



DIGICEL (PNG) LIMITED

**Submission to the National Information and Communications Technology
Authority**

***Public consultation on the Proposed
Guideline for NICTA Consumer Complaints
Management System***

11 July 2025

***This submission is provided to NICTA for the purpose of the current consultation only and
may not be used for any other purpose***

Executive Summary

- i. Digicel (PNG) Limited (“**Digicel PNG**”) welcomes this opportunity to share its comments and views on the National Information and Communications Technology Authority (“**NICTA**”) Public consultation on *Proposed Guideline for NICTA Consumer Complaints Management System*, issued on 16 May 2025 (“**Proposed Guideline**”).
- ii. Digicel PNG supports the proposal of a consistent approach to consumer complaint management and recognises this approach will benefit consumers. This is particularly important given recent new market entry and the continually evolving landscape of ICT services and their usage in Papua New Guinea.
- iii. Digicel PNG therefore appreciates the work NICTA has done not only in the context of the NICTA Consultation Paper titled *Consumer Protection Rule (Amendment)* issued on 16 May 2025 (“**CPR Consultation Paper**”) but also in their invitation for insights and recommendations from interested stakeholders regarding potential improvements to the Proposed Guideline and any additional issues or concerns they may have so that they too may be considered as a part of this review process.
- iv. We also wish to acknowledge that the Proposed Guideline is intended to apply not only to the complaint handling processes that are adopted by service providers themselves but also to establish processes within NICTA by which any complaints that are received directly by customers are able to be managed and resolved.
- v. This submission is provided to supplement Digicel PNG’s additional submissions on the issues and recommendations raised in the Consultation Paper and comments and views within this submission should be considered within the broader context of those submissions.
- vi. As a threshold issue, Digicel PNG submits that it will be vital to establish a clear definition of what is meant by the term “complaint”. This is important so that they are able to be distinguished from the myriad other contacts and interactions that routinely occur between service providers and their customers. We suggest that a useful starting point in this regard is the definition adopted in the Australian *Telecommunications (Consumer Complaints) Record-Keeping Rules 2018* which defines a ‘complaint’ as:

“... an expression of dissatisfaction made to a carriage service provider by a consumer in relation to its telecommunications products or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected by the consumer.”

- vii. In making this submission, we have addressed NICTA’s discussion points and inquiries in the Proposed Guideline, identifying the following:
- a. **Question 1: Complaint Intake and Registration.** Digicel PNG supports a minimum information requirement at the point of complaint intake, allowing providers to use their own processes to receive consumer complaints. Each complaint should be assigned a unique reference ID and providers should publish a clear, accessible complaints handling policy.
 - b. **Question 2: Minimum Requirements for Receiving and Resolving Complaints.** Providers should acknowledge complaints promptly, log relevant details, advise of next steps, issue a reference number if unresolved, and document the resolution status clearly, with guidance on further dispute resolution.
 - c. **Question 3: Standardised Form or Platform.** Digicel PNG does not support the mandating of a standardised complaints platform due to the need for complaints to be accepted in to provider-specific systems, but sees value in standardising the information required at both submission and acknowledgement stages.
 - d. **Question 4: Acknowledgement and Initial Assessment.** Digicel PNG suggests that NICTA should only assess complaints that fall within its jurisdiction and where the complainant has first exhausted the provider’s internal process.
 - e. **Question 5: Preliminary Investigation Effectiveness.** Digicel PNG suggests that Providers should be required to file their internal complaints process with NICTA, and investigations should only proceed after the provider has had an opportunity to resolve the complaint directly with the complainant via its own internal complaints process.
 - f. **Question 6: Maximum Timeframes.** Digicel PNG suggests that Timeframes should be measured in business days, paused when awaiting third-party input, and framed as performance targets that acknowledge some complex cases may require longer resolution periods.

- g. **Question 7: Differentiated Timeframes by Complaint Type.** Digicel PNG supports variable resolution timeframes depending on the type and complexity of complaints, while keeping the initial acknowledgement timeframe uniform across all complaint types.
 - h. **Question 8: Complaint Management Responsibilities and Escalation.** Digicel PNG suggests complaints should only be escalated to NICTA after the provider's internal complaints process has been exhausted.
 - i. **Question 9: Full Investigation Process.** Digicel PNG recommends investigations should be scoped and timed transparently, information requests should be relevant and lawful, and the confidentiality of information disclosed or collected as part of the investigation needs be preserved. The mandate of complaints handling officers should be administrative and limited to relevant laws and regulations.
 - j. **Question 10: Reporting and Recommendations.** Digicel PNG believes that the complaint investigation and resolution process should ensure confidentiality is protected in all communications, and that any systemic issues identified during investigations are flagged for broader regulatory review.
 - k. **Question 11: Follow-up and Monitoring.** Digicel PNG suggests that any complaints investigation findings should be available to both the provider and the complainant, and limits should be imposed on possible findings to ensure that such findings stay within the scope of NICTA's statutory authority.
- viii. In addition to addressing these discussion points and inquiries contained in the Proposed Guideline, we have also identified other issues and concerns. Specifically, Digicel PNG recognises the need to maintain flexibility through a guideline-based approach, to limit the scope of the Proposed Guideline to procedural requirements, and to distinguish complaints from general customer enquiries and other contacts and interactions that may occur in the ordinary course of dealings between providers and their customers.
- ix. We look forward to continuing to work constructively with NICTA as the consultation progresses and welcome the opportunity to comment on submissions made by other stakeholders.

Introduction

1. Digicel PNG welcomes this opportunity to share its comments and views on the NICTA Public consultation on the *Proposed Guideline for NICTA Consumer Complaints Management System*, issued on 16 May 2025.
2. This submission is a supplementary input to Digicel PNG's submission on the issues and recommendations raised in the NICTA Consultation Paper titled *Consumer Protection Rule (Amendment)* issued on 16 May 2025, and should be read in conjunction with the broader strategic context established therein.
3. Digicel PNG supports NICTA's development of a Guideline in respect of consumer complaints issues, as it enables a flexible implementation model that allows service providers to tailor their complaints handling process to their operational structures and service contexts. A Guideline would also help to inform service providers of the processes that will be adopted in respect of any customer complaints that are referred to NICTA.
4. Digicel PNG also appreciates NICTA's work in undertaking both the broader consultation on proposed amendments to the Consumer Protection Rule and the parallel consultation on the Proposed Guideline. We further value the opportunity extended to stakeholders to provide insights and recommendations on potential developments to the Proposed Guideline, as well as to raise any additional issues for consideration as part of this review process.
5. This submission is set out in two parts. The first part details Digicel PNG's recommendations regarding discussion points and inquiries raised within the Proposed Guideline. The second part outlines additional issues identified within the Proposed Guideline and raises Digicel PNG's relevant concerns and suggestions relating to them.

Responses To NICTA Questions

6. The following section sets out Digicel PNG's responses to discussion points and inquiries set out by NICTA in the Proposed Guideline and its proposals to address them should be read in conjunction with our submissions on the CPR Consultation Paper.

Question 1: What suggestions do you have for enhancing the complaint intake and registration process to ensure a more effective and consumer friendly experience?

7. Digicel PNG recommends the establishment of a baseline information expectation for all consumer complaints at the point of intake, to ensure consistency and completeness of data. While this could be operationalised through a standardised complaint template, we believe it would be preferable for service providers to be permitted to adopt their own complaint handling processes, provided they ensure that their complaint intake form or process incorporated all required information fields.
8. Digicel PNG recognises that initial complaints are often lodged verbally via call centres and further recommends that any required information to be collected as part of a complaint be able to be collected via electronic or verbal submission. This is particularly important given the relatively low levels of literacy that exist in Papua New Guinea, which may mean that requiring the completion of a written form may create an unfair barrier for many consumers.
9. Complaints received through physical sales outlets should also be recorded in a manner that ensures that all of the required information is collected, and which allows for complaints to be collected and reported on in a consistent manner.
10. Digicel PNG proposes that any complaints that are unresolved at the first point of contact should be assigned a unique reference identifier by the service provider, with that identifier communicated to the complainant in line with recommendations made in the Proposed Guideline. This would enhance traceability, enable more efficient case management, and provide consumers with a clear reference for follow-up communications and engagement with the provider and, if need be, subsequent engagement between NICTA and the provider in respect of that complaint.
11. Additionally, Digicel PNG recommends that, consistent with the proposals in the CPR Consultation paper, all service providers should be required to publish a complaint handling policy. Their policy should outline the procedures for lodging a complaint, expected response timeframes, escalation pathways, and resolution processes.

Question 2: What minimum requirements should service providers follow when receiving and resolving complaints?

12. Digicel PNG submits that a baseline set of procedures should be applied by all service providers to ensure consistency and support consumer confidence throughout the complaint management process.
13. At the point of complaint receipt, such baseline procedures should include:

- a. Prompt acknowledgment of receipt to the complainant.
 - b. Accurate recording of the complaint, including relevant details and complainant information.
 - c. Notification to the complainant regarding the next steps in the resolution process if the matter is not resolved at first contact.
 - d. Issuance of a unique complaint reference number for any unresolved complaints, to facilitate tracking and follow-up.
14. At the point of complaint resolution, the minimum outcomes should include:
- a. Documentation of the complaint outcome, including status at closure (e.g. resolved/satisfied, unresolved/unsatisfied).
 - b. Clear communication of the outcome to the complainant, irrespective of whether the outcome was satisfactory from the complainant's perspective.
 - c. Provision of information to the complainant on any available external or alternative dispute resolution mechanisms, in cases where the complainant is not satisfied with the outcome of the complaint.
15. These measures aim to reinforce procedural transparency and support a more navigable, consumer-oriented complaints management framework.

***Question 3: Should providers adopt a standardised complaint form or platform for submissions?
How can NICTA ensure consistency in complaints handling processes across different operators?***

16. Digicel PNG does not support the suggested implementation of a standardised complaints submission platform. Variation in service providers' operational needs and internal processes means mandating a standardised platform will limit flexibility and impose unnecessary costs and constraints on providers' existing complaint management frameworks. This is especially the case where service providers have already invested in sophisticated customer management systems and processes. It would also constrain a provider's ability to continue to enhance and evolve their customer-supporting systems and processes, as Digicel PNG is currently doing within the roll out of a new business support system (BSS).

17. However, Digicel PNG sees significant merit in establishing a set of minimum information that is expected to be collected by all providers in complaint submissions. While we are not opposed to the use of a minimum set of standardised fields that may be used in a form or other means of complaint recording or submission, any such template would need to be able to accommodate each provider's data fields required to enable it to undertake complaint investigation.
18. Digicel PNG strongly supports defining a minimum set of information that should be collected both at the point of complaint submission (from the complainant) and at the point of acknowledgment (from the provider). The information that is collected should be no more than that which is required to efficiently address a complaint. The information should also be suitable to allow a complaint to be collected electronically, or made verbally by a complainant, whether over the phone or in person to the provider.
19. In return the service provider should be required to clearly communicate process timelines and what the complainant can expect as the complaint progresses through the provider's complaints handling process.

Question 4: How can the acknowledgement and initial assessment process be improved to enhance communication with complainants and ensure timely resolution of their issues?

20. Digicel PNG recommends that NICTA only consider complaints that fall within its regulatory mandate and where the complainant has first made a genuine effort to resolve the matter directly with the service provider. Service providers should be given a reasonable opportunity to address complaints through their internal resolution processes which have been registered with NICTA.
21. As part of its initial assessment, NICTA should require complainants to submit the provider-issued complaint reference number and confirm that they have either exhausted the provider's complaints process or that the provider has failed to respond within stipulated timeframes.
22. Ensuring that the complainant provides NICTA with the provider's complaint reference number would also facilitate seamless coordination between NICTA and the provider, enabling efficient case tracking and ensuring continuity across complaint handling systems, supporting more timely resolution of complaints.
23. Relevantly, Digicel PNG, already assigns a unique identifier to all complaints that are made to customer care so that each complaint is uniquely identifiable.

24. In circumstances where the complainant has not attempted to engage with the service provider's complaint handling process before raising the complaint with NICTA, the complainant should be referred to the provider to give the provider the opportunity to seek to resolve the complaint with the complainant.

Question 5: What measures do you recommend for enhancing the effectiveness of the preliminary investigation process in swiftly resolving complaints while ensuring thoroughness and accuracy?

25. Digicel PNG already has in place an effective process in dealing with its customer complaints and regularly reviews its systems and processes to ensure they remain fit for purpose in the context of the services that are offered.
26. Digicel PNG recommends that NICTA place greater emphasis on evaluating the service provider's complaint handling performance by requiring providers to submit a detailed outline of their internal complaint management procedures. This can be achieved through incorporating a relevant provision within the proposed amendments to the Consumer Protection Rule that are being considered as part of the CPR Consultation Paper.
27. As part of the assessment process, NICTA should verify that the provider's complaints process has been properly exhausted before progressing further. Where it has not, complaints should be referred back to the service provider to resolve in the first instance. To ensure consistency and procedural clarity, service providers should also be required to supply a standardised set of information for each complaint—such as the complaint reference number, date of submission, information shared by the complainant, and the current resolution status (e.g. resolved, unresolved, closed with customer satisfied or closed with customer dissatisfaction).
28. Digicel PNG further suggests that NICTA should ensure that there is alignment between the details of the complaint as raised with NICTA and the details of the complaint as raised by the complainant with the provider, as consumer complaints may evolve or incorporate new elements over time. Providers should be afforded the opportunity to address any new issues in a complaint that had not already been raised with them directly prior to NICTA considering the complaint.

Question 6: What should the maximum timeframes be for acknowledging, investigating and resolving complaints?

29. Digicel PNG supports the setting of target timeframes for the acknowledgement, investigation and resolution of complaints.

30. Complaints received by Digicel PNG are categorised according to a set standard adopted by Digicel PNG, with different target resolution times adopted depending on the category of the complaint, including the type of complaint.
31. Digicel PNG's current target acknowledgement and resolution times are as follows:
 - 20 minutes first response
 - 24 hours first resolution time – Support layer
 - 48 hours second resolution time – Supervisor layer
 - 72 hours third resolution time – Manager layer
32. Digicel PNG notes that on occasion, service providers may be dependant on the completion of third-party actions, such as additional information from the complainant, in order to be able to investigate or resolve a complaint.
33. Accordingly, Digicel PNG submits that any timeframes for a provider's investigation or resolution of a complaint should be paused during periods when the provider is awaiting information necessary to progress its investigation or resolution of the complaint, including time waiting while a complainant decides whether to accept a resolution to that complaint that has been proposed by the provider.
34. Digicel PNG suggests the same principle should apply when a complaint is being considered by NICTA. Timeframes for NICTA's investigation of a complaint should commence only once all relevant information has been received by NICTA, and any subsequent timeframes be suspended during any period in which NICTA awaits input from a provider or complainant.
35. Timeframes should be expressed in business days and account for operational variability, including periods of peak demand and the presence of outlier cases.
36. Therefore, Digicel suggests that resolution timeframes should be framed as performance targets—applying to 80% or 90% of complaints—acknowledging that a minority of complex cases may reasonably exceed these resolution timeframes.

Question 7: Should there be different timeframes based on the type of complaint (eg, billing disputes vs service outages)?

37. Digicel PNG supports differentiated timeframes based on the type and complexity of the complaint, noting that certain categories require varying levels of effort (and therefore time) to investigate and resolve.

38. Even within a single complaint type, the complexity may vary significantly, and timeframes should be adjusted accordingly to reflect this variability.
39. However, the timeframe for initial acknowledgment should remain uniform across all complaint types, as this step simply involves confirming receipt and advising the complainant that the matter is under review.

Question 8: How should parties receiving complaints manage and address these issues? We would appreciate insights on the proposed draft complaints handling management system and processes described under the draft system or related discussions on this topic [...] here.

40. From Digicel PNG's perspective, the act of a complaint being lodged with NICTA constitutes an escalation, given that Digicel PNG maintains its own internal complaints escalation framework. Accordingly, complaints referred to NICTA should, in Digicel PNG's view, only be considered by NICTA after the complainant has exhausted all internal escalation pathways within the provider, or if the provider has failed to investigate and resolve a complaint within the specified timeframes.
41. Digicel PNG seeks further clarification on NICTA's intended meaning when referring to the escalation of complaints either internally within NICTA or externally to "external bodies". Specifically, which entities are contemplated and under what conditions would such escalation occur?

Question 9: What best practices or insights can you share to improve the effectiveness of the full investigation process, particularly in the areas of evidence collection, stakeholder interviews and compliance assessments?

42. Service providers should implement a tiered complaints handling structure, with staff assigned clear investigation and resolution responsibilities. The investigation process should be tailored to the complaint type (e.g., billing vs. network issues), recognising that no uniform approach will suit all providers.
43. Digicel PNG expects that interventions by NICTA will be rare and, in our submission, should be founded on the principle of mediation/conciliation. We recommend that any investigation by NICTA be clearly foreshadowed to both the complainant and the provider, with defined scope and timelines communicated in advance.
44. Information requests made by NICTA when investigating an escalated complaint should be limited to what is necessary to resolve the complaint and be legally grounded. Any investigation

process should include a mechanism by which service providers are able to clarify or challenge requests that appear excessive or outside the scope of the investigation of one or more consumer complaints.

45. In order for providers and consumers to be able to engage fully with NICTA in seeking to resolve a complaint that had been referred to NICTA, appropriate confidentiality measures should be put in place to protect sensitive information belonging to either party.
46. The mandate of complaints handling officers should be administrative and limited to relevant laws and regulations and not seek to impose quality of service obligations on service providers that are beyond those contemplated under, for example, the *Standard and Special Conditions of Individual Licences Rule, 2011*.
47. In seeking to assist in the investigation and resolution of consumer complaints, NICTA's complaints handling officers should not perform a judicial function or make determinations on legal breaches beyond their expertise or remit.

Question 10: How can the reporting and recommendation process be improved to ensure that investigation findings of the investigations are communicated effectively, and that the recommended actions are actionable and aligned with industry best practices?

48. Confidentiality must be maintained when communicating findings to the parties or more broadly, ensuring that sensitive information is not disclosed without proper safeguards.
49. Where appropriate, investigation findings should be assessed for potential indicators of systemic issues, with mechanisms in place to escalate such matters for broader regulatory review.

Question 11: What strategies or methods do you recommend to enhance the follow-up and monitoring process, ensuring that resolutions are effectively implemented and that any emerging trends in complaints are addressed proactively?

50. Clear limits should be set on the scope of findings, particularly regarding monetary remedies which should be limited to a refund of relevant service charges. Compensation or corrective actions need to remain within the legal authority granted to the case officer and should not exceed what is otherwise permissible under the NICT Act.

Other feedback

51. In addition to the comments and suggestions above, Digicel PNG makes the following comments regarding the Proposed Guideline.
52. Digicel PNG wishes to emphasise that not every interaction with a service provider's call centre constitutes a complaint. Many contacts are routine enquiries made to obtain information or advice, rather than to raise a specific issue requiring resolution.
53. For example, Digicel PNG receives more than 650,000 enquiries to its call centre each year with 80% of queries being resolved at the first point of contact.
54. Importantly, the vast majority of these enquiries are not for the purpose of making complaints per se, but rather are for the purpose of obtaining information about Digicel PNG's services and how they work. Neither the volume of contacts nor the nature of the contacts should be surprising given the size of Digicel PNG's customer base and the developing nature of the Papua New Guinea telecommunications market.
55. Thus, there should be some form of distinction able to be made between calls constituting complaints and other enquiries.
56. Therefore, as a threshold issue, Digicel PNG considers it to be important to establish a common understanding of what is meant by the term "complaint". This is important so that complaints are able to be distinguished from the myriad other contacts and interactions that routinely occur between service providers and their customers. We suggest that a useful starting point in this regard is the definition adopted in the *Australian Telecommunications (Consumer Complaints) Record-Keeping Rules 2018* which defines a complaint as:

"... an expression of dissatisfaction made to a carriage service provider by a consumer in relation to its telecommunications products or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected by the consumer."
57. The Australian approach requires that the following two conditions must be satisfied for something to be considered a complaint:
 - a. the consumer has communicated some form of dissatisfaction, unhappiness or frustration about the service provider's products or how they are handling a complaint; and

- b. the consumer explicitly or implicitly expects the service provider to provide a response or resolution to the matter.
- 58. Importantly, the consumer is not required to specifically state that they are making a complaint as it may instead be reasonably inferred from the situation and/or their communications with the service provider.
- 59. Finally, Digicel PNG wishes to underscore the importance of coordinating and aligning the proposed measures in this Guideline with the proposed amendments to the Consumer Protection Rule to ensure their respective ambits are clearly understood and that they complement each other to the greatest extent possible.

Conclusion

- 60. Digicel PNG supports the proposal for the adoption of a guideline approach to a consumer complaints management system and acknowledges its potential to benefit consumer wellbeing.
- 61. We look forward to continuing to discuss these issues with NICTA as the consultation progresses and welcome the opportunity to comment on the submissions made by other stakeholders.