



Notification Number: 2003/309/UK

The Independent Committee for the Supervision of Standards of Telephone Information Services – Code of Practice 2003, (“the Code”).

Date received : 21/08/2003

End of Standstill : 24/11/2003

Issue of comments by : Commission

Message

Message 001

Communication from the Commission - SG(2003) D/51614

Directive 98/34/EC

Notifikation - Notifizierung - Γνωστοποίηση - Notificación - Notifikation - Notifica - Kennisgeving -
Notificação - Ilmoitus - Anmälan : 2003/0309/UK.

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el
plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei
ala tästä - Inleder ingen frist.

(MSG: 200301614.EN)

1. Structured Information Line

MSG 001 IND 2003 0309 UK EN 24-11-2003 21-08-2003 UK NOTIF 24-11-2003

2. Member State

United Kingdom.

3. Department Responsible

Department of Trade and Industry: Standards and Technical Regulations Directorate.

3. Originating Department

Department of Trade and Industry: Business Relations.

4, 2003/0309/UK – SERV20

5. Title

The Independent Committee for the Supervision of Standards of Telephone Information Services – Code of
Practice 2003, (“the Code”).



6. Products Concerned

Premium rate services ("PRS").

7. Notification Under Another Act

-

8. Main Content

The proposed Code would regulate the provision and contents of premium rate services (which are sometimes used for accessing info soc services), and where appropriate their marketing and promotion as permitted by the provisions of sections 120 to 124 of the Communications Act 2003, ("the Act").

The Code is aimed primarily at ensuring that consumers are aware of the cost and nature of any premium rate services which they call so that they can use the services with confidence.

In particular the Code requires PRS providers to ensure that there is clear information about pricing and about the originators of the services; specific arrangements for services directed towards children, and specific arrangements for certain services (notably chatlines, live services and those of an "adult" nature).

The Code has measures aimed at maintaining standards, for the investigation of complaints, and for the imposition of sanctions for breaches of the code (including independent appeal procedures for those to be subjected to sanctions).

The Code also includes measures relating to the administration and financing of the regulatory regime.

9. Brief Statement of Grounds

The purpose of the regulatory regime founded on the proposed code (and the other legislative provisions) is to reduce the risk of consumers being taken advantage of by unscrupulous PRS providers, thereby jeopardising their access to electronic communications services; and maintaining consumers' confidence in the increasing use of electronic communications services (and confidence in information society services).

10. Reference Documents - Basic Texts

a) Documents forwarded with the draft Code are those referred to in the draft Code, namely sections 120 to 124 of the Act (the complete Act may be viewed on Her Majesty's Stationery Office website:

<http://www.legislation.hmso.gov.uk/acts/acts2003/20030021.htm>) and a draft of the Conditions that might be set under section 120 of the Act.

It should be noted that the draft Conditions will not be made by the Regulator until after the standstill period relating to the proposed Code has elapsed. In the meanwhile, the regulatory regime for premium rate services which existed prior to 25 July 2003 has been rolled over by means of continuation notices issued in accordance with the Act. The draft Conditions may be modified by the Regulator (in the light of the consultation conducted) prior to the Conditions being set.

It should also be noted that the numbering of the sections of the Act have changed since the publication of the consultation document on the Conditions – what are referred to as sections 117 to 121 have become sections 120 to 124 in the Act as finally passed by Parliament.

Details of the function of the Independent Committee for the Supervision of Standards of Telephone Information Services ("ICSTIS") in regulating PRS may be found on the ICSTIS website - www.icstis.org.uk.

b)

c) There has been no previous notification of the draft Code, but the Act has been notified to the Commission in accordance with the Access Directive, Authorisation Directive, Framework Directive and Universal Service



Directive (Directives 2002/19/EC, 2002/20/EC, 2002/21/EC and 2002/22/EC respectively).

11. Invocation of the Emergency Procedure

No.

12. Grounds for the Emergency

-

13. Confidentiality

No.

14. Fiscal measures

No.

15. Impact assessment

Impact assessment not made specifically – an overarching impact assessment of the Communications Bill was published, and is available via the Communications Bill website:
www.communicationsbill.gov.uk/regulatory_impact_assessments.htm. The draft Code imposes no significant new burdens over and above those which have been in existence during the current arrangements (which date back to 1986).

16. TBT and SPS aspects

Not notifiable in the TBT or SPS frameworks

David O'Sullivan
General Secretary
European Commission

sent to :

BELNotif Qualité et Sécurité
Mme Descamps

Bundesministerium für Wirtschaft Referat XA2
Frau Christina Jäckel

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1
Frau MARKL Iris

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1
Frau Brigitte WIKGOLM



Departement of Trade and Industry - Standards and Technical Regulations - Dir 2

Mr Philip Plumb

EFTA Surveillance Authority

Mr. Gunnar Thor PETURSSON

ELOT

Mr E. Melagrakis

Erhvervs- og Boligstyrelsen

Lene Hald Nielsen

European Free Trade Association

.

Institut Belge de Normalisation

Mme F. Hombert

Instituto Português da Qualidade

Sra. Candida Pires

Kauppa-ja teollisuusministeriö

M. Henri Backman

Kommerskollegium

Mme Kerstin Carlsson

Min. de Asuntos Exteriores

Esther Perez Pelaez

Min. of Industry, Energy & Technology

Mr K. Polychronidis

Ministerie van Financien Belastingdienst - Douane / CDIU

De Heer IJ.G. van der Heide

Ministero dell'Industria, del commercio e dell'artigianato

Signor P. Cavanna

NSAI

Mr Tony Losty

National Agency for Enterprise & Housing

Laila Østergren

Représentation Permanente du Luxembourg

.

SQUALPI

Mme Piau

Undersecretariat of Foreign Trade General Directorate of Standardisation



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

Saadettin DOGAN