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**From:** do\_not\_reply@squiz.net  
**Sent:** 13 January 2017 12:41  
**To:** Selene Rosso  
**Subject:** EXTERNAL: Consultation response: Review of the General Conditions of Entitlement  
Consultation on the general conditions relating to consumer protection

Response:

### Your details

- Full name: Paul Lewis
- Representing: Organisation
- Contact phone number: [REDACTED]
- Organisation (Optional): TUV SUD BABT
- Email address: [REDACTED]

- Confirmation:

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Keep part of the response confidential

- If you want part of your response kept confidential, which parts? (Optional):

Response to Question 22

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### Your response

- Question 1: Do you agree with our overall approach to this review of the general conditions as set out in sections 2 and 3 of this

Yes, the approach seems reasoned, sets out the objectives and intent behind the changes.

consultation? Please give reasons for your views.:

- Question 2: Do you agree with our proposed implementation period for the revised general conditions of 3 to 6 months following publication of our final statement? If you think a longer implementation period is necessary, please explain why, giving reasons for your views.:  
Conditionally yes, some of the technical requirements may need the development of software and or firmware, which will require testing before deployment. 3 - 6 months may be insufficient time to rigourously test and deploy.
- Question 3: Do you agree with our proposals in relation to contract requirements? If you consider that we should retain the regime applying to contracts concluded before 26 May 2011, please explain why, giving reasons for your views.:  
Yes, have no issue with the proposal, see no reason to retain requirements around contracts issued before 26/5/11.
- Question 4: Are there any other modifications to the proposed revised condition in relation to contracts requirements that you consider would be appropriate?:  
No.
- Question 5: Do you agree with our proposals in relation to information publication and transparency requirements, including removing the separate condition relating to publication of quality of service information?:  
Simplifying the requirements and presentation of information will be beneficial to customers and will simplify the management of the information for the CPs.
- Question 6: Do you agree with our proposal to replace the existing detailed requirements in relation to small businesses with a general obligation to ensure price transparency and to notify small business customers where the terms and conditions that apply to them differ from those that providers are required to comply with in relation to consumers?:  
Yes
- Question 7: Are there any other modifications to the conditions relating to information publication and transparency requirements that you consider would be appropriate?:  
It would be beneficial to extend the requirement from the Metering and Billing Direction to require a CP to identify where two pieces of information purporting to be the public tariff, terms and conditions have differing information, which takes precedence.
- Question 8: Do you agree with our proposals for updating the current conditions that relate to billing? In particular, do you agree with our proposals to extend the current protections for end-users in relation to billing so that they would apply, more generally, to fixed and mobile voice call and data services?:  
Yes, supports the view of MABABF that data services should be included as they are now a significant cause of billing errors and customer complaints.

- Question 9: Do you agree with our provisional assessment that our proposals to extend the regulatory requirements for billing to fixed and mobile voice call and data services does not impose a disproportionate burden on industry? Do you have any further information on the likely costs of these proposals?:

Some additional work will be required by CPs to extend their Metering & Billing Approval to cover data services, this should not be a significant cost.
- Question 10: Are there any other modifications to the billing conditions that you consider would be appropriate?:

"Public Internet Access" does not address peer - to - peer data services as used by businesses, e.g transferring data between operational sites.
- Question 11: Do you consider that our proposed revised condition for complaints handling and access to alternative dispute resolution, together with our proposed revised code of practice on complaints handling, will improve the transparency, accessibility and effectiveness of communications providers' complaints handling procedures, and improve access to alternative dispute resolution? If not, please give reasons, including alternative suggestions.:

Yes, it addresses the ability of a CP to close a complaint before resolution.
- Question 12: Do you have any other comments on our proposals in relation to complaints handling and access to alternative dispute resolution?:

It was not clear that it addresses what constitutes a complaint and whether a complaint closed at first contact is a complaint.
- Question 13: Do you agree with our proposals in relation to the codes of practice that communications providers are currently required to establish, maintain and comply with – including replacing these with direct obligations to make information available, where appropriate?:

Yes.
- Question 14: Do you agree with our proposals to introduce a new requirement for communications providers to take account of, and have procedures to meet, the needs of consumers whose circumstances may make them vulnerable?:

It will require CPs to improve their overall offering and how they manage vulnerable customers, there are too many examples of CPs "hiding" behind the requirements of the DPA when interacting with vulnerable customers.
- Question 15: Do you agree with our proposals to update regulation by extending the current protections for end-users with disabilities, which currently apply only in relation to telephony services, to cover all public electronic communications services?:

Yes, see no reason why it should not extend to data services
- Question 16: Are there any other modifications to the proposed revised condition on measures to meet the needs of vulnerable consumers and

No.

end-users with disabilities that you consider would be appropriate?:

- Question 17: Do you agree with our proposal to remove the condition relating to the provision of tone-dialling? Please give reasons for your views.:

Valid, tone dialling can only be in use by a very small number of customers, these may however be elderly customer, it may be appropriate to seek information from Openreach/Kcom as to the number of customers still using "hard-wired" telephones.

- Question 18: Do you agree with the changes we are proposing to make in relation to the provision of calling line identification facilities, including the new requirements we are proposing to add? Please give reasons for your views.:

Yes, agree that CLI provision should be free. Will this change still allow wholesale CPs to charge their retail CP partners for a service that the retail CP will not be able to onward bill their customer?

- Question 19: Do you have any comments on our proposals in relation to the proposed revised general condition on switching?:

No.

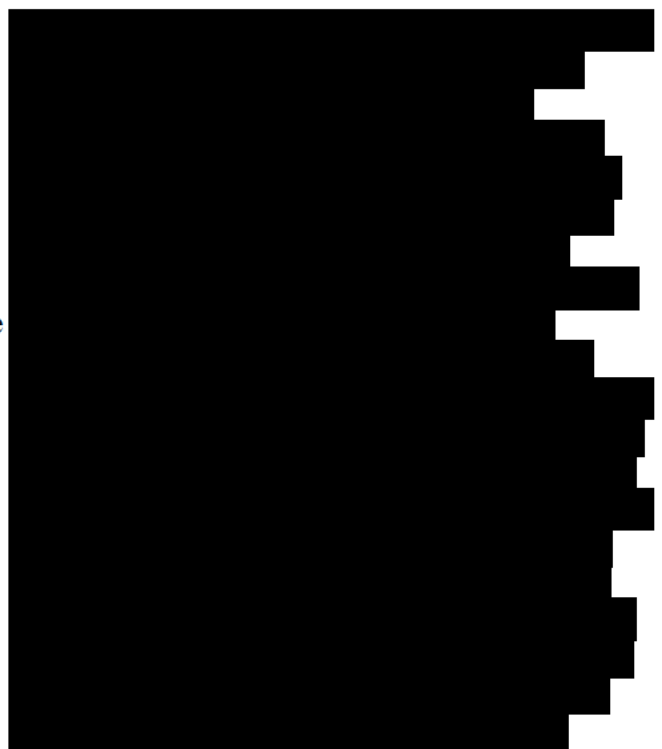
- Question 20: Do you agree with our proposal to remove the current provision which expressly prohibits so-called 'reactive save' activity (in GC 22.15)?:

No comment.

- Question 21: Do you agree with our proposal to replace the current mis-selling provisions with rules that focus on the information that communications providers give to customers when selling or marketing fixed-line or mobile communications services? Please give reasons for your views.:

No comment.

- Question 22: Do you have any comments on the consequential changes we are proposing to make to the national telephone numbering plan, the premium rate services condition or the metering and billing direction?:



- Question 23: Do you have any comments on our equality impact assessment?: No.
- Question 24: Do you have any other comments on the matters raised by this consultation?: No