



B I P T

**BELGIAN INSTITUTE FOR POSTAL SERVICES
AND TELECOMMUNICATIONS**

PRESS RELEASE

Scarlet fined by BIPT due to faulty communication about tariff changes

Brussels, 3 November 2016 - On 1 December 2015 Scarlet changed its tariffs. Some prices were lowered, other prices went up and also a few discounts disappeared. Scarlet announced these changes just by speaking of a “simplification” of the tariffs on the second page of the bills. As a consequence Scarlet subscribers were not duly informed in accordance with the Telecom Act. Therefore Scarlet is fined by BIPT.

Scarlet changed its international call rates and national CPS rates on 1 December 2015, by lowering certain prices and increasing other prices or by abolishing discounts. This was announced by merely mentioning on the second page of the bills a “simplification” of the tariffs, granting a right to cancel free of charge up to and including 31 January 2016. By doing so Scarlet violated the Telecom Act for two reasons:

- Scarlet did not give a proper explanation about what would change exactly after 1 December 2015. As a matter of fact, the subscribers concerned were not immediately aware of the fact that actually both tariff reductions and tariff increases were about to take place and that certain discounts would disappear. Moreover, no information was given about the extent of the tariff changes. In other words, the Scarlet subscribers were unable to judge correctly whether they should accept or refuse the new conditions;
- For some subscribers Scarlet had already removed on 1 December 2015 the weblink indicated on the bill, where information was available about the new international rates, i.e. at a time when the right to cancel the contract because of the changes was still valid for 2 months.

After BIPT had communicated its objections to Scarlet, the latter spontaneously offered to send a new communication to all subscribers involved. However, Scarlet’s spontaneous corrective measures proved not to be entirely conclusive, although for a large part of the subscribers they did result in the fact that the violation was limited in time.

Considering the violation of the Telecom Act BIPT orders Scarlet to pay a 15,000 euro fine (this amount is calculated based on a percentage of turnover in the specific markets where the violations took place, in this case the international calls and national calls made by Scarlet’s CPS subscribers). In addition, Scarlet is ordered to make a new announcement to those subscribers who have not been notified by way of the bill in August 2016, in accordance with the Telecom Act in another form than the bill and to grant at the same time a new right to cancel the contract free of charge at least until the end of the month following the new announcement.

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