

# Ofcom's consultation on the Phonepaid Services Authority's draft 15<sup>th</sup> Code of Practice

## Response from Mobile UK

June 2021

### Response

1. Mobile UK is the trade association for the UK's mobile network operators - EE, Telefonica UK (O2), Three and Vodafone.
2. Mobile UK welcomes the opportunity to submit a response to Ofcom's consultation on the Phonepaid Services Authority's draft 15<sup>th</sup> Code of Practice.
3. While Mobile UK agrees that it is a timely moment to assess how the PSA can improve its regulation to keep pace with change and, while we support many of the changes that PSA is proposing, we urge that Ofcom does not approve the 15<sup>th</sup> Code of Practice until it has seen the outcome of the PSA's consultation.
4. Our response highlights some points where we feel a rethink, change of emphasis or more clarity is needed, for example:
  - Regulatory approach, where some of the language confusingly seems to incorporate out of scope services.
  - Due diligence: in most places the documentation is clear that DDRAC is only to be carried out on directly contracted parties, but there instances which confuse by implying that network operator responsibilities could be wider
  - The Code must be clearer on who has primary responsibility for customer care. The contract for Premium SMS, Charge to Bill, Voice shortcodes and Premium (long dial) Voice services is between the customer and the Service provider. The Service Provider must explicitly have primary responsibility for customer care.
  - The measures on subscription services unfairly and unjustifiably puts premium rate at a disadvantage to other forms of payment
  - The transitional arrangements do not appear to be workable or proportionate
5. Mobile UK is currently preparing a response to the PSA, which we undertake to share with Ofcom in due course.