

United Kingdom: Important regulatory changes concerning 0871 / 0872 / 0873 numbers!

Dear customer,

Please be advised that there have been important regulatory changes for the mentioned number ranges. We've already informed our customers ex ante. Now we've prepared an overview of the respective changes:

In principle beginning from August 1st, 2009 the regulatory provisions for Premium Rate Services apply for 0871 / 0872 / 0873 numbers as well. Since the lower risk to consumers because of the lower price point of 087 numbers not the whole provisions fully apply.

Please take care that your Service run on August 1st, 2009 according to the new provisions. The Regulatory Authority in UK is very strict and fines are really high!

Pricing information:

Generally anywhere a 087 number is stated it's considered to be a promotion. All promotions must include a pricing information.

The exact provisions for pricing information could be found in the attached „Help Note on pricing information“.

In some circumstances it may be extremely difficult to amend existing promotions such that they are able to comply with the code by August 1st, 2009 (eg. because a company has stamped an 087 number on products that are already in store).

In these and similar circumstances, businesses will be able to substitute adequate pricing at the point of promotion with a message at the beginning of each call explaining its cost. This can be done one of two ways:

- IVR (Interactive Voice Response) system. This is a software package which answers calls automatically and plays a recorded message to the caller.
- Alternatively, the price information can be given in person at the point of answering the incoming call.

Either way, consumers, as soon as they are connected, should immediately receive the information they need to decide whether to stay on the line and incur the cost of the call.

If a Provider wishes to rely on a pre-call announcement to provide the necessary price information, the following information should be provided briefly and concisely, and in the following order:

- The name and nature of the business and, where appropriate, the department within that business they have called;
- The cost of calling; and
- Where it is not possible to connect them to an operator or to the service they are calling for straight away, they should be told the likely wait.

Provided the criteria listed above are met, it is acceptable for this message to be included in the chargeable portion of the call.

Crucially, this conciliatory measure – allowing companies to substitute adequate pricing information on promotions with a pre-call announcement - is only a short term fix. It should not be seen as a long-term replacement, or as a reason not to see through important changes to the business.



That said, pre-call announcements may prove useful to consumers in the long term. For that reason, the Authority would welcome efforts by providers to continue to use such announcements alongside pricing information on promotions – though they are not compelled to do so.

There will come a time when the Regulatory Authority will decide businesses have had enough time to see through any necessary changes to all types of promotions. Probably by August 2010 all companies should be able to provide consumers with adequate pricing information at the point of promotion and should no longer expect to be able to rely on a pre-call announcement to meet its regulatory obligations.

However, companies should not rely on this date as an indication that they will not find themselves held in breach beforehand. Where evidence of poor pricing information is seen the Authority may investigate the circumstances.

Service complaints:

Consumers should be offered an effective process should they want to make a complaint about an 087 service. The number to call to make a complaint should be stated or be made obvious in some other way.

The complaint handling number can be the same as the number for the service itself or another 087 number and the complaint can be re-directed to a call centre abroad.

This should be contrasted with services which operate on other PRS mechanisms (such as 09) which may no longer use an 087 number for their service complaints at all.

However, if this method is used and a consumer's complaint is successful then all calls made to the service and all calls made in pursuit of the complaint should be refunded to the complainant.

Undue delay:

Undue delay, an unfair period of waiting between a call connection and a caller accessing a service, constitutes a breach in the Code. The waiting time has to be minimized.

If consumers are held in a queue while they wait for an operator to become available they must be given a suitable indication of the likely delay. This could be done in a number of ways, for example:

- Stating an estimation of the length of the delay (in minutes).
- Telling the caller they are placed in a queue and where they are in relation to others in the queue.

Alternatively, providers could offer to call the consumer back at the company's expense when an operator becomes available.

Prior permission regime:

Sexual Entertainment Services are not permitted at all on 087 numbers.

Since there is a lower risk to consumers because of the lower price point on 087 numbers, most 0871 services that would otherwise require permission on other number ranges are exempted from the need to seek prior permission.

We will check for our customers if prior permission is necessary on an individual basis. In case of doubt we will confer with the Regulatory Authority.

With best regards,
Your Telequest-Team

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The customer is in spite of handing out this information obligated to gather all necessary information about the legal and regulatory provisions and the Code of Conduct of the particular country himself.*