

**Administrative Decision issued this 29<sup>th</sup> day of October, 2015 by the Director General (Consumer Affairs) according to the Consumer Affairs Act (Chapter 378 of the Laws of Malta) with regard to GO Plc C 22334**

**PRELIMINARY**

The Director General (Consumer Affairs) hereinafter referred to as the DG:

has taken cognisance of the administrative proceedings instituted on the 31<sup>st</sup> August, 2015, with regard to GO Plc C 22334 (hereinafter referred to as GO) by means of the relative Notices issued according to the Consumer Affairs Act (Chapter 378 of the Laws of Malta) (hereinafter referred to as the Act), by means of which the Director General notified GO that the DG had initiated investigations in respect of the charges imposed on consumers by GO, for paper bills and on methods of payment not being by direct debit, and relative to the provision of services by GO.

**LEGAL BASIS**

The said charges imposed on consumers have been analysed by the DG in the light of:

- a) Articles 51B (2) (a) and (b); 51C (b) (iv); 51D (1) and (3) (c) and (d) of the Act;
- b) Articles 44 (1) and 45 (1) (a), (1) (d) and (2) (c) (i) of the Act;
- c) regulation 21 of the Consumer Rights Regulations - Subsidiary Legislation (S.L.) 378.17.

**CONSIDERATIONS**

The DG has considered the meeting called by the DG on the 25<sup>th</sup> August, 2014 held with the telecommunications service providers including GO, the letter issued by the DG on the 29<sup>th</sup> August, 2014, and GO's reply of the 30<sup>th</sup> September, 2014 and the need to follow-up such reply by means of this

investigation and the administrative proceedings that have indicated a breach of the above-mentioned legal provisions.

### **VOLUNTARY COMPLIANCE**

GO has indicated willingness to comply voluntarily in line with article 100 of the Act by:

removing all the charges in relation to payment mechanisms and ensuring the implementation thereof including by changes in the billing structure to remove any present reference to charges in connection with non-direct debit mandate payment mechanisms and informing consumers accordingly by the bill run in December, 2015;

including clear, identifiable and prominent information, within thirty (30) days from today with respect to the application of charges in connection with printed bills in all advertising media and commercial communications containing a direct reference to product pricing, with the exception of those aired on radio considering the limitations thereof.

### **CONCLUSION**

Therefore the DG hereby decides that GO is to abide by the said voluntary compliance by not later than the first week of December, 2015.

  
Josephine Borg (Ms) DPA  
Director General (Consumer Affairs)

Notification: GO Plc C 22334  
Fra Diegu Street,  
Marsa MRS 1501.