

Protection of end user rights

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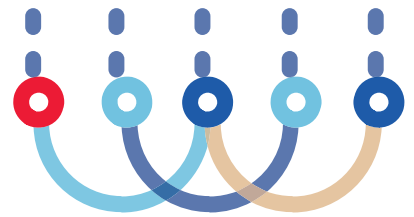


REPUBLIC OF SERBIA
RATEL
REGULATORY AGENCY FOR
ELECTRONIC COMMUNICATIONS
AND POSTAL SERVICES





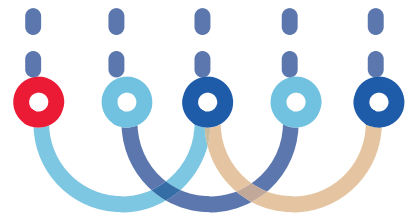
- Law on Electronic Communications
- Consumer Protection Act
- Law on Personal Data Protection
- Rulebook on general terms and conditions for performing electronic communication activities under general authorization regime;
- Rulebook on quality parameters for publicly available electronic communications services and monitoring of electronic communication activity;
- Rulebook on obligations of value added services providers;
- Rulebook on number portability on public telephone networks at a fixed location;
- Rulebook on number portability for services provided via public mobile communication networks.



RATEL's mediation in out-of-court dispute resolution:

The Agency does not apply provisions of General Administrative Procedure Act, nor makes decisions or conclusions on the substance.

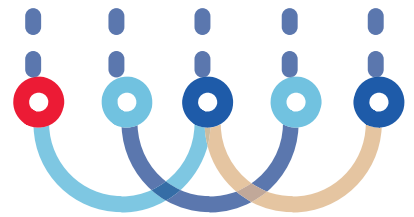
The procedure is based on RATEL's years-long practice of handling end users' complaints.



End users' complaints to electronic communications operator:

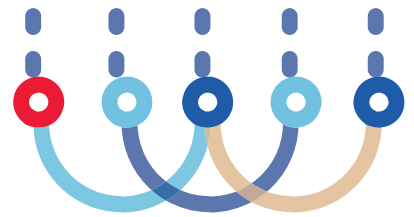
The end user is entitled to file a complaint to the operator regarding the amount credited to him for the provided service, i.e. quality of service. He can also claim reimbursement according to the contract on provision of the service of an inferior quality to the agreed one.

Complaint deadline – 30 days from the receipt of service invoice, i.e. 30 days from the provision of service.



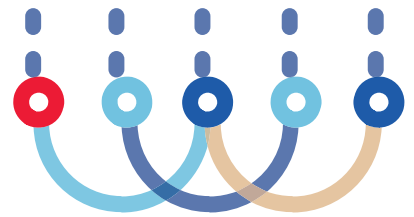
The operator is obliged to reply to the end user in written form, within 15 days from complaint submittal.

The operator is not liable for damages resulting from the service quality lower than the agreed one, if involving objective unpredictable, unavoidable or unresolvable causes (force majeure). The operator is, further, not liable for damages incurred by duly announced maintenance works on networks and services, performed within reasonable and appropriate deadlines.



RATEL also resolves complaints referring to:

- number portability in mobile networks at a fixed location,
- operator's failure to inform end users on changes in contract terms and conditions and prices,
- availability of services to persons with disabilities,
- invoices sent without detailed specification of provided services,
- control of costs,
- caller ID,
- lack of migration code and other.



End user's complaint *must be in written form and* should be submitted:

- via regular mail;
- via an Internet portal where the form is normally found;
- via an Internet address: ratel@ratel.rs



The complaint *is not formal, however it must contain:*

- End user's first and last names,
- Correct mailing address (domicile/residence),
- Name of the operator the complaint refers to,
- Number of subscriber's contract and/ or telephone number if linked with the service,
- Description of the problem with the operator, i.e. the reason for complaint.

* Copies of relevant documents are not obligatory, although desirable.



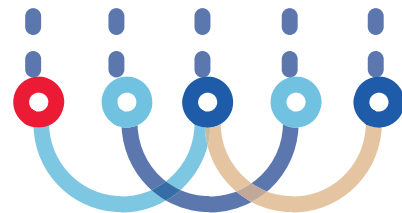
RATEL sends a request to the operator urging it to make a statement, with a deadline of 15 days to send a reply and remove possible defects.

After receiving the operator's statement, RATEL replies to the end user, attaching a copy of the operator's statement and advising the end user to address again to the Agency in a continuation of the mediation, should any new evidence or fact exist or if the operator's statement is found disputable.



If RATEL establishes irregularities in operator's work, it sends a request for an additional statement, highlighting the identified irregularity and leaving the deadline for its removal, as well as the possibility of sending a report to the line ministry inspection, should the operator not remove the irregularity within the set deadline.

Apart from the relevant documents submitted by end user and operator, RATEL gathers facts and information through monitoring of operator's activities and procedures (on the ground and similar).

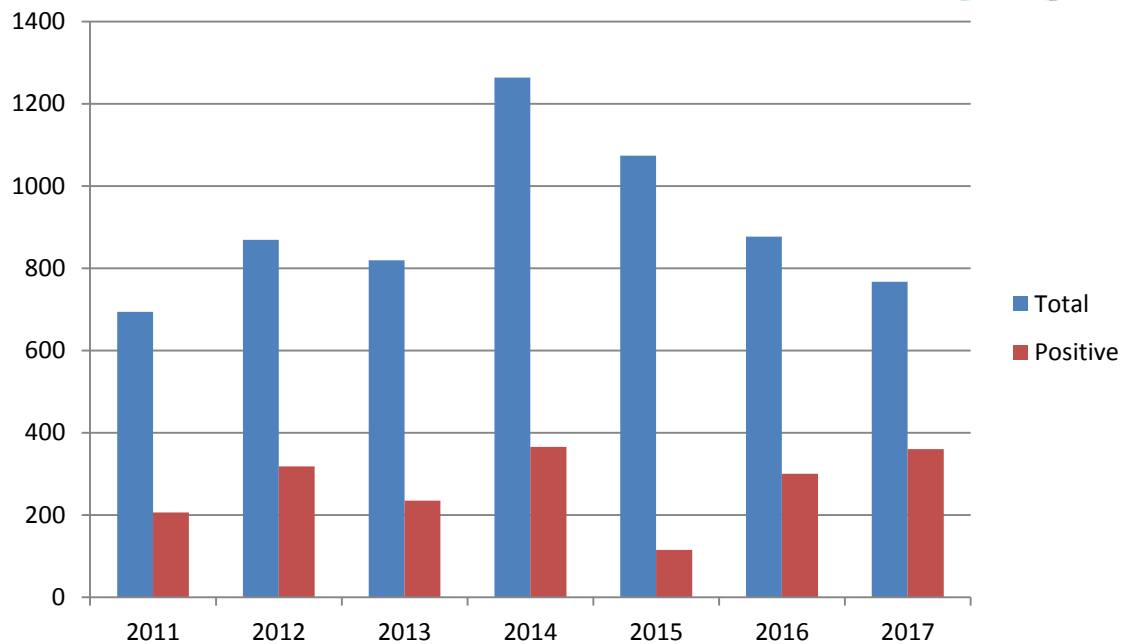
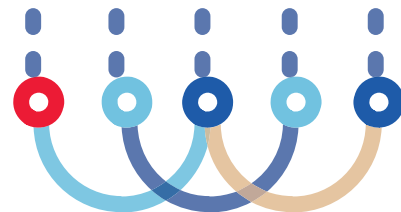


RATEL performs analysis of General Terms and Conditions for the following 5 operators: Telekom Srbija JSC Belgrade, Telenor LLC Belgrade, Vip Mobile LLC Belgrade, Orion Telekom LLC Belgrade and Serbia Broadband LLC Belgrade.

The analyses result in Orders and Recommendations to operators to make changes and amendments to the submitted General Terms and Conditions in order to comply with the obligation of performing their operations and procedures in accordance with the Law and other regulations and/ or to ensure better conditions for end users through additional benefits, higher protection level and similar.



- in 2011- 694 complaints (206 positively resolved)
- in 2012 - 869 complaints (318 positively resolved)
- in 2013 - 819 complaints (235 positively resolved)
- in 2014 -1264 complaints (366 positively resolved)
- in 2015 -1074 complaints (115 positively resolved)
- in 2016 - 877 complaints (300 positively resolved)
- in 2017 - 767 complaints (360 positively resolved)



Questions?

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Thank you!

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