

GSR 14 Consultation
Contribution from the National Broadcasting and Telecommunications Commission (NBTC)
The Kingdom of Thailand

The consumer protection has been playing a crucial importance for all regulators. In part of the NBTC, we seriously put the consumer protection policy at the heart of our decision making as well. Especially, we enhanced the year 2013 to be as “the Golden year of consumer protection in Thailand” so as to proactively protect telecommunications consumers. Our masterpiece of actions on that matter are simultaneously launched through both sides of our regulated framework ; telecommunication and broadcasting.

Especially, In part of our telecommunication side, the NBTC has established “Telecommunication Mediation Center” in order to offer the disputed parties a new channel to resolve the disputes. Telecommunication Mediation Center will serve as an additional regulatory instrument in parallel with a traditional dispute settlement system in order to avoid burdensome delay on process and for win-win solution for agreeing parties. Currently, the creation of the Mediation Center is under the cooperation with the Thai Dispute Settlement Center of the Court of Justice of Thailand. And also the mediation process is upon voluntary basis and will be conducted by highly qualified and neutral mediators who will help mediating the dispute between the complainant and the telecommunications service provider. In this way, the mediator will not make any decision or judgment on the dispute as a result disputes can be resolved or agreeable with the most satisfactory between dispute parties. However, if the dispute cannot reach an agreement under the mediation process, any party can further request for the traditional complaint handling procedure. And according to the NBTC Regulation on Dispute Resolution between Telecommunications Licensees and Complainants 2012, the mediation process has to be finished within 30 days and can be extended 2 times with maximum 15 days each. Besides, the disputed parties can enter into the mediation process by contacting the “Telecommunications Mediation Center” where highly qualified mediators and staff are provided to support and facilitate over the process without any charges.

In addition, in part of our broadcasting side, the NBTC also focused on cooperating with other relating organizations in Thailand in order to help promote the consumer rights and welfare, for example ; “the Memorandum of Understanding” was made among NBTC, Food and Drug Administration (FDA), the Office of the Consumer Protection Board(OCPB) and Consumer Protection Police Division on regulation on illegal and predatory advertisement of foods, drugs and health products in radio and television broadcasting

businesses” through exchanging and sharing news, information, databases and ideas among consumer protection agencies. This was to allow work flexibility, promotion and support of information dissemination, and publicity of consumer protection knowledge to people and radio and television broadcasting business operators, to efficient legal enforcement for consumer protection, which supports each agency to enforce its own responsible laws to stop illegal or predatory advertisement. Coordination was set for signing agencies, and joint working groups were established for each work process as necessary and appropriate. The final outcome of those matters are yielded to provide protection to consumers to acknowledge actual information and protect them from unfair advertisement that may cause troubles to the overall society with proper period of rehabilitation.

Besides, to initiate and strengthen the network for connecting with all consumers, the NBTC has established the development of the “NBTC Call Center 1200” in order to function as a center on consumers’ wide and equal access and to receive and resolve the complaints without any costs incurred to the complainants.

Moreover, to create the next-step which will be beneficially led to the better consumer protection regulations, the regulators may put the emphasis on the following 7 “Must” considerations;

1. must understand dynamic of convergence from consumer perspective
2. must strengthen public consultation to optimize consumer benefit
3. must ensure that sufficient & suitable spectrum is made available for encouraging competition and generating public benefit
4. must balance rights of all stakeholders to ensure best benefit to innovations to consumers and business
5. must turn impractical and out of date regulations into practical and enforceable ones
6. must integrate with consumer protection authorities in the same direction
7. must cooperate with regional and international counterparts by exchanging information and sharing experience of converging environment for better consumer protection

All in all, in part of all measures, policies and regulations that the NBTC considers to establish are all totally focused on promoting the industry level and also to raise the consumer benefits and awareness in order to improve and leverage the country’s competitiveness in the long run.