



Su Jinsheng

- Director General of Telecommunications Administration Bureau of MII, P.R. China
- Deputy Director General of Telecommunications Science and Technology Committee of MII
- Deputy Chairman of Internet Society of China
- Managing Director of the Council of China Communication Institute

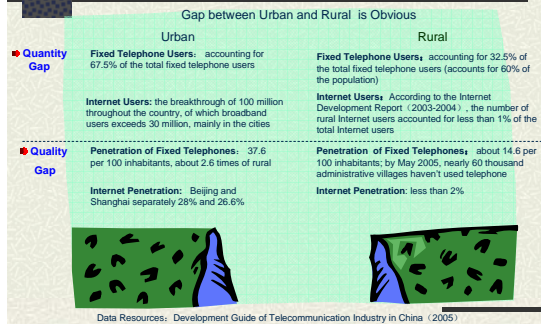
Telecommunication Universal Service & Consumer Rights Protection in China

Su Jinsheng
 Director General of Telecommunications Administration Bureau of MII, P.R. China
 August 2005

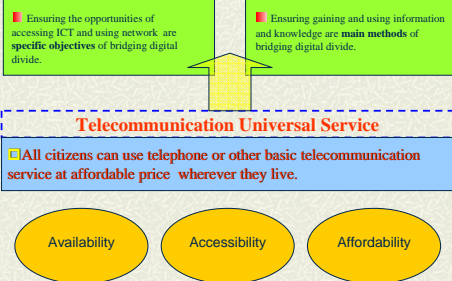
Content Outline

- Harmonious Development & Active Promotion of Rural Communications and Universal Service
- Human-Oriented & Total Guarantee of Consumer's Legal Rights

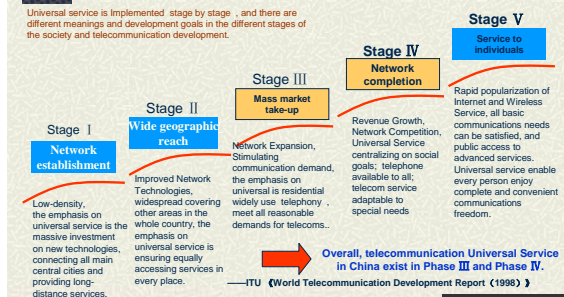
1.1 Digital Divide of Telecommunication Service in China

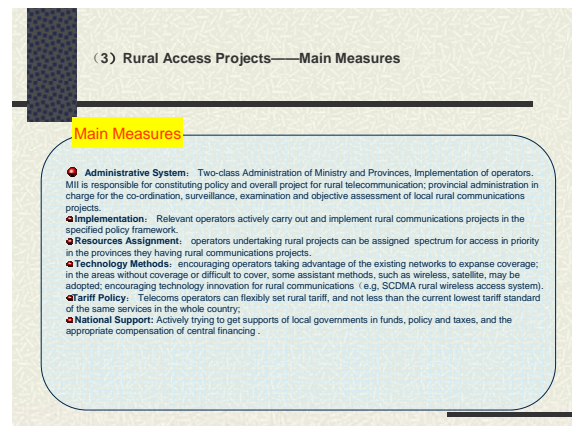
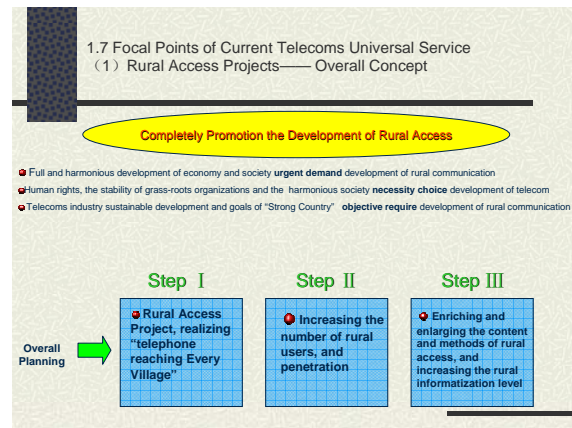
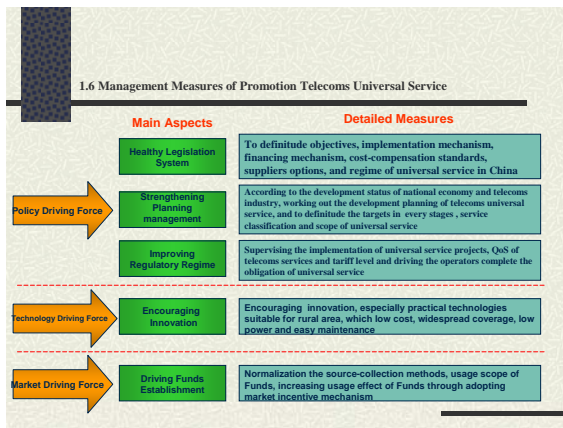
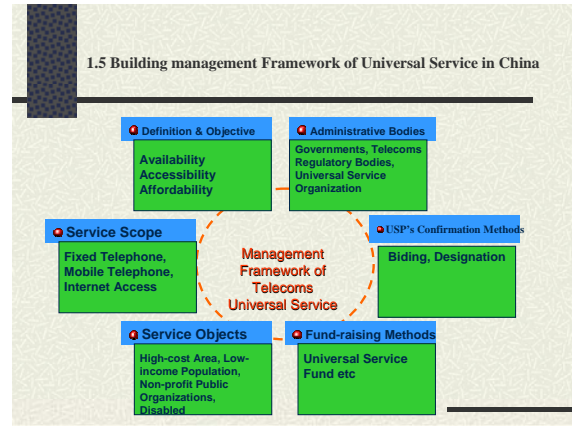
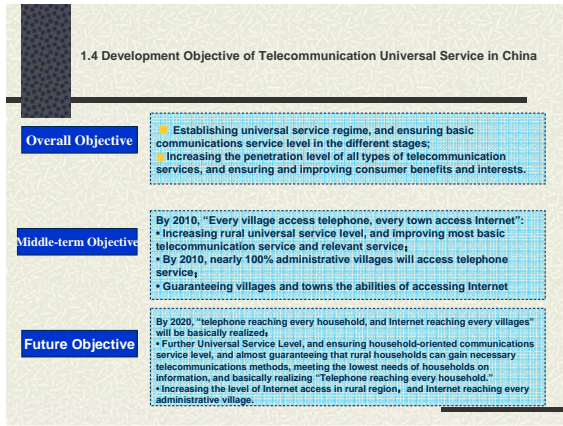


1.2 Telecommunication Universal Service—Key to Bridging the Digital Divide between Urban and Rural in our Country



1.3 Stages of Universal Service in China





(4) Rural Access Project— Progress

Accomplishment Status

Since rural access projects started up in the beginning of 2004, 19,609 projects of non-communications villages have been achieved in China by July 2005, accounting for 52% of the total objective; rural communications rate of administrative villages in China reached 92.3%, increasing by 3.1 cent point compared with the end of 2003 (before the rural access projects roll-out).

Thoroughly Development

System construction should be considered in both short and long term, possessed scalability in capacity and operation;
 Strengthening the network maintenance, and guaranteeing stable operation and the quality of services;
 Taking measures suited to local conditions, and providing local services and promoting rural informatization

II. Protection of Consumers Right—Necessary Requirement of the Development of the Society and Industry



Society Development Layer

- Objective Requirements of Market Economic Development and Social Progress
- Important Content of Full Harmonious and Sustainable Development
- Human-oriented, the Vivid Example of Building Harmonious Society

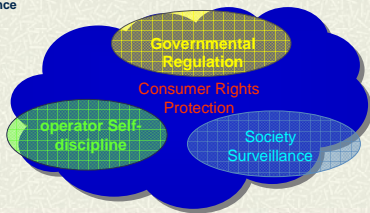
Telecoms Development Layer

- Essential Requirements of Telecoms Service Industry and Basic Demand of Users (base, radiation and universality)
- Core Elements of Survival and Development of Telecoms Operators
- Cut-in Point and Focal Point of Governmental Regulatory Work



2.1 Protection Mechanism of Consumer Rights

Well-improved legislation, strict execution of the law, establishing user-oriented efficient society supervising network, monitoring, urging and guiding operators consciously improve service, forming regulatory framework of governmental regulation connected with industry self-discipline and society surveillance



(1) Governmental Regulation

Industry regulatory bodies establish and improve fair market competitive mechanism through using legal, economic and necessary administrative methods, and setting up good platform to guarantee consumer rights and enhancing the surveillance of the society.

Well-improved System

Law of the People's Republic of China on Protecting Consumers' Rights and Interests, Telecommunication Regulation of P.R. China, Telecommunication Service Rule

Regulate the market order

Market entry and exit, Handset testing, Network Security, Interconnection and Pricing Adjustment etc

Prohibiting tortious Behavior

Carrying out specifically punishing on focal point problems, strictly beating the activities of damaging consumer rights

(2) Enterprise Self-discipline

Enterprises are the main providers of telecoms service, spontaneous service-improvement of enterprises is the core driving force. Governmental bodies will push enterprises always improve the quality of service, and ensure consumer rights.

Normalization Operation

Subject to the laws and rules, carrying out operation, and guaranteeing consumer legal rights (basic rights protection)

Improving Services

Improving the service quality, and enhancing management, and providing high quality service for users (in-depth rights protection)

Accepting Surveillance

Consciously accepting the surveillance of the society, and promoting the improvement of all aspects (full rights protection)

(3) Society Surveillance

Establishing effective society surveillance network, including media agency, Consumers' Association, experts etc.

User

'12300' complaint hot-line, and '12315' consumer hot-line and user service hot-line of operators

Media

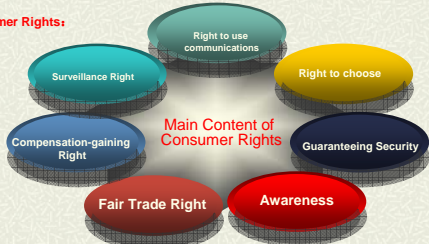
Newspaper, TV and Internet etc

Relevant Bodies & Associations

Industrial and Commercial Departments, Consumer Association, Telecoms User Committee, Communications Enterprise Association

2.2 Consumer Rights and Operators' Obligations

Consumer Rights:



Operators' Rights and Obligations:

Accepting Surveillance, Guaranteeing Security, Providing Real Information, Selling at Expressly Marked Price, issuing service bill of documents, guaranteeing the quality, stipulating obligation of service after sale, fair and reasonable articles.....

(1) Emphasis on Protecting Consumer Rights

Using Communications

- Every citizen has the right of gaining information through using communications methods
 - Telecoms Universal Service: Providing mass people the most basic service
 - Emergency Service: 110、119
 - Special Service: 123xx、95/96
 - Other Customized Services: meet special demands of disabled and vulnerable groups

(2) Emphasis on Protecting Consumer Rights

Guaranteeing Security

- Consumers have the right to require operators provide telecoms services with guaranteeing property and individuals security as requested
 - Network Security Guarantee: telecoms equipments conformity testing, and operation & maintenance system about network security
 - Special Communications Guarantee: rapid restoration of the communications infrastructure and facilities after disruption by a threat or attack (e.g. disasters terror , war).
 - Information Security Guarantee: preventing the spread of illegal information related with obscenity and eroticism, and protecting the children
 - Privacy: secrecy of user's personal information and communications contents

(3) Emphasis on Protecting Consumer Rights

Awareness

- Consumers have the right to be aware of the facts of the products or services
 - Telecoms service information: service propagandizing, tariff announcement, consultation, and the quality report of telecommunication services;
 - Service provider information: Annual Examination Bulletin of Operators and Satisfaction Testing & Assessing
 - User Consumption Information: providing telecoms consumption bills and telephone records inquiry

(4) Emphasis on Protecting Consumer Rights

Right to choose

- Consumers have the right to choose the operators providing products or services .
 - Choice services provided by carriers
 - Choice terminal equipments
 - Choice service types
 -

(5) Emphasis on Protecting Consumer Rights

Fair Trade Right

- When buying products or services, consumers have the right to gain fair trade conditions, such as quality guarantee, reasonable price and correct measuring, and have the right to refuse the forced trade activities of operators
 - Marketing: prohibiting non-real propagandizing
 - Buy & Sale and Negotiation: selling at expressly marked price, non-discriminatory trade
 - Contracts: specify service agreements

(6) Emphasis on Protecting Consumer Rights

Gain Compensation

- If consumers have individuals and property damages because of buying and using products or services, they have the legal right of gaining compensation
 - Establishing Healthy System Guarantee: Specifying the scope and standard of compensation
 - Strictly regulating market exit mechanism: telecoms service operators must guarantee users' benefits not be damaged before they exiting the market

(7) Emphasis on Protecting Consumer Rights

Surveillance Right

- Consumers have the right to impeach and accuse the activities damaging consumer's rights and interests
 - Telecommunication Operators: must establish the consumer complaints handling procedures, and answer users within 15 working days after receiving consumer complaints
 - Telecommunication Regulatory Bodies: Establishing the center of consumer complaints handling, handling consumer complaints and hearing the relevant suggestions

Protecting Consumers is just Protecting Ourselves !



Thanks !