

Call for Inputs: PhonepayPlus Code review - Channel 4 Response

Q.1: Do you agree with our overall approach to this Code review? If not, why not?

A.1: The overall approach is fine although not all of the issues for consideration are relevant to our business.

Q.2: Is there anything else we should be considering?

A.2: We would welcome a clearer definition of what tariffs fall within the PhonepayPlus remit. The definition at 5.3.32 of a 'Special Services Number' being a UK telephone number beginning 08, coupled with the definition of a 'controlled premium rate service' at 5.3.2, seems to suggest you cover a number of non-geographic ranges as many of these will cost more than 5p per minute when you factor in the set up charge for BT customers who don't have a call package. A network operator has advised us, however, this is only intended to cover 0871 and 09 numbers. We believe the code would benefit from a tighter and clearer definition of a premium rate service.

Q.3: Have we considered all implications of Ofcom's proposed NGCS changes on the Code of Practice? If no, please detail what we may have overlooked.

A.3: Call capping is less of an issue for our business. However, we are concerned about the potential confusion for customers around the 'access' and 'service' charges. We don't feel that PhonepayPlus can fully consider all the implications of the NGCS changes until OFCOM have determined exactly what these changes will be and how they will be communicated to users.

Q.4: In light of new service charge caps being introduced on the 09 number range, what views and evidence do you have around the application and level of spending caps to certain PRS services to protect consumers?

A.4: We don't have enough experience in this area to comment or offer evidence.

Q.5: Are there areas or provisions within the Code that are not fit for new market innovations and emerging trends that we have not identified in this document?

A.5: We feel the code is sufficient for services that fall within its remit.

Q.6: Do you agree with our overall approach to continue to make the Code even less prescriptive and increasingly outcomes-based? Do you agree with our approach to the issues we have identified?

A.6: Overall we favour an outcomes based approach providing PhonepayPlus maintain their willingness to discuss and offer advice on promotions and services.

Q.7: Do you agree with our proposal to review the Track 1 and Track 2 procedures? Do you have any further suggestions as to how PhonepayPlus might amend them to reflect current usage, ensure consumer protection and optimise the principle of polluter pays?

A.7: We have no experience of the procedures but believe it is sensible to review them from time to time.

Q.8: Do you agree with our general approach under the enforcement and technical review theme? Do you have any comments on the areas for consideration that we have identified? Are there potential amendments that we should consider but have not? If so, please detail the issue and provide relevant information if available.

A.8: We have no comments on this.

Q.9: Do you agree with the issues we are considering as part of the polluter pays theme? Are there any areas that we have missed?

A.9: We broadly agree with the polluter pays principle and have no areas to add at this stage.