

# Consumers during the contract provision

BEREC Workshop

# Joining the campaign for VZMD class-action

- 4 biggest operators in Slovenia.
- Several unjustified price increases in the period of 2018-2023.
- VZMD (Pan Slovenian Stakeholders' Association unsuccessfully tried to settle with each operator.
- Breach of Consumer Protection Law (unfair commercial practice).
- The Electronic Communication Act does not allow operators to unilaterally change essential contractual terms.
- Protection of consumers, the weakest part in the standard contract with pre-formed contractual conditions.
  
- Similar campaign *Vezava za oba* (Commitment for all) in 2019/20
  - More than 9500 supporting consumers (web petition).
  - No positive reactions from the operators („We do it, because we can!“).
  - Due to harmonisation this problem could not be solved in the new Electronic Communication Act.

# Our position regarding the price changes

- Price is one of the most important factors when consumers decide for the operator, so there should be clear and transparent rules and formulations when and how does it change.
- If inflation is specified in the conditions as a reason for changing the price, the effect of deflation must be taken into account in the same way.
- When the price changes, consumers should still be allowed to cancel the contract without any costs or other consequences.
- In any case, price changes should not be permitted during the commitment period (with the binding equipment).

# Changes in program schemes (IP and cable TV)

- More than 85% households in Slovenia on IP or cable TV
  - No over-the-air alternatives (only 5 national TV programs available).
  - Dependency on operator's choice of programs.
  - 100+ programs already in the basic scheme.
  - Limited possibilities for choosing (only) favourite programs.
- Fights for TV-rights
  - TV rights' owners use consumers as hostages, demanding more money to broadcast their programs in operators' schemes.
  - Divided availability of two popular sport channels.
  - No viable alternative for consumers (channels not available online or similar).
- Breach of Communication Act:
  - Operators wait until the last day, too late to inform consumers 30 days before shutting down program(s) because they didn't reach agreement with the owners.
  - No real consequences until now 😞.

# Mobile - roaming

- Extortionate prices of roaming outside European Economic Area
  - More than 7000 times higher price for data roaming.
  - Literally no adaptation in the last 10 years.
  - Using the mobile phone outside the EEA recommendable only with local SIM(?!?).
  - Problems with costs for unintentional roaming (GR-TR/AL, D/A/F-CH, HR-BiH ...).
- Ghost roaming (4G/LTE)
  - Technical flaw for which consumers pay.
  - Easy to solve but still, everything lies on consumers.
  - Long-term solution not in the view (not possible?).

# Unwanted costs

- Premium SMS
  - Problems coming in waves with new methods for recruiting unsuspecting consumers.
  - From giving the mobile phone number when solving the crossword to downloading an app.
  - Two positive developments: STOP as the general unsubscribing answer, dedicated operator's number for premium SMS complaints solving.
  - Simple solution: opt-in for those who really want it and know why they want it.
- Administrative costs
  - Well above the actual costs.
  - Applicable also in case someone wants to optimize the subscription with their operator.
- Information on best available alternatives
  - Many consumers are stuck on an old and expensive subscription package.
  - Still waiting for the yearly sum-up of the usage pattern of a particular user.

## Telecommunications without proper communications

- Unresponsive call centers
  - Waiting times increased in the last few years.
  - Instead of talking to advisor consumers are aggressively rerouted to alternatives.
- E-mail communication swapped for web forms
  - More complicated, even puzzling to use.
  - No prove of communication content.
- Unreliable chatbots
  - Very basic solutions which don't give (right) answers to concrete questions.
  - Why would consumer opt for no-human interaction?

# Thank you!

Boštjan Okorn  
ZPS (Slovene Consumers' Association)

[bostjano@zps.si](mailto:bostjano@zps.si)

+386 1 47 40 620