

## **C2 Information publication and transparency requirements**

### **Scope**

C2.1 The provisions of this Condition apply as follows:

(a) Conditions C2.2 to C2.15 apply to all providers of Public Electronic Communications

Networks and/or Public Electronic Communications Services; and

(b) Conditions C2.16 to C2.19 apply to any Communications Provider who provides Fixed

Voice or Other Fixed-Line Services and/or Broadband Services to SME Customers,

and each person to whom a provision applies is a 'Regulated Provider' for the purposes of that provision.

### **General information publication requirements**

C2.2 Regulated Providers shall ensure that clear and up-to-date information on the applicable prices and tariffs and standard terms and conditions in respect of access to and use of the services provided by them to End-Users and/or Consumers is published in accordance with Conditions C2.3 and C2.12. For the avoidance of doubt, this Condition does not require Regulated Providers to publish any bespoke or individual prices, tariffs or terms and conditions.

C2.3 The information published shall include at least the following:

(a) the name and registered office address of the Regulated Provider;

(b) a description of the services offered;

(c) the standard tariffs of the Regulated Provider indicating the services provided and the content of each tariff element (with regard to charges for access, usage and/or maintenance), including details of any standard discounts applied, any special and targeted tariff schemes and any additional charges;

(d) any compensation and/or refund policies, including specific details of any compensation and/or refund schemes offered;

(e) any types of maintenance service offered;

(f) the standard contract conditions offered, including any relevant Fixed Commitment

Period, termination of the contract, and procedures and direct charges related to Number Portability; and

(g) any available dispute resolution mechanisms, including those developed by the Regulated Provider.

**Unbundled tariff and personal numbers information publication requirements**

C2.4 In respect of Unbundled Tariff Numbers, Regulated Providers shall publish the Access Charges that are payable for tariffs that they make available to Consumers and give those charges the same prominence in terms of location and format as is given to charges for geographic calls, calls to mobiles and call packages (including bundles) on the Regulated Provider's website, in its published price lists and in advertising and promotional material which refer to call pricing.

C2.5 Without prejudice to Condition C2.4, in respect of Unbundled Tariff Numbers, Regulated Providers shall give particular prominence to:

(a) the Access Charge that is payable for each package of tariffs that they make available to Consumers; and

(b) whether calls to Unbundled Tariff Numbers are included within bundles of inclusive calls or inclusive call minutes purchased by Consumers from the Regulated Provider, specifying in particular:

(i) the Unbundled Tariff Numbers to which the terms of the bundle apply;

(ii) if relevant, the number of call minutes to Unbundled Tariff Numbers that are so included;

(iii) if relevant, whether the inclusion of calls to Unbundled Tariff Numbers is conditional upon the time or day of the call; and

(iv) whether any special offers, discount schemes or call bundling arrangements apply to the Service Charges payable in respect of the call minutes or calls to Unbundled Tariff Numbers that are so included.

C2.6 In respect of Personal Numbers, for tariffs that Regulated Providers make available to

Consumers, they shall:

- (a) publish usage charges, including any variations by time of day, and give those charges the same prominence in terms of location and format as is given to charges for geographic calls, calls to mobiles and call packages (including bundles) on the Regulated Provider's website and in its published price lists; and
- (b) in advertising and promotional material which refer to call pricing, publish the maximum charges applying to Personal Numbers.

C2.7 Without prejudice to Condition C2.6, in respect of Personal Numbers, Regulated Providers shall give particular prominence to whether calls to Personal Numbers are included within bundles of inclusive calls or inclusive call minutes purchased by Consumers from the Regulated Provider, specifying in particular, if relevant:

- (a) the number of call minutes to Personal Numbers that are so included; and
- (b) whether the inclusion of calls to Personal Numbers is conditional upon the time or day of the call.

C2.8 Where a Regulated Provider advertises, promotes or procures the advertisement or promotion of any Unbundled Tariff Number in connection with the provision by the Regulated Provider of a service to Consumers by means of that Unbundled Tariff Number, it shall:

- (a) include or procure the inclusion in any advertising and promotion of the Unbundled Tariff Number, the Service Charge which applies in respect of a call by a Consumer to that number; and
- (b) ensure that the Service Charge is displayed in a prominent position and in close proximity to the Unbundled Tariff Number in any such advertising or promotion of the Unbundled Tariff Number.

C2.9 Where a Regulated Provider applies different tariffs for Small Business Customers to those it applies to Consumers, it must ensure that its pricing for Small Business Customers is transparent and inform such Small Business Customers where the tariff is a business tariff.

### **Premium Rate Service information publication requirements**

C2.10 In relation to Controlled Premium Rate Services ('CPRS'), Regulated Providers shall provide on request and free of charge the following information and advice to Domestic and Small Business Customers:

(a) information about the CPRS mechanisms in the UK market, such as operator billing, premium rate Short Message Service (PSMS) payments, Service Charges for CPRS numbers, and voice shortcode charges, and how they are applied to the Customer's phone bill; and

(b) information about the role of Regulated Providers in relation to:

(i) general CPRS enquiries and requests for number checks via the number-checker facilities provided by the Phone-paid Services Authority on its website; and

(ii) dealing with formal complaints about abuses of service content, non-compliance with the Phone-paid Services Authority's code of practice and other alleged unlawful operation of services and numbers.

C2.11 In providing information and advice in accordance with Condition C2.10, Regulated Providers shall provide:

(a) basic information about how CPRS work including whether the service(s) in question were routed to service providers hosted on the Regulated Provider's own network or on the network of a different Communications Provider, together with a basic explanation of how revenue sharing with service providers operates;

(b) information about the tariffs that apply on their network for calls to any CPRS number range, including, where appropriate, the Regulated Provider's Access Charge;

(c) contact details of individual service providers or the Communications Providers which host them, and where that information is available;

(d) service providers' customer service contact details where Consumers can obtain further information about services provided on the CPRS numbers found on their Bills;

(e) information about the role and remit of the Phone-paid Services Authority in dealing

with complaints and how to go about making a formal complaint to the Phone-paid Services Authority via the website, helpline or in writing;

(f) information on the role of Alternative Dispute Resolution Schemes in resolving disputes concerning CPRS;

(g) information about how Consumers can bar access from their telephone to all or specific CPRS number ranges for reasons of cost and/or content; and

(h) information on any other options available to Consumers for seeking refunds in cases of abuse or scams involving CPRS.

### **Method of publication**

C2.12 Other than information to which Condition C2.16 to C2.19 applies, where this Condition requires information to be published, it shall be effected by:

(a) sending a copy of the information or any appropriate parts of it to any End-User who reasonably requests it, free of charge; and

(b) placing a copy of the information in plain English, in an easily accessible and reasonably prominent manner on their website or, where there is no such website, in such manner and form as directed by Ofcom.

### **Processes and procedures**

C2.13 Regulated Providers must have procedures in place to ensure that enquiry and helpdesk staff are aware of the requirements of Conditions C2.2 – C2.12 and C2.14 in order for them to be able to respond to complaints and enquiries and to monitor their compliance with the requirements.

C2.14 Regulated Providers must have fully documented procedures in place to ensure that Customers and advice agencies are made aware of the existence of the requirements in this Condition including, for example, by referring to the requirements in sales and marketing literature.

### **Information required to be displayed in Public Pay Telephones**

C2.15 Regulated Providers that provide Public Pay Telephones shall display and take all

reasonable steps to keep displayed prominently on or around all Public Pay Telephones a notice specifying:

- (a) the minimum charge payable for connection of a call;
- (b) the location of the Public Pay Telephone sufficient to enable it to be located as swiftly as possible by Emergency Organisations;
- (c) that calls to Emergency Organisations using the numbers “112” and “999” may be made from the Public Pay Telephone free of charge and without having to use coins or cards; and
- (d) whether or not the Public Pay Telephone is available to receive a call, and if so, the Telephone Number of the Public Pay Telephone.

**Transparency requirements in relation to SME customers**

C2.16 In addition to any information required under Condition C2.3, a Regulated Provider must publish the following information in respect of any standard form contract it offers to SME Customers (whether exclusively or amongst others) for Fixed Voice or Other Fixed-Line Services and/or Broadband Services:

- (a) the Service Level Agreements (if any) that apply:
  - (i) in relation to the Regulated Provider activating the service(s) on the date confirmed to a SME Customer and in the event of the Regulated Provider failing to do so;
  - (ii) in the event of a Loss of Service; and
  - (iii) in relation to the Regulated Provider (or its supplier) keeping a pre-agreed appointment to attend the SME Customer’s premises and in the event of the Regulated Provider (or its supplier) failing to do so;
- (b) the Service Level Guarantee (if any) that applies for each of the events listed in Condition C2.16(a);
- (c) if applicable, the fact that no Service Level Agreement and/or Service Level Guarantee applies in relation to an event listed in Condition C2.16(a); and

(d) if applicable, the fact that a Service Level Agreement and/or Service Level Guarantee may be available in relation to an event listed in Condition C2.16(a), but that the exact terms are subject to individual negotiation between the Regulated Provider and a SME Customer.

C2.17 The Regulated Provider must publish the information referred to in Condition C2.16 in plain English, in an easily accessible and reasonably prominent manner on its website (or, where there is no such website, in such manner and form as directed by Ofcom).

C2.18 When a SME Customer enters into a contract of a kind offered by the Regulated Provider to SME Customers (whether exclusively or amongst others) for a Fixed Voice or Other FixedLine Services and/or Broadband Service (whether on the basis of a standard form or a bespoke contract), the Regulated Provider must provide the SME Customer, free of charge, with the information described in Condition C2.16(a) to (c) (or the applicable information about each of those matters in relation to a bespoke contract) in respect of that contract.

C2.19 The Regulated Provider must provide the information referred to in Condition C2.18 in a Durable Medium that is separate and distinct from the SME Customer's contract.