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IMDA consults on proposed Telecommunication and Subscription TV Mediation-Adjudication Scheme

The Info-communications Media Development Authority (“**IMDA**”) is conducting a public consultation during the period of 17 January 2018 to 28 February 2018 on the proposed Telecommunication and Subscription TV Mediation-Adjudication Scheme (“**Scheme**”). The Scheme aims to give consumers access to an alternative platform to resolve disputes with their telecommunication and/or media service providers (“**service providers**”) in a fair, affordable, and effective manner, while incentivising faster resolution by the service providers. Such alternative dispute resolution (“**ADR**”) schemes are already common in other countries such as the United Kingdom, Hong Kong, and Australia.

As the Scheme is intended to supplement, not replace the existing complaint channels provided by service providers, consumers are encouraged to approach their service providers first to resolve the dispute before escalating it to the ADR body that is appointed by IMDA to administer the dispute resolution scheme.

Set out below are the key proposed features of the Scheme:

- **Two-stage process of mediation-adjudication:** The Scheme will involve a two-stage process, with mediation as a first phase and then adjudication as the second if necessary. Mediation sessions will be conducted face-to-face while adjudication will be based on document reviews (with no physical meeting). For consumers who consider there to be little prospect of reaching an amicable settlement through mediation, IMDA is considering whether consumers should be provided with the option to go straight to adjudication without going through mediation first.
- **Adjudicated decision only binding if accepted by consumer:** The adjudicated decision will be final and binding on the service provider only if the consumer accepts it. There is no similar requirement that the service provider accept the adjudicated decision for the decision to be final and binding.
- **Eligible customers:** Individual consumers and small business customers who agree to purchase or have purchased telecommunication or subscription TV services from service providers will be eligible for dispute resolution under the Scheme if they meet the following conditions:
 - **Individual consumers:** Individual or residential subscribers who have a direct billing relationship with the service providers either on a recurring or once-off basis for telecommunication or subscription TV services.
 - **Small business customers:** Businesses that employ 10 workers or less, register a revenue of S\$1 million or less in a year, and have a direct billing relationship with the service providers either on a recurring or once-off basis for telecommunication or subscription TV services.

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- **Mandatory participation:** Participation in the Scheme will be mandatory for all telecommunication and subscription TV service providers that have a direct billing relationship with eligible customers for the provision of telecommunication and subscription TV services, given that disputes are likely to arise in such direct contractual relationships.
- **Eligible services:** The Scheme will cover all telecommunication and subscription TV services for which a consumer would enter into service agreements, billing arrangements or incur once-off charges with service providers. These include mobile services, subscription TV services and fibre connection services.
- **Eligible complaint issues:** Save for certain exceptions, the Scheme will cover disputes of all issues in relation to an eligible service provided by a designated / declared service provider that has occurred within the past one year that can be resolved through service recovery efforts, or compensated in kind or monetary terms.
- **Funding of the Scheme:** The Scheme is to be self-sustainable through co-payment by the eligible customer and service provider in the ratio of 10:90 for both mediation and adjudication. Fees for eligible customers are estimated to start from S\$10 and S\$50 for mediation and adjudication respectively.

Reference materials

The press release and public consultation paper are available on the IMDA website www.imda.gov.sg:

- [Press release](#)
- [Consultation paper on “Telecommunication and Subscription TV Mediation-Adjudication Scheme”](#)

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