



PROCESS FOR SEEKING REDRESS

KNOW YOUR RIGHTS AND EXERCISE THEM RESPONSIBLY!!!

If you have a complaint against your telecommunications provider, become knowledgeable on the procedure for seeking redress.

The Dispute Resolution Regulations 2008 dictate the process; consider Regulations 4, 5, 6, 7 and 8 below:

PART II

DISPUTE RESOLUTION

Procedure for seeking redress

4. - (1) Subject to the provisions of regulation 3 (3), where a dispute arises between a retail customer and a telecommunications provider, or between two or more telecommunications providers, the aggrieved party, shall first seek redress from the respondent telecommunications provider, by, subject to sub-regulations (2) and (3), filing a statement of complaint on the respondent telecommunications provider.

(2) A Statement of complaint pursuant to sub-regulation (1) shall be in the form prescribed in Form 1 of the Third Schedule and shall contain as much of the following information as possible -

- (a) the name, address, telephone number, e-mail and key contact information of the complainant;
- (b) where available, the name, address, telephone number, e-mail and key contact information of the respondent telecommunications provider;
- (c) a list of the disputes numbered in order so as to enable the respondent telecommunications provider to address each dispute separately;
- (d) a brief description of the basic facts surrounding each dispute;
- (e) as far as is practicable, such supporting information for each dispute; and
- (f) a statement of the desired resolution requested for each dispute.

(3) For the purpose of sub-regulation (1), a telecommunications provider shall make available to its retail customers the form referred to as Form 1 in the Third Schedule.

Tracking by respondent telecommunications provider

5. - (1) A telecommunications provider shall keep and maintain a Telecommunications Provider Complaint Record Register for the purpose of registering statements of complaints filed pursuant to regulation 4.

(2) A telecommunications provider shall keep and maintain a Telecommunications Provider Complaint Record Tracking System for the purpose of tracking the status of resolution of disputes between itself and its retail customers, and between itself and other telecommunications providers.

(3) Upon receipt of a statement of complaint filed pursuant to regulation 4, the respondent telecommunications provider shall -

- (a) enter the details of the statement of complaint into its Telecommunications Provider Complaint Record Register including the name and address of the complainant and the nature of the dispute and the relief sought;
- (b) assign to each statement of complaint a telecommunications provider complaint tracking number;
- (c) send, within three business days, a confirmation of receipt of the statement of complaint, with the telecommunications provider complaint tracking number, the complaint;

(d) respond to the complainant within thirty days, giving evidence of since or "good faith" effort to amicably resolve the dispute.

(5) A telecommunication provider shall take all reasonable steps to amicably resolve a complaint filed pursuant to sub-regulation (1) within thirty days of the date of filing of the statement of complaint.

(6) A telecommunications provider shall make monthly reports to the Commission concerning the number of statements of complaints and the nature of disputes in statements of complaints filed and the status of the resolution of such disputes.

Application for assistance of Commission

6.- (1) Where after thirty days of the date of filing of a statement of complaint pursuant to regulation 4, the parties have made reasonable efforts in good faith and are unable to amicably resolve the dispute for which the statement of complaint was filed, either party may, subject to sub-regulation (2), file an application with the Commission for assistance with the matter.

- (2) An application pursuant to sub-regulation (1), shall—
 - (a) be in the form prescribed in Form 2 of the Third Schedule;
 - (b) be filed in triplicate with one copy being addressed to the Commission, the second copy to ECTEL, and the third copy to the other party to the dispute;
 - (c) contain, if any, such information or evidence describing the status of any negotiation between the parties to resolve the dispute during the thirty-day time limit; and
 - (d) contain, if any, such information as to the form of alternative dispute resolution process preferred in the circumstances.

Recording and tracking by the Commission and notice to complainant

7.- (1) The Commission shall keep and maintain a Commission Complaint Record Register for the purpose of registering applications made pursuant to regulation 6.

(2) The Commission shall keep and maintain a Commission Complaint Record Tracking System for the purpose of tracking the status of resolution of disputes relating to applications made pursuant to regulation 6.

(3) Upon receipt of an application filed pursuant to regulation 6, the Commission shall -

- (a) assign a Commission complaint tracking number to the application by adding a prefix to the existing telecommunications provider complaint tracking number assigned pursuant to regulation 5(3) (b);
- (b) enter the details of the application into the Commission Complaint Record Register;
- (c) send to the complainant, telecommunications provider and ECTEL, a confirmation of receipt of the application with the Commission complaint tracking number.

Restriction on Commission's assistance

8. The Commission shall not provide any assistance to parties to resolve a matter unless the Commission is satisfied that the parties have made reasonable efforts in good faith to resolve the dispute.

For more information, please view the Commission's website at ntrc.lc. The National Telecommunications Regulatory Commission can be contacted at Telephone numbers: 758.458.2035/452.6871; email: ntrc@ntrcslu.lc/ntrc_slucandw.lc; Fax: 758.453.2558.