

## **Clarification of application of Special conditions for Subscriptions Services to ‘legacy’ subscription services**

The purpose of this compliance update is to clarify the regulatory requirements that apply to providers of phone-paid subscription services that provide services to a subscriber base that was in existence prior to 1 November 2019 and have no new consumers being signed up on or after that date. These services are sometimes referred to as ‘legacy services.’

The PSA has received a number of queries about whether the Special conditions for all subscription services that are effective from 1 November 2019 apply to legacy subscription services. While not obliged to do so the PSA would encourage providers of legacy services to comply, to the extent that they are able, with the Subscription Special conditions that came into force on 1 November 2019.

For the avoidance of doubt, providers of legacy services are still required to send their existing consumer base spend reminders, as required by paragraph 7 of the Notice of Specified Charges and Durations of Calls. The full Notice can be found [here](#). For ease of reference paragraph 7 of the Notice referred to above states:

### **7. Subscription services with a subscriber base existing prior to 1 November 2019 and no new subscribers on or after this date, excluding recurring donation services operated by a registered charity and society lotteries (“Relevant Subscription Services”)**

7.1 Subscription services are defined under paragraph 5.3.37 of the Code

7.2 For all Relevant Subscription Services, once a month, or every time a user has spent £20.45 (inclusive of VAT) if that occurs in less than a month, the following information must be sent free to subscribers:

- (i) The name of the service;
- (ii) Confirmation that the service is subscription-based;
- (iii) What the billing period is (e.g. per day, per week or per month) or, if there is no applicable billing period, the frequency of messages being sent;
- (iv) The charges for the service and how they will or can arise;
- (v) How to leave the service; and
- (vi) Level 2 provider contact details.

For clarity, the [Special conditions for Subscription Services](#) that came into effect on 1 November 2019 must be complied with for all new consumer sign-ups that occur on or after 1 November 2019.

If providers of legacy subscription services, or any other subscription services have any queries about the application of the PSA’s Special conditions, please contact [compliance@psauthority.org.uk](mailto:compliance@psauthority.org.uk).