

EU Roaming Regulation Information

Vodafone has enabled customers to use bill pay and pay as you go plan allowances when roaming in the EU. These roaming services are regulated by the “EU Roaming Regulation” [Regulation (EU) 2022/612 on Roaming on Public Mobile Communications Networks within the Union (as may be amended from time to time), implemented via the EC (Mobile Telephone Roaming) Regulations 2022].

1) Fair Use of EU Roaming Services

In accordance with Article 5 of the EU Roaming Regulation, Vodafone may apply a fair use policy to the consumption of regulated roaming calls, regulated SMS messages or regulated data roaming services in order to prevent abusive or anomalous use of these services, such as the use of such services by Vodafone Ireland customers roaming in EU member states for purposes other than periodic travel. In using Vodafone Ireland services, you must be normally resident or have stable links entailing a frequent and substantial presence in the Republic of Ireland.

- a) **Confirmation of normal residence or stable links:** To ensure our roaming services are not subject to abusive or anomalous use unrelated to periodic EU travel; we may need request reasonable proof to determine your normal place of residence or the existence of stable links to Ireland. The type of proof that we may request includes presentation of a valid document such as a utility bill or a property rental agreement along with proof of identification. We may request this information before connecting you to our services or if after a period of observation there are indications of possible abusive or anomalous use. We will only request information that is strictly necessary and proportionate to confirm that you are normally resident or have stable links to Ireland.
- b) **Objective Indicators to Prevent Risk of Abusive or Anomalous Use:** To prevent abusive or anomalous use of our roaming services beyond periodic EU travel, Vodafone may apply fair, reasonable and proportionate control mechanisms based on the following objective indicators:
 - i) **Prevailing Consumption and Presence Criteria:** We may take measures to establish whether you have prevailing domestic consumption over roaming consumption or prevailing domestic presence over a presence in another EU country. These indicators will be observed cumulatively and will be observed for a period of time of at least four months (the “observation window”). Consumption of calls, texts and data services will be assessed.

As a guide, we will consider that your usage consumption is prevailing domestic if more than 50% of your mobile service connections are consumed domestically over the observation window. For prevailing domestic presence, the number of days which you have logged onto a network will be assessed to establish whether there have been more days of domestic presence than presence in other EU member states. Any day you log on to the Vodafone Ireland network is counted as a day of domestic presence. If the total volume of roaming usage exceeds the total volume of domestic usage and the total duration of roaming presence exceeds the total duration of domestic presence, a surcharge for roaming calls, SMS or data usage may be applied.

For the avoidance of doubt, either prevailing domestic consumption or prevailing domestic presence during the observation window is considered as proof of non-abusive or non-anomalous use of our EU roaming services.
 - ii) **Long inactivity of a SIM card associated with use mostly, if not exclusively, while roaming.** Inactivity means a SIM card was not used for making or receiving a call, sending an SMS or for data services or a virtual absence of such use. Usage may be monitored over an observation window.
 - iii) **Subscription and sequential use of multiple SIM cards by the same customer while roaming.** Note this indicator is not subject to a specific observation window.

- iv) **Organised Resale:** If we identify organised resale of a number of SIM cards we will take immediate and proportionate measures to ensure compliance with our contractual requirements. Note action will be taken immediately and this is not subject to a specific observation window.
- c) **Application of a Roaming Surcharge:**
 - i) We may apply a surcharge for roaming services where:
 - (1) You do not have or will not provide documentary evidence to confirm normal residence or stable links. In this case, a roaming surcharge may be applied for your consumption of all regulated roaming services;
 - (2) We have evidence that there is a risk of abusive or anomalous usage, such as the use of roaming services for purposes other than periodic travel. In this case, you will be issued a warning notification alert that the observation window is being followed by Vodafone and you will be provided with a warning to change your usage pattern within an advised period to demonstrate actual domestic consumption or presence to avoid the surcharge. You will be provided with at least a two week period to amend your usage before the surcharge will be imposed. If your usage pattern has not changed during the alert period, a roaming surcharge may be applied for any further consumption of those regulated roaming services where a risk of abusive or anomalous usage has been detected based on sufficient evidence; or,
 - (3) The data roaming usage exceeds the fair use roaming data allowance for an open data bundle. An open data bundle means a tariff plan for the provision of one or more mobile retail services which does not limit the volume of mobile data retail services included against the payment of a fixed periodic fee.
 - ii) This surcharge will be applied in accordance with the regulated rate under the EU Roaming Regulation. Please see www.vodafone.ie/rates for more information on applicable charges.
 - iii) The surcharge will cease to be applied if your usage no longer indicates a risk based on the objective indicators referred to above.
- d) **Complaints Procedure:** If you would like to submit a complaint in relation to the application of a fair use policy under this clause or you wish to provide evidence that you are using the EU roaming service for the purposes of periodic travel or regarding our roaming services generally, please contact Customer Care in any of the ways set out in our Code of Practice or, if you wish to contact us while roaming please call our free Roaming Care number +353 12038232.
- e) **Open Data Bundles:** Unless otherwise specified Vodafone is providing full take your home tariff abroad on plans with calls texts and data plan. In the case of mobile broadband plans that permit roaming there is a specific fair use volume limit within the mobile broadband plan. The details of the fair use volume limit are specified in your tariff terms and conditions, and we will advise in your roaming message when you arrive. Check your SMS application for details.

2) Information on Roaming:

Under EU Roaming Regulations we have put in place a number of measures to ensure you are kept adequately informed of roaming charges when using roaming services, in particular data roaming services, so that you can so that you are able to monitor and control how much you spend. Automated or uncontrolled data roaming connections and downloads may incur additional charges.

- a) **Roaming Message:** Each time you roam you shall receive an automatic message from Vodafone that you are roaming and this will include your basic tariff information. You may ask us to turn these messages off or on at any time free of charge.
- b) **Default Financial Limits ('Spend Caps'):** There are standard data roaming spend caps in place to ensure your roaming usage shall not exceed €50 per month ex VAT (€61.50 inc VAT) and, if the initial €50 ex VAT cap is passed, a subsequent spend cap of €100 ex VAT (€123 inc VAT) is applied. You have the option to

continue roaming after either of these caps are applied by opting to remove the cap for that calendar month on pay as you go or for that monthly billing period on bill pay. The spend caps will reset at the start of the next billing period. Alternatively, you can decide to remove these spend caps altogether however we recommend that you keep the data roaming spend cap on to assist you in managing roaming spend. If you remove a spend cap at any time on a temporary or permanent basis then you accept that you may incur significant additional roaming charges. The spend caps will apply to all roaming usage whether inside or outside the EU. When a spend cap is applied any data that is course of being downloaded may be lost.

- c) **Additional Data Limits:** Vodafone also provides an additional financial limit for data use of €360 inc VAT for bill pay customers.
- d) **Notifications:** We will let you know when your usage is approaching or when you have reached the financial limit. In general this will be by an SMS message. If your device has restricted SMS capability on the Vodafone network then you may need to contact Vodafone customer care to remove the cap. The message we send includes details on how you can continue using data roaming services. Instructions to opt in or out of the financial limits are also outlined here: <https://n.vodafone.ie/roaming/data-spend-caps.html>.
- e) **Please note:** Vodafone reserves the right to modify the data roaming service at any time for technical, operational, regulatory or legal reasons. Vodafone may suspend or vary the data roaming service without prior notice for repair or maintenance, or for any other valid reason.

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