



Mark Collins
Head of Policy Projects
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By email only to mcollins@phonepayplus.org.uk

1 February 2016

Dear Mark,

Proposed 14th Code of Practice

UKCTA is one of the leading voices in the UK fixed telecommunications industry, counting the majority of the market's main players as our members. We focus on the issues that we believe are fundamental to the success of a competitive fixed telecommunications market in the UK.

We welcome the opportunity to comment briefly on the proposed 14th code of practice. Overall we support PhonepayPlus in reviewing the investigation and adjudication procedures with a view to improving independence of controls, transparency, fairness, proportionality and consistency. The proposed, more streamlined investigation and adjudication process should reasonably result in improved investigative efficiency and a reduction in costs.

We do believe that the interests of all parties having a business relationship with the investigated provider should be embedded in the proposed revisions to the investigation and adjudication procedure. The concern is that the recent withdrawal of the prior permission requirement coupled with the changes to the due diligence guidance have exposed network operators and level 1 providers to greater liability for any breaches by level 2 providers.

All parties in the PRS value chain who have a business relationship with the investigated provider therefore have a legitimate interest to be informed promptly of the seriousness of the breach, the level of consumer harm allegedly caused, and the interim measures which PhonepayPlus is planning to implement. This would also reduce the risk that a provider transfers monies beyond reach or receive an imminent, sizeable out-payment in respect of a service under investigation. It would also increase the chance that there are funds available for consumer redress where PPP concludes that a breach of the code of practice has occurred.

Please do not hesitate to contact us should you have any questions regarding the above.

Yours sincerely,

A handwritten signature in black ink that reads 'Rosaleen Hubbard'.

Rosaleen Hubbard
Company Secretary
UKCTA