

Broadband information: Guidance under General Conditions C1 and C2

New guidance to improve consumer understanding of the technology used to provide broadband services

Guidance

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A1 Background

- A1.1 This document sets out guidance on General Conditions C1.3, C1.5 and C2.3. In line with the decision in our statement on improving broadband information for consumers,¹ this guidance will apply from **16 September 2024**.
- A1.2 Ofcom has previously published [guidance on contract requirements under General Condition C1](#), which came into force in June 2022. The guidance in this document specifically relates to information about the type of network technology used to deliver fixed broadband services, and is intended to complement the aforementioned pre-existing guidance.

Purpose of this document

- A1.3 It is important that consumers have relevant information about the type of technology used to deliver their broadband service which empowers them to compare like-with-like retail products and to make informed purchasing decisions. This guidance is intended to ensure that consumers receive clear and unambiguous information about the broadband technology used to deliver a service at all stages of the purchasing journey, including initial investigation of the services available to them, signing up for a new service, and within the terms and conditions received upon entering into a contract.
- A1.4 Ofcom's General Conditions of Entitlement (GCs) are regulatory conditions which all communications providers (or all communications providers of a particular description) must comply with if they wish to provide services in the UK.² Part C of the GCs contains consumer protection provisions which, among other things, set out the types of information consumers should receive at different stages of the sales journey to ensure they are able to make informed decisions when choosing which communications services to buy.
- A1.5 This guidance clarifies the information we would expect regulated providers to share about the type of broadband technology used to deliver a broadband service to customers. Specifically, this document sets out Ofcom's guidance under the General Conditions in the following areas:
- a) **General Condition C1.3** – which requires a regulated provider to provide a relevant customer with the Contract Information set out in the Annex to Condition C1 before the customer is bound by a contract for a relevant communications service, to the extent that it relates to a service they provide. As part of this Contract Information, providers must include a description of the services offered, as set out in Table A of the Annex.
 - b) **General Condition C1.5** – which requires a regulated provider to provide a relevant customer with a Contract Summary, before entering into a contract, free of charge.

¹ Ofcom, December 2023. [Improving broadband information for consumers](#). New guidance to improve consumer understanding of the technology used to provide broadband services.

² Ofcom has the power to set and enforce GCs under section 45 of the Communications Act 2003. Further information can be found on our website: [General Conditions of Entitlement](#).

- c) **General Condition C2.3** – which requires a regulated provider to publish certain information in respect of any relevant communications services or bundles they provide under standard terms and conditions. Specifically, subclause (b) requires providers to publish a description of the services offered, including the main characteristics of each service provided.
- A1.6 This guidance does not form part of Conditions C1 and C2.3. Its purpose is to assist Communications Providers (providers) to comply with the minimum requirements of Conditions C1 and C2.3 by outlining Ofcom’s likely approach to investigating compliance.
- A1.7 This guidance is not binding on Ofcom, and while we will take it into account, we will determine compliance with Conditions C1 and C2.3 on the basis of the individual circumstances of any case. Where we decide to depart from the guidance, we expect to give reasons for doing so. Words and expressions used in Conditions C1 and C2.3 shall have the same meaning when used in this guidance, unless otherwise indicated.
- A1.8 For the avoidance of doubt, this guidance relates to the provision of information on the underlying technology used to deliver the broadband service. It does not apply in any other context, such as the product name for the service.
- A1.9 The structure of this guidance follows the customer sales journey, examining points at which the customer should receive information about the underlying technology used to deliver their broadband service.

Scope

- A1.10 This guidance applies to broadband services delivered to consumers through a fixed connection.³
- A1.11 Conditions C1.3 and C1.5 require two sets of information to be provided to customers before they enter into a contract: the specified Contract Information and a Contract Summary. This guidance applies to all sales channels through which a customer might purchase a fixed broadband service (including over the telephone) and thereby receive a Contract Summary and Contract Information.
- A1.12 Condition C2 contains a broad set of information and publication requirements for providers, including a requirement to publish certain information about broadband services on the provider’s website.

Conditions C1.3–C1.7: Contract Information and Contract Summary

Scope

- A1.13 Conditions C1.3 to C1.7 set out requirements for providers in relation to the information they must provide to Consumers and other relevant customers before they enter into a

³ This includes Fixed Wireless Access (FWA) technology, which is an access service where the connection between the network and the equipment located at the customer’s premises is provided over the radio access medium.

contract for Electronic Communication Services (ECS).⁴ These conditions apply to all providers of ECSs, except in so far as they provide Machine-to-Machine Transmission Services, as defined in the Conditions.⁵ This includes any provider that provides a fixed broadband service.

- A1.14 The term ‘Consumer’ is defined in the Conditions as *‘any natural person who uses or requests a public ECS or Bundle for purposes which are outside his or her trade, business, craft or profession’*.

Requirements under Condition C1.3

- A1.15 Condition C1.3 says:

C1.3 Before a Relevant Customer is bound by a contract for a Relevant Communications Service, Regulated Providers shall provide that Relevant Customer with the Contract Information set out in the Annex to Condition C1 to the extent that it relates to a service they provide.

- A1.16 Table A in the Annex to Condition C1 specifies the types of Contract Information providers should give to customers. Specifically, clause 2 requires providers to set out a *“Description of services”*, which includes *“the main characteristics of the service provided”*.

Requirements under Condition C1.5

- A1.17 Condition C1.5 says:

C1.5 Before entering into a contract, Regulated Providers shall provide the Relevant Customer, free of charge, with a Contract Summary.

- A1.18 The term ‘Contract Summary’ is defined in the Conditions as *‘the information required and set out in accordance with the contract summary template specified by the European Commission under Commission Implementing Regulation (EU) 2019/2243 of 17 December 2019 establishing a template for the contract summary to be used by providers of publicly available electronic communications services pursuant to Directive (EU) 2018/1972’*.

- A1.19 The guidance set out below in A2, as it relates to Condition C1.3, clarifies Ofcom’s expectations as to how the Contract Information in the Annex to Condition C1 and the Contract Summary should be provided, specifically in relation to the type of broadband technology used to deliver a broadband service to customers. This guidance is not exhaustive, and the full list of information which needs to be provided before a customer is bound by a contract under these Conditions is set out in the Annex to Condition C1 and in the Contract Summary Implementing Regulation.⁶

⁴ These conditions apply to Consumers, Microenterprise or Small Enterprise Customers, and Not-for-Profit Customers. We refer to these customers throughout this guidance as ‘relevant customers’. Conditions C1.5-C1.7 relating to Contract Summaries also apply to Bundles provided to relevant customers.

⁵ GC C1.1.

⁶ [Commission Implementing Regulation \(EU\) 2019/2243 of 17 December 2019](#) (‘the Contract Summary Implementing Regulation’).

Condition C2.3: General information publication requirements

Scope

- A1.20 Condition C2.3 sets out requirements for regulated providers to publish certain information on their website in respect of any relevant communications services or bundles they provide under standard terms and conditions. This condition applies⁷ to all providers of Internet Access Services⁸ and/or Number-based Interpersonal Communications Services⁹ when they provide such services to End-Users; and to providers of bundles to relevant customers.
- A1.21 The term 'End-User', in relation to a public ECS or bundle, is defined in the Conditions as:
- a) a person who, otherwise than as a Communications Provider, is a Customer of the provider of that service or Bundle;
 - b) a person who makes use of the service or Bundle otherwise than as a Communications Provider; or
 - c) a person who may be authorised, by a person falling within paragraph (a), so to make use of the service or Bundle.

Requirements under Condition C2.3

- A1.22 Condition C2 sets out information publication and transparency requirements which aim to *"ensure the availability of adequate, up-to-date, comparable information for end-users on the prices, tariffs, terms and conditions of communications services [...] so as to enable end-users to compare easily the offers and services available in the market"*.
- A1.23 Among other things, providers are required to publish a description of the services offered to consumers. Condition C2.3 says:

C2.3 Regulated Providers shall publish the following information in respect of any Relevant Communications Services or Bundles they provide under standard terms and conditions:

- (a) the contact details of the Regulated Provider;
- (b) a description of the services offered, including the main characteristics of each service provided, such as:
 - (i) any minimum quality of service levels, where offered; and
 - (ii) any restrictions imposed by the provider on the use of Terminal Equipment they sell or provide, including any Handset Locking Restrictions;

⁷ GC C2.1.

⁸ 'Internet Access Service' is defined in the GCs as: *'a service made available to the public that provides access to the internet, and thereby connectivity to virtually all end points of the internet, irrespective of the network technology and terminal equipment used'*.

⁹ 'Number-based Interpersonal Communications Service' is defined in the GCs as: *'an Interpersonal Communications Service made available to the public which: (a) connects with publicly assigned numbering resources, namely, a number or numbers in a national or international numbering plan; or (b) enables communication with a number or numbers in a national or international numbering plan'*.

A1.24 Where Condition C2.3 requires information to be published, providers must do so by publishing the information on their website in a clear, comprehensive and machine-readable manner – and must update the relevant information regularly.¹⁰

¹⁰ GC C2.16.

A2 Guidance on providing clear and unambiguous network technology information to consumers

Provision of information

- A2.1 In complying with the requirements under Conditions C2.3 and C1 to provide "*a description of the services*", regulated providers should include a short description of the underlying technology of the network delivering the broadband service:
- at point of sale on their website (Condition C2.3),
 - in the Contract Information, regardless of the sales channel (Condition C1.3); and
 - in the Contract Summary, regardless of the sales channel (Condition C1.5).

How providers should describe the underlying technology

- A2.2 Regulated providers should use one or two terms that are 'clear and unambiguous' to describe the technology used to deliver the broadband service. The term(s) should be useful to consumers looking to make an informed decision about their broadband service. Specifically, providers should:

- give a short description of the underlying technology of each broadband product offered at point of sale on the website, in Contract Information and in the Contract Summary, using one or two terms that are clear and unambiguous, such as 'cable', 'full-fibre', 'copper' or 'part-fibre'.
- give a more detailed explanation of the underlying technology (for example through a link) so that consumers can understand what it means for them. It should also be given in a form that is accessible and easily understood.
- not use the word 'fibre' on its own when describing the underlying technology of the broadband service – in either the short description or the more detailed explanation of the network technology.

Provision of information at point of sale on the regulated provider's website (Condition C2.3)

- A2.3 Regulated providers should give information on the underlying technology using one or two terms that are clear and unambiguous as early as practicable in the online sales process. This process commences as soon as a customer is asked to input or provide information which is required to assess the availability of broadband services at their premises (such as a postcode and/or landline number).
- A2.4 Regardless of the origin of the customer journey, for example if the customer was redirected from a price comparison website, information on the underlying technology should be available in the online sales process on the regulated provider's website.

- A2.5 Information on the underlying technology using clear and unambiguous terms should be available in relation to all the broadband services listed on the regulated provider's website once a customer searches online for services available at their postcode.

Provision of contractual information (Conditions C1.3-C1.7)

- A2.6 All Contract Information referred to in Condition C1.3 – including information about the underlying technology used to deliver a broadband service – should be provided to relevant customers in line with paragraphs 1.10-1.14 of our previously published [guidance on contract requirements under General Condition C1](#). Among other things, that guidance notes that the information must be provided in a clear and comprehensible manner¹¹ and on a durable medium such as paper or email, enabling the customer to store the information in a way accessible for future reference.¹²
- A2.7 If a provider refers to the customer's underlying broadband technology in an end-of-contract-notification or annual best tariff notification (as per Conditions C1.21-C1.36), they should use terms consistent with those in the Contract Information and the Contract Summary.

Detailed explanation of the clear and unambiguous terms

- A2.8 Regulated providers should also include a more detailed explanation of what the clear and unambiguous terms used to describe the underlying technology mean, in a way that can be easily accessed by customers.
- A2.9 Where information on the underlying technology is given on the provider's website, the detailed explanation of the clear and unambiguous terms should also appear on the website. This explanation can be provided on a separate webpage if it is clearly linked and accessible to customers from where the term(s) are used.
- A2.10 Where information on the underlying technology is provided in digital form (in either the Contract Information or the Contract Summary), it should include a link to pages which give clear explanations of what the terms used mean. Where the contractual information is not provided in digital form, providers should make the information available on a durable medium.

Ensuring those who may have difficulty understanding the broadband services available are appropriately informed

- A2.11 When giving information on the underlying technology using clear and unambiguous terms, regulated providers and their representatives should take reasonable steps to ensure that customers who may have difficulty understanding the broadband services that are available

¹¹ GC C1.4(a).

¹² The term 'durable medium' is defined in full in the Definitions section at the end of the General Conditions.

and relevant for them (e.g. elderly customers or customers whose first language is not English) are adequately and appropriately informed.

Exceptional circumstances

- A2.12 Where a provider has not determined at the point of sale (as described above) what technology will be deployed to deliver services to a customer, the provider should present the best information available to the customer using one or two terms for each service that are clear and unambiguous. For example, this could be a statement that the service will be provided by a cable or full-fibre service.¹³ The provider should also provide a more detailed explanation of those terms in accordance with the guidance provided at A2.9-2.11.
- A2.13 We expect any provider in that situation to provide the customer with information on the underlying technology of the broadband service as soon as reasonably practicable once this information is available.

¹³ As an illustrative example, for a product called Superfast 50, the underlying technology description could be: “provided over X or Y depending on the best option available at your address”.