



## REPORT OF THE ADJUDICATOR

<b>WASPA Member (SP)</b>	Autopage Cellular
<b>Service Type</b>	Response to Billing Query
<b>Source of Complaints</b>	Public
<b>Complaint Number</b>	#0301

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### Complaint

A complaint was received from a member of the public regarding the SP's failure to provide the consumer with billing information for the MMS service she is alleged to have used, particularly when the complainant alleges that the MMS functionality of her phone was only activated on the day of her initial enquiry to the SP.

The following breaches of the WASPA Code of Conduct were raised:

3.1.1. Members will at all times conduct themselves in a professional manner in their dealings with the public, customers, other wireless application service providers and WASPA.

4.1.1. Members are committed to honest and fair dealings with their customers. In particular, pricing information for services must be clearly and accurately conveyed to customers and potential customers.

4.1.5. Members must have a complaints procedure allowing their customers to lodge complaints regarding the services provided. Members must acknowledge receipt of complaints expeditiously, and must respond to any complaints within a reasonable period of time.

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### SP Response

The Secretariat did not receive a response from the SP, despite being given two opportunities to do so by the Secretariat.

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### Decision

The Adjudicator upheld the complaint in respect of Clauses 3.1.1, 4.1.1 and 4.1.5 of the WASPA Code of Conduct.

The SP is ordered to provide the complainant with details of all MMS content downloaded to the number previously provided by the complainant.

The Adjudicator formally reprimanded the SP for its breach of the WASPA Code of Conduct and imposed a fine on the SP in the amount of R500 (five hundred Rand) per business day in the Republic of South Africa (ie excluding Saturdays, Sundays and proclaimed public holidays) which shall apply from the date of receipt of this report until the date of receipt by the Secretariat of:

- Confirmation from the complainant that her query has been resolved; or
- A response from the SP to the complainant, which in the reasonable discretion of the Secretariat is sufficient to resolve her query.

whichever is the earlier.