



**SUMMARY NOTES OF THE 17<sup>th</sup> FEBRUARY 2006 INDUSTRY LIAISON PANEL (ILP)**

**Attendees:**

**Sir Peter North (Chairman)**

**Alan Stone**

**Michael Eagle**

**Martin Ballard**

**Ray Copeland**

**Nicola Robbins**

**Tom Jeffery**

**Robert Dirskovski**

**Rimma Perelmuter**

**Michael Taylor**

**Suzanne Gillies**

**George Kidd**

**Paul Whiteing**

**Chelsea Christensen**

## **1.0 APOLOGIES**

There were no apologies.

## **2.0 NOTES OF THE PREVIOUS MEETING**

This being the first meeting of the ILP there were no notes of the previous meeting.

### **2.1 MATTERS ARISING**

This being the first meeting of the ILP, there were no matters arising.

## **3.0 OPENING WELCOME REMARKS FROM SIR PETER NORTH**

Sir Peter North welcomed the attendees of the new Industry Liaison Panel (ILP).

Sir Peter North also presented to the ILP details of the new Chairman of ICSTIS, Sir Alistair Graham who is due to take office on 1 June 2006.

## **4.0 GOVERNANCE AND HOUSEKEEPING ISSUES**

Sir Peter North kicked off discussion firstly with the issue of Chairmanship. He asked the members how they want to choose the Chairman and how long should the Chairmanship last, in addition, he asked whether the Chairmanship should be on a rotational basis or a permanent/yearly basis.

Sir Peter North stated that the Chairmanship should be held by one of the industry members of ILP rather than by himself or Sir Alistair Graham as ICSTIS would like the forum to be led by the industry members, not by ICSTIS as was the case for INOC. This was also consistent with industry comments to the Governance Consultation.

ILP members AGREED that a regular chair would provide continuity between meetings and they AGREED that one chairmanship for a duration of four meetings appeared to be the right length of service. It was AGREED that Alan Stone will be the Chairman of the ILP for a period of one year commencing at the second meeting and that the new Chairman would be appointed in time for the sixth meeting of the ILP.

## **5.0 ASSOCIATE MEMBERS OF THE ILP AS PER THE TERMS OF REFERENCE**

There was a wide-ranging discussion about potential associate members of the ILP.

It was AGREED that the position of BT ought to be formalised through the terms of reference and clarity given as to the reason for their membership of ILP. Thus, it was REQUESTED that the Terms of Reference be re-drafted alongside any other changes from ILP members in order to have formal agreement at the next ILP.

**(Action: Paul Whiteing/ILP Members)**

Alan Stone queried as to whether or not an individual(s) could be invited to attend the ILP from the Ofcom Consumer Panel on an ad-hoc basis as a means of providing consumer input to the ILP. Sir Peter North stated that ICSTIS will obtain the view of the Chairman of the Ofcom Consumer Panel on this issue and whether or not she would allow one of her colleagues to join the ILP.

**(Action: Paul Whiteing)**

Sir Peter North requested the ILP members to provide thoughts to Paul Whiteing of what sectors should be included in the associate member category. Paul Whiteing will then put all the responses into a framework and hold discussions with the ILP in order to identify who will be invited and on what basis.

**(Action: ILP Members/Paul Whiteing)**

## **6.0 FUTURE DATES/TIMES OF ILP MEETINGS**

Sir Peter North stated that ICSTIS was willing to provide its offices for the sitting of the ILP when it was being set-up and thought it would be helpful to do so. It was therefore AGREED that all future meetings would be held at the ICSTIS offices.

Sir Peter North stated that the summary notes of the ILP should be published. It was AGREED that the Chairman of ILP would approve all notes.

Sir Peter North stated that the general view of future meeting dates and times would be for the ILP to meet on a quarterly basis at around 10:30 am with a finishing time of 12:30 pm. There would be ad-hoc meetings as well. Therefore, the next meeting would be in late May.

George Kidd stated that there definitely would need to be an ILP in early September to discuss strategic issues and in early January to discuss the budget and levy.

It was decided that Paul Whiteing would work out the timelines for when the ILP should meet, based on George Kidd's comments, and would provide them to the Chairman for approval.

**(Action: Paul Whiteing/Alan Stone)**

It was also AGREED that the future meetings would not take place on a Monday or Friday and not on days that conferences occur.

## **7.0 ICSTIS' CONSULTATION ON REFUNDS**

Paul Whiteing stated that the closing date of ICSTIS' consultation on refunds was the 6<sup>th</sup> of February 2006. He had received a few responses before the 6<sup>th</sup>, but has received a large number since the closing date. In total, fifteen substantive comments from the industry, network operators, mobile network operators, service providers and local authorities were received.

## **8.0 LATEST NEWS ON THE 11<sup>TH</sup> CODE AND ILP MEMBERS' VIEWS ON HELP NOTES**

Paul Whiteing stated that ICSTIS is currently in dialogue with Ofcom. In order to proceed with the Code, Ofcom need to be content with its detail before they issue their consultation. In parallel with Ofcom's consultation, the new Code will be lodged with the EU for three months. All being well, the Code will be finalised and issued in September 2006.

Paul Whiteing invited the members of the ILP to provide offline suggestions as to how the Help Notes should be organised, what they should include and how they should be laid out (e.g. by section of the Code, by promotion type or by provision).

**(Action: ILP Members)**

## 9.0 AOB

Sir Peter North invited the members of the ILP to raise any AOB items. The following were raised:

*Scope:*

George Kidd stated that ICSTIS' future regulatory scope was something that he and his team were focusing on and that, in six months time, it will be an area that Ofcom will be addressing. The anticipation is to be forward looking with the Committee taking stock in either June or July this year. The scope review will be initiated by looking at new products, new payments and new protections.

*IARN/Brussels*

George Kidd gave an overview of the points of discussion at IARN in November 2005 and the European Commission meeting on Premium Rate Services in February 2006. The main points were:

- The potential effects of the introduction of pan-European premium rate numbering and the implications such services will have on the differing regulatory regimes.
- Discussions about the potential for the regulation of international premium rate services to be based in the 'country of consumption' rather than the 'country of origin'.
- Concerns about mobile access to international premium rate services, fuelled by the complexities in regulation and the great socio-economic differences in all of the countries in which services will be acceptable.
- The composition of premium rate services in the UK and the overall UK market.

It was requested that George Kidd provide a briefing document of the discussions at IARN in Brussels to the ILP members.

**(Action: George Kidd)**

*Budget/Levy*

ICSTIS has requested the networks to provide their financial forecasts for the next year in order to anticipate industry growth and to ensure that businesses can sustain the new levy. These forecasts, along with ICSTIS' assessment of remaining cash benefits from 04/05 will be used to set the new levy. As soon as this is validated, the levy will be set.

*Adjudications*

George Kidd stated that there have been changes to the reporting of adjudications on the ICSTIS website where:

- Headings in the case summaries have been revised to be clearer about the roles played by service providers and information providers.
- In cases where the information provider's role was significant and was addressed as part of the investigation/adjudication process, a more detailed explanation of the parties and their roles is being provided therefore naming both parties under the heading 'Provider(s)'.
- Both parties will be searchable using the current search facility.

These changes will provide the industry with helpful information in its attempts to exercise proper due diligence and will give the media a clearer explanation of events and the roles played by the parties involved.

#### *0871*

Some ILP members expressed concerns about the way ICSTIS had dealt with certain forms of PRS operating on 0871 and other numbers. A number of points of clarification were made. Going forward, it is believed that ILP will be a good forum to discuss such issues.

#### *Flash SMS*

There was a discussion about the acceptability or otherwise of Flash SMS. Sir Peter North reasoned that there may be legitimate uses of Flash SMS and as such it may have longevity as a payment mechanism.

It was questioned as to whether or not other mobile operators are going to take Vodafone's stance by not allowing Flash SMS services to operate on their networks. It was requested that the MDA investigate.

**(Action: Martin Ballard)**

#### *ICSTIS Membership of the ILP*

Alan Stone supported by the other ILP members REQUESTED that the Committee Members from Industry should join the ILP on a rotational basis.

**(Action: Paul Whiteing)**

#### **Live Services**

The issue of who the service provider is when mobile aggregators become involved with live services was noted and ICSTIS AGREED to take the matter away and consider further.

**(Action: George Kidd)**

#### *0871 Diallers*

Paul Whiteing stated that ICSTIS awaits an outcome from Ofcom on their consultation on revising the CPRS Condition to see what action may be taken on diallers using 0871 and other prefixes.