



Commission for
Communications Regulation

Information Notice

ComReg warns consumers of possible misunderstanding with recent fixed line pricing packages

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ComReg has received a high volume of complaints in recent weeks in relation to cold call sales practices for fixed line telephony services, which are currently under investigation.

These complaints fall into three main categories.

- Firstly, complaints alleging sales agents quoting rates on a per “**unit**” rather than on a per “**minute**” basis without adequately explaining the impact of this distinction and without necessarily emphasising (a) that these calls are subject to a **minimum call charge** and (b) that if the call is shorter than the minimum duration billing increment applicable, the call is rounded to the next highest increment.
- Secondly, complaints alleging sales agents are being abusive and harassing consumers while on the call.
- Thirdly, allegations of repeated unsolicited sales calls despite requests for no further unsolicited contact.

While these investigations are underway, ComReg would again like to clarify some of the issues, identify what level of service that consumers should expect and what steps they can and should take to minimise any confusion.

1. Per unit rates as opposed to per minute rates may be subject to minimum call charges and may not in reality be more competitive than current per minute offerings.
2. Consumers should ask for details of how their specific needs and call patterns would be impacted by any new offering and to compare this to their current provider.
3. Prior to signing a contract the new provider must clearly set out the charges and discount schemes to the potential customer. Any contract used by a new provider must state the amount or rate of charges applicable.

ComReg requires that all operators ensure their sales agents conduct their sales conversations with consumers in accordance with highest professional standards and the relevant laws. It is ComReg’s clear view that consumers should not be harassed by persistent calling. Under the Data Protection and Privacy Regulations, 2003 it is an offence for a person to make an unsolicited telephone call for the purpose of direct marketing where the line subscriber has notified the person that it does not consent to the receipt of such a call.

If consumers have experience persistent unsolicited calls, when there has been a request that no further contact be made by telephone, an offence has been committed and consumers should immediately report such behaviour to the Data Protection Commissioner’s office.

ComReg's objectives include the promotion of the interests of consumers in relation to the use of different telecoms service providers. In order for consumers to make informed choices between competing service providers, it is imperative that consumers are presented with clear, accurate, unambiguous and transparent tariff information. ComReg conducts investigations of complaints on an on-going basis into adherence by all operators with industry codes of practice in response to issues raised by consumers and operators and ComReg is currently investigating complaints in respect of the approach outlined above.

The Office of the Data Protection Commissioner may be contacted at (01) 874 8544 or www.dataprotection.ie