



ERG (07) 41

International Roaming Regulation – Article 4(3)

Identification of consumers on 'special' tariffs for the purposes of the Euro Tariff "opt-in" regime

ERG Guidelines - 1st Release

ERG considers that it may be useful to providers to express its initial views on the rules governing the identification of consumers on "special tariffs" who will not be transferred automatically to the Euro Tariff. The Guidelines will be updated shortly if needed, following discussions between individual NRAs and their national providers.

All customers must be offered the opportunity to choose a Euro Tariff. The essential feature of the opt-in/out rule, is that those customers who have already made an explicit choice of a 'special' roaming tariff (other than the roaming tariff on which they would have been placed in the absence of such a choice) should be placed on the 'opt-in' regime and would remain on their existing tariff unless they explicitly chose to switch; all other consumers would automatically be switched to a Euro tariff.

Types of tariff normally qualifying as special tariffs

ERG believes that it would be useful to identify the most common types of tariff already in existence that it considers qualify as 'special' roaming tariffs for this purpose. The following types of tariff have been identified by ERG but other types of tariff may also qualify. In all cases, an **explicit** choice by the customer (with or without a subscription fee) is required and the tariff should not be the company's default tariff:

- tariffs with no time limit with the feature that some or all calls are discounted relative to standard roaming rates;
- tariffs which offer a recurring bundle of minutes with the feature that some or all calls are cheaper relative to standard roaming rates; or
- two-part tariffs with a call set-up and conveyance charge with the feature that some or all calls are cheaper relative to standard roaming rates.

*Types of tariff **not** normally qualifying as special tariffs*

A consumer decision to subscribe for any of the following offers will **not** normally qualify as an explicit choice for the purposes of this rule as the consumer's roaming tariff normally reverts to the provider's standard rate once the offer has expired.

- a one-off bundle of roaming minutes;
- a one-off mixed bundle of roaming and other minutes; or
- a promotion offering special rates for a limited period.

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