

## **Resolution No. 35/2012: Issuing Regulation on Premium Rate Services**

Pursuant to the Telecommunications Regulatory Act issued by the Royal Decree No. 30/2002 ;

The Executive Regulation of the Telecommunications Regulatory Act issued by Decision No. 144/2008;

The Decision No. 113/2008 on Procedures and Rules Regulating the Promotional Offers of Telecommunications Services ; and

The Authority's Board of Directors approval.

Based on the exigencies of the public interest;

### **It is decided:**

<b><u>Article 1</u></b>	The annexed provisions shall have effect in relation to the regulation of Premium Rate Services
<b><u>Article 2</u></b>	This Resolution shall be published in the Gazette and shall come into force as from the day following its publication.

**Mohammed Bin Hamad Al Rumhy**

**Chairman of Telecommunications Regulatory Authority**

Issued on: 18<sup>th</sup> Rabi' al-thani 1433 A.H.

Corresponding to: 11<sup>th</sup> March 2012 A.D.

## **Premium Rate Services Regulation**

### **Article One**

In the application of the provisions of this regulation, the terms and expressions used herein shall express the exact meaning exhibited in both Telecommunications Regulatory Act & its Executive Regulation, whereas the following terms and expressions shall have the meanings shown against each, unless the text otherwise requires:

1. **Premium Rate Service (PRS)** is a telecommunications service that is charged at a higher rate than regular telecommunications services. Premium Rate Service includes the services that offer information or entertainment materials, which can be accessed through landline phones, mobile phones, fax, interactive digital TV, the Internet or an auto-dialer on a computer.
2. **Premium Rate Number:** means a telephone number (including SMS numbers) allocated by TRA for Premium Rate Services use.
3. **Premium Rate Service Provider:** is any licensee offering Premium Rate Service through a public telecom network operator directly or through contracting with any other party.

## **Article (2)**

Without prejudice to the provisions of the aforesaid Decision No. 113/2008 on Procedures and Rules Regulating the Promotional Offers of Telecommunications Services, the Premium Rate Service Provider must comply with the following:

1. Disclose in the advertisement and any other information source the service prices, content and terms and conditions before providing the service.
2. Indicate charges of Premium Rate Service in the messages except:
  - A. Where the transmission sent consists purely of logo, ringtone and content of a similar nature which does not allow for the incorporation of text; or
  - B. Where the transmission is a URL link which connects the end user to another interface and such interface clearly sets out the applicable charges for each option available for selection by the end user.
3. Maintain a local hotline individually (belong to him) or through the operator and shall respond to all enquires and complaints lodged by users as promptly as possible, and shall ensure that the local hotline is effective during normal local business hours at the minimum. A premium rate service provider may provide other means for communications, such as via e-mail or fax.

4. The service provider shall comply with other applicable quality of service requirements issued by TRA from time to time.
5. Provide the network operator with information about its local hotline, e-mail or fax used to provide the service, so as to enable the network operator to direct end users to these modes of contact.
6. Keep a record of all complaints and disputes raised by any person in relation to its premium rate service containing the following information:
  - A. Reference No. for the complaint;
  - B. Service type;
  - C. The date and description of the complaint;
  - D. Particulars of the person raising the complaint; and
  - E. Action taken by the premium rate service provider to address the complaint or dispute.
7. Maintain a full record of all Premium Rate Service data for a complete two years.
8. All information submitted to the TRA must be complete and accurate.
9. Premium Rate Service shall not cause harm to end users or the general public

### **Article (3)**

TRA reserves the right to get copies of the record of complaints or other required records or information at any time and without delay upon request.

### **Article (4)**

If the Premium Rate Service requires a subscription, the service provider shall consider the following:

1. Announcing the subscription period, the procedures to request cancellation of the service and the instructions thereof.
2. If the subscription is renewed automatically, the service provider shall send a reminder to the subscriber (48) hours before the expiry of the subscription period.
3. The service provider shall not renew the subscription if the subscriber requested termination of service as per the announced procedures.

## **Article (5)**

Premium Rate Service Provider shall not:

1. Bind subscribers to pay for text messages that promote the premium rate service, or for messages that contain registration and termination instructions, or for illustrative messages of the service tariff, or for message reminders of service expiry or its renewal, and without prejudice to the right of public telecommunications network operator in receiving the tariff payment for other telecommunication services but not the tariff for the Premium Rate Service.
2. Automatically renew the subscription of fixed and prepaid mobile subscribers in case of insufficient balance at renewal.