ('providers') to notify customers<sup>2</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>2</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>3</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>4</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.

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<sup>3</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>4</sup> Device or devices where there is more than one SIM attached to the customer's account.

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>5</sup>
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 notifications(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.

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<sup>5</sup> Ofcom, 2020 [Fair treatment and easier switching for broadband and mobile customers - Implementation of the EECC](#).

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>6</sup> easily accessible, and free of charge channel rather than solely through the notification. Where 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.

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<sup>6</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.

## 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>7</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.
- 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).

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<sup>7</sup> Ofcom, July 2017. [Mobile bill limits implementation](#)

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>8</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

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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.

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<sup>8</sup> Ofcom, February 2023, [2G and 3G switch off: Our expectations of mobile providers](#) para 3.35.

## 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:

- 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

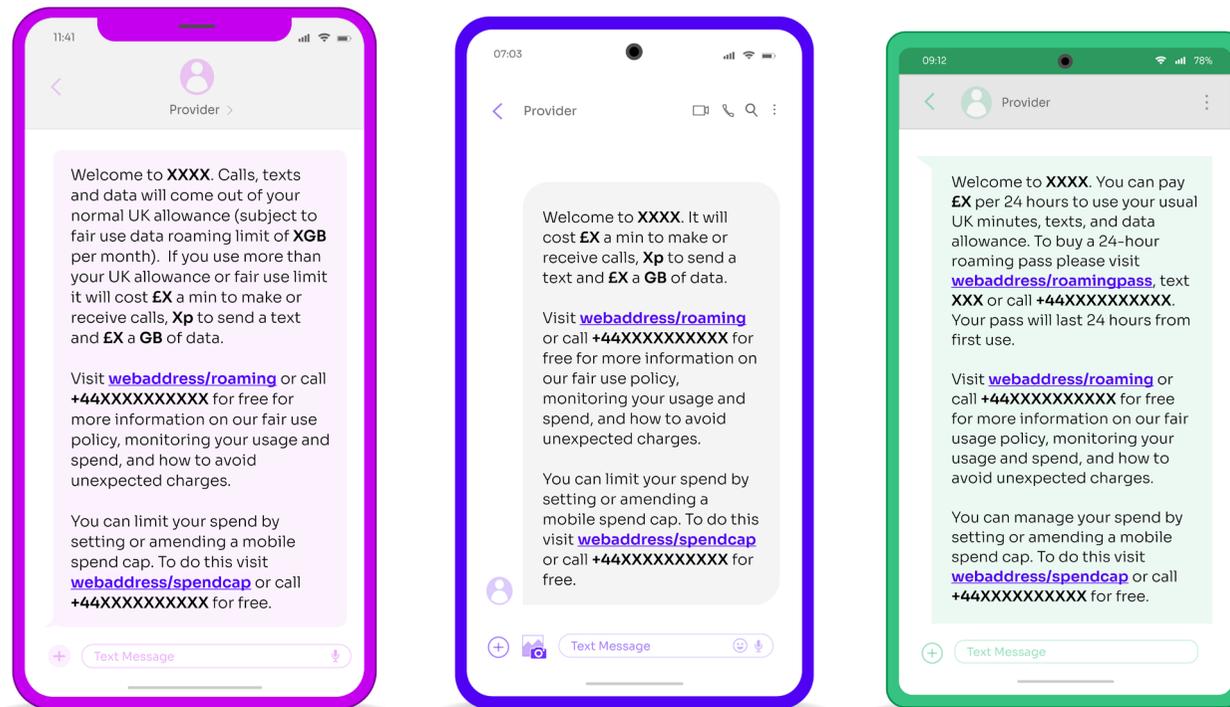
47. Providers should take steps to ensure that information on the measures they have in place to enable customers to reduce and/or limit their spend on roaming services while in the UK are easily accessible. This includes:

- 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).

# A1. Examples of roaming notifications

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.