



The Official Gazette

(EXTRAORDINARY)

OF GUYANA

Published by the Authority of the Government

GEORGETOWN, FRIDAY 23RD OCTOBER, 2020

TABLE OF CONTENTS PAGE

FIRST SUPPLEMENT

LEGAL SUPPLEMENT

A.	ACTS — NIL	
B.	SUBSIDIARY LEGISLATION —	
	Regulations No. 9 of 2020 – The Telecommunications (Consumer Protection) Regulations 2020	1961
C.	BILLS — NIL	

GEORGETOWN, Demerara – Printed and Published every Saturday and on such Extraordinary Days as may be directed by the Government by Guyana National Printers Limited, 1 Public Road, La Penitence, Greater Georgetown.

FRIDAY 23RD OCTOBER, 2020

THE OFFICIAL GAZETTE 23RD OCTOBER, 2020
LEGAL SUPPLEMENT — B

GUYANA

No. 9 of 2020

REGULATIONS

Made Under

THE TELECOMMUNICATIONS ACT 2016

(Act No. 18 of 2016)

**IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTIONS 80 AND 85 OF THE
TELECOMMUNICATIONS ACT 2016, I MAKE THE FOLLOWING REGULATIONS:-**

ARRANGEMENT OF REGULATIONS

REGULATION

PART I

GENERAL PROVISIONS

1. Citation.
2. Interpretation.
3. Objects of Regulations.
4. Scope of Regulations.
5. Cooperation with the Caribbean Community and other consumer protection authorities.

PART II

CONFIDENTIALITY OF USER INFORMATION

6. Obligation of confidentiality.
7. Privacy policies.

PART III

QUALITY OF SERVICE

8. Quality of service obligations.
9. Publication of service and performance related information.
10. Higher quality of service standards.
11. Purchase of telecommunications services from wholesale telecommunications undertakings for provision to consumers.
12. Connection of telecommunications service.
13. Performance logs.

14. Reporting to the Commission.
15. Force majeure.
16. Determinations of failure to achieve quality of service standards.

PART IV

CONSUMER CODES OF PRACTICE

17. General principles.
18. Provision of information to consumers.
19. Service contracts and conduct with regard to consumers.
20. Operator and directory assistance.
21. Differently-abled persons.
22. Access to emergency telecommunications services.
23. Advertising.
24. Billing.
25. Security deposits.
26. Consumer obligations.
27. Consumer complaints.
28. Consumer code compliance.

PART V

OFFENCES AND PENALTIES

29. Penalty for failure to publish a Privacy Policy.
30. Penalty for failure to provide information on quality of service standards.
31. Penalty for failure to obey order of the Commission.
32. Penalty for deceptive, misleading, fraudulent or unfair conduct.
33. Continuing offences.
34. Power to institute proceedings.

SCHEDULE 1: Quality of Service Standards for Fixed Public Telecommunications Services

SCHEDULE 2: Quality of Service Standards for Mobile Public Telecommunications Services

PART I**GENERAL PROVISIONS**

- Citation. **1.** These Regulations may be cited as the Telecommunications (Consumer Protection) Regulations 2020.
- Interpretation. **2.** In these Regulations --
- "bill" and "billing" mean any record of, or system for recording, and any statement reflecting, the prices and any other charge to a consumer for the provision of telecommunications services by a service provider, on either a post-paid or pre-paid basis;
- "disabilities" and "differently-abled" have the same meaning as provided in regulation 2(1) of the Telecommunications (Universal Access and Universal Services) Regulations 2020;
- "Community" means the Caribbean Community pursuant to the Treaty;
- "Competition Commission" means the Competition Commission of the Community established under Article 171 of the Treaty;
- "General Consumer Code" has the meaning provided for in regulation 17(1);
- "individual consumer code" has the meaning provided for in regulation 17(2);
- "Member State" means a Member State of the Community excluding an Associate Member of the Community;
- "performance log" has the meaning provided for in regulation 13;
- "Privacy Policy" has the meaning provided for in regulation 7(3);
- "service contract" means any agreement, in writing or otherwise, between a service provider and a consumer in relation to the provision of a telecommunications service to the consumer by the service provider; and
- "Treaty" means the Revised Treaty of Chaguaramas establishing the Community.
- No. 6 of 2020
- Objects of Regulations. **3.** The objects of these Regulations are to -
- (a) provide for the confidentiality of information of consumers and other users of telecommunications services and telecommunications networks;
- (b) establish minimum quality of service standards to be met by service providers;

- (c) establish the principles governing the obligations of service providers to consumers and the resolution of consumer complaints; and
- (d) implement the objectives and requirements of Chapter Eight, Part Two of the Treaty, as they pertain to the protection of consumers and other users of telecommunications services in Guyana.

Scope of Regulations.

4. The Regulations shall apply -

- (a) with regard to regulations 6 and 7, any telecommunications undertaking that operates a telecommunications network used by, or provides a telecommunications service to, any user;
- (b) with regard to Part III, every service provider that provides any telecommunications service set out in regulation 8(1) and the Schedules; and
- (c) with regard to all other provisions of these Regulations, every service provider that provides telecommunications services to consumers.

Schedules

Cooperation with the Caribbean Community and other consumer protection authorities.

5. With regard to telecommunications, the Commission shall cooperate with –

- (a) the Community's Competition Commission for the purpose of Article 186 of the Treaty;
- (b) consumer protection authorities of other Member States for the purpose of achieving the objectives of Chapter Eight, Part Two of the Treaty; and
- (c) Guyana's Competition and Consumer Affairs Commission established under section 5 of the Competition and Fair Trading Act, in the performance of the respective powers and functions of that consumer protection authority under the Consumer Affairs Act 2011 and the Commission.

Cap. 90:07

No. 13 of 2011

PART II

CONFIDENTIALITY OF USER INFORMATION

Obligation of confidentiality.

6. (1) Every telecommunications undertaking that operates a telecommunications network or provides a telecommunications service shall maintain the confidentiality of, and refrain from using or disclosing, any confidential, personal or proprietary information of any user, originating from -

- (a) the user;
- (b) any usage of the telecommunications network or telecommunications service by the user or any other information received or obtained regarding the user in connection with the operation of the telecommunications

network or provision of the telecommunications services,

for any purpose other than to -

- (i) operate the telecommunications network or provide the telecommunications service;
- (ii) bill and collect charges, and seek legal redress against the relevant user subject to an appropriate protective order;
- (iii) protect the rights or property of the telecommunications undertaking operating the telecommunications network or providing the telecommunications service;
- (iv) protect users from the fraudulent use of the telecommunications network or telecommunications service;
- (v) respond to a subpoena or other lawful process, subject to an appropriate protective order;
- (vi) publish the name, address and telephone number of consumers in publicly-available directories, to the extent authorised or required in a licence and consented to by the user;
- (vii) conduct such other activities as may be authorised or required by the Minister or other Government agency in the regulations, by order, by directive or in the terms of a licence, or by the Commission by order; or
- (viii) comply with the terms of the Interception of Communications Act, or the order of a court of competent jurisdiction.

Cap. 47:03

(2) For the purposes of subregulation (1) and the other provisions of this Part -

- (a) "personal information" means any information of a personal nature relating to a user, including his address, financial status, occupation, marital status and any other identifying, quantitative or qualitative information regarding that user;
- (b) "proprietary information" means information that relates to the use of a telecommunications service or telecommunications network by a user, including the quantity, technical configuration, type, origination, destination, content or amount of such use; and
- (c) "confidential information" means personal information or proprietary information, or both, as the context requires.

Privacy policies.

7. (1) Every telecommunications undertaking subject to regulation 6 shall establish

internal policies and procedures to ensure the strict supervision and control of confidential, personal and proprietary information, and shall -

- (a) strictly limit access to any information to its officers, employees, subcontractors, representatives and agents with a legitimate need to know the information; and
- (b) require each of its officers, employees, subcontractors, representatives and agents, regardless of whether they have been granted access to such information, to keep any such information that comes into his knowledge or possession confidential in accordance with this Part, by the terms of confidentiality agreements and other relevant agreements or, in relation the telecommunications undertaking's officers and employees, by the terms of an internal user information privacy policy that is binding upon such officers and employees.

(2) Every agreement and policy binding upon an officer, employee, subcontractor, representative or agent under subregulation (1)(b) shall provide that it survives any termination of the employment of the officer or employee, or the termination of a relevant agreement with any such officer, employee, subcontractor, representative or agent, and each telecommunications undertaking subject to this regulation shall maintain the agreements and policies as part of its permanent records.

(3) Every telecommunications undertaking that provides telecommunications services directly to consumers shall publish a Privacy Policy that, at a minimum, incorporates the obligations of the telecommunications undertaking under this Part, and shall provide such Policy to its consumers by -

- (a) posting it on its website;
- (b) including it in written communications to each consumer of post-paid telecommunications services on a semi-annual basis and whenever there is any material change to the Privacy Policy;
- (c) publishing it in a newspaper of nationwide circulation in Guyana at least once in every six-month period and whenever there is material change to the Privacy Policy, and in any publicly-available directory of the telecommunications undertaking; and
- (d) disseminating it in any other manner as the Commission may direct.

PART III

QUALITY OF SERVICE

Quality of service obligations.

8. (1) Every service provider that provides the following services to consumers shall comply with the quality of service standards set out in the respective Schedules -

Schedule 1 (a) the fixed public telecommunications services, standards set out in Schedule 1; or

Schedule 2 (b) the mobile public telecommunications services, standards set out in Schedule 2.

(2) The Minister may, by order issued after reaching agreement with the Commission, amend –

(a) subregulation (1) to add or remove any telecommunications service provided to consumers; or

Schedule (b) any Schedule to add, remove, or revise any quality of service standard applicable to any of the telecommunications services.

Schedules (3) Subject to subregulation (5), the Commission may, on its own initiative at any time and after consulting with service providers and consumers that may be affected, make recommendations to the Minister that amendments be made to subregulation (1) or the Schedules, through the Minister's exercise of his powers under subregulation (2).

(4) The Commission shall send written notice to each service provider that is determined by the Commission to be subject to subregulation (1) and the other provisions of this Part, identifying the particulars set out in subregulation (5) –

(a) within sixty days of the effective date of these Regulations; and

Schedule (b) within ten days of any amendment of subregulation (1) or any Schedule.

(5) The written notice shall identify -

Schedule (a) the telecommunications services provided by the service provider that are, or have been, included in subregulation (1) and the relevant Schedule; and

(b) the Schedule for quality of service standards that is applicable to each such telecommunications service.

(6) Failure by the Commission to notify a service provider under subregulation (4) shall not excuse any such service provider from complying with any quality of service standard provided for in these Regulations and applicable to the telecommunications services offered by it.

(7) Notwithstanding the permissive nature of subregulation (3), within sixty days of the effective date of these Regulations, the Commission shall commence an exercise to identify additional telecommunications services offered to consumers for which quality of service standards should be established in these Regulations, including any additional such standards applicable to the telecommunications services then-currently included in subregulation (1) and any Schedule, and upon identifying such additional services and

standards, the Commission shall make recommendations thereon to the Minister for the purpose of the exercise of his powers under subregulation (2).

(8) Nothing in these Regulations shall be construed to prevent the Minister from including, in a licence, any quality of service standards that are applicable to any telecommunications service provided to consumers by the service provider so licensed and that are not, at the time of the issuance of such licence, governed by subregulation (1) and the Schedules.

Schedules

(9) Where quality of service standards are included in a licence as provided in subregulation (8), the standards shall govern the relevant service provider's performance as to the relevant telecommunications services, and the service provider shall report on, attain, maintain and be liable for such quality of service standards in the same manner provided for in these Regulations as to quality of service standards included in subregulation (1) and any Schedule.

Schedule

Publication of service and performance related information.

9. (1) The quality of service standards applicable to specified telecommunications services under this Part shall be made available to the public by -

(a) every service provider subject to this Part by -

- (i) posting clear information on the standards applicable to its telecommunications services on its website and keeping such postings up-to-date at all times;
- (ii) including such standards in clear, written communications to each of its post-paid consumers on at least a semi-annual basis and whenever any change is made to any quality of service standard;
- (iii) publishing such standards in a newspaper of nationwide circulation in Guyana at least once in every six-month period and whenever any change is made to any quality of service standard; and
- (iv) disseminating the standards in such other manner as the Commission may direct; and

(b) the Commission by -

- (i) posting such standards on its website;
- (ii) making the standards available to the public upon written request and the payment, in cash or other immediately available funds, of the administrative costs for photocopying such standards; and
- (iii) disseminating the standards in any other manner that the

Commission may determine.

Schedules (2) Beginning with the date that is ninety days after the effective date of these Regulations, a service provider shall, before concluding a contract with any potential consumer for the provision of telecommunications services, make available to such potential consumer clear and up-to-date information on the quality of service standards for each telecommunications service that the service provider is licensed to provide, regardless of whether any such telecommunications service is then included in regulation 8(1) and the Schedules.

Schedules (3) By January 31 of each year, as to each telecommunications service included in regulation 8(1) and the Schedules that it offers to consumers, every service provider shall publish on its website and in one newspaper of nationwide circulation in Guyana, clear and up-to-date information on --

Schedules (a) the average performance levels achieved during the previous year compared with each criterion and parameter provided for in the Schedules; and

(b) the minimum and average quality of service levels it will provide to consumers in the course of the current year.

(4) A service provider shall give consumers at least one week advance notice of planned interruptions of any telecommunications service by publishing notices of the interruptions -

(a) on its website;

(b) in at least two editions of a newspaper of circulation in the geographical area in which the interruption will occur;

(c) in the television or radio media with coverage that includes the geographical area in which the interruption will occur; and

(d) in any other electronic or print media required by the Commission.

(5) A service provider shall notify consumers of unplanned interruptions expeditiously in the same manner required by subregulation (4)(a), (c) and (d), *mutatis mutandis*, and shall remedy all unplanned interruptions in an expeditious manner such that the relevant telecommunications services are restored at the earliest feasible date.

Higher quality of service standards. Schedules

10. (1) A service provider subject to this Part may adopt and implement quality of service standards that are more stringent than those which it is obligated to achieve under regulation 8(1) and the Schedules.

(2) Where a service provider wishes to implement more stringent quality of service standards as provided for in subregulation (1), it shall notify the Commission of the relevant telecommunications services and the criteria and parameters of such standards in

writing, and publish a notice thereof in a newspaper of nationwide circulation in Guyana, at least fourteen days prior to the intended implementation.

(3) A notice sent to the Commission under subregulation (2) shall also provide the details of all other matters relevant to the more-stringent standards, including the methods and systems to be used for their measurement.

(4) Upon implementation of the more-stringent standards under subregulation (1), the service provider shall publish such standards in the manner provided for in regulation 9(1) and report on its actual and intended achievement of such standards in the manner provided for in regulation 9(3).

Purchase of telecommunications services from wholesale telecommunications undertakings for provision to consumers.

11. (1) Any service provider that purchases telecommunications services enumerated in regulation 8(1) and the Schedules from a wholesale telecommunications undertaking, for the purpose of providing telecommunications services to consumers, shall enter into an agreement with the wholesale telecommunications undertaking, under which the wholesale telecommunications undertaking is required to provide such telecommunications services in accordance with the quality of service standards on the relevant Schedule.

Schedules

(2) The service provider that purchases telecommunications services from a wholesale telecommunications undertaking, for the purpose of providing them to consumers is obligated under these Regulations to provide telecommunications services to consumers in accordance with the quality of service standards set out in regulation 8(1) and the Schedules. .

(3) An agreement concluded under subregulation (1) shall include the following provisions -

Schedule

- (a) the definition of the telecommunications service being provided;
- (b) the measurement of performance;
- (c) the required performance in accordance with the relevant Schedule;
- (d) the duties of the wholesale telecommunications undertaking;
- (e) the duties of the service provider;
- (f) the response to and management of problems in the delivery of the telecommunications service in accordance with the applicable quality of service standards;
- (g) warranties;
- (h) disaster recovery protocols, mechanisms and safeguards;
- (i) dispute resolution;

- (j) consequences for the wholesale telecommunications undertaking's failure to perform as required under the provisions established in subregulation (3)(c) or to provide the service provider with the information required under subregulation (3) (k); and
- (k) the requirements for reporting by the wholesale telecommunications undertaking to the service provider, to allow the latter to prepare and submit the reports to the Commission required under regulation 14.

Connection of
telecommunications
service.

12. (1) Subject to subregulation (2), a request for connection of a telecommunications service subject to regulation 8(1) and the Schedules that does not involve a standard connection are excluded from this Part, to the extent that the service provider -

Schedules

- (a) does not provide the telecommunications service in the geographical area to which the request relates;
- (b) cannot technically connect the telecommunications service within the time provided for in the relevant Schedule; or
- (c) cannot connect the telecommunications service at all because it is not technically feasible.

(2) For the purpose of the Commission's determination of whether the service provider has met the relevant quality of service standard, the service provider shall bear the burden of proving to the Commission that -

- (a) it does not provide a telecommunications service in a relevant geographical area;
- (b) a telecommunications service cannot technically be connected within the required time; or
- (c) connection is not technically feasible.

Schedule

(3) Notwithstanding subregulations (1) and (2), connection within a time that is longer than that required under the relevant Schedule shall be deemed sufficient by the Commission in determining whether the service provider has performed as required under this Part where -

- (a) the Commission determines that one of the conditions provided for in subregulation (1)(a) through (c) exists; and
- (b) the relevant service provider and a relevant consumer agree that a connection will be completed within a time that is longer than that required under the relevant Schedule.

Performance logs.

13. (1) Beginning no later than ninety days after the effective date of these Regulations,

- Schedules a service provider that provides telecommunications services included in regulation 8(1) and the Schedules or as provided for in regulation 10 shall establish and maintain a performance log in which it shall record –
- (a) quality of service data; and
 - (b) measurements of its provision of each telecommunications service in accordance with –
 - (i) the criteria and parameters set out in the Schedule relevant to such telecommunications services; or
 - (ii) the service provider's more stringent standards.
- (2) A service provider subject to this regulation shall -
- (a) keep and provide its performance log in any format required by the Commission; and
 - (b) not delete or destroy any part of its performance log for a minimum period of eighteen months after the end of each reporting period provided for in regulation 14 or a longer time as the Commission may direct in writing.
- Schedules (3) In any instance in which regulation 8(1) or the Schedules have been amended, or in which the service provider has instituted more stringent standards under regulation 10, the service provider shall, within the thirty days following the effective date of the order effecting the amendment or following the implementation of the more stringent standards, adapt its performance log to record –
- (a) the quality of service data and measurements relevant to the amendments; or
 - (b) more stringent standards.
- Reporting to the Commission. **14. (1)** A service provider shall submit to the Commission a written report as to each of the telecommunications services set out in the Schedules that it provides to consumers -
- Schedules (a) by April 30, July 31, October 31 and January 31 of each year-
 - (i) covering its performance during the just-previous quarter; and
 - (ii) with a copy of the relevant performance logs covering the just-previous quarter; and
- (b) by January 31 of each year-
 - (i) covering its performance during the just-previous year; and
 - (ii) with a copy of the relevant performance logs covering the just-previous year.
- Schedules (2) Where, in any quarter or any year, a service provider has not attained or maintained the quality of service standards for any telecommunications service set out in regulation 8(1) and the Schedules, it shall state in the relevant report the reasons for such

failure and the time within which it shall attain the required standards.

(3) A service provider that fails to attain and maintain the quality of service standards established under these Regulations shall be subject to the proceedings, orders and penalties provided for in regulation 16.

Force majeure.

Schedules

15.(1) Where an event of *force majeure* affects the quality of service for a telecommunications service subject to regulation 8(1) and the Schedules and provided by a service provider, the service provider shall, within the reporting period in which the event of *force majeure* occurs -

- (a) provide the Commission with prompt written notice of the event of *force majeure*, its nature and effect and detailed written information on its efforts to comply with the applicable quality of service standards during the event of *force majeure*; and
- (b) notify the Commission and the public of the extent to which it has achieved, or failed to achieve, the applicable quality of service standards during the event of *force majeure* by -
 - (i) a posting on the service provider's website;
 - (ii) a notice published in at least one edition of a newspaper of nationwide circulation in Guyana;
 - (iii) written notice to the Commission; and
 - (iv) any other manner that the Commission may direct.

(2) In evaluating whether to excuse a service provider from a failure to attain or maintain applicable quality of service standards due to an event of force majeure, the Commission shall take into account factors relating to -

- (a) any changes in technical or operating conditions due to the event of force majeure that were, or were not, within the reasonable control of the service provider;
- (b) any deficiencies due to the event of force majeure arising partly or wholly from the performance of another person on which the service provider reasonably relied for its attainment or maintenance of the quality of service standards; and
- (c) any other factors that it deems relevant to the event of force majeure and the service provider's performance during it.

(3) Where a service provider is unable to submit a report required under regulation 14 for a quarter during which an event of force majeure notified to the Commission under subregulation (1)(a) occurred or is ongoing, it may apply to the Commission in writing for

an extension of time to submit such report, and if the Commission finds that an extension of time is warranted, it shall grant the same.

Determinations of failure to achieve quality of service standards.

Schedules

No. 19 of 2016

16. (1) Where the Commission finds, at any time on its own initiative or on the filing of a complaint by any consumer or class of consumers, that the quality of service provided by a service provider is not in accordance with the standards provided for in regulation 8(1) and the Schedules, it shall issue an order prescribing the time within which the service provider must achieve the required quality of service standards, which, where circumstances warrant, may include achieving the standards in stages with specified time limits.

(2) Any proceeding under subregulation (1) shall be conducted in accordance with the procedures provided for in Part X of the Public Utilities Commission Act 2016, as may be supplemented by rules promulgated by the Commission under section 87 of such Act, and where no time limits for the various steps in the procedure are provided for in Part X of that Act or in any such rules, the Commission shall set such time limits as may achieve a fair and expeditious procedure.

(3) A service provider for which proceedings or any investigation is carried out under this regulation shall be subject to the applicable assessments provided for in section 65 of the Public Utilities Commission Act 2016.

(4) Any order issued by the Commission under subregulation (1) may also include monetary penalties against the service provider that has failed to attain or maintain a required quality of service standard, in an amount deemed by the Commission to be necessary to provide reasonable compensation to consumers of the telecommunications service for which the required quality of service standard has not been attained or maintained, in an amount that is not more than one-half of one percent of the gross annual revenues to the service provider.

(5) In imposing any penalty under subregulation (4), the Commission shall have regard to -

- (a) the nature and extent of the failure to attain or maintain quality of service standards, including the extent to which it was contrary to the welfare or interests of consumers;
- (b) whether consumers had the ability to freely change their service provider for any telecommunications service for which the quality of service standards were not attained or maintained;
- (c) the circumstances of the failure; and
- (d) any previous determination that the service provider failed to attain or maintain a required quality of service standard

(6) Any fine imposed under subregulation (4) shall be allocated by the service provider to the accounts of the consumers of the telecommunications services to which the

failure to attain or maintain the required quality of service standards relates, in the manner and within the time required in the relevant order and under the continuing supervision of the Commission until the compensation is allocated in full.

PART IV CONSUMER CODES OF PRACTICE

General principles.

17. (1) This Part sets out the minimum terms and conditions, or General Consumer Code, that shall govern relations between service providers and consumers with regard to the provision of telecommunications services, and shall become applicable to every such service provider on the date that is ninety days from the effective date of these Regulations.

(2) A service provider may at any time prepare and submit to the Commission a proposed individual consumer code specific to the provision of telecommunications services to consumers by the service provider, containing proposed terms and conditions that are no less favourable to consumers than the provisions of this Part.

(3) Within thirty days of the submission of a proposed individual consumer code by a service provider, the Commission shall -

- (a) approve the proposed individual consumer code without alteration;
- (b) approve the proposed individual consumer code with such alterations as the Commission identifies as necessary to meet the minimum requirements of this General Consumer Code;
- (c) deny approval of the proposed individual consumer code, with directions to the service provider regarding the manner in which the proposed code must be improved or further developed; or
- (d) designate an additional period of time for its review of the proposed individual consumer code, not to exceed sixty days, within which it shall take any of the actions provided for in paragraph (a), (b) or (c).

(4) Upon the approval of an individual consumer code by the Commission, the service provider shall publish the individual consumer code -

- (a) by posting on the service provider's website;
- (b) in at least one edition of a newspaper of nationwide circulation in Guyana at least once in every six-month period and in any publicly-available directory of the service provider;
- (c) in written communications to each of its post-paid consumers on at least a semi-annual basis; and
- (d) in any other manner as the Commission may direct.

(5) Beginning with the first such publication date, such individual consumer code shall govern the provision of telecommunications services and related consumer practices applicable to such service provider and its consumers.

(6) A service provider shall provide a copy of its approved individual consumer code, free of charge, to any consumer upon request.

(7) A service provider that contravenes this Part or the provisions of its individual consumer code approved by the Commission shall be subject to the proceedings, orders and fines provided for in regulation 28(4) through (8).

(8) Within the thirty days following any amendment of this Part, every service provider with a previously-approved individual consumer code shall amend such code as may be required to give effect to such amendments, and shall provide the Commission with a written report of the details of such amendments to its individual consumer code.

Provision of
information to
consumers.

18. A service provider shall -

(a) provide consumers with information on their telecommunications services that is complete, accurate, easily accessible, up-to-date and written in simple, clear language;

(b) respond in a timely manner to consumer requests for information on telecommunications services, free of charge, including information compliant with paragraph (a) regarding -

(i) the terms and conditions for the telecommunications services that it offers to consumers and the prices and any other charges for each such service;

(ii) any telecommunications services that are subject to a price regulation regime by the Commission;

(iii) any changes in prices for telecommunications services, as required by the Telecommunications (Pricing) Regulations 2020;

(iv) the service provider's Privacy Policy as required by regulation 7(3) and the quality of service standards applicable to its telecommunications services as required by Part III; and

(v) any other information required by the regulations, including these Regulations, or by the Commission.

No. 8 of 2020

Service contracts
and conduct with
regard to
consumers.

19.(1) No service contract, nor any other arrangement or dealing through which a service provider provides a telecommunications service to a consumer, shall contain any term or condition, or otherwise constitute any conduct, that is or is likely to be unconscionable, misleading, deceptive, fraudulent, or otherwise unfair.

(2) Before entering into any service contract or other arrangement for the provision of telecommunications services, a consumer shall be provided with information by the service provider on the following matters, in language that complies with subregulation (1) and avoids any unnecessary technical terms -

- (a) a copy of any relevant written service contract or other terms and conditions of service;
- (b) a description of the telecommunications services requested and any other telecommunications services or other thing necessary for the consumer to utilise the requested telecommunications services effectively;
- (c) the waiting time for an initial connection, activation and any relevant installation of the telecommunications service, and the geographic areas of its coverage;
- (d) further to regulation 9(2), the quality of service standards applicable to the relevant telecommunications services, and specific information regarding any compensation, refund or other arrangements which may apply if quality of service levels is not met, along with the procedures and methods for resolving disputes regarding the relevant telecommunications services;
- (e) where a relevant telecommunications service is offered on a bundled basis with other component telecommunications services or terminal equipment, information on such component telecommunications services and terminal equipment, including -
 - (i) a description of each component telecommunications service or terminal equipment, and the price that it would charge for each component telecommunications service on a stand-alone basis;
 - (ii) for component telecommunications services that are bundled with telecommunications services from third parties, a description of the service provider's full responsibility for the effective performance of the entire bundled package, including service support, maintenance, complaints handling, dispute resolution and other administrative requirements;
- (f) upgrade or migration option terms and conditions, where applicable, including any related changes in telecommunications services performance and any duly approved fees or charges resulting from an upgrade or migration;
- (g) the applicable prices and all other charges related to the relevant telecommunications services, what each includes, the method of their calculation, the frequency of each charge, and for any charge that is subject to change, the circumstances of the changes and how the consumer

will be informed of the changes;

- (h) the billing terms and conditions of the service provider, including billing frequency and any billing options available to the consumer, in accordance with regulation 24;
- (i) any security deposit charged for post-paid telecommunications services, interest payable on such charges in accordance with regulation 25, and the terms and conditions of refunds of such deposits, including timing and applicable deductions or charges;
- (j) in the instances of pre-paid telecommunications services, the details of pre-payment amounts, how they must be paid, how they will be applied to use of the relevant telecommunications services, and the circumstances in which pre-payment is refundable or may be set-off against charges;
- (k) the terms and conditions of disconnection and reconnection and any charges for the service;
- (l) the terms and conditions for situations giving rise to interruption, withdrawal or discontinuation of the telecommunications services;
- (m) any contractual warranties related to any terminal equipment to be supplied for use in connection with the telecommunications services, including how to obtain any warranties and maintenance service offered;
- (n) the arrangements for the consumer's return of any terminal equipment, without undue cost or inconvenience to the consumer;
- (o) any specific terms or conditions that may be changed unilaterally by the service provider, and the specific arrangements for the change to be implemented;
- (p) where the service contract has a term for which it is valid, the following information regarding the term -
 - (i) the commencement date of the service contract;
 - (ii) the minimum contract term;
 - (iii) the manner and consequences of termination;
 - (iv) the situations in which early termination is possible and the amount or method of calculating any charges payable upon early termination; and

(v) the conditions and terms of renewal of the service contract.

(3) In any instance in which a service provider requires a consumer to enter into a written service contract, the information required in subregulation (2) shall be included in the terms and conditions of the service contract, and a fully executed counterpart of such service contract shall be given to the consumer.

(4) A service provider shall file annually with the Commission the forms of any service contract that it requires consumers to enter into in order to obtain any telecommunications service, and shall be subject to any direction of the Commission with regard to the compliance of the terms and conditions of any service contract with these Regulations.

(5) A service provider that engages, or intends to engage, in telemarketing to its consumers shall -

(a) at the time that a consumer enters into any service contract or other arrangement for the provision of telecommunications service, give the consumer the option of being placed on a "call" or "do not call" list for purposes of telemarketing by such service provider; and

(b) with regard to existing consumers as of the effective date of this Part, within thirty days of such effective date provide every existing consumer with a written or oral communication offering the "call" and "do not call" options provided for in paragraph (a); and

(c) duly record, and in accordance with regulation 23(5), shall adhere to the option chosen by every such consumer.

(6) Any service provider that, subsequent to the time provided for in subregulation (5)(b), determines to engage in telemarketing to its consumers shall be subject to the provisions of subregulation (5) *mutatis mutandis*.

Operator and
directory
assistance.

20. (1) A service provider of voice public telecommunications services shall ensure that its consumers can access, via the voice public telecommunications services provided -

(a) operator assistance services; and

(b) an inquiry service providing directory information on all consumers of fixed voice public telecommunications services in Guyana, except for such consumers who have exercised the right to have their directory information remain private.

(2) Where a service provider is required to produce a directory, the terms and conditions on which it is required to provide directories to consumers and others shall be stated in the licence issued to such service provider and the directory shall -

- (a) contain information for any consumer who wishes to be included in the directory, including consumers of mobile voice public telecommunications services; and
- (b) not contain information on any consumer who has exercised his right to have his information remain private.

(3) A service provider that provides directory assistance services may charge a reasonable fee for enquiries, subject to the approval of the Commission.

Differently-abled persons.

21. A service provider shall -

- (a) consult with consumers and other relevant groups to ensure that the requirements and interests of consumers who are differently-abled are fully taken into account in the development and provision of its public telecommunications services; and
- (b) comply with any obligations that may be imposed by or under written law or the terms of its licence with regard to special services and arrangements for consumers who are visually-impaired and otherwise differently-abled.

Access to emergency telecommunications services.

22.(1) A service provider of voice public telecommunications services shall ensure that its consumers can access emergency telecommunications numbers.

(2) Calls to emergency telecommunications numbers shall be free of charge.

Advertising.

23.(1) No service provider shall advertise any telecommunications service, other service or product in a manner that is fraudulent, deceptive, misleading or otherwise unfair to consumers.

(2) No service provider shall advertise telecommunications services that it -

- (a) does not intend to supply; or
- (b) does not have reasonable grounds for believing that it can supply for the price or in the manner stated in the advertisement.

(3) Any service provider that has advertised telecommunications services shall supply them at the price and in the manner stated in the advertisement mentioned in subregulation (2).

(4) A service provider shall make clear in any advertising materials that promote or otherwise offer a telecommunications service to consumers -

- (a) any geographical or technical limitations on the availability of the telecommunications services;
- (b) any restrictions that limit availability to -

- (i) a particular group of consumers;
- (ii) a particular period of time; or
- (iii) any required terminal equipment.

(5) Where a service provider represents in advertising materials that a telecommunications service is provided on a bundled basis, it shall -

- (a) ensure that it can supply all components of such bundled telecommunications services; and
- (b) include on its website and in advertising materials-
 - (i) information on each charge of the bundled telecommunications services;
 - (ii) what it would cost if a consumer took one or some, but not all, of such bundled telecommunications services; and
 - (iii) any conditions that may apply to obtaining the bundled components at the stated price.

(6) No service provider shall engage in unsolicited telemarketing of telecommunications services, or any other service or product, to consumers or potential consumers unless it discloses -

- (a) at the beginning of the communication, its identity and the precise purpose of the communication;
- (b) during the communication, the full price and other details of any telecommunications services or service or product that is the subject of the communication; and
- (c) the consumer's or potential consumer's right to cancel any agreement for purchase or other supply of the telecommunications service, other service or product within fourteen days of the communication, by –
 - (i) calling a specific telephone number, free of charge and identified by the service provider during the communication; and
 - (ii) by mail thereafter, subject to any charges incurred in the consumer's use of the telecommunications service, other service or product within fourteen days.

(7) Every service provider shall conduct telemarketing in accordance with any "call" or "do not call" preference designated by its consumers pursuant to regulation 19(5), and in accordance with any other written law and any direction of the Commission

regarding telemarketing to the public.

Billing.

24. (1) A service provider shall at all times -

- (a) endeavour to ensure that billing is accurate and timely;
- (b) ensure that billing accuracy is verifiable;
- (c) ensure that sufficient information is reflected on every bill and otherwise readily available to consumers for verification of accuracy, free of charge;
- (d) ensure that, upon request, a consumer is provided with timely, accurate, clear and current information about the service provider's billing terms and conditions and the billing options available to the consumer;
- (e) on the written request of the Commission, conduct tests or permit the Commission to conduct tests, on metering and billing equipment, to –
 - (i) assess its accuracy, reliability and conformity to any quality of service standards prescribed by these Regulations; and
 - (ii) in instances in which the Commission requests that the service provider conduct any such test, report the results of the tests to the Commission within fourteen days of the date on which each test is carried out; and
- (f) retain records of consumer billing and related charges for a minimum period of twenty-four months.

(2) A service provider shall ensure that any bills issued by it or on its behalf include, at a minimum -

- (a) the consumer's name, address and relevant telephone number;
- (b) the service provider's name, address and telephone number;
- (c) the consumer's account number;
- (d) information identifying the bill uniquely;
- (e) the billing period;
- (f) an itemised description of the charges and any credits for which the consumer is being billed or credited;
- (g) the date on which the bill is issued;
- (h) the payment due date, which shall not be less than thirty days from the

date of the bill;

- (i) the methods by which the consumer can make payment;
- (j) acknowledgement of the last payment received from the consumer;
- (k) the means by which the consumer can contact -
 - (i) the service provider for complaints and billing inquiries, including a dedicated telephone number that consumers may call and receive prompt and effective attention to their complaints and inquiries; and
 - (ii) if the consumer is not satisfied with the service provider's handling of the matter, the Commission.

(3) A service provider shall not charge consumers for bills or billing-related information or inquiries, except where the consumer requests information not required to be provided under this General Consumer Code or an approved individual consumer code of the service provider or requests billing information for a period that is more than the longer of -

- (a) three months prior to the date of the request; and
- (b) the period for which the service provider provides on-line billing information.

(4) Any charges that a service provider is permitted to impose under subregulation (3) shall reflect only the actual cost to the service provider of providing such billing-related information.

(5) In instances in which a consumer requests billing information for which a service provider is permitted to charge under subregulation (3), the service provider shall clearly explain the amount and other details of any such charges to the consumer and obtain the consumer's written consent to them before they are incurred or imposed.

(6) A service provider shall process and issue bills on a monthly basis, or such other time as may be permitted by the Commission in writing, and within thirty days of the closure of each billing period, and all such bills shall include all charges incurred during the billing period except where there is -

- (a) a separate agreement between the consumer and the service provider to the contrary;
- (b) a delay as a result of a change initiated by the consumer, such as a requested different billing period or billing frequency; or
- (c) a delay due to a suspension of charges that are in dispute between the

consumer and the service provider.

Security deposits.

25. (1) A service provider may charge a security deposit only for post-paid service.

(2) Every service provider that requires its consumers to make a cash security deposit prior to receiving a telecommunications service, or prior to restoring any telecommunications service that has been disconnected, shall pay interest on such cash deposits at a rate that is equivalent to the average treasury bill rate for the preceding three hundred sixty-four days.

(3) Interest referred to in subregulation (2) shall not be payable by a service provider on security deposits held by it for less than six months.

(4) The consumer may, upon application therefor in the form prescribed by the Commission and supplied by the service provider, obtain periodic payment of accumulated interest during the continuance of the provision of the telecommunications service, when the interest equals or exceeds one thousand dollars.

(5) The amount payable by a service provider by way of interest pursuant to subregulation (2) shall be paid to the consumer, along with the principal balance of the original amount of the security deposit, on termination, for any reason, of the telecommunications service for which the security deposit was made.

(6) Notwithstanding anything in subregulation (5) or subregulation (2), a service provider may off-set accumulated interest and all or part of the original amount of any security deposit against any amounts due from, but unpaid by, the relevant consumer at the time of disconnection or other termination of the relevant telecommunications service, and shall report any such offset clearly and accurately on the next billing statement rendered to such consumer.

(7) Where a service provider effects an offset permitted under subregulation (6) in instances of disconnection of the relevant telecommunications service, the service provider may require the consumer, as a condition of reconnection, to replenish the original amount of the security deposit.

Consumer obligations.

26. (1) On return of an executed service contract or on other clear written acceptance or the commencement of use of the telecommunications services provided by a service provider, a consumer shall be bound by the service provider's terms and conditions of service, except to the extent that the consumer's use of a telecommunications service is directly related to the service provider's failure to disclose information to the consumer as required by these Regulations.

(2) A consumer shall grant a service provider from which the consumer takes telecommunications services, and the authorised representatives of the service provider access free of charge to the consumer's premises and terminal equipment, as reasonably required by the service provider to provide the telecommunications services and to install, maintain, repair and replace its facilities.

(3) A consumer shall not, without the prior written authorisation of the service provider -

(a) use any equipment or other part of the facilities of a service provider for reasons other than those related to normal telecommunications services provided by the service provider;

(b) with regard to any equipment or other part of the facilities of a service provider -

(i) modify, attach any unauthorised device to, or do anything that interferes with the functioning of or would damage any such equipment or other facility; or

(ii) move any such equipment or other facility that is connected to the service provider's telecommunications network, except for equipment that is accompanied by operating instruction indicating that it may be disconnected and reconnected as part of its normal use.

(4) A consumer that violates the provisions of subregulation (3), or any other applicable term, condition or written law under which the service provider provides a telecommunications service to the consumer, shall be liable for any loss of or damage to the service provider's equipment or other facilities caused by such violation.

(5) A consumer shall not resell any telecommunications service provided by a service provider, except as expressly permitted by the terms of any service contract between the consumer and service provider and subject to the licensing requirements of the Act.

(6) A consumer shall not misuse any telecommunications service, including by -

(a) dishonestly or fraudulently obtaining or using a telecommunications service;

(b) possessing or supplying any equipment or other apparatus or mechanism that may be used to obtain or use any telecommunications service dishonestly or fraudulently; or

(c) engaging in any conduct that is prohibited under section 70 or 71 of the Act.

(7) A consumer who does not settle in full amounts justifiably owed to a service provider for the provision of a telecommunications service, before obtaining the same telecommunications service from another service provider, shall be deemed to have engaged in conduct that is abusive of a competitive telecommunications market, and shall be liable for the amounts justifiably owed to the service provider.

(8) A service provider from whom a consumer requests a telecommunications service may investigate whether such consumer has settled all amounts justifiably owed to his previous service provider, and may refuse provision of a telecommunications service if the consumer has not settled all amounts.

Consumer
complaints.

27. (1) A service provider shall provide consumers with easily understood and complete information about the service provider's complaints process by -

- (a) a posting on its website;
- (b) written communications to each post-paid consumer of telecommunications services on at least a semi-annual basis;
- (c) publication in a newspaper with circulation in the geographic areas in Guyana where it provides telecommunications services at least once in every six-month period and in any publicly-available directory of the service provider; and
- (d) in such other manner as the Commission may direct.

(2) Information on the complaints process provided under subregulation (1) shall include -

- (a) an explanation of the consumer's right to complain;
- (b) how the service provider may be contacted in order to make and check on the status of a complaint, which shall include, at a minimum, provision of a dedicated telephone number at which a consumer can reach the service provider's complaints personnel required under subregulation (5); and
- (c) the types of supporting information that the consumer may need to provide, including any documents he needs to furnish to the service provider, when making a complaint.

(3) A service provider shall record every complaint made to it in accordance with its complaints process, and process the complaints in accordance with the practices and procedures identified to consumers.

(4) Complaints made by telephone calls to the service provider's specified number or in person at its designated offices shall be deemed to have been acknowledged and accepted for processing by the service provider at the time the consumer communicated the complaint.

(5) Every service provider that provides telecommunications services to consumers shall establish and maintain a complaints department, staffed with sufficient dedicated personnel to respond to and resolve consumer complaints in a timely and effective manner and in accordance with any quality of service standards applicable to the resolution of

consumer complaints.

(6) Wherever possible, a service provider shall inform a consumer, when he makes a complaint, of the expected actions and timing for investigating and resolving it.

(7) A service provider shall not impose any charge on consumers who utilise the service provider's complaints process, except to the extent that the investigation of a complaint requires the retrieval of records for a period that is more than the longer of -

(i) three months prior to the date on which the service provider begins processing the complaint; and

(ii) the period for which the service provider provides such records on-line.

(8) Any charges that a service provider is permitted to impose under subregulation (7) shall reflect only the actual cost to the service provider of retrieving the records.

(9) The service provider shall clearly explain the amount and other details of any charges to the consumer for the retrieval of records and shall obtain the consumer's written consent to such charges before they are incurred or imposed.

(10) The consumer may file its complaint with the Commission if -

(a) a complaint has not been resolved to the consumer's satisfaction within sixty days of its submission to the service provider; or

(b) at any time during the complaints process, the service provider has informed the consumer that it considers the complaint to be frivolous, vexatious or otherwise made in bad faith or unresolvable.

No. 19 of 2016

(11) The resolution of a complaint shall be governed by Part X of the Public Utilities Commission Act 2016 and any relevant rules of the Commission.

(12) A service provider shall review its complaints process from time to time, to ensure that it is effectively and timely processing and resolving complaints, and it shall report in writing on the outcome of such reviews to the Commission and make any changes to its complaints process reasonably requested by the Commission.

(13) The Commission may, from time to time, audit the complaints process of any service provider.

Consumer code compliance.

28. (1) A service provider shall -

(a) develop appropriate policies and procedures for ensuring its compliance with this General Consumer Code or any individual consumer code approved by the Commission;

(b) ensure that its compliance policies, procedures and applicable consumer code provisions are publicised to its employees and other representatives

involved in the application and administration of compliance with the applicable consumer code;

- (c) develop appropriate procedures and programs to educate employees and other representatives about code compliance issues;
- (d) implement appropriate management structures and practices to monitor compliance with the policies, procedures and code provisions; and
- (e) provide information to the Commission, as required by this General Consumer Code or by any approved individual consumer code and as the Commission may request, regarding the service provider's performance of its consumer code obligations and its ongoing compliance efforts.

(2) The Commission shall monitor compliance with this General Consumer Code or any approved individual consumer code on a routine basis, to ensure the overall effectiveness of code provisions and compliance, including -

- (a) service providers' handling of consumer complaints;
- (b) routine verification of code compliance by service providers; and
- (c) identification of other consumer code-related issues.

No. 19 of 2016

(3) The Commission shall include, in its annual reports produced under section 85 of the Public Utilities Commission Act 2016, information on -

- (a) identified breaches of applicable code provisions by service providers and any remedial actions and monetary penalties ordered by the Commission;
- (b) recurring complaints and actions taken by the Commission and by service providers to address them;
- (c) statistics on consumer complaints against service providers filed with the Commission; and
- (d) significant steps taken, or failed to be taken, by service providers to comply with their code obligations.

(4) Where the Commission finds, at any time on its own initiative or on the filing of a complaint by any consumer or class of consumers, that a service provider has not materially complied with this General Consumer Code or any approved individual consumer code, it shall -

- (a) issue a caution notice to a service provider with no more than one identified past infraction of compliance with code requirements, identifying the remedial measures that the service provider must take, within a time specified in the notice, to ensure that it complies with the

relevant code provision; or

(b) in the case of a second or subsequent infraction of a code requirement, issue an order setting out -

(i) the steps that the service provider must take to remedy the infraction and the time within which such steps must be taken; and

(ii) such monetary penalties against the service provider as the Commission deems necessary to compensate consumers of the service provider that were affected by the infraction, in an amount that is not more than one-half of one percent of the gross annual revenues of the service provider.

(5) Any proceeding under subregulation (4) shall be conducted in accordance with the procedures provided for in Part X of the Public Utilities Commission Act, as may be supplemented by rules promulgated by the Commission under section 87 of the Act, and where no time limits for the various steps in such procedure are provided for in Part X of that Act or in any such rules, the Commission shall set time limits as may achieve a fair and expeditious procedure.

(6) A service provider for which proceedings and any investigation are carried out under subregulation (4) shall be subject to the applicable assessments provided for in section 65 of the Public Utilities Commission Act.

(7) In imposing any penalty under subregulation (4)(b)(ii), the Commission shall have regard to -

(a) the nature and extent of the infraction, including the extent to which it was contrary to the welfare or interests of consumers;

(b) the extent to which consumers had the ability to freely change their service provider for any telecommunications service to which the infraction relates;

(c) the circumstances of the infraction; and

(d) any previous determination that the service provider failed to comply with a code requirement.

(8) Any penalty imposed under subregulation (4)(b)(ii) shall be allocated by the service provider to the accounts of the consumers of the telecommunications services to which the infraction relates, in the manner and within the time required in the relevant order and under the continuing supervision of the Commission until such compensation is allocated in full.

PART V

OFFENCES AND PENALTIES

Penalty for failure to publish a Privacy Policy.

29. A telecommunications undertaking subject to regulation 7(3) that fails to publish a Privacy Policy as required under that regulation commits an offence and is liable upon summary conviction to a fine of not less than five hundred thousand and not more than one million dollars.

Penalty for failure to provide information on quality of service standards.

30. A service provider commits an offence and is liable on summary conviction to a fine of not less than one million dollars and not more than two million dollars where the service provider fails to -

- (a) publish, or other make available, information on the quality of service standards applicable to its telecommunications services or information on any other matter required under Part III or in the manner provided for in that Part;
- (b) obtain the contractual commitments from a wholesale telecommunications undertaking required under regulation 11;
- (c) establish, maintain or retain a performance log as required under regulation 13, or to submit a performance log to the Commission as required under regulation 14(1); or
- (d) submit any report to the Commission as required under regulation 14(1).

Penalty for failure to obey order of the Commission.

31. A telecommunications undertaking that knowingly and in any material respect fails or refuses to comply with or otherwise obey an order of the Commission under these Regulations, including the payment or allocation of any penalties imposed hereunder within the time ordered for the payment or allocation, commits an offence and is liable upon summary conviction to a fine of not less than two million dollars and not more than four million dollars.

Penalty for deceptive, misleading, fraudulent or unfair conduct.

32. A telecommunications undertaking that engages in any conduct that is prohibited under regulation 19(1) or 23(1) commits an offence and is liable upon summary conviction to a fine of not less than two million dollars and not more than four million dollars and to imprisonment of six months.

Continuing offences.

33. For the purposes of these Regulations, where an offence continues after there has been a conviction, it shall be deemed to be a separate and distinct offence committed each day on which the offence continues and shall be punishable by a fine of at least two hundred thousand dollars and not more than five hundred thousand dollars for each day.

Power to institute proceedings.

34. Without prejudice to the Minister's powers to institute legal proceedings under the Act and these Regulations, the Commission has the power to institute legal proceedings under any provision of this Part.

SCHEDULE 1

r. 8

**QUALITY OF SERVICE STANDARDS FOR
FIXED PUBLIC TELECOMMUNICATIONS SERVICES****(1) Public payphones**

Quality of Service Parameter	Standard
% of coin and card operated public telephones in working order	98

(2) Residential narrowband (voice) access

Quality of Service Parameter	Standard
Supply time for initial connection (urban)	5 days
Supply time for initial connection (rural)	14 days
% of unreported faults cleared within 2 hours	80
% of unreported faults cleared within 6 hours	90
% of unreported faults cleared within 12 hours	98
% of unreported faults cleared within 24 hours	100
% of reported faults cleared within 2 hours	75
% of reported faults cleared within 6 hours	85
% of reported faults cleared within 12 hours	98
% of reported faults cleared within 24 hours	100
% of calls to operator services answered within 10 seconds	95
% of calls to directory enquiry services answered within 10 seconds	95
Number of billing errors per 1000 bills	3
% of billing complaints resolved within 2 weeks	90
% of billing complaints resolved within 3 weeks	100

(3) Local and national long distance calls for residential customers

Quality of Service Parameter	Standard
% of calls set up within 5 seconds	90
% of calls set up within 8 seconds	95
% of calls set up within 10 seconds	100
% of calls successfully completed during peak periods	98

(4) International long distance calls for residential customers

Quality of Service Parameter	Standard
% of calls set up within 7 seconds	90
% of calls set up within 10 seconds	95
% of calls successfully completed during peak periods	95

(5) Narrow band (dial-up) Internet services for residential customers

Quality of Service Parameter	Standard
Supply time for initial connection (urban with fixed telephone line)	3 days
Supply time for initial connection (rural with fixed telephone line)	7 days
Supply time for initial connection (urban customer without fixed telephone line)	8 days
Supply time for initial connection (rural customer without fixed telephone line)	17 days
% of technical complaints resolved within 12 hours	80
% of technical complaints resolved within 24 hours	95
% of technical complaints resolved within 36 hours	99
Number of billing errors per 1000 bills	3
% of billing complaints resolved within 2 weeks	90
% of billing complaints resolved within 3 weeks	100

(6) Broadband Internet services for residential customers

Quality of Service Parameter	Standard
Supply time for initial connection (urban)	6 days
Supply time for initial connection (rural)	20 days
% of technical complaints resolved within 12 hours	85
% of technical complaints resolved within 24 hours	95
% of technical complaints resolved within 36 hours	99
Number of billing errors per 1000 bills	3
% of billing complaints resolved within 2 weeks	90
% of billing complaints resolved within 3 weeks	100

SCHEDULE 2

r. 8

**QUALITY OF SERVICE STANDARDS FOR
MOBILE PUBLIC TELECOMMUNICATIONS SERVICES****(1) Voice Services**

Quality of Service Parameter	Standard
% of calls set up within 5 seconds	90
% of calls set up within 8 seconds	95
% of calls successfully completed during peak periods	95
% of dropped calls per 100 calls	2
% of calls to operator services answered within 10 seconds	95
% of calls to directory enquiry services answered within 10 seconds	95
Number of billing errors per 1000 bills	3
% of billing complaints resolved within 2 weeks	90
% of billing complaints resolved within 3 weeks	100

Made this 23rd day of October 2020.



Hon. Brigadier Mark Phillips, M.P.
Prime Minister