



4G Roaming Data Cap

Information Note

Channel Islands Competition and Regulatory Authorities

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1. As part of the 4G mobile spectrum allocation process, bidders committed to a requirement relating to Regulation (EU) 531/2012:

Requirement 13 – successful applicants agree to give their LTE service customers, when they roam outside the Channel Islands, the benefit of retail prices at least as favourable as the retail price constraints which apply to operators in the European Union by virtue of Regulation (EU) 531/2012, and the benefit of customer information equivalent to, or better than, that required of operators in the EU by virtue of the same Regulation. Reference to Regulation (EU) 531/2012 is reference to it as it stands now and, at CICRA’s direction, as it is amended or replaced by subsequent legislation.

2. Article 15 of the Regulation provides that, inter alia, the roaming provider ‘shall make available one or more maximum financial limits for specified periods of use, provided that the customer is informed in advance of the corresponding volume amounts’.
3. In July 2017, CICRA accepted a proposal from JT and granted a waiver in respect to that element of Minimum Requirement 13 which obliged a default cap of around £50 on data roaming charges for a period of 6 months.

4. This waiver was subject to certain conditions:

- i) JT taking immediate active steps in terms of customer sign up procedures (for new customers) and communicate (for existing customers) to make sure all its 4G customers are made aware that they have the option to opt for a cap of £50
- ii) There being no circumstances arising in terms of customer harm from the waiver during the period that would lead CICRA to reconsider its waiver.

The waiver would be made permanent at the end of the six month if both conditions (i) and (ii) were met.

5. JT has satisfied CICRA that it has complied with these requirements, and the JCRA/GCRA Boards have now provided the attached confirmation of the communication it carried out on roaming pricing and guidance to avoid bill shock while roaming.
6. The Boards therefore release JT with immediate effect from the requirement to set a default financial limit.
7. Other 4G operators may be released from the same requirement placed on them subject to explicit confirmation that they accept the following conditions:
 - a. They will take immediate active steps in terms of customer sign up procedures (for new customers) and communicate (for existing customers) to make sure all its 4G customers are made aware that they have the option to opt for a cap of £50
 - b. Their providing CICRA with unqualified assurances that there were no circumstances arising in terms of customer harm from the waiver during a period of six months from the date of their request that would lead CICRA to reconsider its waiver.

The waiver would be confirmed in writing by CICRA and thereby made permanent at the end of the six month subject to confirmation from the other 4G operators that both conditions (a) and (b) had been met.

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