



## REPORT OF THE ADJUDICATOR

<b>WASPA Member (SP):</b>	World Play
<b>Information Provider (IP):</b>	Rate 'n Date
<b>Service Type:</b>	Subscription Service
<b>Complainant:</b>	Public
<b>Complaint Number:</b>	8738
<b>Code Version:</b>	9.0
<b>Advertising Rules Version:</b>	Not applicable

---

### Complaint

Complainant unhappy with the Service Provider's response to his unsubscribe request.

---

### Service provider's response

Service Provider was requested to by the Complainant to do the following:

1. Unsubscribe Complainant;
2. Send an SMS confirming that the unsubscribe request had been processed;
3. Provide proof of subscription by the Complainant; and
4. Contact the Complainant regarding a refund.

The Service Provider:

1. Unsubscribed the Complainant;
  2. Sent an SMS to the Complainant confirming that he had been unsubscribed;
  3. Provided proof of subscription to the Complainant; and
  4. Offered a refund and paid a refund to the Complainant.
- 

### Sections of the Code considered

n/a

### Sections of the Advertising Rules considered

n/a

---

### Decision

This case is linked to case 8737 in that the Complainant is the same individual complaining of the same thing. In my view the Service Provider did everything the Complainant requested. The Complainant never asserted that the Service Provider had breached the Code. I therefore don't see that there is any transgression by the Service Provider.

What is apparent from looking at this case together with case 8737 is that the Complainant doesn't understand how his cell phone contract and billing works. His complaint seems to be that he has an MTN contract which costs R139 per month and includes 100 free minutes. He therefore cannot understand how his cell phone contract bill is more than this every month. Although he is happy with the refund that Rate 'n Date has provided in this instance he feels certain that there must be other services that he is subscribed to that are costing him as he feels his calls cannot be in excess of the 100 free minutes. We do not know whether his minutes are anytime and any network free minutes and furthermore it is not our task to assess how he is utilising his cell phone. Rate 'n Date are not able to assess whether he is subscribing to services other than their own and as such cannot be expected to investigate the source or cause of his excessive MTN bills. I think this should be taken up by him with MTN themselves to determine the cause of the, in his view, excessive and unwarranted billing.

Claim dismissed.

---

### **Sanctions**

None.