

From: "Paul Gardiner"

To: uem@citb.gov.hk

cc:

Subject: Consultation on Unsolicited telephone calls

01/03/2006 07:23 AM

Dear Sir / Madam,

While in principle I support the idea of an "opt-out" registry for consumers such as myself who do not wish to receive unsolicited marketing calls or faxes - many of which are robotic and in Cantonese - I have the following comments:

1. the proposed legislation must be tougher and more in line with the US model
2. it must contain provision for "offshore" call centres dialing in to Hong Kong
3. it must contain provision to allow consumers to identify offenders and report them.
4. it must contain penalties sufficient to deter repeat offenders

Under #2 and #3 above, I support the idea put forward by others that all telemarketing operations must be required to openly broadcast their telephone identification, ie: "blocking" or concealing their numbers on faxes and telephones must be strictly prohibited. For offshore concerns, the onus should be put on local service providers to ensure that such calls passing over their networks are "unblocked" or otherwise stop such calls from passing over their networks. This will allow consumers to identify unsolicited callers.

Under #2, repeat offenders who are based offshore should be placed on a "blacklist" of telemarketing operations which are then denied access to the Hong Kong network. Again, the onus should be on the local network service providers to screen out such calls. This is entirely reasonable as we, the consumers, pay the service provider for the network access. Correspondingly, it is the network service provider's responsibility to ensure we are not disturbed by nuisance calls or faxes.

Under #4, penalties should be based on a fixed, substantial fine, for each offence. Ie: not for generally breaching the proposed legislation, but a fine of up to \$10,000 for each complaint received. This is more in line with the US model and I consider it the only way in which telemarketing operations can seriously be deterred from continuing their current nuisance activities.

For your information, nuisance calls add about 50% to my mobile phone bill when I am traveling, which is 50% of my time. Consequently these calls are costing me a substantial amount of money and inconvenience.

Yours faithfully,  
Paul Gardiner