

Premium Numbers

NOW TV Calls Code of Practice for Premium Rate Services and Number Translation Services for Domestic Customers

This Code of Practice contains information for NOW TV Calls' domestic customers relating to calls to premium rate services and number translation services.

1. Premium Rate Services

1.1 Identifying premium rate services

Premium rate service calls are calls to certain numbers which are typically prefixed by "090" or "091" or, in the case of mobile services, four or five-digit short access codes followed by a descriptive key word. Directory enquiry services beginning with "118" are also premium rate services.

Premium rate services offer information and entertainment through a variety of media including phone, fax, Internet, mobile and TV. Services range from sports results, voting and adult entertainment to competitions, chat lines, horoscopes and business information services. Premium rate service calls are typically charged at a higher rate than standard calls.

1.2 How premium rate services work

Premium rate services are provided by service providers, who are responsible for the content, product or services provided or who act as resellers or aggregators on behalf of a number of such providers.

When you make a call to a premium rate service number, NOW TV Calls ensures that your call is passed to the telephony company which receives the call on behalf of the premium rate service provider.

The revenue from the premium rate call is usually shared between the premium rate service provider, NOW TV Calls and the telephony company receiving the call, with the premium rate service provider receiving the bulk of the revenues. The premium rate service provider is also responsible for complying with most of the obligations imposed by the PhonepayPlus code of practice (see paragraph 1.6 below).

On request, NOW TV Calls can usually provide details of the identity of a premium rate service provider and the telephony company receiving the call on their behalf. NOW TV Calls does not currently offer a facility for barring calls to premium rate numbers.

1.3 Charges for calling premium rate numbers

If you wish to find out the cost of calling a particular premium rate number please call NOW TV Calls customer services on 0330 332 3050.

1.4 Telephone Preference Service and Fax Preference Services

The Telephone Preference Service (TPS) is an opt-out register enabling people to register their wish not to receive unsolicited sales and marketing telephone calls. It is a legal requirement that companies do not make unsolicited sales and marketing calls to numbers registered on the TPS. You can register on the TPS free of charge by going to <http://www.tpsonline.org.uk/tps/> or by calling them on 0845 070 0707.

The Fax Preference Service (FPS) is an equivalent register enabling people to register their wish not to receive unsolicited sales and marketing faxes. You can register on the FPS free of charge by going to <http://www.mpsonline.org.uk/fps/what/> or calling them on 0845 070 0702.

1.5 Internet diallers

If you have a dial up Internet connection and try to access certain premium rate services such as sports highlights, film and music downloads or adult content, you may be asked to download a piece of software, known as a "dialler" which temporarily disconnects your dial up connection and re-connects to a premium rate number for the duration of the visit to the website. If you have broadband, the "dialler" may use your computer's dial-up modem to connect to the PRS number without disconnecting your broadband modem.

Many companies use diallers legally to bring in revenue from people who don't want to pay for services with their credit cards. Such companies will normally inform you of the premium rate call charges before you download the dialler.

However, in some cases, diallers can connect your computer to a premium rate number without your knowledge or consent. Such services are known as "rogue diallers". Often the premium rate number used by a rogue dialler stays in your dialler, meaning that every time you connect to the Internet, the dialler will dial up the premium rate number.

You should therefore always be cautious about clicking on pop ups or links or accepting downloads, particularly if these appear unexpectedly. We also recommend you install the latest software and upgrades to protect your computer from rogue diallers. If you use a broadband connection, we recommend you leave your computer's dial-up modem unconnected from your telephone line.

1.6 Role of PhonepayPlus

PhonepayPlus (previously known as ICSTIS, the Independent Committee for the Supervision of Standards of the Telephone Information Service) is the industry-funded regulatory body for all premium rate services.

PhonepayPlus regulates premium rate services in the UK through its Code of Practice, which contains the rules governing the content, promotion and overall operation of premium rate services. It investigates complaints and has the power to impose sanctions if the Code of Practice is breached. PhonepayPlus' service is free to consumers and fully independent.

The PhonepayPlus website (www.phonepayplus.org.uk) also provides a facility to help you identify individual

premium rate service providers who provide premium rate services. PhonepayPlus' contact details are set out at paragraph 6 below.

1.7 How to complain to PhonepayPlus

PhonepayPlus can only deal with complaints regarding premium rate numbers. Before submitting a complaint about a particular number, PhonepayPlus recommends that you visit its number checking facility (<http://www.phonepayplus.org.uk/output/check-a-number.aspx>) for instant information about the number in question. If you are unable to access this facility, NOW TV Calls can check the number(s) on your behalf. There are a variety of ways to submit a complaint to PhonepayPlus:

- if you have a hard copy of a promotion of the premium rate service you wish to complain about (e.g. a page from a magazine), you can make your complaint in writing, with a copy of the promotion, to: PhonepayPlus, Contact Handling Team, Phonepay Plus, 25th Floor, 40 Bank Street, London, E14 5NR
- by using PhonepayPlus' online complaint form, which can be found at www.phonepayplus.org.uk
- by calling PhonepayPlus' free helpline, on 0300 30 300 20, between the hours of 9.30am and 5.00pm, Monday to Friday.

1.8 PhonepayPlus' powers

If PhonepayPlus finds that its Code of Practice has been breached, the premium rate service provider must immediately amend the service and/or its promotional material so that it complies with the Code.

In addition, PhonepayPlus may impose any one or more of the following sanctions on premium rate service providers:

- issue a formal reprimand;
- order the premium rate service provider to submit future promotions and services to PhonepayPlus for prior approval;
- impose a fine;
- bar access to services;
- bar the individual(s) behind a company from running any other premium rate services under any company name on any telephone network for a defined period.

If it can be shown that your phone has been used without your permission to call a live (rather than pre-recorded) premium rate service, PhonepayPlus may be able to help you obtain compensation from the service provider.

Other organisations which may be able to help you include Citizens Advice, Trading Standards and the Telecommunications Ombudsman (see paragraph 1.9 below).

1.9 Role of the Telecommunications Ombudsman

The Office of the Telecommunications Ombudsman ("Ombudsman Service: Communication"), of which NOW TV Calls is a member, has the power to investigate complaints regarding calls to premium rate numbers appearing on your NOW TV Calls phone bill.

Ombudsman Service: Communication will only investigate such complaints if you have first complained to NOW TV Calls and either:

- your complaint remains unresolved 8 weeks after bringing such complaint; or
- you have received a letter from NOW TV Calls which says that we are no longer able to deal with your complaint (a "deadlock letter"). You may bring the complaint to Ombudsman Service: Communication within six months of receiving this letter.

If, following an investigation, Ombudsman Service: Communication finds that NOW TV Calls is at fault, Ombudsman Service: Communication may require NOW TV Calls to take action to rectify the situation.

Ombudsman Service: Communication may, for example, ask NOW TV Calls to offer you:

- a product, service or some practical action that will benefit you;
- an apology or explanation;
- up to £5000 including VAT.

NOW TV Calls will of course abide by any decision of Ombudsman Service: Communication.

Ombudsman Service: Communication's contact details are set out at paragraph 6 below.

2. Number Translation Services

2.1 Identifying number translation services

Number translation service calls are calls to certain numbers identified in the National Telephone Numbering Plan as "special service" numbers. Such numbers are typically prefixed by "08", such as 0845 and 0870, and legacy 0500 Freephone numbers.

2.2 Tariffs for calls to number translation services

Our charges for certain number translation service calls can be found at help.nowtv.com/callrates, in our published price lists. If you wish to find out the cost of calling a particular number please contact NOW TV Calls customer services on 0330 332 3050.

3. Contact us

If you have any queries or concerns about premium rate or number translation services or if you would like to discuss any charges for premium rate or number translation services found on your bill, please call NOW TV Calls customer services on 0330 332 3050.

4. Availability of this Code of Practice

This Code of Practice is available free of charge on our website at help.nowtv.com/codesofpractice. Alternatively, please call NOW TV Calls customer services on 0330 332 3050 to request a free hard copy.

5. Responsibility for complying with this code

Alastair Hosie is responsible for ensuring that NOW TV Calls complies with this Code of Practice. If you have any questions about our compliance with this Code please contact:

Alastair Hosie
Operational Compliance Manager

Carnegie Campus
Dunfermline
Fife
KY11 8GH
Tel: 01383 814000
ARHosie.compliance@nowtv.com

6. Contact Details for PhonepayPlus and Ombudsman Service: Communication

6.1 PhonepayPlus
Contact Handling Team
PhonepayPlus
25th Floor
40 Bank Street
London
E14 5NR
Tel: 0300 30 300 20
www.phonepayplus.org.uk

6.2 Ombudsman Service: Communication
PO Box 730
Warrington WA4 6WU
Tel: 0845 050 1614 or 09125 430049
enquiries@os-communications.org
www.ombudsman-services.org/communications