



BIPT

**BELGIAN INSTITUTE FOR POSTAL SERVICES
AND TELECOMMUNICATIONS**

PRESS RELEASE

BIPT imposes a EUR 250,000 fine on Telenet for neglecting to correctly inform subscribers

Brussels, 29 November 2011 – BIPT imposes a EUR 250,000 fine on Telenet for neglecting to correctly inform subscribers individually of the possibility to cancel their contract without charges in case of changes to the general terms and conditions.

On 1 October 2010 Telenet modified its general terms and conditions. It concerned changes to the conditions of Telenet internet, Telenet television, the leasing of Digibox/Digicorder, fixed telephony of Telenet and Telenet mobile services. BIPT thoroughly analysed the way Telenet notified its subscribers of the changes.

The study of BIPT showed that Telenet had not fulfilled its transparency obligations with regard to its subscribers. More specifically Telenet neglected to correctly inform individually the consumers with a contract of indefinite duration and the business customers with a fixed-term contract of their right to cancel without charges the contract at the latest on the last day of the month following the entry into force of the changes to the general terms and conditions. Telenet only informed subscribers of their right to cancel without charges on its website. The link to this website was indicated in small characters on the back of the bills of Telenet below the part on direct debit, which according to the telecoms act is insufficient.

The changes to the general terms and conditions concern for example: the removal of a compensation right per day of delay in case of non-reestablishment of the telephone service within 2 days, the introduction of an upper limit of EUR 100 for the financial liability of Telenet in fixed telephony or internet contracts or the addition of a right for Telenet to ask for a deposit during a contract for Internet services.

BIPT already informed Telenet on 22 September 2011 that an administrative fine could be imposed. On 12 October 2011 Telenet was heard by BIPT. By decision of 29 November 2011 BIPT now imposes a EUR 250,000 fine on Telenet. The fine must be paid within 60 days of receiving the decision.

Luc Hindryckx, Chairman of the BIPT Council:

“The protection of consumers is one of the priorities of BIPT. The transparency rule on the right to cancel a subscription without charges is important in that context and aims at a double objective. On the one hand its compliance boosts competition because the subscriber has the opportunity to change from operator and on the other hand it protects users against changes to the contract by operators.”

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