

# Ofcom and the service provider sector

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## Ofcom and the service provider sector

- Ofcom's view: the service provider sector has been instrumental in delivering the benefits of competition to consumers
- Strategic challenges:
  - Changing technology
  - Changing industry structure
  - Changing consumer demand
- Telecoms in a converged world
- We are facing a critical period when decisions will be made that will establish:
  - Conditions for fibre investment and new service model
  - New rules for leased lines markets (2012)
  - New rules for voice (2013)

## Ofcom's approach to regulation

- European Framework
- Communications Act
  - Ofcom's primary duty
  - Promoting competition, preventing harm to consumers, using public assets efficiently
- Regulatory principles
- Types of regulatory conditions:
  - SMP conditions: rules on access/interconnection, set in a market review
  - General conditions: apply to all providers (or defined sub-set), set after consultation
  - Others (universal service, access-related, privileged supplier)
- Other relevant considerations: competition law, consumer law (eg UTCCRs)

## Annex: changes to the general conditions

## General Conditions of Entitlement – as at Sept 2011

- GC1: General access and interconnection obligations
- GC2: Standardisation and specified interfaces
- GC3: Proper and effective functioning of the network
- GC4: Emergency call numbers
- GC5: Emergency planning
- GC6: Public pay telephones
- GC7: Must-carry obligations
- GC8: Operator assistance, directories and directory enquiry facilities
- GC9: Requirement to offer contracts with minimum terms
- GC10: Transparency and publication of information
- GC11: Metering and billing
- GC12: Itemised bills
- GC13: Non-payment of bills
- GC14: Codes and practice and dispute resolution
- GC15: Special measures for end-users with disabilities
- GC16: Provision of additional facilities
- GC17: Allocation, adoption and use of telephone numbers
- GC18: Number portability
- GC19: Provision of directory information
- GC20: Access to numbers and services
- GC21: Quality of service
- GC22: Service migrations
- GC23: Sales and marketing of mobile telephony services
- GC24: Sales and marketing of fixed-line telecommunications services

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## Changes to GC9

- GC9 sets rules on minimum terms to be offered to customers
- Changes:
  - Expanding the list of information to be provided (for contracts after 25/5/11)
  - Widening the scope of ‘right to withdraw’
  - Limits on maximum contract length (2 years and option of a 12 month contract)
  - Prohibition on terms or processes that act as disincentives to switch

## Changes to GC18

- GC18 sets rules on number portability
- Changes:
  - 1 working day porting (in mobile, from PAC; in fixed, after validation)
  - Compensation scheme for delays or faults
  - Definitions
  - ‘shortest possible time’

You should consider getting **independent legal advice** on how these rules affect your business

# DISCUSSION