Ending your contract:

If you have a post-paid service (most services where you receive a bill are post-paid services) and want to end your contract early, you could be liable for cancellation fees. Depending on the service, (e.g. internet) you could also be charged a fee if you move premises and want the service installed at a new address. Your service provider must tell you what fees and charges you will have to pay if you end your contract early.

If you decide to move to another service provider, the new service provider must:

- Explain that you are entering into a new contract (if it is a post-paid service),
- Make sure that you are the account holder or have been authorised by the account holder,
- Tell you when approximately the transfer will happen, and
- Tell you once the transfer has been completed.

Compliance with the TCP Code:

All service providers are required to submit annual Compliance Attestations (which must be accompanied by an Independent Assessment for large service providers) and other documents to a newly created compliance monitoring body called Communications Compliance. Communications Compliance will publish on their website names of service providers which have submitted the required documents and also list those who have not done so. They will also publish the names of service providers who have been referred to the ACMA for investigation or enforcement action.

Communications Alliance is the primary telecommunications industry body in Australia.

For detailed information about the TCP Code go to
www.commsalliance.com.au/Documents/consumers

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PROTECTING OUR CUSTOMERS

COMMUNICATIONS ALLIANCE LTD

The Telecommunications Consumer Protections (TCP) Code was created by the Australian Telecommunications Industry after consultation with regulators and consumer groups. The Code contains a set of rules designed to protect the rights of consumers and to clearly spell out the obligations of retail telecommunications service providers. Most of the Code rules apply from 1st September 2012.

The TCP Code is registered by the Australian Communications and Media Authority (ACMA)

Critical Information Summary (CIS):

From 1 March 2013, before you buy a new service or sign a new contract the service provider is required to provide you with a document called “Critical Information Summary”.

For example, this document must include:

- A description of the service or product with details like what is included and excluded,
- Pricing information, such as minimum and maximum charges and the costs of making a two minute call, sending a text or using 1MB of data within Australia,
- How much you will have to pay if you end a contract early, and
- How to contact customer service.

Signing up or buying:

Your service provider is required to provide you with certain information. Service providers should:

- Describe products and services accurately without leaving important information out, in a way you can understand,
- Provide you with accurate information about their network coverage, on their website,
- Provide you with information about international roaming, e.g. the basic charges and whether roaming is already activated when you buy the service, on their website,
- Obtain your consent before you sign a contract and check that you are legally able to sign a contract,
- Advise you of the reasons why if they refuse to provide you with a service,
- Make information available about any of their services that specifically cater to consumers with a disability,
- Be able to communicate in English and do so courteously, and
- Provide the Standard Form Customer Contract (the contract) on their website.

Advertisements:

From 27 October 2012, some rules about advertisements will change. Service providers are simplifying the way they advertise included value plans so that they are easier for you to understand, e.g. most of these advertisements must tell you the cost of:

- a two-minute national call,
- a national sms (text message), and
- one megabyte of data in Australia.

Your bill:

In most cases, having a contract means your service provider must regularly provide you with a bill. Your service provider should:

- Make sure that your bills are easy to read and understand,
- Give you billing information for the last six years if you ask for it,
- For most included value mobile plans provide you with your two previous months’ bill totals to enable you to track your expenses,
- Make sure that there is at least one way for you to pay your bills without being charged a fee.

The service provider does not need to provide you with a bill if:

- You pay by direct debit, AND
- The charges per billing period are the same as the fixed amount in each billing period, AND
- You have agreed that you will not receive a bill unless the bill is more than 10% higher than that fixed amount.

Keeping track of what you spend:

- From September 2013, if you are with a large service provider, that provider must notify you of how much of your included value you have used so far (for sms, voice and data).
- Depending on what service you have, your service provider might notify you when you reach:
  - 50% of your allowance,
  - 85% of your allowance, and
  - 100% of your allowance.
- This notification can occur by sms, email or online.
- These obligations also apply to smaller providers: they must provide you with notifications for data usage from September 2013 and notifications for sms and voice usage from September 2014.

Dealing with a problem:

It is in both service providers’ and your interests to solve any problems you have in the first instance. Your service provider must have a complaint handling procedure to deal with your complaints, or fix any problems.

This is what you should expect:

- Complaint handling procedures must be free and easy to understand,
- Complaints must be resolved within 15 working days,
- If your service provider proposes a solution to a problem, they must ask if you are satisfied with the proposed solution. If so, the service provider must implement the solution within 10 working days,
- If you are not satisfied with the proposed solution or if the complaint is taking too long to work through, your service provider must tell you about how your complaint could be handled at a higher level. If you ask for your complaint to be escalated, the service provider must also do that, and
- If you are still not satisfied with how your service provider has handled your complaint, your service provider must inform you that you can complain to the Telecommunications Industry Ombudsman (TIO). Contact the TIO at www.tio.com.au.