



Consumer Complaints Committee Charter

September 20, 2017

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Consumer Complaints Committee Charter Revised (April 10, 2017)

1. Establishment

- 1.1 The Consumer Complaints Committee, also known as "CCC", is a constituent part of the Telecommunications Authority of Trinidad and Tobago ("the Authority") in accordance with Section 18 (1) (q) of the Telecommunications Act Chap: 47:31 (the Act) and functions as a Board Appointed Committee.
- 1.2 The CCC, by virtue of being a constituent part of the Authority established by the Act, has devolved to it the same rights of decision making as the Authority with regard to consumer complaints.

2. Relevant Legislation

- 2.1 The relevant Sections of the Act which were taken into consideration in the framing of the Consumer Complaints Committee Charter are:

Section 3(c):

*“The objects of the Act are to establish conditions for—
promoting and protecting the interests of the public by—*

(i) promoting access to telecommunications services;

(iii) providing for the protection of customers;

(iv) promoting the interests of customers, purchasers and other users in respect of the quality and variety of telecommunications services and equipment supplied”

Section 18(1)(m):

*“Subject to the provisions of this Act, the Authority may exercise such functions and powers as are imposed on it by this Act and in particular
investigate complaints by users, operators of telecommunications networks, providers of telecommunications and broadcasting services or other persons arising out of the operation of a public telecommunications network, or the provision of a telecommunications service or broadcasting service, in respect of rates, billings and services provided generally and to facilitate relief where necessary”*

Section 18(1)(q):

*“Subject to the provisions of this Act, the Authority may exercise such functions and powers as are imposed on it by this Act and in particular—
establish a consumer complaints committee to collect, decide on and report on consumer complaints, such reports to be included in the Authority’s annual report;”*

Section 18(3):

“In the performance of its functions, the Authority shall have regard to the interests of consumers and in particular—

(a) to the quality and reliability of the service provided at the lowest possible cost;

(b) to fair treatment of consumers and service providers similarly situated;

(c) in respect of consumers similarly placed, to non-discrimination in relation to access, pricing and quality of service; and

(d) current national environmental policy.”

Section 17 (1):

No personal liability shall attach to any Personal liability of member for—

(a) any act or omission of the Board; or

(b) anything that was done or permitted in good faith in the course of the operations of the Authority under this Act.

Section 82 (1):

The Authority shall establish a dispute resolution process to be utilized in the event of a complaint or dispute arising between parties in respect of any matter to which section 18(1) (m) or 25(2) (h) applies, or where a negotiated settlement, as required under section 26, cannot be achieved, or in respect of any other matter that the Authority considers appropriate for dispute resolution.

3. Purpose

The Purpose of the CCC is to:

- 3.1 collect, decide on and report on consumer complaints, such reports to be included in the Authority's annual report in accordance with Section 18 (1) (q) of the Act, excluding complaints related to broadcast content.
- 3.2 provide a structured and inclusive approach to the resolution of complaints from consumers of Public Telecommunication and Broadcasting Services.
- 3.3 contribute to the development of quality consumer service in the Telecommunications and Broadcasting Sectors.

4. Composition

4.1 The CCC shall be comprised five persons.

1. An independent Chairman
2. Two members of the Board of Directors of the Authority
3. The Executive Officer of the Division responsible for consumer complaints
4. The Manager of the Department responsible for consumer complaints
5. A Communications Officer of the Authority who shall be Secretary of the Committee (Ex-Officio)

5. Impartiality and Independence of the Members of the CCC

- 5.1 Each member of the CCC shall be impartial and independent in determining matters between concessionaires and consumers.
- 5.2 If a CCC member determines that a matter being heard represents a conflict of interest, that member shall recuse himself/herself and be disqualified from any further participation in the matter.
- 5.3 If two or more members are so disqualified, the Board shall appoint temporary members.

6. Meetings

- 6.1 The CCC shall meet at least every three months or as required
- 6.2 A quorum shall be three persons

7. Advisory Panels

- 7.1 The CCC, through the office of the Chief Executive Officer, may co-opt persons from time to time to assist and advise on matters being deliberated on by the CCC. Such persons may be from within the Authority or be independent experts in various fields.

7.2 Such co-opted persons shall have no voting power and shall serve only in an advisory capacity.

8. Decision-Making

8.1 Any decision of the CCC shall be made by a majority.

9. Submission of Reports

9.1 The CCC shall report annually to the Board regarding the execution of the CCC's duties and responsibilities; any issues encountered and related recommendations.

10. Amendment of Charter

10.1 This Charter shall be amended by approval of a quorum of the CCC.

10.2 Amendments to this Charter shall be submitted to the Board of Directors for ratification.

11. Indemnity of CCC

11.1 The indemnification afforded to the Board and Authority under Section 17:1 of the Act 17. (1) shall apply to the CCC.