



**FROM THE MINISTRY OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY (“ictQATAR”)**

Consultation Document

Application of Credit Limits Instruction

Closing date for responses: November 28, 2013

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ICTRA 2013/11/14

Table of Contents

1	Instructions for Responding to this Consultation	3
1.1	Consultation Procedures	3
1.2	Publication of Comments.....	3
Annexure 1:	Draft Instruction on the Application of Credit Limits	5

1 Instructions for Responding to this Consultation

1.1 Consultation Procedures

In keeping with open and transparent regulatory processes, the ictQATAR herewith initiates a public consultation on the application of credit limits.

All interested parties are invited to provide their views and comments on the Instruction attached to this consultation document (**CD**).

ictQATAR asks that, to the extent possible, submissions be supported by examples or relevant evidence. Any submissions received in response to this CD will be carefully considered by ictQATAR. Nothing included in this CD is final or binding. However, ictQATAR is under no obligation to adopt or implement any comments or proposals submitted.

Comments should be submitted by email to jkearney@ict.gov.qa before the date stated on the front cover. The subject reference in the email should be stated as "Consultation on Credit Limit Application". It is not necessary to provide a hard copy in addition to the soft copy sent by email.

1.2 Publication of Comments

In the interests of transparency and public accountability, ictQATAR intends to publish the submissions to this consultation on its website at www.ictqatar.qa. All submissions will be processed and treated as non-confidential unless confidential treatment of all or parts of a response has been requested.

In order to claim confidentiality for information in submissions that stakeholders regard as business secrets or otherwise confidential, stakeholders must provide a non-confidential version of such documents in which the information considered confidential is blacked out. This "blacked out" portion/s should be contained in square brackets. From the non-confidential version it has to be clear where information has been deleted. To understand where redactions have been made, stakeholders must add indications such as "business secret", "confidential" or "confidential information".

A comprehensive justification must be provided for each and every part of the submission required to be treated as confidential. Furthermore, confidentiality cannot be claimed for the entire or whole sections of the document as it is normally possible to protect confidential information with limited redactions.

While ictQATAR will endeavor to respect the wishes of respondents, in all instances the decision to publish responses in full, in part or not at all remains at the sole discretion of ictQATAR. By making submissions to ictQATAR in this consultation, respondents will be deemed to have waived all copyright that may apply to intellectual property contained therein.

For more clarification concerning the consultation process, please contact John Kearney, Tariffs Section Manager, jkearney@ict.gov.qa

Annexure 1: Draft Instruction on the Application of Credit Limits

This Instruction (“**Instruction**”) applies to holders of public telecommunications networks and services Individual License (“**Service Providers**”). It sets out the measures Service Providers are required to adopt when dealing with customers who have exceeded their credit limit when using telecommunications services within and outside (roaming) the state of Qatar.

Background

This Instruction introduces measures designed to prevent “bill shock” for customers of telecommunications services. They are primarily intended to require Service Providers to:

- Implement the customer’s credit limit;
- Notify customers of their credit allowance before their credit limit expires;
- Cease the practice of imposing additional charges, which exceed the customer’s credit limit without a customer’s express consent.

This obligation follows numerous complaints received by ictQATAR from customers regarding unexpected bills and the lack of sufficient notice on reaching the credit allowance/limit status. Customers are often not aware of the charging arrangements and how charges accrue, particularly when using roaming services. This is a growing concern especially as the take-up of smartphones has increased rapidly in recent years.

Instruction

Service Providers are instructed to:

1. At the point of sale:
 - Explain how a credit limit applies and its effect; and
 - Explicitly agree a credit limit with the customer
2. Monitor and adhere to the customers agreed credit limit and its utilisation
3. Notify customers when they have utilised 80 and 100 per cent of their credit limit and state the remaining credit amount;
4. Suspend **all** services of the customer once the agreed credit limit is reached. Reconnection of services may only be done once the bill has been settled. Or customers may be provided the option to temporarily increase their credit limit subject to agreeing the matter with the Service Provider. A Service Provider will need the express consent of a customer when adjusting such credit limit.

For the avoidance of any doubt, the requirements above apply to **all and any service and must be implemented by December 15 2013.**

Legal Basis and Compliance

The following legal provisions provide a basis for these Instructions, but not exhaustively: Article 6 of the Decree Law confers a power which enables the Minister of ictQATAR to issue legal instruments including 'Instructions' for the implementation of the provisions of the Decree Law (36) of 2004 and Telecommunications Law of 2006. Article 5 of the Telecommunications Law confers the same power, specifically in relation to regulating the telecommunications sector.

Article 4(8) of the Telecoms Law empowers ictQATAR to take the necessary action to safeguard the interests of customers, and 4(11) empowers ictQATAR to ensure the Law, Executive By-Law, regulations and decisions are complied with.

Both Ooredoo and Vodafone are required under Article 86 of the of the Executive By-Law for the Telecommunications Law 2009 ("**Executive By-Law**") to comply with the provisions of any regulation, rules, orders or notices issued by ictQATAR in relation consumer protection.

The Executive By-Law empowers the Minister to take steps it considers appropriate to address any concern regarding billing practices.

Article 11 of the Telecommunications Law permits ictQATAR to monitor the compliance of Licensees and execute any decisions to ensure compliance.

