



CONSUMER COMPLAINTS MANAGEMENT SYSTEM

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

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1. Overview

The proposed regulatory guideline aims to support both the telecommunications industry and consumers by providing practical guidance on consumer-related issues. It outlines procedural steps and clarifies the principles guiding the National Information and Communications Technology Authority's (NICTA) approach in specific areas. Additionally, the guideline offers insights into NICTA's interpretation of the National ICT Act 2009 (the Act) and its application regarding consumer complaints related to ICT services.

NICTA is accountable to the government and the public for its investigations and enforcement actions. Thus, maintaining transparent communication about its enforcement efforts is crucial for ensuring accountability both businesses and individuals under its regulations. Transparency serves several important purposes:

- **Informs and Educates:** It educates the regulated community about the legal standards that must be upheld.
- **Deters Unlawful Behaviour:** Transparency deters unlawful behaviour and encourages compliance by emphasizing the consequences of violations, helping stakeholders understand their obligations and reducing the need for NICTA's intervention.
- **Educates Consumers:** It informs the public about their legal rights, detailing NICTA's efforts to ensure compliance and guiding consumers on how they can advocate for their rights.
- **Builds Public Confidence:** Transparency fosters public confidence in the legal system by demonstrating that the law operates in the public interest.

When addressing public comments or publicity regarding investigations and enforcement actions, it is important to balance transparency with fairness to individuals and businesses under scrutiny while considering other public interest concerns, such as national security.

This guideline outlines NICTA's approach to public commentary and publicity regarding its investigations and enforcement actions.

Additionally, this paper explores the essential components of establishing a robust Consumer Complaints Management Framework within the telecommunications sector. As rapid technological advancements continuously affect service delivery and user experience, consumer protection has become critical important.

NICTA recognizes that effective management of consumer complaints is vital for ensuring accountability, transparency, and satisfactory service delivery in telecommunications.

Given the essential role of telecommunications services in personal and professional communication, addressing consumer dissatisfaction swiftly and effectively is imperative. A well-defined consumer complaints management system enables consumers to voice their grievances while assisting service providers and NICTA in identifying and addressing systemic issues that may require regulatory intervention. Through a comprehensive approach to complaints handling, NICTA aims to build trust between consumers and service providers, ultimately enhancing the overall consumer experience.

This paper outlines the rationale and objectives for developing a Consumer Complaints Management System Guideline, explores the relevant legal and legislative frameworks, and seeks stakeholder input to ensure the guidelines meet the needs and concerns of all parties involved. The goal is to establish a cohesive, accessible and responsive system for addressing consumer needs in the telecommunications sector of Papua New Guinea.

2. Purpose of the Guide

The purpose of this paper is to establish a foundational framework for a Consumer Complaints Management System that effectively addresses the concerns of telecommunications users in Papua New Guinea. As the telecommunications landscape continues to evolve, consumers encounter various challenges, including service quality issues, billing disputes, and inadequate responses to complaints. This document aims to outline a clear and actionable framework for managing these

complaints, ensuring that consumers have a voice and that their concerns are promptly addressed.

By implementing a structured approach to consumer complaints management, NICTA seeks to achieve several key objectives.

- **Empowerment of Consumer:** The framework will provide consumers with a clear understanding of their rights and the processes available for lodging complaints.
- **Enhanced Communications:** It will facilitate better communication between consumers and service providers, ensuring timely resolution of disputes and fostering a culture of accountability.
- **Continuous Improvement:** The guidelines will serve as a valuable tool for continuous improvement within telecommunications sector, enabling NICTA to identify and address systemic issues that may impact service delivery.

Ultimately, this paper is intended to promote a healthy balance between consumer rights and the responsibilities of service providers, leading to a more transparent and trustworthy telecommunications environment.

3. NICTA's approach to Guidelines

The legal and legislative provisions governing the establishment of rules and guidelines are outlined in Sections 218 and 219 of the ACT.

- **Section 218** This section grants the authority to develop guidelines related to service provision, including the management to consumer complaints.
- **Section 219** details the processes for public consultation and stakeholder engagement in the development of these guidelines. NICTA is required to invite submissions and input from consumers, service providers, and other relevant stakeholders when drafting guidelines. This engagement ensures that the guidelines are not only legally compliant but reflective of the needs and expectations of the community. The consultation process is essential for obtaining diverse perspectives, fostering transparency, and building public trust in the regulatory framework.

Together, these sections provide the legal foundation for creating effective guidelines that govern the management of consumer complaints in the telecommunications sector. By engaging in a consultative process and adhering to regulatory requirements, NICTA aims to develop a comprehensive and effective Consumer Complaints Management System.

3.1 Consultation

NICTA invites interested parties (“Respondents”) to provide their input and comments (the “Reply Responses”) regarding the issues raised in section 7 of this Consultation Document concerning the introduction of the Consumer Complaints Management System Guidelines. Attached to this document is a Consumer-friendly version of the Guidelines, which includes a schematic flow chart of the proposed complaints management system.

As part of the public consultation process, NICTA and/or its consultants may arrange meetings with Respondents who have submitted “Reply Responses” to review and discuss their Reply Responses in greater detail.

Upon completion of this consultation process, NICTA will implement a comprehensive Consumer Complaints Management System Guideline.

3.2 Consultation Process

NICTA encourages Respondents to support all Responses with relevant data and experiences, and, when applicable, best practices.

All comments submitted by Respondents in relation to this Consultation Document will be published on NICTA’s Public Register consistent with the requirements on NICTA under subsection 229(3) of the Act. Additional procedural information regarding the submission of written comments for public consultation and inquiries is outlined in the *Guidelines on the submission of written comments to public consultations and public inquiries* available on NICTA’s Public Register. To maintain an public consultation process, NICTA encourages Respondents to structure their Responses without including any confidential information.

Claims of confidentiality will be determined by NICTA on a case-by-case basis, and in compliance with the requirements set out in Section 44 of the Act.

3.3 Overall Timeline

The table below summarizes the timeline for the remainder of this consultation process and the subsequent decision-making and implementation process.

Event	Date
NICTA issues Phase 1 Consultation Document	May 16, 2025
Reply Responses from Respondents	June 27, 2025
NICTA Issues Draft Guideline	August 11, 2025
NICTA Issues Final Report & Guideline	August 25, 2025 (estimate)

4 Legal and Legislative Framework

The National Information and Communications Technology Authority (NICTA) operates under the National ICT Act 2009, which outlines regulatory principles and responsibilities aimed at providing community safeguards concerning ICT activities. A core objective of the Act is to ensure that participants in various segments of the ICT industry in Papua New Guinea (PNG) are effectively regulated. Establishing a structured regulatory framework is essential for enhancing service quality, protecting consumer rights, and fostering a competitive market.

Central to this framework are two significant functions defined under Section 9 of the National ICT Act 2009, specifically Functions 9(f) and 9(i).

- a) **Function 9(f)** mandates NICTA to develop and monitor a system for reviewing and responding to complaints by retail customers regarding ICT services. This function underscores the critical need for a responsive and transparent

complaints management system that empowers consumers to voice their concerns with confidence. By establishing an effective mechanism for lodging complaints and receiving timely resolutions, NICTA can enhance consumer trust and satisfaction within the industry. This function serves a dual purpose: It not only does it provide consumers with a clear avenue for expressing dissatisfaction, but it also enables NICTA to collect valuable feedback and data. This information can be used to identify systemic issues within the ICT sector. Proactively addressing these issues leads to improved service delivery and promotes accountability among service providers.

- b) **Function 9(i)** focuses on developing and monitoring procedures to ensure the safety and quality of ICT services and radiocommunications. This function is crucial in today's environment, where the reliance on digital communication is paramount. Ensuring that ICT services are safe, reliable, and of high quality protects consumers and businesses from potential risks associated with poor service delivery. NICTA's commitment to this function reflects its responsibility to set and enforce standards that operators must adhere to, thereby enhancing the overall integrity of ICT services in PNG. By monitoring compliance with safety and quality procedures, NICTA can promote innovation while ensuring that consumer welfare.

Incorporating these functions within the legislative framework of the Act establishes a foundation for effective governance in the telecommunications sector, ultimately benefiting both providers and consumers. Part XII, Division 4 – Investigations, identifies various matters that NICTA may investigate under the Act where it thinks that it is relevant to investigate the matter (Section 238), or a complaint made (Section 239). NICTA must also investigate a matter at the direction of the Minister (Section 240). NICTA has broad information gathering powers in order to support its inquiries (Section 241).

Following an investigation, NICTA must publish a report outlining its findings (section 242). If the investigation was initiated at the Minister direction, NICTA must give a copy of the report to the Minister. NICTA is also required to publish the details of its investigation in its public register as soon as practicable (section 243).

If NICTA determines that a person has breached a requirement of the Act or the mandatory instrument (section 244) it may issue directions to that the person to cease the conduct or refrain from engaging in it again, or both (Section 44). Additionally, NICTA may direct the individual to undertake specific actions deemed necessary to remedy the contravention.

5. Invitation for stakeholders' submissions

NICTA invites submissions from stakeholders in response to this paper, particularly focusing on the key issues identified under the consumer complaints management system. Your feedback is invaluable and will contribute to shaping a framework that is both practical and effective in addressing the needs of consumers in Papua New Guinea. Stakeholders are encouraged to share their insights, experiences, and recommendations regarding potential improvements to the current draft, as well as any additional issues that may not have been covered in this paper.

Engagement from consumers, service providers, industry experts, and advocacy groups will enrich the development of the consumer complaints management guidelines and ensure that they serve the best interests of all parties involved.

The Consumer Complaints Management System (CCMS) is intended to serve as a structured approach for processing and addressing consumer grievances within the telecommunications sector. This system will encompass the following key elements:

- **Accessibility:** The CCMS will ensure that consumers can easily lodge complaints through various channels, including online portal, phone calls, and in-person visits. The aim is to make the complaint process straightforward and user-friendly.
- **Timeliness:** Quick resolution of complaints is a priority. The system will set clear timelines for response and resolution, ensuring that consumers are informed of the status of their complaints throughout the process.
- **Transparency:** Consumers will have access to information about how their complaints are being handled.

6. Consumer Complaints Management System

This section provides a comprehensive overview of the framework NICTA intends to follow registering, investigating, and resolving consumer complaints. This framework is further described in more detail in the attached Draft Complaints Management System Consumer Guidelines. The complaint handling process ensures that all cases are managed efficiently and transparently, in alignment with regulatory standards and consumer protection best practices. Each step in the process ensures that complaints are addressed professionally, fairly, and consistently.

The detailed procedures governing the complaints handling process are set out in the Draft Consumer Complaints Management System Guideline. This ensures that all complaints are assessed and addressed professionally, fairly, and consistently, maintaining accountability and adherence to established standards.

Complaint Handling Process Flow

The complaint management process involves eight key steps to ensure that every complaint is handled in a structured and accountable manner. Below is a detailed description of each phase. (Flow Chart attached under Attachment 1)

1) Complaint Intake and Registration

The complaint handling process begins when a consumer submits a complaint through one of the designated channels. This step ensures that the complaint is properly captured and registered in the system.

Key Tasks:

- **Receiving Complaints:** Consumers can submit complaints via phone, email, online portal, or in person.
- **Recording Complaint Details:** Information such as the complainant's contact information, nature of the complaint, service provider details, and any supporting documentation is collected.
- **Registration in Complaint Management System:** Each complaint is assigned a unique reference number for tracking and follow-up.
- **Documentation:** Officers must verify the completeness of the complaint before moving to the next step.

Output: A registered complaint with a unique reference number for tracking.

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

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

Should providers adopt a standardized complaint form or platform for submissions?

How can NICTA ensure consistency in complaints handling across different operators?

2) Acknowledgment and Initial Assessment

After the complaint is registered, the complainant will receive an acknowledgement and whether the complaints registered falls within the mandate of NICTA.

Key Tasks:

- **Acknowledgment:** Acknowledgment is sent to the complainant within 48 hours via email, SMS, or phone, confirming receipt and providing the reference number.
- **Initial Assessment:** A complaints handling officer determines whether the complaint relates to an ICT service provider or is within NICTA's mandate to intervene. If it is outside NICTA's jurisdiction, the complaint is referred to the relevant authority (e.g., service provider, or external body).
 - There are complaints that fall under NICTA's mandate that do not have any rule or instrument established to address a complaint of a kind.
 - There are complaints that fall under NICTA's mandate that have a rule or instrument to assist assess a complaint of a kind; and,
 - There are complaints that are outside of NICTA's mandate completely.
- **Priority Assessment:** Complaints are categorized as High, Medium, or Low Priority, depending on the urgency and nature of the issue (e.g., network outage vs. billing dispute).

- **Completeness Check:** The complaints handling officer ensures that all relevant information has been provided by the complainant. If not, the complainant may be contacted to provide additional information.

Output: A case file reference number with an acknowledgment sent to the complainant, and the complaint marked for further investigation or referral.

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

3) Preliminary Investigation

In this phase, the complaint is swiftly reviewed to gather essential facts and determine the appropriate next steps. The preliminary investigation assists NICTA in deciding if the case requires further action or escalation.

Key Tasks:

- **Verification of Information:** Confirm the facts provided by the complainant and the service provider.
- **Communication with Service Provider:** Reach out to the service provider to clarify details and obtain a preliminary response.
- **Simple Resolutions:** If the issue can be resolved quickly (e.g., a billing error), the complaints handling officer coordinates with the service provider to address the complaint and informs the complainant of the outcome.
- **Escalation Trigger:** If the complaint is complex or demands additional action, it is flagged for a comprehensive investigation or escalation.

Output: Preliminary findings or resolution. If the issue remains unresolved, the complaint will be escalated or advance to a full investigation.

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

What should be the **maximum timeframes** for acknowledging, investigating, and resolving complaints?

Should there be different timeframes based on the type of complaint (e.g., billing disputes vs. service outages)?

4) Escalation (If required).

If the preliminary investigation does not yield a resolution, the case may be escalated to Industry stakeholders or referred to an external body. Escalation ensures that unresolved or complex complaints are addressed appropriately.

Key Tasks:

- **Internal Escalation:** If the complaint cannot be resolved at the preliminary stage, it is escalated or referred internally within NICTA for further review.
- **External Referral:** When the case involves an external body, NICTA coordinates the referral and ensures the complainant is notified.
- **Tracking and Follow-up:** Escalated cases are monitored closely to ensure timely resolution.

Output: An external referral will be tracked for follow-up.

How should parties receiving referred 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 them here.

5) Full Investigation

This phase involves a thorough examination of the complaint, including the complaint, including evidence collection, interviews, and in-depth analysis. Full investigations are typically conducted for complex cases or those requiring legal or regulatory action.

Key Tasks:

- **Developing an Investigation Plan:** The complaints handling officer outlines the scope, tasks, timeline, and roles for the investigation.
- **Evidence Collection:** This may include reviewing contracts, service records, bills, and other relevant documentation.
- **Interviews:** The complaints handling officer may interview the complainant, service provider staff, and other stakeholders involved.
- **Compliance Check:** The complaints handling Officer assess whether the service provider has breached any laws, regulations, or licensing conditions.
- **Documentation of Findings:** The investigator compiles all findings in a formal investigation report with conclusions and recommendations.

Output: A comprehensive investigation report with recommendations for resolution.

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?

6) Reporting and Recommendation

After the investigation is complete, the Complaints handling Officer prepares a report that outlines the findings, conclusions, and recommended actions for resolution.

Key Tasks:

- **Summary of Complaint:** A concise overview of the complaint, including key facts and timelines.
- **Findings:** Presentation of key evidence and analysis of the issues.
- **Recommendations:** Suggested actions for the service provider or NICTA to resolve the complaint.

Output: An **approved investigation report** with clear recommendations.

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?

7) Complaint Resolution and Closure

After the investigation, the findings and recommendations are implemented, and the closure of the complaint. The resolution may involve compensation, service restoration, or corrective actions by the service provider.

Key Tasks:

- **Notifying the Complainant:** The complainant is informed of the outcome in writing, with details on how the issue has been resolved.
- **Action by Service Provider:** The service provider implements any corrective actions or compensation as recommended.
- **Case Closure:** Once the resolution is complete, the case is closed in the complaint management system.
- **Appeals Process:** If the complainant is not satisfied, they may be offered the option to **appeal or escalate** the complaint further.

Output: A **closed case** with all actions documented and the formal report is published under NICTA on-line public register

8) Follow-up and Monitoring

Even after the case is closed, NICTA may conduct follow-up checks to ensure that the resolution has been implemented and that no further issues arise.

Key Tasks:

- **Follow-up with Complainant:** Verify if the consumer is satisfied with the outcome.
- **Service Provider Monitoring:** Ensure that the service provider has implemented any **corrective actions** or improvements.
- **Complaint Trends Analysis:** Review complaint data regularly to identify any systemic issues or trends that require policy changes or additional oversight.
- **Continuous Improvement:** Use feedback from the process to improve complaint handling and ensure better future outcomes.

Output: Continuous monitoring and improvements to service quality and complaint handling processes.

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?

Attachment 1: Consumer Complaints Management Flow Chart



