



27th June 2025

Mr. Polume Lume
Director Economic, Consumer and International Affairs
National Information and Communications Technology Authority
P.O. Box 8444
BOROKO 111
National Capital District
Papua New Guinea

RE: CONSUMER PROTECTION RULE AMENDMENT & CONSUMER COMPLAINTS MANAGEMENT SYSTEM

Dear Mr Lume,

Digitec Communications Limited T/A Vodafone PNG welcomes the opportunity to respond to NICTA's consultations on the Proposed amendments to the Consumer Protection Rule (Amendment) 2025 and the Proposed Guideline for Consumer Complaints Management System that was published on the NICTA website on 16th May 2025. We also Thank NICTA for extending the deadline for both submissions to 27th June 2025.

Vodafone PNG recognises that your intention is to respond to a wide range of consumer-related issues and concerns. Those growing concerns encompass costs, marketing practices, deceptive tactics, fair and equitable treatment, customer privacy, protection from abuse, and effective complaint resolution, among others. As a consequence, NICTA seeks to update and expand the 2014 Rule to address these issues and better protect consumer interests in the ICT sector.

We further note your request for review and comment on the proposed provisions, to propose additions or changes, or otherwise to raise any concerns relating to effective NICTA regulation of consumer interests.

As a general consideration, Vodafone PNG wishes to highlight two principles of effective regulation: (1) regulation should be carefully targeted on problems, and (2) regulations should be proportionate so as to deliver benefits that outweigh costs.

- **Targeting of regulations:** Vodafone PNG notes that NICTA has identified a number of consumer issues that are squarely within the remit of mobile service providers including Vodafone. However, other issues raised relate to the use of content services over Vodafone's network. NICTA will need to carefully consider the appropriateness of regulations that place obligations on network services suppliers relating to consumers' use of content services, and, generally, our view is that network services suppliers should not be held responsible for use of content.
- **Cost-benefit analysis:** Vodafone PNG encourages NICTA to carefully consider the costs and benefits of each of its proposals. Ensuring that consumer protection regulations undergo a rigorous cost-benefit assessment is crucial to achieving meaningful outcomes for both consumers and service providers. Without careful analysis, there is a risk that regulations may impose significant compliance costs on service providers while delivering minimal or even illusory benefits to consumers, such as when rules rely on consumer actions that may not occur in practice. Ineffective or poorly targeted regulations can not only fail to protect consumers but also create opportunity costs by crowding out the adoption of more effective measures.



NICTA has highlighted issues under 10 categories or headings, and Vodafone PNG will respond to each as necessary under separate sub-headings.

1. Informed Consumer Choice

Provisions	Comments
3.1.1 Information to be Provided by the Telecommunications Service Providers to Retail Customers, including clear and accurate information, and provision of usage data including an itemized 6-month usage history.	<p>Vodafone PNG notes that:</p> <ul style="list-style-type: none">- Most information is provided to consumers via its website, where all information is readily available and updated on a timely basis.- Postpaid customers get an itemized bill every month.- Prepaid customers can obtain information on their transaction history on the My Vodafone App and can request some further details already from Vodafone.- Further Vodafone Prepaid Customer get an After Call Notification after Voice call to indicate the minutes and charges incurred. Threshold notification Alerts are sent out for Data Balance remaining. <p>With respect to the six months of itemized transaction history, Vodafone believes that it would be far more practical and cost effective to provide one (1) month's data usage information. Vodafone notes that with increased reporting and services, costs will naturally go up and be passed onto consumers. In the absence of a clear benefits case for the additional data, Vodafone does not consider the benefits would outweigh such costs.</p>
3.1.1 Critical information summary	<p>Vodafone PNG notes that it already provides a significant amount of information to consumers via its Website, USSD and My Vodafone App. It does not object to the provision of a "Critical Information Summary" to be provided to all customers. This should ideally be provided online and through posters, flyers etc in store.</p>
3.1.2 Protection from fraud, deceptive advertising, inappropriate sales techniques	<p>Vodafone PNG does not generally object to the provisions but notes that:</p> <ul style="list-style-type: none">- Prepay customers will lose access to service plans if the SIM card expires and there is no recharge or topup before expiry. This should provide an exception to the general protection proposed against service deactivation.- Vodafone PNG does not consider that there should be a requirement for a mandatory inclusion of price per MB of data in advertisements. The reason is that it is complex particularly due to the widespread use of bundled voice/data plans. It would be possible to provide an online tool for customers to calculate an estimated of the price per MB. Vodafone PNG considers that most customers would already know how much data is included in the plan as per the subscription chosen via USSD or My Vodafone App.



<p>3.1.4 Customer's right to access detailed information about billing and usage, including:</p> <ul style="list-style-type: none">• Data Usage Alerts and Notifications• Detailed Bill Breakdown• Credit and Debt Management	<p>Vodafone PNG does not agree that it should be required to offer spend management tools, including offline options.</p> <p>Vodafone PNG accepts that consumers may benefit from such information but this is better handled by Independent consumer protection agencies. Operators can suggest plans/propositions based on user requirements, which is the current practice.</p> <p>With respect to detailed bills, this is provided for post-paid services but bills for pre-paid services itemized bills are not provided, however usage and balance details are available. Detailed and itemized bills can be provided if required subject to a further charge (other than what is provided on the My Vodafone App). This is a typical arrangement for mobile operators in other jurisdictions.</p>
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2. Fair and Reasonable Pricing

Provisions	Vodafone Comments
8.1 Publicly available tariff plans	<p>Vodafone PNG publishes all of its standard or 'above the line' tariff plans.</p> <p>Vodafone PNG does offer some customised below the line plans to larger corporate customers, which should be exempted from such tariff filing to promote competition through discounting.</p>

3. Regulation of Mobile Data

Provisions	Vodafone Comments
4.2.1 Fair mobile data practices	<p>Vodafone PNG offers options to manage data usage and costs, through the My Vodafone App. Alerts are provided when usage has reached 80% of the limit.</p> <p>Vodafone's outside bundle rate for Data is the most affordable in the PNG market. This can be validated through independent studies of data pricing in the market and customers are well aware of how this works.</p>

4. Roaming, Switching Providers, and Portability

Provisions	Vodafone Comments
4.3.1 Roaming rules	<p>Generally speaking roaming arrangements are agreed at a wholesale level between carriers, so that it is difficult to provide customers with control other than directly via the handset. Billing for certain services is not real time and hence it is not possible to provide real time usage and balance information. This is a global practice.</p> <p>Vodafone PNG provides Roaming plans that are based on quotas allocated to avoid Bill shock. Customers should be fully aware of their Voice, SMS & Data allowance upon subscription to a roaming limit and can view usage and balance information on the App (for services which are real time). Vodafone provides clarity on how to subscribe to Roaming</p>



	<p>Plans. Roaming is not charged unless prior consent to subscribe is obtained and so customers would normally be aware of usage criteria.</p> <p>Vodafone PNG suggests that provision of information as to how roaming works, including notifications and control using the phone's operating system, can and should be provided by providers on its website and through account managers for Business customers and Customer Care for Prepay customers.</p>
4.3.2 Mobile number and data portability	<p>While Vodafone PNG would be very pleased with the introduction of MNP, Vodafone notes that this has not been progressed and so it is not possible to comply with such rules. NICTA has run public consultations on MNP and the Industry awaits the outcome and way forward.</p> <p>NICTA should also be aware that termination penalties are a standard practice where they result from early termination of a contract for service and Vodafone PNG has incurred upfront costs which are recovered over the life of the contract. This is also a standard global practice. Customers always have an option to sign up on a non-contractual plan.</p>

5. Equitable Access and Treatment

Provisions	Vodafone Comments
4.4.1-4.4.3 Disable, vulnerable customer support and equal treatment of customers	<p>Vodafone PNG understands NICTA's desire to provide for equal treatment of customers, including for those that are vulnerable or disabled.</p> <p>However, there are certain limits as to what Vodafone can achieve in a cost effective manner. In particular, Vodafone notes that rules relating to provision of services to all regions including remote and underserved areas is contingent on other Government policies such as the release of low-band (900MHz) spectrum which Vodafone has sought to efficiently expand its coverage.</p>

6. Service Disruptions

Provisions	Vodafone Comments
4.5.1 Services disruptions and downtime notification	<p>Vodafone PNG considers that:</p> <ul style="list-style-type: none">- It reasonable to introduce rules regarding notifications on known service disruptions. Vodafone keeps its customers in the impacted areas informed through SMS blasts and Social Media channels enabled for Customer Interaction and Awareness.- Any requirements regarding compensation should be closely targeted to situations where Vodafone is the cause of the service disruption and provide for exceptions where the cause is not within Vodafone's control. Vodafone notes that it is dependent on other service providers to provide service continuity (e.g. DataCo) including continuity of electricity supply. It is also unclear what arrangements should apply when Vodafone's equipment is the subject of vandalism.



	An example of the challenges in delivering service continuity is the ongoing Dataco Terrestrial fiber cuts which come at a significant cost in terms of poor customer experience and revenue loss which is further compounded by the high cost of operating Cell Tower sites in the Highlands and Momase regions.
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7. Protection and Safety

Provisions	Vodafone Comments
4.6.1 Protection and safety, including customer privacy and confidentiality rules	Vodafone PNG has procedures in place to protect personal information. Information on best practices for avoiding unauthorised access to the customer's account via the customer's actions can be shared freely, for example on Vodafone's website or the My Vodafone App. Vodafone should not be held accountable where it has made reasonable attempts to inform consumers about the protection of their own data. Internet data security solutions are available for customers to purchase to protect them from privacy breaches but cannot not guarantee this. NICTA can also participate in providing privacy awareness to customers..
4.6.2 Protection from abuse and mistreatment	Vodafone PNG has no insight into content used to bully or abuse, as it does not control or filter content by users and practices net neutrality by not prioritising or de-prioritising any particular content. It would be advisable for NICTA to work with relevant authorities to strengthen laws to address Cyber Bullying or similar.

8. Use of Artificial Intelligence in Customer Services

Provisions	Vodafone Comments
4.6.3. Data privacy and security in AI systems	Vodafone PNG supplies network services not AI services. Service Providers provide connectivity and do not have control over access to allow customer content to be shared to AI systems on the Internet. Consequently, such rules are better directed towards service providers (OTT or hyper-scalers). Customer interaction with third party applications is beyond Vodafone's control and it cannot be held responsible for data use by AI systems.
4.6.4 Rules regarding use of AI in customer services	Vodafone PNG is considering use of AI and agrees that it is reasonable to provide some protections relating to the use of AI in customer service functions, although there should be a clear case that there are particular problems that have emerged or would be likely to emerge with greater use of AI. Vodafone agrees that AI systems are used, we will adopt industry best practices and all information on how AI is used should be clearly available on its website and/or App. Vodafone is willing to work with NICTA to ensure that the platforms do not pose privacy issues and so that customers will be aware of the pros and cons of the AI platform being made available.



9. Complaint and Redress

Provisions	Vodafone Comments
4.8 Complaint and redress	<p>Vodafone PNG confirms that it would be in compliance with the proposed Rules.</p> <p>Vodafone notes that, while complaints are inevitable, Vodafone takes its customer service obligations seriously and is a core part of its competitive differentiation to other suppliers. For example, Vodafone provides a 24 x 7 Call Center that has agents able to assist customers. Our customer care supports communications in English and the top 2 Local Languages (Tok Pisin & Hiri Motu).</p> <p>NICTA also asks about its role in addressing complaints. In Vodafone's view, NICTA's role should be to look into those customer complaints that are referred to it by the ICCC. The ICCC is the state body that is responsible for handling Consumer Complaints and Enquiries. NICTA also has a possible role in policy making that guides the work ICCC do if there are complaints related to a NICTA licensed service provider.</p>

10. Compliance

Provisions	Vodafone Comments
5.2 Compliance	<p>Vodafone PNG understands the need to ensure compliance with the proposed regulations. However, Vodafone also considers that it is important for service providers to be able to address conduct prior to the issue of sanctions including fines. We take customer complaints very seriously as we see this as an opportunity to drive continuous excellence. Fines are appropriately limited to serious or unaddressed poor conduct.</p>

Proposed Guidelines for Consumer Complaints Management System

Whilst we welcome the initiative taken by NICTA to amend the Consumer Protection Rule, there are some pertinent points to address in the Consumer Protection Rules before the Consumer Complaints Management System can be reviewed to avoid any duplicated efforts.

Further as mentioned on Page 10 of the Consultation Paper, the Draft Complaints Management System Consumer Guidelines isn't provided or available for review and comments. We request that the focus be first on the Draft Guideline review prior to reviewing the "Complaint Handling Process Flow".

Vodafone PNG has reviewed the "Complaint Handling Process Flow" however needs more context of the Guidelines and how this might apply for Postpay & Prepay Customers.

Finally, Vodafone PNG has raised several points in this submission in relation to Consumer Protection Rule and Complaints Management System and looks forward to discussing with NICTA at a future date.

For any queries to Vodafone regarding this submission, please contact, Mr. Ateen Kumar through email on ateen.kumar@vodafone.com.pg or cell phone (675) 81100008.

Yours sincerely




Pradeep Lal
Regional Chief Executive Officer