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Dualmix appreciates the opportunity to take part in PhonepayPlus Consultation on the preparation of a new 13 Code of Practice.

Dualmix is an innovative company working in the field of telecommunications and mobile payments. We are ready for new opportunities and business cases.

We would like to offer our vision for your proposed questions and take part in building new regulatory rules that would meet the needs of both customers and providers.

Dualmix is happy to present some comments and advices that might be useful for the Regulator and stakeholders.

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Q.1: Do you agree or disagree with the initial determinations set out in the above table (pages 10-12)? Please provide reasons for your response.

Dualmix doesn't have any objections or comments.

Q.2: What further changes to current guidance or additional guidance do you consider necessary in future? Please provide supporting evidence for your response.

Dualmix agrees with the proposed changes to make guidance shorter, more concise and easier to navigate.

Q.3: Do you consider the proposed alterations to guidance on DDRAC to be helpful and effective for improving compliance standards and developing appropriate procedures to meet Code obligations? Please provide some evidence in support of your response.

Dualmix doesn't have any objections or comments.

Q.4: Do you consider the proposed alterations to guidance on promotions to be helpful and effective for improving compliance standards and managing advertising campaigns in keeping with the Code? Please provide some evidence in support of your response.

Dualmix agrees with the proposed alterations and would like to highlight that the suggestion to prescribe some examples in guidance may really help stakeholders to make conclusions in regards to promotion materials.

Q.5: Do you consider the proposed alterations to guidance on complaint handling to be helpful and effective for improving compliance standards and developing appropriate procedures to meet the relevant outcome in the Code? Please provide some evidence in support of your response.

Dualmix doesn't have any objections or comments.

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Q.6: Do you consider the proposed alterations to guidance on lower cost services to be helpful and effective for improving compliance standards and understanding our approach to regulating these services? Please provide some evidence in support of your response.

Dualmix doesn't have any objections or comments.

Q.7: Do you consider the proposed alterations to guidance on definitions to be helpful, in particular providing an insight into the occasions when PhonepayPlus will make a determination under paragraph 5.3.8(c)? Please provide some evidence in support of your response.

Dualmix doesn't have any objections or comments.

Q.8: Do you consider the proposed alterations to guidance on establishing consent to be helpful and effective for improving compliance standards and developing appropriate procedures to meet Code obligations relating to PRS charges and privacy? Please provide some evidence in support of your response.

Dualmix supports the expectations of PhonepayPlus not to change the consent procedure. Nevertheless we would like to propose for consideration more simply consent procedure, as there are a lot of issues when users can't subscribe because they are old or have some connection troubles.

Q.9: Do you consider the proposed alterations to guidance on virtual chat services to be helpful and effective for improving compliance standards and developing appropriate mechanisms to meet Code obligations? Please provide some evidence in support of your response.

Dualmix would like to explain the own opinion regarding the set limits and actions for spending at intervals or thresholds by PhonepayPlus. We repeatedly collided with the situation when users ask us to continue the chat, but we are unable to do it because of regulatory. Also we've seen cases when one user sent a question to another user and immediately received spend reminder, after which he wasn't able to receive messages until he sent a new sms, which allowed continuing the chat. The new proposed paragraph 3.12.2 states as in 12-th Code: "the immediate termination of the service after provision of a spend or call duration reminder unless the

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consumer positively confirms a wish to continue to use the service”. We recommend revoking this rule due to many complaints from the customers.

Q.10: Do you agree or disagree with our assessment of prior permission regimes and the proposed options relating to the transposition of provisions into the Special conditions framework under paragraph 3.11 of the 13th Code? Please provide evidence in support of your response, as appropriate.

Dualmix generally agrees with the assessment of prior permission regimes and the proposed options relating to the transposition of provisions into the Special conditions framework under paragraph 3.11 of the 13th Code. But we would like to focus on the following sentence in 13th Code: *“Rule 3.11, in conjunction with the special conditions at Annex 2 of the Code, would allow PhonepayPlus to develop proposals to apply forced release caps or further opt-ins at any time it became necessary to consider such measures”*.

We suppose the following changes in opt-ins or forced release caps may a bit harm stakeholders with the supplying services to the consumers and may create some troubles to the users. Thanks to that there might be more complaints with the entering the service.

Q.11: Do you agree with our assessment of this service type and the proposed set of Special conditions for Broadcast PRS? If not, why? Please provide evidence in support of your response.

Dualmix doesn't have any objections or comments.

Q.12: Do you agree with the proposed amalgamation of prior permission regimes and the proposed new structure for imposing Special conditions relating to live services? If not, why?

Dualmix agrees with the proposed amalgamation of prior permission regimes and hopes the proposed changes will help stakeholders to get prior permissions quicker and easier. Also we expect to see the more harmonious work between regulator and provider in the process of obtaining.

Q.13: Do you agree with the proposed Special conditions for live services? If not, why? Please provide evidence in support of your response.

Dualmix agrees with the proposed Special conditions for live services.

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Q.14: Do you agree with our proposal to abolish the previous prior permission regimes and create new Special conditions encompassing all HRPRS as set out in the proposed notice? If not, why? Please provide evidence in support of your response.

Dualmix agrees with proposal to abolish the previous prior permission regimes and create new Special conditions encompassing all HRPRS. We support the removing the prior permission for 85 pence per minute (excluding VAT) or more than £1.28 per minute (excluding VAT) and create one set of Special conditions encompassing all higher rate PRS and pleased that regulator understands a wider range of services are likely to operate above £1.53 per minute when the new tariffs are introduced from 1 July 2015.

Q.15: Do you agree with our assessment of this service type and the proposed set of Special conditions for ICSS? If not, why? Please provide evidence in support of your response.

Dualmix agrees with the proposed set of Special conditions for ICSS and sure that the following requirements should decrease users' complaints in future.

Q.16: Do you agree with our proposal to continue to apply all Special conditions to all ICSS, including those operating on lower cost number ranges? If not, why? Please provide evidence in support of your response.

Dualmix doesn't have any objections or comments.

Q.17: Do you agree with the proposed amalgamation of counseling advice services within the broader scope of professional services, and the Special conditions proposed in relation to this category of services? If not, why? Please provide evidence in support of your response.

Dualmix agrees with the proposed amalgamation of counseling advice services within the broader scope of professional services, and the Special conditions proposed in relation to this category of services.

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Q.18: Do you agree with our assessment of this service type and the proposed set of Special conditions for Pay per view services? If not, why? Please provide evidence in support of your response.

Dualmix agrees with the the proposed set of Special conditions for Pay per view services. Also we support the idea with one-off purchase instead of “pay per view” when the customer downloads the content to use it in browser.

Q.19: Do you agree with our assessment of this service type and the proposed set of Special conditions for Call TV Quiz services? If not, why? Please provide evidence in support of your response.

Dualmix doesn't have any objections or comments.

Q.20: Do you agree with our assessment of this service type and the proposed set of Special conditions for Remote Gambling services? If not, why? Please provide evidence in support of your response.

Dualmix doesn't have any objections or comments.

Q.21: Do you agree with our assessment of this service type and the proposed set of Special conditions for Subscription services? If not, why? Please provide evidence in support of your response.

Dualmix agrees with the proposed set of Special conditions for Subscription services.

Q.22: In light of the changes to the Code, do you agree with our proposal to introduce a separate set of Special conditions for subscription services where it is a Recurring Donation service? If not, why not?

Dualmix agrees with the proposal to introduce a separate set of Special conditions for subscription services where it is a Recurring Donation service because we think the separate part of such a service may help to navigate in Code and helps not to confuse the requirements.

Q.23: Do you agree with our assessment of this service type and the proposed set of Special conditions for Recurring Donation service? If not, why? Please provide evidence in support of your response.

Dualmix doesn't have any objections or comments.

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Q.24: Do you agree with our assessment of this service type and the proposed set of Special conditions for Voice-based, Text charged services? If not, why? Please provide evidence in support of your response.

Dualmix agrees with the proposed set of Special conditions for Voice-based, Text charged services and supports the proposed issue to develop and create new conditions regarding the using geographic numbers.

Q25: Do you agree with our assessment of the impact which proposed changes to Guidance, and Special Conditions Notices, will cause? If not, why? Please provide any evidence in support of your response.

Dualmix responded to the questions above showing the opinion to the proposed changes. Thus we would like to raise other issues and suggest the following changes:

- To increase the spend reminder caps in chat service from £20 to £30. Sometimes customers aren't satisfied with the service because one user can't receive SMS from another one until he sends the additional MO after spend reminder in order to continue the chat session. We've seen the cases when customers stopped the chat because they didn't receive the response. We suppose it could reduce dissatisfied customers and help them to enjoy the communication.
- To provide the stakeholders with the appropriate examples for the best understanding and to avoid the mistakes might happen in future.
- To improve the refund procedure. A lot of customers ask refund in order to back their money without any strong reasons. We suppose it would be great to improve the requirements and conditions in refund procedure.

Q26: Do you have a view as to whether any increased outpayment withhold period for Higher Rate PRS should be 45 or 60 days, or a different length? Please provide any evidence in support of your response.

Dualmix would like to notice that share of mobile payments grows up every year. That's why we understand that there might be some kind of competition between credit card and mobile payments (it depends only small charges). Thus mobile payments should suggest more advantages as compared with credit card payments. For the present time such advantages exist and a lot of merchants decide to use mobile payments. Based on the foregoing, we would like to **Dualmix Service Limited** - innovative company working in the field of telecommunications and mobile payments.

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come up against the increase of outpayment withhold period. Outpayment withhold period for credit card payments is approximately 1 week or less, thus we would like to make a suggestion to decrease the outpayment withhold period in order to compete with credit card payments.

Thus our opinion is to decrease the outpayment withhold period from 45 to 30 days.

Contact information

The following comments are presented by:

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