

Consumer Protection in Croatia

**Croatian Post and Electronic
Communications Agency
- HAKOM -**

Budva, 5th of February, 2010

Legal Basis, Regulatory Principles and Objectives

- **Legal basis**

- **Electronic Communications Act – ECA** (July, 2008.)
- **Ordinance** on the manner and conditions for the provision of electronic communications networks and services and standards for the quality of electronic communications networks and services (Art. 34, ECA). An integral part of the Ordinance is also the Rules of Procedure, the document for operators of the added value services – as an additional measure for consumer protection
- **Ordinance** on HAKOM's internal organisational unit for the protection of the rights of users of services (Art. 51, ECA) with Ordinance on the functioning of the internal organisational unit for the protection of the rights of users of services (Art. 51, ECA)

- **Regulatory principles and objectives**

- **The Agency promotes the interests of users of services especially in the following ways:**
 - access to the universal services for all users;
 - a simple and accessible process of solving disputes between users and service operators;
 - clear and transparent information on prices and terms of use of the available public electronic communications services;
 - protection of personal data and privacy;
 - meeting the needs of special social groups, especially users with disabilities;
 - maintaining the integrity and security of public communication networks.

Achievements Related to Transparency and Prevention

- **Preventive activities for the protection of users:**
 - public announcement and control of the operators general terms that have to be made in accordance with the Act and Ordinances;
 - public announcement and control of retail prices and tariffs;
 - research and control of the services provided on the market with an active supervision over the operators, on the basis of the request, or ex officio;
 - provision of information to the users through the telephone service, the HAKOM's Internet web site;
 - participation in the programs of Radio and Television stations dealing with the protection of users on a monthly basis;
 - participation in various activities of other state institutions and association dealing with the protection of users such as Association for Consumer Protection , National Council for Consumer Protection,...
- **Resolution of disputes between subscribers and operators**

based on the opinion of the Commission for the protection of the rights of users in which the Associations for the Consumer Protection have their representatives :

 - handling, administration and processing of cases received in the form of requests for solving disputes between subscribers and operators;
 - issuing opinions that make basis for the dispute resolution by HAKOM;
 - making decisions which oblige operators;
 - providing information and assistance to the subscribers in the process of dispute resolution;
 - enabling users to obtain updated information on the current state of their requests, by phone, or by e-mail.

Specifically Prescribed Operator's Obligation 1 (2)

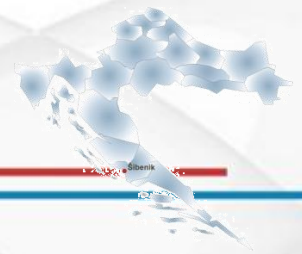
- Prohibition of unfair contract terms
- Free of charge Customer service number during the 24 hours
- Publication of general conditions and pricing system in daily newspapers and instructions for termination of the contract in the case of worse conditions
- Specification of pricing system which ensure the information about the amount of charging
- Return or compensation of unused cash amount
- Outgoing call barring to a specific number or group of numbers, or after the expenditure of the agreed cash limit at the request of customers, regularly informing users about the possibility of prohibiting
- Monitoring subscribers traffic routine and warning when they cross a prescribed limit (2x average consumption of previous 3 months)
- Equalization pre-paid and post-paid users in a way that they were entitled to the same terms and conditions of services, if it is the same type of service and if it is applicable in the case

Specifically Prescribed Operator's Obligation 2 (2)

- Detailed prescribed procedures for the resolution of the complaint of users
 - administrative and technical diligence validity of electronic communications networks and subscriber terminal equipment and access to subscriber lines of unauthorized use of outside subscribers
- Internet service
 - before starting the service user must be provided with written instructions on the need and possibilities for the account protection from an unauthorized use
- Value added services
 - For all services: announcement price and the possibility of termination of calls (2 seconds) before charging;
 - For services that are charged per minute - Announcement and end of a call after 30 minutes or spending the cash limit (250, 00 kn = 35 €)
 - For SMS services - information about the price and termination procedure
 - Numbering for services for adults
- Children protection
 - possibility for barring the access to content that is not intended for children
 - Numbering for services for children
 - Limit cash spending (50.00 kn = 7 €)
- Disabled people
 - provision of equipment and services to be provided



HAKOM



**Thank you
for your attention !**

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