

Talkmobile's Code of Practice for Complaint Handling (Applicable from 9 October 2007)

Nothing in this Code of Practice detracts from your statutory or common law rights, nor does anything form part of any contract between Talkmobile and a customer. The telecommunications services described in this Code are subject to availability and may be modified from time to time. This Code of Practice is published by Talk Mobile Limited (company number 4154716) (referred to as Talkmobile in this document).

1. About Talkmobile

Talkmobile is a mobile business operated by Talk Mobile Limited, part of The Carphone Warehouse Group plc, a European retailer and supplier of telecoms solutions ("CPW"). CPW are based in West London and have offices throughout Europe. In the UK CPW has contact centres in Acton and in Warrington, Preston and over 500 retail outlets. CPW is quoted on the London stock exchange.

2. The Purpose of the Code

The purpose of this Code of Practice is to inform our customers of their relationship with us. It is written for consumers who purchase mobile telecommunication services from us directly.

This code aims to provide:

- Information on how to contact Talkmobile
- Information on some of our main services
- Information on billing and pricing issues
- Information on how to make a complaint
- Contact details for alternative complaint bodies

3. Contact Details

To order any of our services please call the following national rate number:

0870 071 5888

For ALL enquiries, you may contact us by e-mail at the following address:

customerservices@Talkmobile.co.uk

Or write to us at:

Talk Mobile Ltd
PO Box 347
Unit 19
Southampton
SO30 2PZ

Or visit our website at:

www.Talkmobile.co.uk

Contact details of a number of related organisations are given in section 10 of this code.

4. Range of Services

4.1. Making mobile phone calls in the UK

Mobile calls made by Talkmobile customers are carried on the Vodafone network. The Talkmobile network already covers over 99.7% of the UK population.

In areas where high quality outdoor coverage is indicated, it is usually possible to make and receive calls within buildings. However, this is dependent on the construction of the building. All products using radio technology, including Television and car radios, can be affected by local physical conditions that may interfere with radio signals. As with other mobile phone services, reception can be affected in tunnels, dips, cuttings and wooded areas. In some cases, use of your Talkmobile phone will be impaired inside buildings.

Talkmobile customers can make calls to other UK mobile and fixed line phones. Calls to UK mobile phones can be made to other Talkmobile customers or mobile customers using any of the network operators available in the UK.

Talkmobile customers making calls to other UK mobile phones in England, Northern Ireland, Scotland and Wales will be rated as local calls. Talkmobile customers calling Ireland will be rated as international calls.

Talkmobile customers will be charged for the calls and SMS messages that they make. Customers may also be charged to receive SMS or MMS if abroad and certain premium rated MMS or SMS. Where customers have inclusive minutes associated to specific tariffs, these will not be carried over to subsequent months.

4.2 Premium Rate and Number Translation Services

You may find the following information useful in case there is anything you want to know about premium rate (09 numbers) and number translation services (08 numbers).

Premium Rate Services

ICSTIS – the premium rate services regulator

ICSTIS is the industry-funded regulatory body for all premium rate charged telecommunications services. It regulates premium rate services in their entirety -their content, promotion and overall operation - through the ICSTIS code of practice. ICSTIS's role is to prevent consumer harm.

ICSTIS investigates complaints about the promotion and operation of services that involve the use of a telephone connection via a premium rate number. This includes services available on a variety of mediums such as voice (telephone), fax, Internet, mobile phone SMS and interactive TV. The potential content of these services is virtually endless.

ICSTIS regulates any service/promotion that is operating on one of the following number ranges:

- numbers beginning with 090 or 091;
- directory enquiry (DQ) services operating on numbers beginning with 118; and
- reverse-billed SMS (you are charged for the receipt of messages) containing content operating on shortcodes. Shortcodes have 4 or 5 digits and start with either 8, 6 or 2.

ICSTIS has the power to fine companies and bar access to services if their code of practice is breached. ICSTIS can also bar the individual(s) behind a company from running any other premium rate services under any company name on any telephone network for a defined period.

ICSTIS can deal with lesser problems by issuing formal reprimands or ordering companies to come to us for prior approval.

Their service is free to consumers and fully independent.

How to complain to ICSTIS

If you think a particular service falls within ICSTIS's remit, you can submit a complaint to them. There are a variety of ways to submit your complaint but before you do, we recommend that you visit their online [number checking facility](http://www.icstis.org.uk/consumers/ncd) at www.icstis.org.uk/consumers/ncd for instant information about the number in question. After that, please use one of the following methods:

- if you have a hard copy of the promotion in question (i.e. a page from a magazine), please supply your complaint in writing with a copy of the promotion to: ICSTIS, FREEPOST WC5468, London, SE1 2BR
- by using their [online complaint form](http://www.icstis.org.uk) (www.icstis.org.uk)
- by calling our free helpline on 0800 500 212 between the hours of 8.00am and 8.00pm, Monday to Friday.

Information about our PRS tariffs

You will find up-to-date information about the tariffs for calling PRS number from our network on our website at www.Talkmobile.co.uk.

How PRS works

Calls to PRS numbers are typically more expensive than calls to other telephone numbers. Most PRS numbers are operated on the basis of a revenue-sharing arrangement. This means that the bulk of the revenue from calls to such services goes to the service providers who are responsible for the content, product or services provided or who act as resellers or aggregators on behalf of a number of such providers. The service providers are responsible for compliance with the bulk of the obligations imposed by the ICSTIS code of practice mentioned above.

The remainder of the revenue is shared by the consumer's "originating" telephone company and the telephone company that contracts with the service provider and "terminates" the call on behalf of the service provider through the provision of network facilities.

How to bar access to PRS numbers

We offer the facility to bar calls to Premium rate numbers, which will stop any dialling on your line to all UK based 0900-0909 premium numbers. These are the numbers that are currently being used in the Internet scams. If you want to place a premium bar on your line or need to check whether you already have an active bar in place please call our Customer Service Team on 0870 071 5888.

SMS/MMS/WAP services

When you download your favourite tune as a ringtone for your phone or stick a picture of a celebrity on your screen, you are probably using a premium rate text (also called 'SMS' or 'MMS') subscription service.

WAP lets you discover news headlines, sports results, travel updates, entertainment and other useful information, as well as giving you access to downloadable games and ringtones.

You usually access a text download by texting a 5-digit shortcode, like 82828, followed by a word describing the service you're after. This might be VOTE if you're kicking somebody out of the Big Brother House, or JOKE for the latest funnies.

The most likely way you'll be asked to pay is by 'reverse-billed' premium rate. This is where you pay to receive, rather than send, text messages. Services are often advertised on TV, radio, or in magazines offering ringtone or logo downloads or updates on football scores. You will only be charged if you send back instructions to the number advertised. The premium rate service will start sending you your requested message and you'll then get another message or series of messages for more downloads until you tell them to stop. You'll normally pay 25 pence to £1.50 per message received plus your usual network charge.

If you decide you no longer want to receive the messages, simply text STOP to the shortcode you got the service from. This will end the service and stop any more payments being taken from your account or PAYG card.

Disputes regarding PRS numbers on your phone bill

The Office of the Telecommunications Ombudsman (Otel) of which we are a member (please see above) is able to investigate if you have a complaint that we cannot resolve regarding calls to PRS number appearing on your phone bill.

Furthermore, ICSTIS may order a PRS service provider to pay you a refund in the case they have completed an investigation and where it imposes redress as a sanction. If it can be shown that your phone has been used without your permission to call certain types of premium rate service (i.e. live and recorded chat, and live tarot services), ICSTIS may also be able to help you obtain compensation from the PRS service provider.

ICSTIS will also be able to help you identify the service provider who provides the service behind the PRS number on your phone bill. Please visit their website at www.icstis.org.uk.

Number Translation Services

We publish our charges for calls to number translation services (numbers starting with 05 or 08) on our website www.Talkmobile.co.uk and in our price list with the same prominence as our charges for calls to other numbers (including geographic, mobile and international numbers).

Our published charges for calls to number translation services will include variations by time of day, for example, whether the call is made during the day, evening or weekend.

We also make it clear whether any of our special offers, discount schemes or call bundles include calls to number translation services.

Whenever we refer to our call pricing in our marketing material, we include our maximum NTS call prices as well as a clear reference to where on our website and in our published price list you can find a complete set of our charges for calling number translation services.

If you are a new customer who signs up for the Talkmobile service, we include on the relevant correspondence, our maximum NTS call prices as well as a clear reference to where on our website and in our published price list you can find a complete set of our charges for calling number translation services.

4.3. Making mobile phones calls abroad (“Roaming”)

The ability to make international calls when being abroad is subject to status and depends on the arrangements that Talkmobile has with foreign network operators. If Talkmobile customers use their phone abroad, they will be charged for the calls and SMS messages that they receive as well as for those that they make.

Charges incurred using the Roaming service may take longer to be charged than normal charges. When a phone is connected to the Talkmobile network, it may have been programmed so that it may be barred from using overseas networks and from making international calls, MMS or SMS messages or premium rate calls. Talkmobile customers should call Talkmobile customer services on 0870 071 5888 if they want to have their handset unbarred. Overseas networks may be limited in quality and coverage. Access to overseas networks will depend upon the arrangements between the foreign operators and Talkmobile.

4.4. Voicemail

In the interest of other users, the number and duration of messages that can be left on the Talkmobile voicemail service is limited and the confidentiality of messages cannot be guaranteed.

4.5. Mobile Phone Number Allocation

Talkmobile will allocate a telephone number for customers to use on the Network. The number does not belong to the customer and may only be transferred to another service provider in certain circumstances. Further details are available on request from 0870 071 5888.

For more consumer information on mobile services, the Ofcom Consumer Guide is at the following address.

<http://ofcom.org.co.uk/consumeradvice/mobile/>

The contact details for Ofcom are given in section 10 of this Code.

5. Customer Service

Our customer service representatives are able to help with all your queries including products, billing and tariffs at the following times:

Monday – Friday	8am to 8pm
Saturday	9am to 6pm
Sunday & Bank Holidays	10am to 5pm

If you have any service enquiries please call us on: 0870 071 5888.

Alternatively, you may write to our customer service centre at:

Talk Mobile Ltd
PO Box 347
Unit 19
Southampton
SO30 2PZ

Or e-mail us at: customerservices@Talkmobile@cpw.co.uk

Direct Sales

Talkmobile contacts new potential customers by sending direct marketing material to The Carphone Warehouse Group Plc's and selected third party's customers (provided that those customers have consented (where applicable) or not objected to receiving direct marketing material). We also contact new potential customers by asking customers who come into the Carphone Warehouse stores if they are interested in using Talkmobile's services.

Order processing

If you visit one of the Carphone Warehouse stores, you will have the opportunity to speak to one of our sales advisers who will review your mobile telecommunications needs. We will agree your requirements with you and, if the sale is face to face, then supply you with a written agreement together with our terms and conditions. If the sale is over the telephone or over the Internet we will supply you with our terms and conditions and a welcome pack by post. Once we receive your completed order, we will aim to process this as quickly as possible.

The SIM card provided to our customers is activated in store on purchase. If a customer purchased the SIM Card other than in one of our stores, the SIM Card will be inactive. To arrange activation customers must call the Carphone Warehouse Direct Activation line on: 0845 601 0411.

Monday – Friday	8am to 8pm
Saturday	9am to 6pm
Sunday & Bank Holidays	11am to 5pm

Or e-mail us at: connect@cpw.co.uk

For a speedy connection, our customers should have the following information read when they contact us:

- Mobile Phone number
- Date of birth
- Credit card details

Payment

The connection will be normally be activated within 24 hours of receiving a customer's call or email. Once they have been connected, all charges must be paid in accordance with the terms and conditions provided to the customers.

Cancellation

If a customer wishes to cancel his/her Talkmobile service within 7 days of placing their order but before they connect to the service, he/she must call us on 0845 601 0411 for your reference number which will confirm the customer's intention to return the phone. Our contact details and office hours are given above.

A refund for the price of the product will be made provided you return the product (mobile phone, SIM card and/or accessories), undamaged, with proof of purchase, in the original packaging by sending it special delivery to Direct Returns, CPW Logistics Centre, Bilston Road, Wednesbury, West Midlands, WS10 7JN.

Top-ups are non-refundable.

Network Problems

Problems can be reported to our customer services centre on 0870 071 5888 who are available at the following times:

Monday – Friday	8am to 8pm
Saturday	9am to 6pm
Sunday & Bank Holidays	10am to 5pm

Problems can occur on the Talkmobile network or on the telephone used by you or the person you are trying to call. If the problem is reported during normal working hours, we will try to establish the location of the problem. We may request that you carry out some simple checks to help us establish the cause of the problem.

Reconnection

If you are a previous Talkmobile customer and wish to come back to Talkmobile please call us on 0870 071 5888 and we will aim to get you reconnected as soon as possible.

Pricing

We will be pleased to provide you with our prices on request. To obtain pricing information please visit any of the Carphone Warehouse stores or call us on 0870 071 5888.

Disconnection for non-payment

Please call us as soon as possible if you think you may have difficulty in paying any of our charges. If there are special circumstances, we may be able to agree special arrangements with you to prevent disruption of your telephone service.

In the event that charges are not paid we will make reasonable attempts to resolve the matter with you. However, if we are unable to get a satisfactory explanation for the non-payment we may suspend or disconnect your service in accordance with our terms and conditions.

Charging Queries

We take charging accuracy very seriously. If you do not understand or disagree with any charges made, please call us on 0870 071 5888 and we will re-check the charge. If we find a mistake you will be credited accordingly.

Difficulties in Making or receiving calls

If you have difficulty in making a call you should try re-dialling. If you still have difficulty please call us on 0870 071 5888.

If you are not satisfied with the Talkmobile service

We are committed to providing you with the best value mobile telecommunications service in the UK. We understand that faults can occur, and when they do, we want to correct them quickly. We provide a comprehensive complaint handling process to solve your problem as soon as possible. If you wish to make a complaint please call customer services on 0870 071 5888.

When you call us, a customer service adviser will note the details of the problem and will agree a course of action with you. Due to the complex nature of some queries, these may take a little longer to resolve.

If you are not happy with the response you receive you may ask for the matter to be referred to a senior manager for further investigation. To do this, please write to:

Talk Mobile Limited
HLC Team
The Carphone Warehouse Group PLC
1 Portal Way
London
W3 6RS

In the rare event we are unable to resolve your problem we will write to you informing you of the position.

This is sometimes called the 'deadlock' letter. When you receive this letter you have the right to refer your case to the Ombudsman within 6 months. The contact details can be found at in section 10 of this code. The Ombudsman will want to ensure that you have followed this process before contacting him. If this is not evident the Ombudsman is likely to refer the matter back to Fresh Mobile for resolution. You also have the right to refer your case to the Ombudsman if 12 weeks have passed since first making it (whether you have received a deadlock letter or not) and within 9 months after first making it (or within 6 months of receiving the deadlock letter, if sooner).

An application to the Ombudsman does not relieve you from any obligation you may have to pay any amounts not in dispute.

Talkmobile is happy to work with other independent bodies, such as ICSTIS, Citizens Advice Bureaux, Consumer Advice Centres and Trading Standards Departments.

Dispute Resolution

Talkmobile is a member of the Telecommunications Ombudsman scheme, which provides a free, independent, service to help sort out complaints when customers and telecoms companies can't agree. The Office of the Telecommunications Ombudsman, ("Otelo" for short) investigates complaints fairly, listens to both sides of the story and looks at the facts. If the Ombudsman decides your complaint was justified Talkmobile will honour this decision and put things right for you. To find out how the service works and what it covers, please ask for a copy of Otelo's complaints booklet 'Two sides to every story' by phoning 0845 050 1614. The scheme provides a straightforward alternative to legal action.

The Ombudsman can provide you with further details and you will also find information on Otelo's website.

Otelo's contact details are:

Office of the Telecommunications Ombudsman (Otelo)

PO Box 730
Warrington
WA4 6WU

Call : 0845 050 1614 or 01925 430 049

Fax : 01925 430059

E-mail: enquiries@otelo.org.uk

Website: www.otelo.org.uk

6. Your rights and obligations

Data protection

We may collect personal information about you from a number of sources. These may include:

- The customer agreement, i.e. the agreement that you sign when you take a service from Talkmobile. This may include your name, address, other contact details and banking details.
- If you contact us with an enquiry
- From direct marketing organisations
- From other publicly available sources such as the electoral role.

Talkmobile is registered under the Data Protection Act and takes all reasonable steps to ensure that there is no unauthorised access to your personal data.

We may use the personal data that we have to promote Talkmobile's services but these details will not be passed to any other organisations for marketing purposes.

If you tell us, we will include your details in a national directory and/or directory enquiry service. Please call or write to us (please see our website for contact details) if you would like us to do so. There may be a reasonable charge for this service.

In some circumstances we may supply information to organisations such as the police where the law permits us to do this.

We may record phone conversations in order to provide training services or to provide evidence of a transaction.

If you wish to know what personal information Talkmobile holds on you, you can obtain this by writing to us. Please write to the following address:

Data Protection Manager
Legal Department
Talkmobile Ltd
1 Portal Way
London
W3 6RS

If you do not wish to receive unsolicited telemarketing calls, register on line at www.tpsonline.org.uk or call 020 7766 4420.

Terms and Conditions

Talkmobile provides terms and conditions which are available on request from our customer service advisers on 0870 071 5888.

Services for disabled and elderly customers

If you are older or may have a disability and wish to discuss any special telecommunications requirements you may have then please contact our customer service centre at the above address and telephone number or e-mail us at de.customerservices@cpw.co.uk and we will try and accommodate your requirements where possible.

Protection and support of vulnerable groups

Talkmobile is a supplier of mobile telecommunications services to residential customers. We understand that some of our customers may have special needs and so require particular attention. It is our policy to assist any customers who may have difficulty using telephony services whether they have a disability or are from other vulnerable groups. If you would like to take advantage of these services, please contact our customer service centre at the above address and telephone number or e-mail us at de.customerservices@cpw.co.uk.

7. Communication with customer

It is our policy to maintain contact with our customers on a regular basis. We may call you or write to you from time to time to inform you of any new services and to review your current mobile telecommunications requirements. We aim to keep this Code of Practice up to date and you may obtain a copy from our customer service centre on 0870 071 5888.

8. Social Responsibility

Environmental Policy

Talkmobile is committed to the prevention of pollution.

We maintain an environmental management system that is appropriate to the nature, scale and environmental impacts of our activities, products and services. This system ensures that wherever possible:

- all waste is recycled, and where this is not practicable due to either technical or cost constraints, any waste is disposed of in an appropriate manner;
- we use energy efficient processing equipment and tools;
- company vehicles are selected and maintained correctly so as to minimise pollutant emissions;
- we schedule and combine activities in geographical areas to ensure that the effect of transportation of personnel and equipment on the environment is minimised;

- we recycle office stationery and use stationery manufactured from recycled materials wherever practicable;
- we regularly review the environmental impacts of the business, and constantly seek opportunities for continual improvement and prevention of pollution; and
- we provide a framework, comprising a high level management review supplemented by a forum that meets on a regular basis, to set and review environmental objectives and targets.

Malicious Calls

We understand that annoyance and distress that can be caused by malicious calls and take this problem very seriously. If you are receiving malicious calls we would like to provide you with assistance to try to resolve the problem. This may involve working with Talkmobile, the police and other network operators where appropriate. You should be prepared to give evidence if the caller is traced and brought to court. We may also recommend that you change your phone number if you continue to receive such calls.

9. Approval and Review of Code

This code has been approved by the Office of Communications (Ofcom) for the purposes of section 52 of the Communications Act 2003 as far as it relates to handling complaints and resolving disputes. Section 4.2 of the code is included as required under General Condition 14.2 of the Ofcom General Conditions of Entitlement and does not require Ofcom approval. Talkmobile reviews the code annually.

10. Further Information

Office of Communications (Ofcom)

Ofcom Contact Centre
Riverside House
2a Southwark Bridge Road
London
SE1 9HA

Call 0845 456 3000 or 02079813040
Fax 020 7981 3333
Email: contact@ofcom.org.uk
Website : www.ofcom.org.uk

The Independent Committee for the Supervision of Standards of Telephone Information Services (ICSTIS)

Fourth Floor, Clove Building, 4 Maguire Street, London SE1 2NQ
Call 020 7940 7474
<http://www.icstis.org.uk/icstis2002/default.asp>

Office of the Telecommunications Ombudsman (OTELO)

PO Box 730
Warrington
WA4 6WU

Call : 0845 050 1614
Fax : 01925 430059
E-mail: enquiries@otelo.org.uk
Website: www.otelo.org.uk

Telephone Preference Service

If you do not wish to receive unsolicited telemarketing calls, register on line at www.tpsonline.org.uk or call 020 7766 4420.

11. How to obtain a copy of this code

You can obtain a copy of this code from our website (www.Talkmobile.co.uk) or by calling us on 0870 071 5888.