



New Zealand Telecommunications Forum

Code for Information on International Mobile Roaming Services and Charges

(“International Mobile Roaming Code”)

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INTRODUCTORY STATEMENT

The New Zealand Telecommunications Forum *Code for Information on International Mobile Roaming Services and Charges* (“*International Mobile Roaming Code*”) dated 14 June 2018, replaces the endorsed *International Mobile Roaming Code* dated 8 May 2014.

A separate document, the *International Mobile Roaming Guide*, sets out the recommended parameters and methodology for Service Providers to use as a basis for communicating likely charges to Customers when roaming. This Guide has also been reviewed and updated.

Background

In May 2010, the then New Zealand Minister for Communications and Information Technology, Steven Joyce, and the Australian Minister for Broadband, Communications and the Digital Economy, Stephen Conroy, released a discussion document prepared by officials from the then Ministry of Economic Development (MED) and Australia’s Department of Broadband, Communications and the Digital Economy (DBCDE). The purpose of the discussion document was to test whether the state of the trans-Tasman roaming market was such as to warrant a full market investigation.

As well as submitting a joint response to this document by the TCF, Australian Mobile Telecommunications Association (AMTA) and Communications Alliance Ltd, the TCF established a Working Party to investigate creating a consumer information standard for International Mobile Roaming. The first iteration of this Code was the outcome of that investigation.

In February 2013, the Ministry of Business, Innovation and Employment (MBIE) published a report on trans-Tasman roaming services. The report recommends increased powers for regulators in both countries to intervene in the market. At the time of updating this Code, no further information was available on the timing or market impact of these recommendations.

Since the first version of this Code was introduced:

- Service Providers have introduced tools and information to further inform Consumers about international mobile roaming.
- Consumers’ usage of data whilst roaming has increased.
- The number of complaints related to mobile roaming charges has decreased.

2018 Revision

This revision of the Code and Guide introduces the following additions and amendments:

- Modification of Code to require Service Providers to recommend Customers look at their current data usage to better understand the potential costs of International Mobile Roaming data services.
- Modification of the Code to require Service Providers to inform customers in the initial customer notification about where customers can get roaming information, while overseas, at no cost to them.
- Changes to the Guide to suggest parameters for estimated data usage scenarios for 4G.

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A. DEFINED TERMS

Code	Means this Code for Information on International Mobile Roaming Services and Charges.
Customer	Means a person who has a bona fide Billing Relationship with a Service Provider in respect of a Telecommunications Service.
Guide	TCF companion guide setting out recommended metrics for IMR usage examples, which may be amended by the TCF from time to time.
International Mobile Roaming or IMR	Means outbound international mobile telecommunication services provided to New Zealand Customers when they travel outside of New Zealand.
MMS	Means a Multimedia Message Service which could be text, graphic, video or sound files sent to and/or from a mobile phone.
Service Provider(s)	Means any person providing a Telecommunication Service to a Customer and who has the Billing Relationship with the Customer for that service.
SMS	Means short message service, generally being text messages sent to and/or from a mobile phone.

B. PURPOSE

1. The purpose of this self-regulated Code is to:
 - 1.1. Specify minimum consumer information standards for outbound International Mobile Roaming (IMR).
 - 1.2. Set out initiatives to improve transparency of IMR prices and how to use IMR services.

C. BACKGROUND

2. The industry seeks to improve consumer confidence in using IMR. Consumers need clear, consistent and useful information of IMR prices, charging and services.
3. Service Providers make detailed pricing information available to Customers using IMR today, however despite this; Customers continue to raise concerns about unexpectedly high charges when they use IMR services.

D. OBJECTIVE AND SCOPE

4. This Code applies to New Zealand Service Providers who are parties to this Code, with regard to services they provide in relation to IMR.
5. The objectives of this Code are to set out:
 - 5.1. Minimum consumer information standards that Service Providers agree to, in order to help raise the awareness of consumers of IMR services about tariffs and likely costs; and the methods for providing consumers with relevant information;
 - 5.2. Guidelines for Service Providers in relation to the options they provide to Customers to better manage their IMR charges;
 - 5.3. Measures that Service Providers should implement to ensure price information is presented in a clear, consistent, timely and useful manner, so as to provide consumers with ready access to sources of detailed information on IMR (such as their Service Providers website, before or while travelling).
6. The measures set out in Section E are minimum requirements to be observed for Service Providers who sign up to this Code. Recommended initiatives are set out in Section O.
7. For the avoidance of doubt, nothing in this Code requires, permits, encourages or endorses Service Providers to in any way fix prices of, or agree a method for charging for IMR services.

E. MEASURES TO PROMOTE INFORMED CUSTOMERS

This section sets out minimum requirements for Service Providers who sign up to this Code.

8. Minimum information requirements

- 8.1. Service Providers will provide information to their Customers in a manner that they consider to be the most suitable to the particular market and Customer needs.
- 8.2. Service Providers will provide Customers via its website and on request information regarding IMR, including:

Tariff Information

- 8.2.1. Tariff per minute of a voice call to a fixed number and a mobile number:
 - i. within the visited country;
 - ii. back to New Zealand;
 - iii. to a third country.
- 8.2.2. Tariff per unit to receive a call on their mobile phone in the visited country when applicable;
- 8.2.3. Tariff per unit for messages left on the voice mail of a Customer who is roaming;
- 8.2.4. Tariff per unit to retrieve a message deposited in the Customer's voicemail when applicable;
- 8.2.5. Tariff for sending and receiving an SMS and MMS;
 - i. within the visited country;
 - ii. back to New Zealand; and
 - iii. to a third country;
- 8.2.6. Tariff per Megabyte of data used within the visited country;
- 8.2.7. Information on which charging unit (e.g. seconds, minutes, kilobytes or megabytes) applies and whether flagfall or minimum charges are applicable;
- 8.2.8. Details where there are different tariffs for peak and off-peak usage;
- 8.2.9. Tariffs information should be provided in New Zealand dollar terms and state whether they are inclusive or exclusive of Goods and Services Tax (GST).
- 8.2.10. Information that websites and services that are zero-rated in New Zealand are not zero-rated when using international mobile roaming services.
- 8.2.11. Inclusion of information about how a Service Provider sets its daily charge, where daily packages of data are available for purchase and when the time starts and ends.

IMR Information

- 8.2.12. How to request enablement and/or disablement IMR services on that Customers' account;
- 8.2.13. Information on peak and off peak times, if appropriate, for each overseas network on which the Customer may be using IMR services;
- 8.2.14. Where available, information on, and any additional charges for prepay roaming and value-added services such as short codes (excluding Chargeable Messaging Services); and
- 8.2.15. Via the Service Provider's website, a web page containing answers to the most frequently asked questions related to IMR.

8.3. Service Providers will make the information set out in this clause 8 available at no cost to their Customers via their:

- 8.3.1. Customer service call or contact centres;
- 8.3.2. Retail Outlets, which are under direct control where applicable;
- 8.3.3. Website/s: The information should be displayed on a web page that is available via a link from the Service Provider's home page or from a link on the main website page for mobile services.
- 8.3.4. Service Provider mobile application.

8.4. Service Providers will also provide to their Customers on request information regarding IMR for other networks where roaming is available, such as those available on airplanes and ships.

9. Initial Customer Notification When Using IMR Service

9.1. A Service Provider will send its Customer a SMS message, or functionally similar notification, when the Customer first connects to each visited roaming area's country or first initiates a data session using IMR.

9.2. A SMS message can only contain a limited amount of characters and, accordingly, a Service Provider can provide only key IMR information. At a minimum, Service Providers must set out standard call, SMS and data tariffs applicable to IMR in that roaming area and indicate where a customer may access information set out in clause 8 and notify the customer that this will be at no cost to them. For example, through an internet link to their website and/or the phone number for Customer service.

10. Common Metrics for Explaining IMR Data Roaming Usage

10.1. Service Providers recognise that initiatives are necessary to ensure Customers understand pricing of IMR data services, particularly per Megabyte based tariffs. Accordingly, Service Providers will strive to present information about the likely costs of utilising IMR data services in a clear, consistent and helpful manner.

10.2. To assist Customers with understanding the price of IMR data services, Service Providers will:

- 10.2.1. provide examples of likely data usage estimates IMR customers will incur from the most commonly used services and applications.
- 10.2.2. recommend Customers look at their current mobile data usage and consider how this may change while they travel so they can estimate their likely IMR data use to help them better understand potential costs;

10.3. Service Providers will use the recommended parameters and methodology set out in the Guide to provide a basis for communicating these estimates to Customers.

10.4. If a Service Provider does not price IMR data services on a per Megabyte basis, then the principles set out in clause 9.2 will apply to any other unit applied to data usage, as appropriate.

11. Advertising of IMR services

11.1. All parties to this Code agree to the following guidelines on how they will present and advertise information about IMR.

11.2. These guidelines are in addition to the obligations that all Service Providers have to present information in a fair and reasonable manner in accordance with the Fair Trading Act and other relevant legislation, guidelines or requirements.

11.3. When advertising and promoting IMR, the Service Provider will:

- 11.3.1. Notify Customers that IMR services are charged on a different basis to domestic mobile services;
- 11.3.2. Provide details of where Customers may obtain detailed information about the relevant price of IMR services;

- 11.3.3. When advertising IMR services specifically, advise Customers that costs may be significantly different to those which the Customer pays when they are using their mobile phone in New Zealand.
- 11.4. There are several ways to provide information to Customers on IMR prices and charges. Service Providers are to elect the most effective method for communicating with their Customers as appropriate to each particular market segment. When space permits the Service Provider will provide more detailed information.

F. FURTHER INITIATIVES TO PROMOTE INFORMED CUSTOMERS

12. Optional Initiatives

This section sets out some optional requirements for Service Providers who sign up to this Code.

- 12.1. It is recommended that Service Providers strive to make this information available to their Customers via the following methods and information channels:
- 12.1.1. Independent Retail Outlets: Service Providers should encourage independent retailers that sell their products and services to have information available on where consumers are able to obtain the IMR information referred to in clause 8. For example, retail outlets would have available the Customer service phone number of the Service Provider and the URL for the Service Provider's website.
 - 12.1.2. Airports, Departure points and Travel Agents: Where available and commercially viable, Service Providers are encouraged to raise awareness of IMR, IMR prices and where to obtain detailed information about IMR, at New Zealand airports, travel agents, or travel websites through advertisements, brochures or other means, before consumers travel. These advertising opportunities could be used to provide the Customer with service details and/or SMS short codes that can provide Customers with the information set out in clause 8 relevant to their Customers proposed destinations.
- 12.2. It is recommended that, when available, Service Providers make information about international mobile roaming packages available to their customers in the initial customer notification at clause 9.2.
- 12.3. It is recommended that Service Providers send out data warning messages to those with roaming data packages appropriate stages when data has been consumed.
- 12.4. Any additional measures, other than those set out above, that Service Providers want to apply and which contribute to the aims of this Code are also encouraged by this Code.

G. CODE COMPLIANCE & ADMINISTRATION

13. Compliance with the Law and Other Codes

- 13.1. Compliance with this Code provides a framework for all Parties to act in accordance with New Zealand legal and regulatory obligations. Industry participants including Parties to this Code have an obligation to comply with all applicable laws, regulations and requirements of any government or statutory body, as well as other applicable industry standards or Codes.
- 13.2. It is the responsibility of the Parties to this Code to be fully conversant with the latest version of this Code, and to ensure that they are compliant at all times.

14. Compliance with this Code

- 14.1. This Code will come into force three (3) months from the date the Code is endorsed by the TCF.
- 14.2. The TCF Code Compliance Framework (CCF) applies to the ongoing monitoring and compliance management of this Code. By becoming a Party to this Code, Parties agree to comply with and are bound by the terms of the CCF in relation to the performance of their obligations under this Code.

Defined terms in this section refer to CCF Defined Terms.

14.3. In accordance with section H of the Code Compliance Framework, any Party that becomes a signatory to this Code after it has come into effect must self-certify that they are compliant with the Code's requirement within three months of the date they become a Code Signatory.

14.4. For the purposes of the self-certification requirements under the CCF, the Parties are required to certify they comply with section E of this Code.

14.5. Without limiting each Party's obligations, Parties to this Code must keep information they deem necessary to show their compliance with this Code, should it be required.

15. Code Administration

15.1. This Code will be amended in accordance with the TCF's Operating Procedures Manual. If you wish to propose changes to this Code, please contact the TCF via www.tcf.org.nz/contact.

15.2. Any enquiries or advice in relation to this Code can be made at www.tcf.org.nz/contact.