

Customer enquiries and complaints about premium rate services

Introduction

This code of practice sets our commitment to provide you with clear and accurate information on premium rate services, ("PRS"), including what PRS are, how they work, how much it costs and what to do if something goes wrong.

What are PRS?

PRS are services that offer some form of content including information, service or entertainment that that you pay for using calling credit attached to your NowMobile account and that you access using the NowMobile service. This content can range from one-off payments for services to vote for a particular contestant on a television programme to a subscription service that sends you SMS messages to keep you updated on the latest football scores and includes directory enquiry services using a telephone number starting with **118**.

PRS are not limited to mobile services and can be accessed from landlines, fax, interactive digital television and computers (including by email and through the internet).

What are internet PRS?

Many companies offer access to certain websites or internet based content using premium rate numbers so charging the cost of that access to your telephone account. If you come across a site that is charged like this you will, in most cases, have to download a piece of computer software/ application, know as a 'dialler' on to your computer. The dialler will disconnect you from your usual internet connection and will force your computer to dial a new premium rate number so you can access the site.

Although internet PRS are a legitimate method for paying for content on the internet there have been instances of problems of diallers being difficult to uninstall and surreptitiously installed themselves on computers. As a result we recommend that, in addition to your usual internet safety procedures, you should always ensure that: (i) unless you are accessing internet PRS deliberately, your internet connection is being provided to you by your usual internet provider; (ii) you do not download and/or install anything that looks suspicious or that you have not been told about in advance; and (iii) you have, and keep updated, internet security software.

How does PRS work?

PRS are provided by content providers. Each content provider, ("CP"), will normally have an arrangement with a network operator to host its content, the terminating communications provider (unless that CP has its own network on which it hosts its content). When you purchase a PRS we deduct the cost of that call / SMS / download from your account, deduct our costs for originating that call, for originating or terminating that SMS (for reverse-billed SMS) or for the bandwidth used for that download (our costs are a very small part of the total charge) and then pass the bulk of the revenue to the CP's terminating communications provider who then shares that revenue with the CP. We only share the revenue we pass on where we are also the terminating communications provider and/or the CP.

As you are purchasing content from the CP who provides the PRS the contractual responsibility for supplying that content to you and the bulk of the regulatory responsibility lies with that CP.

How much do PRS cost?

The CP is responsible for setting out its fees and for making sure that customers are always aware of them before they purchase their content. Charges for PRS vary from per minute rates, flat-fees and minimum charges for calls to PRS numbers to per text or per multiple text fees for PRS SMS and per download or per multiple download.

Because we as the originating communications provider also charge for our costs of carrying the call, SMS or download the cost of the PRS may be higher than advertised by the CP but our costs are set out clearly on our website at www.nowmobile.co.uk and are also available from our customer services team by calling **669** from your NowMobile or **0207 871 7669**.

Where we do not publish the details of a PRS number or range of numbers or where a PRS number or range of numbers appears on our exceptions list you cannot call, text or otherwise contact that number, or any number in that range, using NowMobile.

How to spot a PRS number

PRS numbers typically start with **09** although similar, and in some cases identical, services are increasingly being offered on number ranges outside this range, including numbers starting **08** as well as access codes and, in the case of mobile services, short codes. Directory enquiry services called on numbers starting with **118** are also PRS numbers.

What is a mobile short code?

Mobile short codes are typically used to supply PRS paid for by premium SMS although they are used to supply other PRS as well. They are normally four, five or six digit numbers and often they begin with **5**, **6**, or **8** and are followed by a key word. For example: 81111 VOTE. By sending an SMS to the short code, which may include an instruction like "Vote" you have agreed to purchase or subscribe to that PRS and the most common way that you will be charged is by having to pay to receive one or more SMS. Some subscription services continue to send you messages that you have to pay for until you tell them to stop.

What to do if you want to unsubscribe from a SMS PRS?

If you have subscribed to a SMS PRS and want to unsubscribe all you need to do is text "STOP" (not case specific and excluding the quotation marks) to the sender.

Can I bar access to PRS from my NowMobile?

Where we offer access to PRS (check our website www.nowmobile.co.uk for details) you can bar access to some or all PRS and can do this through our website or by contacting our customer services team.

How can I find out who is behind a PRS

Phonepay Plus provides a number checking service on their website www.phonepayplus.org.uk. This service will tell you who is responsible for providing a service and their contact details.

How can I get more information or complain?

In the first instance we would ask that you call our customer services team as they can provide guidance on PRS and what you can do if you believe you have been overcharged for PRS or charged for PRS that you didn't order or subscribe to and how to go about getting a refund.

Because the content provider is responsible for providing PRS to you and not NowMobile if you want to find out more about their PRS, how to stop receiving it or to complain about the PRS you should contact them directly. You can find out who they are using the number checking service on the Phonepay Plus website.

If you are unsatisfied with our response then you may be entitled to refer your dispute to Otelo following the completion of our dispute procedure. Otelo is an ombudsman service approved by Ofcom that provides a free and independent service that investigates disputes provided that you have gone through our complaints procedure first and so long as the dispute itself is within Otelo's remit. You can find out more about Otelo at www.otelo.org.uk.

If you are unsatisfied with the response of the content provider, if you do not receive a response, if you are unable to contact that content provider or if you believe that you have been the victim of a scam or other abuse of a PRS you should contact Phonepay Plus. In addition to their other powers they can oblige a content provider to refund you.

Phonepay Plus

Phonepay Plus regulates PRS in the UK in accordance with their code of practice which sets out the rules that providers of PRS using numbers starting **09, 0871, 0872, 0873, 118** and text short code numbers used on mobiles must follow. Phonepay Plus also handles complaints about calls to **070** numbers including where callers to **070** numbers believe they have been misled into calling them. Its investigations and adjudications are both independent and free to consumers.

As part of its duties, Phonepay Plus investigates complaints about PRS and where it determines that its rules have been broken it can fine the company responsible, bar access to its services and even bar the individual behind the company from running other services under a different company name.

How to complain to and contact Phonepay Plus

You can contact and complain to Phonepay Plus:

through their website at www.phonepayplus.org.uk ;
by calling their helpline on **0800 500 212** (open 0900-1700 Monday to Friday); or
in writing to: Phonepay Plus, Freepost, WC5468, London SE1 2BR

Stopping unsolicited telephone calls and fax messages

The Telephone Preference Service (TPS) and Facsimile Preference Service (FPS) are free services. They are the official central opt out registers on which you can record your preference not to receive unsolicited sales or marketing calls or unsolicited sales or marketing facsimiles. It is a legal requirement that all organisations (including charities, voluntary organisations and political parties) do not make such calls to numbers registered

on the TPS and do not send such facsimiles to numbers registered on the FPS unless they have your consent to do so. For further information including how to register with the TPS or FPS visit www.tpsonline.org.uk .

How to obtain this Code of Practice

You can obtain a copy of our Code of Practice from our website, or by contacting our customer services team. Should you require a copy in an alternative format such as Braille, large print or as an audio version please contact us and we will endeavour provide you with a copy as quickly as we reasonably can.

Additional Information

We review this Code of Practice regularly and the latest version is always the one we post on our website.

The person responsible for NowMobile's compliance with this code is:

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