

Consultation response form

Question	Your response
<p>Question 3.1 Do you agree with our proposals to prohibit direct and indirect revenue sharing with called parties (end-users) on the category 1 number ranges, including UK geographic numbers?</p> <p>Please provide reasons for your view and any relevant evidence.</p>	<p>Action 4 fully supports increasing “awareness and transparency for consumers” of what telephony pre-fixes allow and what provision of service and we therefore agree that if any number has a cost less than 5.833ppm or per call then it should not be treated as a revenue sharing tariff or a premium rate tariff.</p> <p>Having been involved in this industry for over 30 years clarity is key for both the industry and the consumer.</p>
<p>Question 3.2 Do you agree with our proposals to prohibit direct and indirect revenue sharing with only calling parties on the category 2 number ranges, namely 084 and 087 numbers. Please provide reasons for your view and any relevant evidence.</p>	<p>We agree that clarity is crucial to the industry and to the consumer, and agree that stating that cash for calls, competition and prize draws and pay-for-product services are types of services that are perhaps better placed on higher revenue tariffs such as 09xx is a good idea. However, we add caution in that having seen the Premium rate regulator in its various guises trying to “stop” harm to the industry and the consumer our cautionary note would be if something looks like a duck sounds, like a duck and waddles like a duck - it is a duck. To try and single out what type of service can and cannot operate on numbers then places a margin for both confusion and for those who seek to mislead or to take advantage. However, we need absolute clarity that virtual chat and live chat services (which are registered and have paid a license fee to the regulator (PSA)) can be operated on 087x and 084x. These services have been operating without any issues for years and your proposed Statutory instrument as part of your consultation “The Future of regulation of phone paid services” clearly would seem to support their operation on these pre-fixes - as does your new proposed</p>

	<p>wording on page 54 of this consultation - section B3.2.4 and B3.2.5. Please can you confirm that chatline services can continue to operate on these pre-fixes. On another note, and in light of the fact that some mobile and fixed line networks restrict/bar 09xx this will impact on the operation of these legitimate services, and they will struggle to transfer to 09xx because of such restrictions.</p>
<p>Question 3.3</p> <p>(a) Do you consider that there is a need to introduce revenue sharing rules for UK 07 mobile phone calls?</p> <p>(b) Do you have any view on the appropriateness or benefits of applying such rules also to UK 07 SMS/MMS text and media messages, including to remove a possible incentive for misuse or artificial generation of text message traffic?</p> <p>(c) Do you have any views on the impact of such a measure on legitimate SMS/MMS-based services?</p> <p>(d) Do you have any views on whether there would be an increased risk of revenue sharing on the 07 range in light of the other proposals set out in this consultation?</p> <p>Please provide reasons for your view and any relevant evidence.</p>	<p>(a) Yes, we agree that rules should be introduced as long as they are clear and workable for both the industry and the consumer.</p> <p>(b) We agree that clarity as to what is and is not acceptable is the ideal for the industry and for the consumer. As an organisation we specialise in revenue sharing or what is traditionally called PRS – we therefore support the ability for innovation for the industry, but this must go hand in hand with clarity in the regulator arena. In light of the fact that Ofcom is intended to become the regulator for revenue sharing tariffs it makes sense to clarify both the law and the numbering plan as this change happens.</p> <p>(c) These measures should not impact legitimate services and those services which can only be viable on higher tariffs will have to move to 09xx tariffs. However, some mobile and fixed line networks restrict/bar 09xx this will impact on the operation of legitimate services such as chatlines which are operating with no/few issues.</p> <p>(d) If unscrupulous companies/individuals seek to create scams or operate outside of guidelines they will do so. As a regulator who will soon be in a position to control all revenue sharing tariffs it is within your gift to decide if it is wise to allow loopholes within regulation. However rich lawyers only exist because regulation or law can and does have these “gaps”.</p>
<p>Question 3.4</p>	<p>Six months should be a long enough timescale for companies/individuals within the industry</p>

<p>Do you agree with our proposed approach to implementation in giving six months after the publication of our final decision before our new rules come into force?</p> <p>Please provide reasons for your view and any relevant evidence.</p>	<p>to review and revise their marketing and advertising strategies – alongside of getting the relevant revenue sharing codes for the operation of the services that they run.</p>
<p>Question 4.1</p> <p>Do you agree with our proposal to amend the Numbering Plan to remove the 082 number range?</p>	<p>Yes, as this code appears to be redundant.</p>

Please complete this form in full and return to futureofnumberingteam@ofcom.org.uk.