Commission for Communications Regulation

ComReg seeks your views on

Electronic Communications:- Proposed Measures to ensure equivalence in Access and Choice for Disabled End-Users

Consultation Summary

Reference:	ComReg 13/58a
Version:	Final
Date:	20/06/2013

Additional Information

Consultation Paper:	13/58 is available from www.comreg.ie website
Date by which you must respond:	5:00pm on the 16 August 2013
Who to send your response to:	Email:- retailconsult@comreg.ie
	Post to:- Ms. Michelle Townshend Commission for Communications Regulation Irish Life Centre Abbey Street Freepost Dublin 1 Ireland
For alternative submission channels, please contact:	access@comreg.ie
Other contact details you may require for ComReg:	Phone: +353-1-8049600 or LoCall 1890 229600 Fax: +353-1-8049680

Content

Section

1 What is this consultation about?

1   The Commission for Communications Regulation ('ComReg') has published a consultation on Proposed Measures to ensure equivalence in Access and Choice for Disabled End-Users relating to electronic communications services. (Ref ComReg 13/58)

2   The consultation seeks your input into this process by posing a number of questions. The responses to these questions will help ensure that ComReg is fully informed in relation to any decisions it may make.

3   The consultation paper includes a comprehensive review of the relevant issues to include, but not limited to, the legal basis, a regulatory impact analysis, inputs from ComReg's Disability Forum, a report published by the Body of European Regulators for Electronic Communications in respect to equivalence and a draft Decision Instrument. This consultation paper is available to view in full on ComReg's website, www.comreg.ie .

4   This summary consultation document sets out the proposed measures that are proposed by ComReg to be necessary and appropriate in order to attain equivalence in access and choice for disabled end-users in the provision of electronic communications services.

5   The measures proposed are divided into: accessible services, accessible information and other measures.

2 Accessible Services

6   Proposed accessible services are set out below:-

2.1 Accessible Complaints Procedures

7   ComReg is proposing that every service provider should be required to provide disabled end-users with the following:

- Accessible means to lodge a complaint and/or make an enquiry; and

- Staff that are trained to appropriately deal with the requirements of disabled end-users.

Q. 1 Do you agree with the proposal to mandate the provision by every service provider of an accessible means for disabled end-users to lodge a complaint and/or make an enquiry and the implementation of disability awareness training for staff? Please provide reasons to support your view.

2.2 Accessible Top-Up Facility for Pre-Paid Mobile Telephone End-Users

8   ComReg is proposing that every service provider providing pre-paid mobile services should be required to provide a SMS top-up facility for pre-paid mobile telephone end-users that allows disabled end-users to:

- Pay with credit card and/or debit card and/or cash without the need to follow voice prompts;

- Get a receipt (voucher) that lists in clear, easy to understand language the steps required to ensure the top-up credit can be applied successfully;

- Apply the top-up receipt (voucher) by SMS sent from the disabled end-user's mobile telephone and without assistance from a third party; and

- Receive confirmation of the value of the top-up credit by SMS sent to the disabled end-user's mobile telephone.

Q. 2   Do you agree with the proposal regarding the provision by every service provider providing pre-paid mobile services of a SMS top-up facility for disabled end-users of pre-paid mobile services that includes accessible payment methods, top-up receipts (vouchers) outlining steps required to apply the credit and confirmation of the top-up? Please provide reasons to support your view.

2.3 Accessible Directory Enquiries

9   ComReg is proposing that every service provider should be required to provide for subscribers who are unable to use the phone book because of vision impairment and/or have difficulty reading the phone book, special Directory Enquiry arrangements to allow the use of a directory enquiry service free of charge, once certification of disability is provided by a registered medical practitioner or by an appropriate agent.

Q. 3   Do you agree with the proposal regarding the provision by every service provider of access to a free directory enquiry service for subscribers who have vision impairment and/or have difficulty in reading the phone book, subject to subscribers meeting the required certification of disability? Please provide reasons to support your view.

Q. 4   Respondents are also asked to provide views on whether a cap (specified monetary allowance or specified number of requests for Directory Enquiries free of charge per billing period) should be incorporated with the Accessible Directory Enquiries proposed measure (Q3) and, if so, what the appropriate allowance or number of requests should be. Please provide reasons to support your view

2.4 Accessible Billing

10 ComReg is proposing that every service provider should be required to provide to all disabled subscribers, who are not otherwise consumers as defined by Regulation 2 of the European Communities (Electronic Communications Networks and Services) (Framework) Regulations 2011[1], the consumer protection conditions in respect of consumer bills and billing mediums attached to the General Authorisation as set out in ComReg Response to Consultation and Decision "Consumer Bills and Billing Mediums" available at the following link: ComReg13-52

11 In addition to the above-mentioned requirements, ComReg is proposing that any and all bills (including transaction detail requests) issued to a disabled subscriber by a service provider should be provided free of charge in a medium properly accessible to that disabled subscriber (including Braille), if requested.

12 Also, ComReg is of the view that disabled subscribers may wish to register their alternative billing medium requirement with their service provider in order to ensure that their service provider can best meet their billing needs. The proposed measure regarding a facility for disabled subscribers to register requirements, as referenced below under 'Other Measures' is relevant in this regard, in particular, where a Braille bill is requested.

> Q. 5 Do you agree with the proposal as set out above regarding accessible billing?
> Please provide reasons to support your view.

2.5 Accessible Facility to Test Compatibility of Terminal Equipment

13 ComReg is proposing that every service provider selling terminal equipment should be required to make available a testing facility for disabled end-users who use a hearing aid or have a cochlear implant; to test terminal equipment at the service provider's retail shops in advance of purchasing the terminal equipment; and should ensure that the testing facility is supported by on-site staff that are trained in the use of terminal equipment and are equipped to address any queries raised by disabled end-users in advance.

> Q. 6 Do you agree with the proposals as set out above in relation to a facility to test the compatibility of terminal equipment at the service provider's retail shops and the availability of on-site staff support in advance of purchase? Please provide reasons to support your view.

---

[1] S.I. No. 333 of 2011

3   Accessible Information

14   ComReg is proposing that every service provider should be required to ensure that information regarding its products and services', including all information provided to the majority of end-users, is accessible for disabled end-users. This information should include the following:

- Website information is made available to all end-users that meets the Web Accessibility Initiative[2] to facilitate disabled end-users, to include "One-click" access from the home page of every service provider's website to the Disability Section of the service provider's website.

- Information in respect of contracts including notifications of modifications.

- Information in respect to complaints handling including the service provider's code of practice.

> Q. 7   Do you agree with the proposal as outlined above regarding the provision of accessible information in respect to, but not limited to, products and services and the accessibility of information channels? Please provide reasons to support your view.

4   Other Measures

15   In order to assist service providers in complying with the proposed measures and to enhance disabled subscribers experience, ComReg is proposing that every service provider should set up and maintain a facility to enable disabled subscribers to register their requirements, subject to the consent of each disabled subscriber.

> Q. 8   Do you agree with the proposal that every service provider should set up and maintain a facility to enable disabled subscribers to register their requirements, allowing service providers to record details to facilitate the provision of relevant information regarding products and services to disabled subscribers and for this information to be provided to a nominated third party contact if necessary? Please provide reasons to support your view.

16   Further measures discussed in the consultation paper include text relay service ("TRS"), terminal equipment, certification of disability, implementation of measures and a proposal in respect of reviewing measures.

---

[2]The World Wide Web Consortium (W3C) is an international community that develop open standards to ensure the long-term growth of the Web. The Web Accessibility Initiative (WAI) standard developed by W3C is available from the following link: http://www.w3.org/TR/WCAG20/. The NDA's Excellence through Accessibility – ICT Guidelines and Criteria, Guideline 14 Web Accessibility, refers to this standard.

5 How do I make my views known to ComReg?

17 If you have views on the measures being discussed, please send your views to ComReg as follows:-

- Send your views to the contact person by the date required. You will find these details on the first page of this document.

- You do not have to send us your views on every question but you should put the appropriate question numbers that you reply to in your response to us.

18 We will publish the views you send to us and your name, in our 'Consultation Response' paper.