

قرار رئيس هيئة تنظيم الاتصالات

رقم (2) لسنة 2017

بتنظيم إجراءات شكاوى المستهلكين


رئيس هيئة تنظيم الاتصالات،
بعد الاطلاع على المرسوم بقانون رقم (34) لسنة 2006 بإصدار قانون الاتصالات،
وعلى قرار مجلس إدارة المجلس الأعلى للاتصالات وتكنولوجيا المعلومات رقم (1) لسنة 2009 بإصدار
اللائحة التنفيذية لقانون الاتصالات،
وعلى القرار الأميري رقم (42) لسنة 2014 بإنشاء هيئة تنظيم الاتصالات،
وبعد التشاور مع ذوي المصلحة،
قرر ما يلي:

مادة (1)

يعمل بإجراءات شكاوى المستهلكين المرفقة بهذا القرار.

مادة (2)

على جميع الجهات المختصة، كل فيما يخصه، تنفيذ هذا القرار، ويعمل به من تاريخ صدوره، وينشر
في الموقع الرسمي للهيئة.


محمد علي المناعي
رئيس هيئة تنظيم الاتصالات

التاريخ: 31 يوليو 2017



Decision of the President of the Communications Regulatory Authority No. (2) of 2017 Promulgating the Consumer Complaints Processes

The President of Communications Regulatory Authority,

Pursuant to the Telecommunications Law, promulgated by Law No. 34/2006;

And Amiri Decision No. 42/2014 Establishing the Communications Regulatory Authority,

Decision of the Board of Supreme Council of Information and Communications Technology No. 1/2009 promulgating the Telecommunications by-law,

Having consulted with stakeholders,

Has decided as follows:

Article 1

The Consumer Compliant Processes attached hereto shall come into force.

Article 2

All competent authorities, each within its jurisdiction, shall implement this Decision, which shall take effect from the date of issuance, and it shall be published in the CRA official website.

Mohammed Ali Al-Mannai

President of Communications Regulatory Authority

Issued in July 31, 2017



CRA Consumer Complaints Process

July 2017



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1. Chapter 1: About this Process

1.1. Purpose and Objective

In accordance with its mandate, the CRA strives to ensure that it maintains high levels of transparency when issuing processes.

The objective of this Consumer Complaints Process is to facilitate an efficient consumer complaint process by:

- Defining the process of handling telecom consumer complaints between CRA and licensed service providers, and to define the procedures to be followed by service providers and CRA
- Highlighting procedures that standardize and enhance the efficiency of the consumer complaints process
- To protect the interests of telecom consumers' by developing clear and precise procedures to be followed when undertaking the consumer complaints process
- Identify the responsibilities of each of the process stakeholders e.g. service providers and CRA

This document sets out the specific actions and steps of the consumer complaints handling process and related procedures.

Note: Instructions for the operation of software applications and dedicated tools are outside the scope of the explanations contained in this document.

1.2. Access to the Process

The Consumer Affairs Department within the CRA is the owner of this Consumer Complaint Process (CCP). All inquiries and matters relating to the CCP should be addressed to the Consumer Affairs (CA) Department at CRA. The CA Department will monitor compliance with this process.

The CRA monitors service provider's compliance with the process on a daily basis.

1.3. Amendments to the Process

The process outlined in this document has been considered and agreed with both service providers (Ooredoo Qatar Q.S.C and Vodafone Qatar Q.S.C). The Consumer Affairs Department within Communications Regulatory Authority owns this document and any future changes shall be reviewed and approved by the CA Department within CRA, amendments to the process are to be recorded in the below table:

Date	Change Requester	Version	Change Reference

This Process shall be reviewed at least once every two years and updated as necessary. Additionally, CRA may, at any time, on Notice, propose amendments to the Process that would improve the quality of work and increase CRA efficiency in handling, investigating and resolving consumer complaints lodged with the CRA. Amendments to the Process shall be implemented by following the process below:

- Suggestions for amendments/updates shall be communicated to the Consumer Affairs Department in writing;
- The Process owner (CA within CRA) shall review the suggested amendments/updates on the process flows and procedures and decide whether it is necessary to implement the amendments/updates or not;
- Amendments to the process flows and procedures in the Process shall be approved by the CRA President;
- The approved amendments/updates of the Process shall identify the revision date, and be issued in writing, by the Process Owner to all users of the Process.

All stakeholders shall always work in accordance with the last version of this Process as shared by the CRA.

1.4. Reading the Process

1.4.1. Process

The Process is further divided as follows:





i. Process Flow

The process flow is a logical set of tasks to accomplish the business objectives.

ii. Procedures

The procedures are a set of operational steps that need to be executed in conducting the tasks (complaint validation, investigation, and or resolution).

1.4.2. Process Flow Shape Definition

Process Flow Shape Definition	
	Task: A step within a process. This is the most frequently used shape in the process
	Start /End Event: Indicates the start/end of a process.
	Decision: Indicates a decision point in the process with predefined alternatives e.g. yes, no.
	Connector: Indicates the flow of tasks within the process.

1.5. Definitions and Glossary of Terms

In this Process, the below words and expressions shall have the following meaning:

Term	Definition
CRA	Communications Regulatory Authority
CA	Consumer Affairs
Service Providers (SP)	Ooredoo Qatar and Vodafone Qatar
Consumer	Telecom Consumers in Qatar

2. Chapter 2: Consumer Complaints Process

2.1. Reference to the Relevant Laws and Regulations

- The Emiri Decree

The CRA is empowered under Article 16(2) of the Emiri Decree (No. 42 of 2014) to "set regulations and systems for the management and settlement of consumer complaints, within the framework of the Authority's functions;" Pursuant to these provisions, the CRA has created and customized a process for "complaints handling."

The Telecommunications Law and Executive By-Law also has provisions which support this process, as set out below:

- The Telecommunications Law – Decree 34 of 2006 states the following:

- Article 61

Dispute Resolution by the General Secretariat

“The General Secretariat shall resolve disputes arising between service providers and between service providers and others and the decision of the General Secretariat shall be final and binding.

A suit regarding the dispute shall not be accepted as initiated unless a decision is issued by the General Secretariat or sixty days from the date of submission of the dispute to the General Secretariat have lapsed, whichever is earlier.”

- The Executive By-Law – Number (1) of 2009 regulates the rules and procedures for Dispute Resolution through the following provisions:

- Article 124:

“Where a customer other than a Service Provider has a dispute with a Service Provider that the parties have been unable to resolve among themselves, by means of the Service Provider’s customer complaint process approved by the General Secretariat, either party may request the assistance of the General Secretariat to resolve the dispute, and the General Secretariat may take any of the following measures:

- (1) Assign members of its staff or an expert consultant to attempt to resolve the dispute.
- (2) Issue a decision to resolve the dispute and the decision shall be binding.
- (3) Take such other action, as it deems appropriate.
- (4) Direct the parties to refer the dispute to the competent Court”

- And Article 126 states the following

“Service Providers shall be subject to the dispute resolution processes defined or initiated by the General Secretariat pursuant to the Law and this By-Law or any other applicable laws, regulations or procedural rules. Service Providers shall also be subject to any customer complaint procedures established or approved by the General Secretariat.”

Taking into consideration these various legal requirements, the CRA has prepared this process to align with the principles set out in the legislative instruments mentioned.

2.2. Process Scope and Stakeholders:

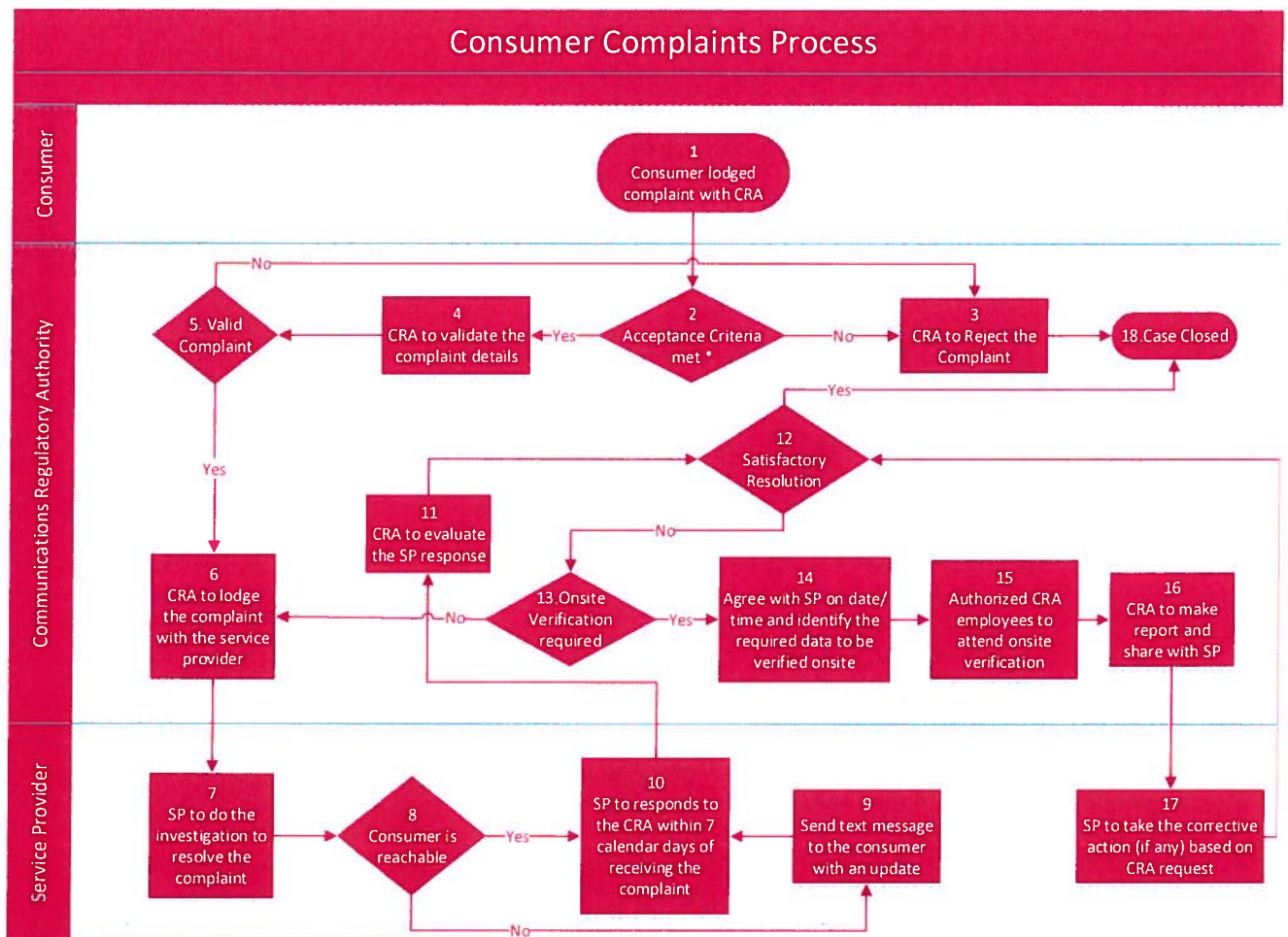
2.2.1 Process Scope:

The consumer complaints process indicates the flows and procedures that empowers the CRA and Service providers (Ooredoo Qatar and Vodafone Qatar) to [effectively] manage, handle and resolve complaints lodged with the CRA by telecom consumers in Qatar.

2.2.2 Stakeholders:

- CRA (Communications Regulatory Authority)
- Licensed Service Providers (Vodafone Qatar & Ooredoo Qatar)
- Telecom Consumers

2.3. Process Flow:



2.4. Procedures:

Responsibility	Task
Consumer	1- Consumer Lodged complaint with CRA
	Consumer to lodge complaint with the CRA through any of the CRA complaints channels (After first lodging the complaint with Service Provider)
Communications Regulatory Authority	2- Acceptance Criteria met
	<p>The acceptance criteria that should be met/verified (Case has to be one of the below, so CRA can accept the consumer complaint):</p> <ul style="list-style-type: none"> Service disconnection complaint that has remained open /unresolved for more than 48 hours for mobile or more than 72 hours for fixed line. The complaint is not related to a service disconnection and remains unresolved for more than 30 calendar days and / or consumer is dissatisfied with the resolution offered The consumer applied for a new fixed line service, and it has not been delivered within 10 working days of the date a valid order was received or the timeline as agreed with the consumer, while his complaint regarding the delay is still open with the service provider for 48 hours and no alternative solution provided. The service provider refused to lodge the consumer complaint. The consumer has special needs registered with Qatar Society for the Rehabilitation of Special Needs and his complaint whether mobile or fixed line (Disconnection or non-disconnection) remains unresolved for 48 hours <p>If any of the above conditions are met, move to step 4, if the conditions are not met, move to step 3</p>
Communications Regulatory Authority	3- CRA to Reject the Complaint
	The CRA will reject the consumer complaint and close as invalid.
	4- CRA to validate the complaint details

Communications Regulatory Authority	<p>The CRA will validate the details of the consumer complaints to make sure that they have a legitimate complaint, the CRA will also collect additional information from the consumer as follows;</p> <ul style="list-style-type: none"> • QID. • Affected Service number and/or account number • Reachable contact number or authorized person's contact. • Date and time of the call/ visit (if applicable). • Complaint reference number (if applicable) and reason for lack of it. • Any other applicable details that will support the investigation like; SMS Screenshots, Network Coverage location, House number or electricity number etc.)
Communications Regulatory Authority	<p>5- Valid Complaint</p> <p>Based on the previous steps, the CRA will identify whether the complaint is valid or not If Yes; move to step 6 If No; return to step 3</p>
Communications Regulatory Authority	<p>6- CRA to lodge the complaint with the service provider</p> <p>CRA will send the complaint to the service provider with the proper description and details (highlighted in step 4) that allow the service provider to investigate</p>
Service Provider	<p>7- SP to do the investigation to resolve the complaint</p> <p>Service provider will do their internal investigation and resolve the complaint</p>
Service Provider	<p>8- Consumer is reachable</p> <p>Service provider to check if the consumer is reachable to update him? If Yes, move to step 10. If No, move to step 9 then 10. Service provider should attempt to contact the consumer at least three times at different times of the day.</p>
Service Provider	<p>9- Send text message to the consumer with an update</p>

	Service provider to send SMS to the consumer to inform them they have attempted to make contact to provide an update/ offer resolution to the consumer complaint
Service Provider	<p>10- SP to respond to the CRA within 7 calendar days of receiving the complaint</p> <p>Service provider to send response to the CRA, the response can be:</p> <ul style="list-style-type: none"> Final Investigation results/ Resolution. Update / Request for extension.
Communications Regulatory Authority	<p>11- CRA to evaluate the SP response</p> <p>The CRA will evaluate the response and details provided by the SP against the Applicable Regulatory Framework.</p>
Communications Regulatory Authority	<p>12- Satisfactory Resolution</p> <p>Was the SP response satisfactory for CRA based on the Applicable Regulatory Frameworks? If Yes, move to step 18. (Close the case) If No, move to step 13.</p>
Communications Regulatory Authority	<p>13- Onsite verification required</p> <p>Does the CRA need an onsite verification to verify details/data provided from SP? If Yes, move to step 14. If No, return to step 6</p>
Communications Regulatory Authority	<p>14- Agree with SP on date/time and identify the required data to be verified onsite</p> <ul style="list-style-type: none"> The CRA to communicate with the SP to Agree in advance on the date and time of the site visit and the verification requirements. The CRA will provide SP with written consent from consumer for this information to be shared with the CRA.
Communications Regulatory Authority	<p>15- Authorized CRA employees to attend onsite verification</p> <ul style="list-style-type: none"> CRA has a specific list of employees who have authorization to attend for onsite verification. (List will be shared with SPs in advance)

	<ul style="list-style-type: none"> For each case, the CRA will identify for the service provider who from the predefined list will attend for the onsite verification of this case. Two authorized CRA employees will attend on SP site and conduct the onsite verification
Communications Regulatory Authority	<p>16- CRA to make report and share with SP</p> <ul style="list-style-type: none"> The authorized CRA employees will prepare an onsite conclusion report based on the findings and both (Authorized CRA employees & the nominated SP representative) will approve and sign off the findings onsite. The CRA will then send a request to the SP for corrective action(s) to be taken (if required).
Service Provider	<p>17- SP to take the corrective action (if any) based on CRA request</p> <p>Service provider is required to take the corrective action(s) to rectify the issues highlighted by CRA or provide a reasonable feedback. .</p>
Communications Regulatory Authority	<p>18- Case Closed</p> <p>The CRA will close the case once reaching a satisfactory resolution for the complaint based on the applicable regulatory frameworks.</p>