

CONSUMER GUIDES 2008

A Guide to Consumers of Electronic Communications Services

Choosing your

FIXED TELEPHONY SERVICE PROVIDER

CONSUMER GUIDES

FORWARD

The **Malta Communications Authority (MCA)** is the national authority responsible for the regulation of electronic communications (telephony, Internet and broadcasting transmission), eCommerce and postal services.

One of its main objectives in regulating these sectors is to **promote the interests of consumers**.

Amongst others, it performs this role by:

1. Working together with service providers to address issues concerning consumers and ensure that any relevant obligations are complied with;
2. Collaborating with the Consumer and Competition Division; which is responsible for ensuring that service providers abide by general consumer protection rules; and
3. Raising awareness regarding matters of direct interest to consumers.

OBJECTIVE

This guide aims to inform you about:

1. The **general principles to follow** when taking up offers made by service providers in the electronic communications sector;
2. The **factors you should consider** before selecting your

FIXED TELEPHONY SERVICE PROVIDER

3. The steps to take when **lodging a complaint with your service provider**; and
4. **How the MCA can help** you when you have unresolved difficulties regarding a particular service.

CHOOSING YOUR FIXED TELEPHONY SERVICE PROVIDER

TYPES of Fixed Telephony services you may choose from:



PUBLIC SWITCHED TELEPHONY NETWORK (PSTN) is the normal phone network over which telephone service providers route all phone calls. This refers to the worldwide 'plain old' telephone system used for exchanging phone calls.

VOICE OVER INTERNET PROTOCOL (VOIP) based services carry calls over the Internet (usually broadband) or through any other Internet Protocol-based network, instead of going through the PSTN.

It is important to note that the main distinction between these two types of telephony services is that; **VoIP services require mains electrical power supply in order to work, whereas the PSTN does not.** This means that, with a VoIP service, in the event of failure in the main electrical power supply, you will require a power battery back up or an *uninterruptible power supply (UPS)*¹ to ensure continuity of service.

However, this also applies to customers using cordless phones, as these phones also require an electrical power supply to recharge and operate.

The VoIP service provider must give you the option to either buy a power battery back up yourself from an independent third party, or else provide you with a battery back-up modem itself, at a charge, when providing services that depend on electrical supply. The power battery back up must supply approximately 3 hours on full load of electrical power when charged to maximum capacity.

Note that **both PSTN and VoIP telephony services offer pre-paid and post-paid subscriptions.** With a pre-paid service you are paying for the service in advance by purchasing credit in the form of top-up cards. Top-up cards may have a specific time-window in which you can use the credit available. With post-paid you will be billed for the service (line) rental and calls made during a specific period, usually every one or two months.

¹ **Uninterruptible Power Supply (UPS)** is a device that provides a supply of electrical power to particular equipment, even though mains electrical power supply is not available.

FACTORS to consider when selecting your Fixed Telephony Service Provider

1. Many service providers offer a variety of **TARIFF PLANS**. Therefore, before determining which plan is the most suitable for you, review your most recent telephone bills and get an idea of your calling patterns, such as:
 - ▶ the **type of calls** you make most frequently: whether local or international, and whether to fixed lines or to mobile phones;
 - ▶ **how often you call**;
 - ▶ the **average duration** of the calls; and
 - ▶ at what **time of the day** you tend to make most calls.

2. Consider which service provider the **PEOPLE YOU CALL MOST** often are subscribed to. Calls made to a number operated by your own service provider (such calls are called on-net calls) may be free or may be charged differently from calls made to a number operated by a different service provider (such calls are called off-net calls). The latter calls might be more expensive. In order to find out which network a specific fixed line number is registered to; call the number '180'.

3. Shop around and compare the different **CALL CHARGES**. When comparing charges, be mindful that service providers may adopt any of the following charging methods:
 - ▶ per second
 - ▶ per minute; or
 - ▶ per pulse (for example, if 1 pulse is equal to 5 minutes, your service provider will charge you for a 5 minute call even if your call lasts less than 5 minutes).

Service providers may sometimes combine the above charging methods with a call set up charge, where you will be charged a fixed amount as soon as you make a call and then charged per second, minute or pulse thereafter. Alternatively, service providers may offer unlimited free talk time combined with a call set up charge.

4. Take note of the various **TIME BANDS**: *peak*², *off-peak*³ and *night-time*⁴ bands used by the service provider, if any, as these may differ from one service provider to another.

² **Peak hours** are the period of the heaviest use of the telephone service. Some local service providers (as at the time of publication of these guides) consider peak time bands from Monday to Friday (inclusive of public holidays) as the hours from 08.00hrs-18.00hrs and from 18.00hrs-6.00hrs during weekends. Note however, that these time bands may vary from one service provider to another and may change over time.

³ **Off-peak hours** are the period of less frequent use of the telephone service. Some local service providers (as at the time of publication of these guides) consider peak time bands from Monday to Friday (inclusive of public holidays) as the hours from 06.00hrs-08.00hrs and from 06.00hrs-18.00hrs during weekends. Note however, that these time bands may vary from one service provider to another and may change over time.

5. If you regularly call a specific international number/s, you should check the **TARIFF** applicable to that number, as these may vary from one service provider to another. Note, however, that call rates are subject to change.

6. Ask the service provider to explain what **FACILITIES** are offered in addition to the basic services before you subscribe.
Here are some things to look out for:
 - ▶ Whether the service works in the event of a power failure and if not, what power back up facilities the service provider offers;
 - ▶ Any value added features the service includes and whether these are provided at an extra cost. Such features may include directory assistance, directory listings, additional/value added services and so on.

7. If you are considering changing your service provider check your **CONTRACTUAL OBLIGATIONS** with your existing service provider:
 - ▶ Ensure that any outstanding bills are settled; and
 - ▶ Be aware that if you are subscribed to a pre-paid account with your existing service provider you may lose any unused credit when migrating to another service provider.

8. Keep in mind that you have the option to move from one service provider to another whilst keeping your existing telephone number. This process, known as '**PORTING**', should normally take no longer than 5 *working days*⁵, however exceptions may apply in certain cases. To keep your existing number you need to visit a contact centre of the fixed telephony service provider you would like to subscribe to, taking with you your identity card or passport and a copy of a recent bill or statement. After filling in a form, the new service provider will carry out the process to transfer your existing number on your behalf. This process is known as number porting. You should be aware that:
 - ▶ You are **tied to the new service provider** for a minimum period of two months from when you last ported;
 - ▶ Any **outstanding bills** with your previous service provider need to be settled in full prior to porting your number; and
 - ▶ If your number has an **ADSL broadband Internet service** and/or Carelink service attached to it, these services would need to be terminated before applying for porting.

⁴ **Night-Time hours** are considered by some local service providers (as at the time of publication of these guides) as the time band from Monday to Sunday between 18.00hrs-06.00hrs. Note however, that these time bands may vary from one service provider to another and may change over time.

⁵ A **working day** is generally referred by service providers as the time within the hours: 08.00hrs-18.00hrs from Monday to Friday and from 09.00hrs-13.00hrs on Saturdays, excluding Sundays and public holidays. Note however, that these time bands may vary from one service provider to another and may change over time.

GENERAL GUIDES

BEFORE selecting a service provider and/or taking up an offer:

1. Make sure that you are well informed of the:

- ▶ **FULL COST** of the service;
- ▶ **PAYMENT OPTIONS** available;
- ▶ **CHARACTERISTICS**, including any limitations of the service;
- ▶ **CUSTOMER AND TECHNICAL SUPPORT** services provided.

2. **Do not base your choice only on information provided in promotional material**, for example, adverts, leaflets, discussion programmes and so on. This information might not be fully comprehensive and important terms and conditions may be missing.

3. Consider what is most important to you, whether it is **Cost, Quality of service, Reliability, Customer care standards** or any other factor. Consider also your particular usage patterns, for example, how often and at what time of the day you intend to use the service. This will help you identify the most appropriate service provider and/or offer to suit your needs.

4. Shop around and compare offers of the various service providers before you take up a particular service. If the level of customer care service is important to you, call the service provider to enquire about the service you need. Such communications with customer care personnel will provide you with an insight into the level of customer service provided by the individual service providers.

5. Read and understand all the Terms and Conditions before signing up to a contract. Pay particular attention to the following:

- ▶ **MINIMUM DURATION** of the contract, if any;
- ▶ **BILLING ARRANGEMENTS**: whether pre-paid, post-paid or both;
- ▶ **PAYMENT CONDITIONS**: such as penalties imposed and/or termination of contract if you do not pay your bill on time;
- ▶ **COMPENSATION OR OTHER FORMS OF REDRESS** that apply if the service provider does not achieve the quality of service levels stipulated in the contract;
- ▶ **PENALTIES**, if any, you may incur should you wish to terminate the contract before any contractual period is over; and
- ▶ **MAXIMUM TIME TO DISCONNECT THE SERVICE** by the service provider after you request termination. Note that, more often than not, you will still be billed for the service during this notice period.

6. If there is anything that you feel is **not clear in the terms and conditions**, do not hesitate to ask the customer care personnel or sales persons to explain it further. You can also take a copy of the contract and take up the offer at a later date, to give yourself time to read and understand the terms and conditions thoroughly. If you decide to do so, be careful to take note of any dates limiting the validity of temporary offers.

AFTER selecting a service provider and/or taking up an offer:

1. Always **keep a copy of your contract, receipts, invoices** and any formal communications exchanged with your service provider. If you conclude your contract online, print or save a copy.
2. Ensure that the goods and/or services that are delivered/provided **conform to the description and meet the specifications** set out in the contract of sale/terms and conditions.
3. When communicating with the service provider, take **note of who you speak to, record the date** and the main outcome of your communication.
4. Be aware that in the event that your service provider decides to **suspend or alter the service or the terms and conditions of your contract**, for example, change the price, you should be notified of any changes 30 days before these come into effect. Should you not accept such modifications, you have the right to withdraw from the service without any penalty.

LODGING A COMPLAINT

Lodging a Complaint with your SERVICE PROVIDER

If you are not satisfied with the service you have subscribed to, you should primarily approach your service provider in order to resolve the matter.

Remember these points when making a complaint with your service provider:

1. Clearly **identify what the problem is** and the desired outcomes from lodging your complaint.
2. **Support your case** with copies of any relevant documentation. Remember you should always retain the original copies of any correspondence or official documentation such as contracts, bills and so on.
3. **Keep notes of what you do**, with whom you speak, any relevant dates, what they said or promised to do and copies of all correspondence.
4. **Record the date and time** when you made your complaint and the reference number, if assigned.
5. Give the service provider a **reasonable time** in which to resolve your complaint.

Lodging a Complaint with the MCA

If, after exhausting your service provider's complaint-handling procedures you still feel that your complaint was not adequately addressed, we may be able to help you. We may not always have the faculty to determine whether your complaint is justified and impose a solution, but we can mediate between you and your service provider to assist you in reaching a satisfactory resolution.

We can provide you with all the relevant information on the matter, so that you will have a better understanding of what the service provider's obligations are, what your rights are and the possible courses of action available to you.

We invite you to visit our website for more information on our complaints handling procedure: www.mca.org.mt.