

Resolving complaints relating to Telecoms in the UAE

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Consumers will sometimes have issues with their telecommunications provider and may consider filing a complaint.

Such issues may relate to, for example, a consumer being charged for a service/product the consumer did not purchase. Often these consumers are not sure of the process for making such a complaint. In this article, we outline the procedure for the making, processing and resolving of a consumer dispute in regard to a UAE licensed telecom service provider.

The Telecommunications Regulatory Authority (“TRA”) is the UAE’s federal regulatory body for the telecommunications industry. The TRA’s Consumer Protection Regulations (“TRA’s Regulations”), which were amended in January 2017, set out the process for consumer complaints and disputes. Under the TRA’s Regulations, the TRA has a broad range of powers and scope to provide suitable remedies for consumers.

The first point for filing a complaint is with your licensed telecommunications service provider itself. Telecommunications service providers are legally required, under the TRA’s Regulations, to maintain procedures to handle consumer complaints and to provide consumers with information regarding the complaint process. Where possible, telecommunications service providers are supposed to resolve a consumer complaint at the point of first contact, so a consumer who is dissatisfied with the telecommunications services that have been provided, should in the first instance, raise the matter directly with the relevant telecommunications service provider in accordance with its Consumer Complaints procedure.

In the event that the telecommunications service provider fails to resolve the matter to the consumer’s satisfaction, the matter can be escalated through the TRA’s Consumer Dispute procedure. The TRA will generally handle consumer disputes only after the complaint has been handled by the relevant telecom provider and within a three month period of the last handling by that telecoms provider. Despite this, the TRA’s Regulations provide that the TRA does have the discretion to accept any consumer dispute at any time.

Lodging a dispute with the TRA

The person submitting the dispute must provide the following information and documents to the TRA:

- the consumer’s name, address and contact details (phone number and email);
- the telecommunications service provider’s complaint reference number and the consumer’s account number;
- copies of personal ID documents – UAE ID card or passport;
- a written description of the dispute;
- copies of all correspondence with the telecom provider; and
- written authorisation or power of attorney, if the person submitting the complaint is not the consumer/ account holder.

The TRA will assess the dispute and if it considers the submission to be complete and appropriate, the TRA will correspond directly with the relevant telecommunications service provider on behalf of the consumer. It is important to note that the TRA will reject disputes which it considers to be incomplete, frivolous, capricious or simply designed to damage the interests and reputation of the telecommunications service provider.

The TRA will advise the telecommunications service provider of the dispute and the telecommunications service provider is required to respond to the TRA within three business days.

Review and acceptance of the dispute

The TRA will conduct an initial assessment of the dispute, particularly with a view to verifying that the dispute is genuine and the submission is complete.

If the TRA decides not to accept the dispute, the consumer will be notified immediately and the case will be closed.

Correspondence with the Telecom Provider

The TRA will submit a copy of the dispute to the telecommunications service provider, together with any instructions or questions that the TRA may choose to raise.

The TRA will set a deadline for the telecommunications service provider to investigate and respond to the dispute. The telecommunications service provider shall use its best endeavours to close the dispute by the set deadline, however it can make a written request for an extension if required.

Review of the Telecom provider's response

The TRA will carefully review the telecommunications service provider's response to the dispute and, if the TRA is not satisfied with this response, the TRA will provide further instructions to the telecommunications service provider.

Once the TRA is satisfied with the response and actions to be taken by the telecommunications service provider, the TRA will inform the consumer of the outcome and if the consumer is satisfied, the case will be closed.

If the consumer is not satisfied with the outcome, the TRA may reopen the case and submit further instructions to the telecommunications service provider.

The TRA's Regulations also require that during the course of the procedure, the TRA will use its best endeavours to keep consumers informed about the status of their complaints. Under the TRA's Regulations, the TRA has the authority to resolve disputes and order any remedies accordingly. At any stage during the course of the handling of a consumer dispute by the TRA or at the conclusion of the TRA's handling of the consumer dispute, the TRA may direct the telecommunications service provider to undertake any remedy it considers to be reasonable and appropriate.

The TRA's Consumer Dispute Procedure is an efficient and clear-cut process that can be a great relief for consumers in situations where they are unable to resolve disputes directly with their telecommunications service provider. The take away point is that, when considering filing a complaint, it is important to remember that your telecommunications service provider should be the first point of contact. Telecommunications service providers are responsible for ensuring that all consumer complaints are handled efficiently. If your telecommunications service provider is unable to resolve the issue then the matter may be escalated to the TRA. Ultimately, quality of service is high on the agenda and the TRA is taking a much more active role in bringing telecommunications service providers together and finding solutions for consumers with a view to increasing consumer

satisfaction.

Al Tamimi & Company's Technology, Media & Telecommunications team regularly advises on telecommunications related issues including consumer complaints and disputes relating to telecommunication services. For further information about these matters, please contact Nick O'Connell (n.oconnell@tamimi.com) or Amna Qureshi (a.qureshi@tamimi.com).