



## ITU-PTA International Training Program 2016

# Consumer Protection

Mandate , Framework and Provisions

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# Agenda of Presentation

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Consumer Protection

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Statutory Provisions

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Federal Government Rules/ Policies

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PTA Vision

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Significant Regulatory Initiatives for Consumers

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History of Complaint Handling at PTA

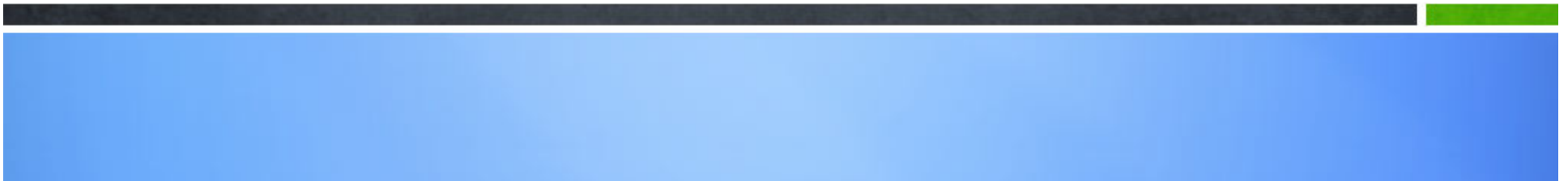
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Consumer Protection Directorate

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Global Participation of PTA for Consumer Interest

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# Consumer Protection

Consumer protection is the practice of managing and improving an organization's customer touch points and interactions. By combining technology, strategies, and resources, companies can significantly improve consumer satisfaction and loyalty, ultimately leading to increased revenue.

# Statutory Provisions

## ❑ Pakistan Telecommunication Reorganization Act 1996

### ❑ *Functions of the Authority (Section - 4):*

- Promote & protect interests of telecom users
- Investigate & Adjudicate on complaints and other claims made against licensees arising out of alleged contraventions
- Protect consumer rights

### ❑ *Powers of the Authority (Section - 5):*

- Monitor & Enforce licensees
- Carry out inspections & summon any person for investigation & enquiry

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# Statutory Provisions

## ❑ ***Responsibilities of the Authority (Section 6):***

- Interests of telecom users are duly safeguarded & protected
- Rights of licensees are duly protected
- Authority decisions are made promptly, equitable manner, non-discriminatory, consistent and transparent
- Applications are disposed of expeditiously
- Persons affected by decisions are given due notice and hearing opportunity

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# Statutory Provisions

## ❑ *Issue of enforcement orders and penalties (Section - 23):*

- Issuance of show cause notices against contraventions
- Levy fine which may extend to three hundred and fifty million pak rupees; or
- Suspend or terminate the licence, impose additional conditions or appoint an Administrator to manage the affairs of the licensee

# Federal Government Rules/ Policies

## □ Pakistan Telecommunications Rules, 2000

- Standard Terms and Conditions
- Publication of Prices
- Code of Practice for Consumer Affairs
- Confidentiality of Customer Information
- Arbitration of Disputes with Customers
- No cross-subsidisation

## Federal Government Rules/ Policies

- ❑ Telecom Policy 2015 has clear instructions to “ensure international standards of customer and consumer protection”.
  - Licensees to publish Customer Charter
  - Licensees to provide Standard Terms & Conditions
  - Licensee should put in place mechanism to prevent abuse of their systems that results in customers receiving unsolicited or fraudulent communication
  - Licensee will provide in easily accessible and understandable form;
    - Coverage
    - Pricing
  - New services like 3G/4G/LTE/ Over The Top (OTT)
  - Cyber Crime Bill



## PTA's VISION

**“Create a fair regulatory regime to promote investment, encourage competition, protect consumer interest and ensure high quality information and Communication Technology Services.”**

# Significant Regulatory Initiatives for Consumers

## □ Telecom Consumers' Protection Regulations, 2009

- Voluntary Compliance (VC) by operator
- Service provisioning per request & without discrimination
- No service disruption, suspension or termination without prior notice and substantial reasons
- No activation or deactivation of services/packages without user consent
- Fair commercial practices/ advertisement

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# Significant Regulatory Initiatives for Consumers

- Consumer Complaint Handling & Redressal Mechanism
- Confidentiality of consumer information
- Publication of consumer manual
- Establishment of Complaint Management System (CMS)
- **Failure to VC – a Complaint System**

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## Significant Regulatory Initiatives for Consumers

- **Protection from SPAM, Unsolicited, Obnoxious and Fraudulent Communications Regulations, 2009 & SOPs for execution of these regulations**
  - SPAM Reporting Through Short Code 9000
  - Controlling Unsolicited, Fraudulent and Obnoxious Communications
  - Installation of Anti-Spam Filters
  - Mechanism for Anti Spam Reporting for public through Short Code 9000
  - Establishment of Do Not Call Register (DNCR) through Short Code 3627 to avoid unsolicited communication

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## Significant Regulatory Initiatives for Consumers

- Implementation of Peer to Peer Handshake facility before Balance Transfer at CMOs Networks to curb illegal transfer of money
- Network & Subscriber level Voice/SMS blocking facility through Short Code 420
- Implementation of filtering to block fraudulent string through SMS resulting in fraudulent transfer of balance
- Pakistan Telecommunication Authority (Functions & Powers) Regulations 2006
- Subscriber Antecedents Verification Regulations, 2012 – SOP for Biometric Verification System (BVS)

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# Significant Regulatory Initiatives for Consumers

- Mobile Number Portability Regulations, 2005
- Regulations for Mobile Banking, 2016
- Protection from Health Related Effects of Radio Base Station Antenna Regulations 2008
- Broadband Quality of Service Regulations, 2014
- Cellular Mobile Quality of Service Regulations, 2011

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# Significant Regulatory Initiatives for Consumers

- Deregulation of International Telephony Rates
- Motivation to consumers for national campaigns e.g. grey traffic reporting, BVS verification, SPAM reporting, offensive content reporting etc.
- Awareness among consumers on Fraudulent Communications and Fake Prize Schemes
- Consumer Forums/ Seminars for General Public awareness

## History of Complaint Handling at PTA

- ❑ Under the Telecom (Re-Organization) Act, 1996, PTA is obligated to protect consumer interests and ensure the redressal of consumer complaints against telecom companies through effective Regulatory framework.
- ❑ PTA Regulations to ensure high quality customer experience and ultimately service excellence.
- ❑ Since its inception, PTA has been receiving and processing consumer complaints through its Enforcement Division/ Zonal offices
- ❑ In **2002**, a dedicated **Complaint Cell** was established at PTA HQs

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# Consumer Protection Directorate

- ❑ In 2008, ***Consumer Protection Directorate*** was established having major responsibilities:
  - Aim to **gauge** the pulse of telecom consumers
  - Identifying areas for **Regulatory work** for larger consumer protection
  - Proactive role in taking up issues that may harm **consumer interests**
  - Registration & **Redressal** of telecom consumer complaints
  - **Analysis** of consumer complaints

**Based on above, new Regulations and amendments are prepared for consumer interest from time to time**

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## Consumer Protection Directorate

- ❑ Complaints can be made through person visit to PTA offices, Toll Free Number at HQs, Telephone, Fax, E-mail, Website (Online Complaint Form) and postal address
- ❑ In Year 2014-15, PTA received 40,445 consumer complaints against telecom operators and the same were resolved/ disposed of accordingly

# Provision Available for Consumer to Approach for Protection of Rights

**Consumer**

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graph TD; Consumer[Consumer] --- PTA[PTA]; Consumer --- ServiceProvider[Service Provider]; Consumer --- HRC[Human Right Cell (HRC)]; Consumer --- ConsumerCourts[Consumer Courts]; Consumer --- WafaqiMohtasib[Wafaqi Mohtasib (Ombudsman)];
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**PTA**

**Service  
Provider**

**Human  
Right Cell  
(HRC)**

**Consumer  
Courts**

**Wafaqi  
Mohtasib  
(Ombudsman)**

## Global Participation of PTA for Consumer Interest

- PTA conducted ITU Asia-Pacific Centres of Excellence Online Training on “**Consumer Protection & Protection from Spamming, Obnoxious, Fraudulent & Unsolicited Communication**” by ITU-ASP CoE Network-PTA Node from 01-28 April 2013
- 70 participants from 19 countries comprising of regulatory and policy making organizations participated in the subject course



Thanks