

**Responses submitted by email to David Levitt [dlevitt@phonepayplus.org.uk](mailto:dlevitt@phonepayplus.org.uk)**

Guidance: Q.1 to Q.9

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.

**A.1: Disagree! Imposition of costly proposed “Special Conditions (Annexes C3 & 6)” retrospectively on existing HRPRS Advice Services with prior permissions would make them unviable:**

- @ £1.53/min - due to extra overheads and historic lack of inflation proofing!
- @ £2.50-£3.60/min - due to extra overheads & customer resistance!

**Existing HRPRS services with prior permissions migrating to £2.50-£3.60/min services should therefore be:**

- **Exempt from costly proposed “Special Conditions (Annexes C3 & 6)” such as indemnity insurance and call recording!**
- **Allowed to migrate existing HRPRS £1.53/min numbers for £2.50-£3.60/min services!**

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

**A.2: PPP should always first seek & demand technical solutions from network providers at their server ends to dispense as far as possible with costly multi page regulations / guidelines / DDRAC!**

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.

**A.3: No! The proposed alterations to guidance on DDRAC just create unnecessary cost & headaches and are rushed out in response to the recent costly PPP defeat in court! Prior permission by PPP or network providers is good enough!**

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.

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.

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.

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.

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.

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.

Special conditions: Q.10 to Q.23

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. 50

**A.10: Disagree! Exact same reply as our answer A.1 to Q.1 above.**

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.

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?

**A.12: Disagree! Exact same reply as our answer A.1 to Q.1 above.**

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

**A.13: Disagree! Exact same reply as our answer A.1 to Q.1 above.**

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.

**A.14: Disagree! Exact same reply as our answer A.1 to Q.1 above.**

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.

**A.15: Disagree! Exact same reply as our answer A.1 to Q.1 above.**

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.

**A.16: Disagree! Exact same reply as our answer A.1 to Q.1 above.**

Q.17: Do you agree with the proposed amalgamation of counselling 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.

**A.17: Disagree! Exact same reply as our answer A.1 to Q.1 above.**

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.

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.

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.

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.

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?

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. 51

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.

Impact Assessment: Q.25 to Q.26

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.

**A.25: Disagree! Exact same reply as our answer A.1 to Q.1 above.**

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.

**A.26: Is PPP aware and considered any actions against network providers that already completely usurp monthly premium rate outpayments below £500?**

**Existing 30 days withholding period is long enough and only benefits network providers!**

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**Anton May**

**Micro Software & Computers Ltd**

**Tel: 09065161165 (calls cost £1.53 per minute plus network extras)**