

Telecommunications Regulatory Authority

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

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

The Executive Regulation of the Telecommunications Regulatory Act issued by the Ministerial Decision No. 10/2007 and;

The Authority's approval dated 18/06/2008 and;

Based on the exigencies of the public interest;

Article 1: Promotional Offers are the offers intending to or resulting in the encouragement of the use of telecommunications services, whether direct or indirect.

Article 2: The Licensee is not allowed to launch or advertize any promotional offers unless the Authority's approval is obtained.

Article 3: Request for approval shall be submitted at least 15 days before the date specified for the commencement of the offer. The request must include the following:

- A. Nature of the offer and method of conducting it.
- B. Duration of the offer.
- C. A list of the number and type of the prizes and gifts allocated to winners and proof of their purchase.
- D. Place and date of the raffle draw and its mechanism (draw lots or automatic draw).
- E. Any information or documents required by the Authority.

Article 4: The Licensee shall adhere to the following when conducting any promotional offer:

- a. Principles of fair and acceptable competition in conformity with the common regulatory practices, so that the Licensees do not engage in anti-competitive behavior by attempting to undermine or defame competitors or giving special discounts/offers to the subscribers of competitors or by engaging in any other act that is established by the Authority as one of the aforesaid acts.

- b. Technical jargons and technology comparisons should be used with care and promoters should not abuse the trust of consumers or exploit their credulity, inexperience or lack of knowledge.
- c. Advertisements should not be misleading and must present what is on offer. All conditions of offers must be explicitly and unambiguously stated.
- d. Superlative form of words, like lowest rates, widest coverage, best network etc. should not be used unless the advertiser has readily available proof and he can substantiate his claim.

Article 5: The Licensee shall comply with the following when promoting the telecommunication services provided by him:

- a. Sales promotions should not be designed or conducted in a way that conflict with the public interest. They should contain nothing that condones or is likely to provoke violence or anti-social behavior, nuisance, personal injury or damage to public or private property, while observing public morality.
- b. To state clearly the charge for calls to each licensed service. Prices must be noted in the form of a numerical price for the unit of service provided, or the total maximum cost to the consumer of the service while making clear any other obligations (if any).
- c. To make it clear in the promotional offer that calls made through his network to other Licensee networks may cost more than the likely charge shown in the offer.
- d. Textual information must be easily legible, prominent, and horizontal and presented in a way that does not require close examination. In case of promotions through video or audio transmission, prizes and pricing information must be spoken as well as being visually displayed as per the case.

Article 6: Promotions conducted by the Licensee should display his identity and his contact details.

Article 7: Promotions with prizes and rewards shall contain the following details:

- a. The closing date;
- b. Any restrictions on the number of entries or prizes;
- c. A full description of the prizes, the eligibility criteria, proof-of-purchase, any special permissions required by dealings resulting from promotions targeting minors or permission of the sponsor in case of non Omanis residing in Oman;
- d. Whether a cash alternative can be substituted for any prize;
- e. How and when results will be published;

- f. The venue where prizes will be delivered;
- g. Any limitations imposed on participation in such offers.

Article 8: The Authority shall decide on the disputes arising between the Licensees, or between the Licensees and the consumers in respect of the promotional offers in accordance with the Telecommunications Regulatory Act, its Executive Regulation and the implementing decisions thereof.

Article 9: This decision shall be published in the Gazette and shall come into force as from the day following its publication.

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Corresponding to: 27 August 2008

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Chairman of Telecommunications Regulatory Authority