



**!!! Telequest – Information !!!**

**Switzerland:**

**Important changes for Premium Rate Services (effective from April 1<sup>st</sup>, 2007)**

**I. Introduction**

The Swiss Parliament decided on March 9<sup>th</sup>, 2007 to put the amended Law on Telecommunications and implementing decrees into force on April 1<sup>st</sup>, 2007. The changes mainly serve for consumer protection.

**II. Premium Rate Services**

Concerning Premium Rate Services on the one hand new provisions were implemented and on the other hand the existing ones were extended:

- Premium Rate Service Providers must have a registered office in Switzerland or in a memberstate of the Lugano-agreement<sup>1</sup>.

So it's ensured that a customer can claim the Premium Rate Service Provider in Switzerland.

From April 1<sup>st</sup>, 2007 0900-, 0901- and 0906-numbers only can be allocated to Providers with a registered or branch office in a memberstate of the Lugano-agreement. Existing Providers from other countries are obliged to prove a registered or branch office in a memberstate until September 30<sup>th</sup>, 2007.

- A Telephone extension can't be disabled just because the customer don't wants to pay the bill for Premium Rate Services. The access to Premium Rate Services could be disabled.
- The Provider disables access to erotic Premium Rate Services for customers under 16 years, if he knows their age.
- Premium Rate Services have to be listed in the bill separately.
- All Premium Rate Services have to be in evidence.
- There are absolute price limits, which mustn't be exceeded from a Premium Rate Service:
  - Maximum 100,-- CHF at the beginning of the call (basic fee);
  - 10,-- CHF per minute;
  - 5,-- CHF per SMS/MMS (SMS-/MMS-subscription services);

<sup>1</sup> Current Memberstates: Belgium, Denmark, Germany, Finland, France, Greece, Ireland, Iceland, Italy, Luxemburg, Netherlands, Norway, Austria, Poland, Portugal, Sweden, Switzerland, Spain und United Kingdom.



- 5,-- CHF per minute (SMS-/MMS-subscription services);
- Altogether the sum of all charges (basic fee, fixed fee and time-dependent charges) per call or registration mustn't exceed 400,-- CHF.
- The existing provisions on announcing of prices stay in force.  
In services which depend on customer's registration and can initiate several individual information the customer has to be informed free and clearly prior activation about
  - a possible basic fee,
  - the price per individual information,
  - the deactivation procedure of the service and
  - the maximum number of individual information per minute.

Additionally in the future such services shouldn't be charged until the customer has received these information and did confirm the acceptance of the offer expressly.

### **III. Arbitration board**

An arbitration board for disagreements between customers and providers of teleservices or Premium Rate Services will be installed.

### **IV. Spam**

Automatic advertisement via teleservice (e-mail, fax, calling machine, sms, mms) only is allowed if the recipient did agree.

Although this information has been compiled with extraordinary diligence, telequest & Internet Solutions GmbH assumes no liability for their up-to-dateness, completeness and correctness. The customer is in spite of handing out this information obligated to gather all necessary information about the legal and regulatory provisions and the Code of Conduct of the particular country himself.