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Regulation of VoIP Services

On 22 February 2006, Ofcom published a consultation on Regulation of VoIP Services which proposes changes to the way VoIP services are regulated. These proposals are designed to allow innovation in VoIP services and protect consumers' interests within the constraints of relevant UK law and European Directives.

If you offer, or are planning to offer, VoIP services then these proposals may affect you. Your obligations would depend on the individual characteristics of the service but typically:

- if you offer a VoIP service you may have to comply with requirements – set out in a mandatory code – regarding information that you must provide to your customers regarding the service's capabilities; and,
- if you offer a VoIP service that provides 999 access you may need, in addition, to comply with certain other requirements to ensure network reliability.

Ofcom intends proactively monitor and enforce compliance through, for instance, 'mystery shopping'. Failure to comply with this regulation could lead to formal and public investigation and enforcement action by Ofcom which could include financial penalties. As a matter of law, it is your responsibility to comply with relevant obligations and a lack of awareness is no excuse for not complying with regulation.

The consultation document provides full details of the proposals and is available at www.ofcom.org.uk. Responses to the consultation are welcomed and should be made to Ofcom by 3 May 2006.

You may want to consider getting legal advice on these matters. Also, there are trade associations such as ITSPA (www.itspa.org.uk) that might be able to provide some additional support to you. If you require more information from Ofcom please contact Robindhra Mangtani (Robindhra.Mangtani@ofcom.org.uk).

Yours faithfully,



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