



I am pleased to present a response to [this consultation](#).

Approval of successive Codes of Practice represents the manner in which **Ofcom** exercises direct control over the activities of **PhonepayPlus**. The exercise of a public consultation provides a valid means for formal representations to be made on related issues, where both **Ofcom** and **PhonepayPlus** are involved.

We take this opportunity to present a formal representation calling for action. This follows an exchange of correspondence with both **Ofcom** and **PhonepayPlus** officers in July 2014, which was intended to prompt consideration of the need for this action. The primary purpose of that correspondence was however to confirm that the proposed action was feasible.

Although the consultation states that **PhonepayPlus** regulates premium rate services through the terms of its Code of Practice, the regulations referred to below appear to have been applied through some other valid mechanism. One assumes that **Ofcom** seeks to be fully involved in overseeing all of the work carried out through devolved use of its statutory powers.

David Hickson

fair telecoms campaign

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Regulation of ICSS (Information, Connection and / or Signposting Services)

We believe that the necessary control of ICSS demands the following revision to the PRS Condition, as set by **Ofcom** under the terms of the Communications Act 2003 – section 120.

The current version is as published at this link (in Annex 3, the schedule beginning at page 20 – numbered page 16): http://stakeholders.ofcom.org.uk/binaries/consultations/simplifying-non-geographic-numbers/statement/NGCS_revised_date_statement.pdf.

We suggest the addition of the follow line (supported as necessary by the appropriate definition):
2 (e) (vii) the service is an Information, Connection and / or Signposting Service.

There is no justification whatsoever for the unregulated provision of ICSS services on 084 numbers (or any number with a Service Charge of up to 5.833 pence, exclusive of VAT).

The arguments advanced by **PhonepayPlus**, and fought for over a long period, are wholly justified. The regulatory measures applied to providers of ICSS are seen to be effective in preventing what are rightly seen as scams. It is a disgrace that a significant proportion of the providers have been seen to sacrifice a little of their revenue, in order to continue their unregulated and unapproved activities, by switching to numbers with a slightly lower rate of Service Charge.

We feel sure that **PhonepayPlus** would be ready to accept this modest extension to the scope of its powers to protect the interests of consumers of Premium Rate services. We do not however see any justification for extending its responsibilities to cover all remaining users of 084 numbers, for the time being.

Please see [our published briefing](#) giving details of the way in which this rip-off is still continuing.

