

PRIOR PERMISSION

Service Category: Internet dialler software

Any registered provider that wishes to be involved in the provision of a premium rate service ('PRS') which requires that internet dialler software is delivered to the user's equipment in order to access the service, or any part of it, and fulfils any of the key conditions outlined below, must have prior permission from PhonepayPlus before the service can commence operation. Prior permission will only be granted subject to the application of certain conditions as set out below.

Permission granted under this category of service is specific to named services.

General conditions:

- (i) All provisions of the [PhonepayPlus Code of Practice](#) (the 'Code') (as far as they are applicable) apply to the service.
- (ii) PhonepayPlus may impose such further conditions as it may deem necessary upon reasonable notice.
- (iii) This permission certificate may be immediately revoked by PhonepayPlus at any time if any condition is breached.
- (iv) PhonepayPlus may revoke this permission certificate after giving reasonable notice.
- (v) That all platforms and connections to a Network operator that provide access to the service(s), and any other relevant services provided, are of adequate technical quality-
- (vi) The Level 2 provider must register the applicable premium rate numbers ('PRNs') with PhonepayPlus before the service commences. Once registered, any change to the PRNs must be registered within two working days.
- (vii) If, for any reason, the service fails to commence within six months from the date of this permission certificate; or, having commenced, does not operate for any continuous period of six months – then this permission certificate (in either case) will immediately cease to be in force.

Category-Specific conditions:

- (i) Prior to connection to the premium rate service, prominent pricing information and the premium rate number being used must be displayed on the user's screen.
- (ii) An on-screen clock is displayed throughout the duration of the service showing the cumulative cost.

- (iii) Internet dialler services which provide access to a website must not allow any further access via the service to the World Wide Web until the user has disconnected from the premium rate service.
- (iv) The Network operator is required to retain up to £200,000 of revenue generated from the service for a specific period; such requirement will be imposed at the time of granting the permission.

Please note that, in addition to the conditions set out above, additional conditions may be imposed at the time that the permission is granted.

Please note that it is extremely unlikely that prior permission will be granted for this category of service. Please contact the Executive (compliance@phonepayplus.org.uk) before formally applying.

Who should apply:

The provider contracted to, or having arrangements with, a Network operator in respect of the provision of the service (the 'contracted provider') must apply for the prior permission. The prior permission application must include the following:

- Details of all associated providers involved in the delivery of the service who have a responsibility to be registered with PhonepayPlus;
- A statement listing the provider(s) (i.e. of those that are required to register) that fulfils each of the conditions. (N.B. This must be set out clearly in respect of each service delivery-chain that has associated providers);
- Written confirmation from each of the associated providers that they fulfil the conditions set out against their name in the statement, and that they acknowledge and understand that permission granted to them will be granted in respect of the conditions that they fulfil and that they will therefore be liable under the Code for any failure to meet those conditions.

How to apply:

In the first instance, the contracted provider should email the Executive (compliance@phonepayplus.org.uk). The application must:

- Contain a description of the service;
- Include examples of promotional material for each service;
- Explain how the conditions outlined in this document will be fulfilled, providing the details, statement and confirmation required in the 'Who should apply' section above.

Please note that evidence should be supplied where appropriate or requested.

In the event of an investigation:

In the event of an investigation, PhonepayPlus will target the provider or providers responsible for the conditions of the prior permission certificate which have been breached

and hold them liable under the Code. This may result in the withdrawal of permission from those providers and/or the imposition of sanctions against those providers, where a Tribunal finds that those breaches have occurred.

Upon request, providers will be required to provide evidence of contracts which establish their responsibility for fulfilment of the condition(s).