



ComReg issues a Notification of a finding of non-compliance to Tesco Mobile Limited in respect of provisions of the Roaming Regulations

Information Notice

Reference: ComReg 18/21

Date: 20/03/2018

1. On 15 March 2018, ComReg notified Tesco Mobile Limited (“**Tesco Mobile**”) of a finding of non-compliance with its obligations under Articles 6a and 6e of Regulation (EU) 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union, as amended by Regulation (EU) 2015/2120 (“**the Roaming Regulations**”) and supplemented by the Commission Implementing Regulation (EU) 2016/2286.
2. The Notification of non-compliance was made in accordance with Regulation 8 of the Communications (Mobile Telephone Roaming) Regulations 2013 (as amended¹) (“**the Roaming Enforcement Regulations**”).
3. The Notification of non-compliance notifies Tesco Mobile of a finding that in relation to the Roaming Regulations, Tesco Mobile failed, in certain instances, to correctly calculate and apply roaming charges/surcharges to roaming data consumption.
4. The finding relates to the period from 15 June 2017 to 24 January 2018, during which Tesco Mobile overcharged Pay-As-You-Go (“**PAYG**”) and bill pay customers for data roaming services where the roaming customer had exceeded their roaming data allowance (calculated in accordance with Regulation (EU) 2016/2286), but remained within their overall domestic data allowance.
5. Tesco Mobile has until 12 April 2018 to state its views.

¹ By S.I. 240/2017 Communications (Mobile Telephone Roaming) Regulations 2013 (Amendment) Regulations 2017.