

CAHK News

Revised Code for the Provision of Chargeable Mobile Content Services

The Communications Association of Hong Kong (“CAHK”) today (31 March 2017) promulgated the revised Code for the Provision of Chargeable Mobile Content Services (the “Code”) for implementation from 1 April 2017 onwards to streamline the arrangements for the industry’s self regulation of chargeable Mobile Content Services (“MCS”) to safeguard consumer interests.

“Since the launch of the Code, which is a voluntary and self-regulatory initiative of the telecommunications industry in 2010, the number of consumer complaints about chargeable MCS has decreased substantially and continually, with only a few complaint cases received in the past two years. This indicates that with the collaboration and efforts of the industry and relevant parties, the Code is effective in increasing the transparency of the pricing information related to MCS and promoting a good business practice in the provision of MCS for greater protection to consumers, thereby significantly reducing consumer disputes over chargeable MCS,” the spokesperson of CAHK said.

In light of the past experiences and latest market situation as well as the persistently low level of complaints about MCS in the recent years, CAHK, in consultation with the industry and the Office of the Communications Authority (“OFCA”), has streamlined the self-

regulatory arrangements under the Code such that the Mobile Network Operators (“MNOs”) and Mobile Virtual Network Operators (“MVNOs”) will take up a more prominent role to ensure continual compliance with the requirements set out in the Code by Content Service Providers (“CSPs”). With such streamlined arrangements in place, the Administrative Agency (“AA”)¹ set up under the CAHK will cease operation. Consumers who have queries or disputes in relation to chargeable MCS may contact the respective CSPs and/or MNOs/MVNOs direct for assistance.

“Despite the adoption of the streamlined arrangements under the revised Code, all the measures in respect of safeguarding consumer interests and provision of transparent pricing information related to MCS by CSPs remain the same in the revised Code. Under the Code, the CSPs are required to –

- (a) indicate prominently the chargeable nature of the MCS and when such charges start to apply;
- (b) provide clear charging information;
- (c) obtain clear consent from customers before providing the MCS to them;
- (d) set out clearly the arrangement for unsubscribing or deregistering from the MCS, such arrangements should be easy to be understood and carried out; and
- (e) rectify the non-compliance with the requirements set out in the Code. Failing to do so may result in suspension of the delivery of the MCS from the MNOs’ or MVNOs’ platforms until the

¹ The AA, which was established by CAHK, started its services on 31 March 2010 to ensure CSPs’ compliance with the Code.

compliance by the CSP and the MCS concerned with the Code,” the spokesperson elaborated.

CAHK is pleased to confirm that four MNOs have already pledged to adopt the revised Code when it takes effect tomorrow (1 April 2017).

CAHK would also like to thank OFCA for its support to the operation of the AA in the past seven years, as well as its appreciation of CAHK’s effort and dedication to the effective implementation of the Code and satisfactory handling of MCS related disputes to the benefits of both the telecommunications industry and consumers.

For further information on the revised Code effective from 1 April 2017, please visit: <http://www.aa.cahk.hk/en/code.html>

Note:

The parties that have pledged to adopt the revised Code include (in alphabetical order):

- ❖ China Mobile Hong Kong Company Limited
- ❖ CSL Mobile Limited
- ❖ Hutchison Telephone Company Limited
- ❖ SmarTone Mobile Communications Limited

Communications Association of Hong Kong

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