

Memorandum of Understanding

Nuisance and Scam Calls (Technical Measures)

The participants

1. This Memorandum of Understanding (MoU) is between Ofcom and the participating communication providers (CPs) and industry associations (collectively referred to as the “Participants”).
2. The list of Participants is set out in the Annex and may be amended by Ofcom from time to time.
3. Any Participant can withdraw from the MoU on written notice to Ofcom.
4. Any representative/s of a participating industry association is expected to act on behalf of that industry association and to seek input and feedback from its members.

The aim of the MoU

5. The MoU establishes a framework for voluntary co-operation on technical measures between Ofcom and the Participants. It sets out how they will work together to achieve the common goal of reducing the impact of unlawful nuisance and scam calls on consumers.
6. It secures the development of a zone of trust which is aimed to be a space for the Participants to operate in to:
 - establish the origin of calls where possible and technically feasible;
 - equip consumers so that they are better able to manage their incoming calls; and
 - make it easier to take action against callers who unlawfully use electronic communications.

The commitments

7. The CPs will each carry out a monthly network monitoring and call volume measurement exercise and provide individual reports to Ofcom. The scope of data captured as part of this exercise will be discussed by the CPs and Ofcom, provided to Ofcom by each CP under a formal information request, and used to assist Ofcom and the Participants to take steps towards addressing the problem of unlawful nuisance and scam calls.
8. The Participants will voluntarily implement technical measures aimed at reducing nuisance and scam calls that the Participants have discussed and agreed upon, in addition to those required by Ofcom’s General Conditions. Participants retain the discretion to implement their own measures, which may go further than those agreed.
9. Members of participating industry associations are expected to participate in the initiatives arising under the MoU.

10. All CPs will ensure that the technical measures they implement are in accordance with Ofcom's General Conditions and relevant guidance.

Formalities

11. The MoU is not legally binding.
12. The Participants will comply with competition law at all times and will not exchange any commercially sensitive information.
13. It is not anticipated that the initiatives under the MoU will involve the processing of personal data. The Participants will consider putting in place specific arrangements should this change in the future.
14. The MoU is published on the websites of Ofcom and the Participants. It will be reviewed at least every two years and more frequently if necessary.

Annex: List of Participants

The participating CPs and industry associations are:

- AQL
- British Telecommunications Plc
- Colt Technology Services
- Gamma Telecom Limited
- Hutchison 3G UK Limited
- KCOM Group Limited
- Sky UK Limited (including NOW)
- TalkTalk Telecom Group Limited
- Virgin Media O2
- Vodafone Limited