

A GUIDE TO APPLICATION TO THE CUSTOMER COMPLAINT SETTLEMENT SCHEME FOR THE TELECOMMUNICATIONS INDUSTRY

WHAT IS CCSS?

The “Customer Complaint Settlement Scheme” (CCSS) is a mediation scheme set up by the telecommunications industry to help resolve billing disputes in deadlock between customers and their telecommunications service providers and their customers.

2. The mediation service is provided by an independent service centre (CCSS Centre) set up under the Communications Association of Hong Kong (CAHK), an industry association representing the communications sector in Hong Kong.

3. As a customer, you have the sole discretion to choose whether to use the mediation service under the CCSS. You may first contact the Office of the Communications Authority (OFCA) which will assess the cases against prescribed criteria. OFCA will refer accepted cases to CCSS Centre for follow-up actions.

WHAT TO CONSIDER BEFORE YOU START AN APPLICATION?

4. You should ask yourself the following questions before you make an application for handling of your case under the CCSS:

(a) Am I an eligible applicant?

- You are an eligible applicant if you are an individual using a telecommunications service from a telecommunications service provider participating in the CCSS (CCSS Member) for personal and/or residential use.

(b) Which service providers participate in the CCSS?

- All major telecommunications service providers in Hong Kong participate in the CCSS. The list of the CCSS Members is given at Annex 1.

(c) Does my dispute fall into the scope of billing dispute?

- Billing dispute arises when you, as a customer, disagree with the amount shown on the bill issued by a CCSS Member. Some examples of billing disputes are given below. These examples are for illustration only and are by no means exhaustive.

- a charge for something that is not subscribed to (if the service is charged on a subscription basis) or consumed (if the service is charged on a consumption basis)
- a charge that is not properly identified on the bill
- a charge for an amount that is different from the charge specified under the contract
- a charge entered on a date different from the service commencement or consumption date
- a charge for something that is not accepted on delivery
- a bill with an error in the arithmetic
- a bill failing to show a payment, rebate, or other credit to the customer's account
- a bill in which customers are charged for more than once for the same item

- Not all billing disputes fall under CCSS's purview. For example, a dispute arising from the quality of service, such as low speeds or lack of coverage, or the level of charges explicitly stated in the contract will be outside the scope of the CCSS. Please refer to Annex 2 for the disputes that are outside the scope of the CCSS.

(d) Is my billing dispute eligible for acceptance under the CCSS?

- Billing dispute meeting all of the following conditions is accepted for mediation under the CCSS:

- you are using a telecommunications service from a CCSS Member for personal and/or residential use
 - the amount in dispute is not less than HK\$300
 - you have lodged the complaint within 1 year from occurrence of the dispute with the CCSS Member via the designated channel(s) and a deadlock is reached. A deadlock means a situation either:
 - i. where the CCSS Member has notified you that it could not settle the billing dispute with you, or
 - ii. where more than 6 weeks have passed since you have first complained to the CCSS Member and you consider that it is not possible to settle the dispute with the CCSS Member
 - For deadlock referred to in (i) above, you should apply to the CCSS for mediation service within 4 weeks from notification by the CCSS Member to you in respect of the deadlock
 - For deadlock referred to in (ii) above, you should apply to the CCSS within 3 months from your first lodging of the billing dispute with the CCSS Member through the designated channel(s)
 - A list of the designated channel(s) specified by CCSS Members is set out in Annex 3.
- (e) Do I need to pay for the CCSS?
- For accepted case, you have to pay a **HK\$100** non-refundable service fee for using the mediation service under the CCSS.

(f) Can I afford the time and effort?

- Your cooperation is required to provide all the information needed for processing of the dispute under the CCSS in a timely and efficient manner. The time taken for handling a case depends on a number of factors, including the complexity of the case and the negotiations required between the parties. You should be aware of the need to participate in the process of mediation which will be conducted on phone, electronic means and/or meeting (if needed).

WHAT ARE THE APPLICATION PROCEDURES?

5. You should follow the following steps to apply to the CCSS for using the mediation service:

Step 1: Before making an application to the CCSS

- You must first lodge the complaint on billing dispute with the relevant CCSS Member via the designated channel(s).
- If the billing dispute cannot be resolved within 6 weeks from the date the complaint has first been lodged with the relevant CCSS Member, or a deadlock is declared by the relevant CCSS Member that the dispute could not be settled, you may contact the CCSS.
- The CCSS Member is required to provide you with a “Referral Number” for dispute identification purpose under the CCSS.

Step 2: Submitting information

- You can call CCSS hotline at **2180 9521** or submit the “Customer Information Form”, which is available online at <https://apps.ofca.gov.hk/apps/ccss/ccss.asp?lang=en> or at Annex 4, by fax at 2180 9520 or email to ccss@ofca.gov.hk.

- If the billing dispute meets the acceptance criteria for admission under the CCSS, you will be advised by OFCA to proceed with the application.

Step 3: Making an application

- You are required to complete and return the “Customer Application Form” and “Customer Consent Form” sent to you and pay a non-refundable service fee of **HK\$100**.
- A sample of the “Customer Consent Form” is set out at Annex 6. Please go through the terms and conditions of the form and sign on it.
- A sample of the “Customer Application Form” is set out at Annex 7. The “Customer Application Form” sent to you will contain your basic information and a specified date as deadline for submission printed on the form. Please provide the required information in the form and sign on it. Below is the guide to fill in the “Customer Application Form”:
 - i. Part I General Information: This part contains basic information including your name, telephone number, fax number, email, type of service, name of the account holder, account number, company name of the CCSS Member, the Referral Number provided by the CCSS Member. Some information in this part will be filled for you. You are required to complete the remaining information required.
 - ii. Part II Authorised Representative (if any): Please provide the name and contact information of the authorized representative if required.
 - iii. Part III Preferred Method of Communication: Please select the method of communication that you prefer for CCSS Centre to contact you.

- iv. Part IV Language: Please specify the language you prefer for CCSS Centre to contact you and the Mediator to conduct the Mediation.
- v. Part V Billing Dispute Amount: Please specify the amount of the billing dispute in respect of your complaint in Hong Kong dollars.
- vi. Part VI Description of Your Complaint: Please describe clearly the details of your complaint.
- vii. Part VII Response from the CCSS Member: Please specify what responses, including any offer / resolution / compensation which has previously been given by the CCSS Member to you for consideration.
- viii. Part VIII Your Proposal of Settlement on the Dispute Amount: Please specify what kind of settlement including the settlement amount you would like to request. **Your proposal of settlement is restricted to monetary claim with an amount not exceeding the Billing Dispute Amount that you have specified in Part V. Non-monetary claims are not covered by the CCSS.**
- ix. Part IX Service Fee: Please note the payment method of the HK\$100 service fee and arrange the relevant payment.
- x. Part X Additional Information: Please attach a copy of the documents (if any) listed in this part.
- xi. Part XI Submission of Documents: A date will be specified which is 10 working days from the time the “Customer Application Form” and “Customer Consent Form” are sent to you. Please submit the signed Customer Consent Form, the signed Customer Application Form, any additional documents listed in Part X and the cheque for payment of HK\$100 or bank-in-slip to show the payment through deposit into the specified bank account to the address as stated in

Part XI on or before the specified date. CCSS Centre will contact you after OFCA sent the reply and the forms to you. **Please note that it is important for you to provide all the information required in the forms before the specified date for processing of the application in a timely and efficient manner. Your application will be dismissed if you fail to comply with the requirements above.**

- xii. Part XII Notice of the Collection of Personal Data: Please remember to read through Part XII and the declaration, and **SIGN** on the Customer Application Form. If you appoint an authorized representative, please provide your signature as well as the signature of your authorized representative.

WHAT ARE THE PROCEDURES FOR THE MEDIATION UNDER THE CCSS?

6. Before conducting the mediation, CCSS Centre will assign a mediator for the case.
7. The mediator may request you to provide additional information for the mediation. The mediator will contact you and the CCSS Member for detailed arrangements for the mediation.
8. The mediation may be conducted by phone, emails, other electronic means and/or meetings, as appropriate.
9. The mediator assists you and the CCSS Member to resolve the dispute by identifying the issues in dispute, exploring and generating options, communicating with one another and finally reaching a settlement agreement regarding the resolution of the whole, or part, of the dispute.
10. If settlement is reached after mediation, both the customer and the CCSS Member are required to sign a binding settlement agreement. The settlement agreement will form part of the contractual arrangement between the two parties. If no settlement is reached, either party may pursue his own course of action including bringing the case before the court.

OPERATING PROCEDURE FOR CCSS CENTRE (CCSS AGENT) UNDER THE CCSS

11. You may refer to the flowchart in Annex 5 for the processes for the handling of disputes between you and the CCSS Member by OFCA and CCSS Centre.

12. You may obtain further details of the implementation framework of the CCSS and the operating procedure that will be followed by CCSS Centre (which is referred as “CCSS Agent” in the operating procedure) from the websites of OFCA at www.ofca.gov.hk and CAHK at <http://ccss.cahk.hk>.

Office of the Communications Authority
Communications Association of Hong Kong

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Annex 1

List of CCSS Members

1. China Mobile Hong Kong Company Limited
2. China Unicom (Hong Kong) Operations Limited
3. China-Hong Kong Telecom Limited
4. CITIC Telecom International Limited
5. CSL Mobile Limited
6. HKBN Enterprise Solutions Limited
7. Hong Kong Broadband Network Limited
8. Hong Kong Telecommunications (HKT) Limited
9. Hutchison Global Communications Limited
10. Hutchison Telephone Company Limited
11. i-Cable
12. IMC Networks Limited
13. Multibyte Info Technology Limited
14. SmarTone Mobile Communications Limited
15. Sun Mobile Limited
16. WTT HK Limited

Annex 2

Cases that will not be covered by the Customer Complaint Settlement Scheme (CCSS)

The CCSS will not cover the following cases:

- (a) if it relates to the quality of service, such as low speeds or lack of coverage;
- (b) if the dispute amount is less than HK\$300 in value;
- (c) if it relates to a non-CCSS Member;
- (d) if it is frivolous or vexatious;
- (e) if it is a request for information;
- (f) if it is a previous case already handled by the CCSS or a previous case rejected for handling under the CCSS in which there is no relevant new information to support the case;
- (g) if it is being or already handled by the judiciary, including the Small Claims Tribunal;
- (h) if the Customer has previously accepted, and been provided with by the CCSS Member, an agreed resolution to the specific event or events;
- (i) if it relates to the level of charge that has been explicitly stated in the Contract (including but not limited to service charges, early termination charges, any charges imposed for lost or damaged equipment or failure to return equipment on termination of the contract);
- (j) if it relates to the method of debt collection that the CCSS Member chooses to adopt;
- (k) if it relates to equipment and/or applications the Customer uses but not supported by the CCSS Member;

- (l) if it relates to non-compliance of the TO, code of practice (CoP), guidelines or directions issued under the TO or relevant licence conditions¹; and
- (m) if OFCA considers that it is not appropriate to handle the case due to resource limitation or other reasons.

¹ From time to time, different regulatory tools, including guidelines, directions, HKCA specifications or CoPs are deployed to govern certain conduct of the licensees. Some regulatory tools are mandatory and all licensees are bound to follow. Licensees who do not comply with the mandatory guidelines, directions and CoP may be found to have a breach of the TO and/or licence conditions. On the other hand, some regulatory tools like CoPs are voluntary in nature and for self compliance by the service providers. Under the CCSS, if the major issue of the Complaint is on the non-compliance of any regulatory tools of guideline, direction, HKCA specification and CoP, no matter the regulatory tools are mandatory or voluntary in nature, the dispute will be handled under the respective enforcement of the regulatory tools rather than by the CCSS.

Annex 3

List of Designated Channels for Complaints to CCSS Members

Company Name	Information of the Designated Channel(s)
China Mobile Hong Kong Company Limited	24-hour Customer Care Hotline : (852) 2945 8888
China Unicom (Hong Kong) Operations Limited	24-hour Customer Service Hotline : (852) 2122 1188
China-Hong Kong Telecom Limited	Customer Service Hotline: (852) 3691 0198 Fax: (852) 2859 0987 Email: info@china-hkt.com
CITIC Telecom International Limited	CCSS Hotline: (852) 2377 8899
CSL Mobile Limited	CCSS Service Hotline: (852) 3922 6304 or (852) 1000
HKBN Enterprise Solutions Limited	Customer Service Hotline: (852) 1239
Hong Kong Broadband Network Limited	Customer Service Hotline: (852) 128 100
Hong Kong Telecommunications (HKT) Limited	PCCW Consumer Service Hotline: (852) 1000
Hutchison Global Communications Limited and Hutchison Telephone Company Limited	3HK Customer Service Hotline: (852) 1033 Fax: (852) 2123 1297 Email: cs.mobile@three.com.hk Mail: Hutchison Telecommunications (Hong Kong) Limited, PO BOX 999, Tsuen Wan, Hong Kong

i-CABLE	Customer Service Hotline: (852) 1832 832
IMC Networks Limited	CS Hotline: 8100 6336
Multibyte Info Technology Limited	Customer Service Hotline: (852) 2156 6888 Email: cs.support@multi-byte.com
SmarTone Mobile Communications Limited	24-hour service hotline : (852) 2880 2688
Sun Mobile Limited	Designated CCSS Hotline: (852) 8118 0055
WTT HK Limited	Customer Service Hotline: (852) 121 000 Fax Hotline: (852) 121 100 Email: cc@wtthk.com.hk Online: https://www.wtthk.com.hk/contact.php Mail: WTT HK Limited 9/F, KITEC, 1 Trademart Drive Kowloon Bay, Hong Kong

Annex 4

**Customer Complaint Settlement Scheme (CCSS)
for the Telecommunications Industry**

Customer Information Form

Please provide the following information to the Office of the Communications Authority (OFCA), OFCA will assess your case for acceptance under the CCSS.

Please submit the completed form to OFCA via **fax number: 2180 9520**; or **email to: ccss@ofca.gov.hk**; or send to **Office of the Communications Authority, 29/F, Wu Chung House, 213 Queen's Road East, Wan Chai, Hong Kong (Attn: CCSS Team)**.

***Name of Customer :**

***Telephone Number :**

Fax Number :

E-mail :

***Customer Type :**

Individual / residential

*(Applicable to individual /
residential customer only)*

***Type of Service :**

Telephone line service

Broadband internet access service

Mobile service

IDD / Calling card service

Bundled service (please specify _____)

Others (please specify _____)

***Name of Account Holder :**

Account Number / Registered

Telephone No. / Login ID :

***Service Provider :**

(CCSS is limited to the listed service providers participated in the scheme)

- China Mobile Hong Kong Company Limited
- China Unicom (Hong Kong) Operations Limited
- China-Hong Kong Telecom Limited
- CITIC Telecom International Limited
- CSL Mobile Limited
- HKBN Enterprise Solutions Limited
- Hong Kong Broadband Network Limited
- Hong Kong Telecommunications (HKT) Limited
- Hutchison Global Communications Limited
- Hutchison Telephone Company Limited
- i-CABLE
- IMC Networks Limited
- Multibyte Info Technology Limited
- SmarTone Mobile Communications Limited
- Sun Mobile Limited
- WTT HK Limited

***Referral Number Provided by Service Provider¹ :**

***Description of the Complaint :**

(Applicable to billing dispute only, please use separate sheet if needed)

***Disputed Amount :**

HK\$

(Applicable to HK\$300 or above)

Date of Occurrence of Dispute :

Date of First Complaint to the

Service Provider :

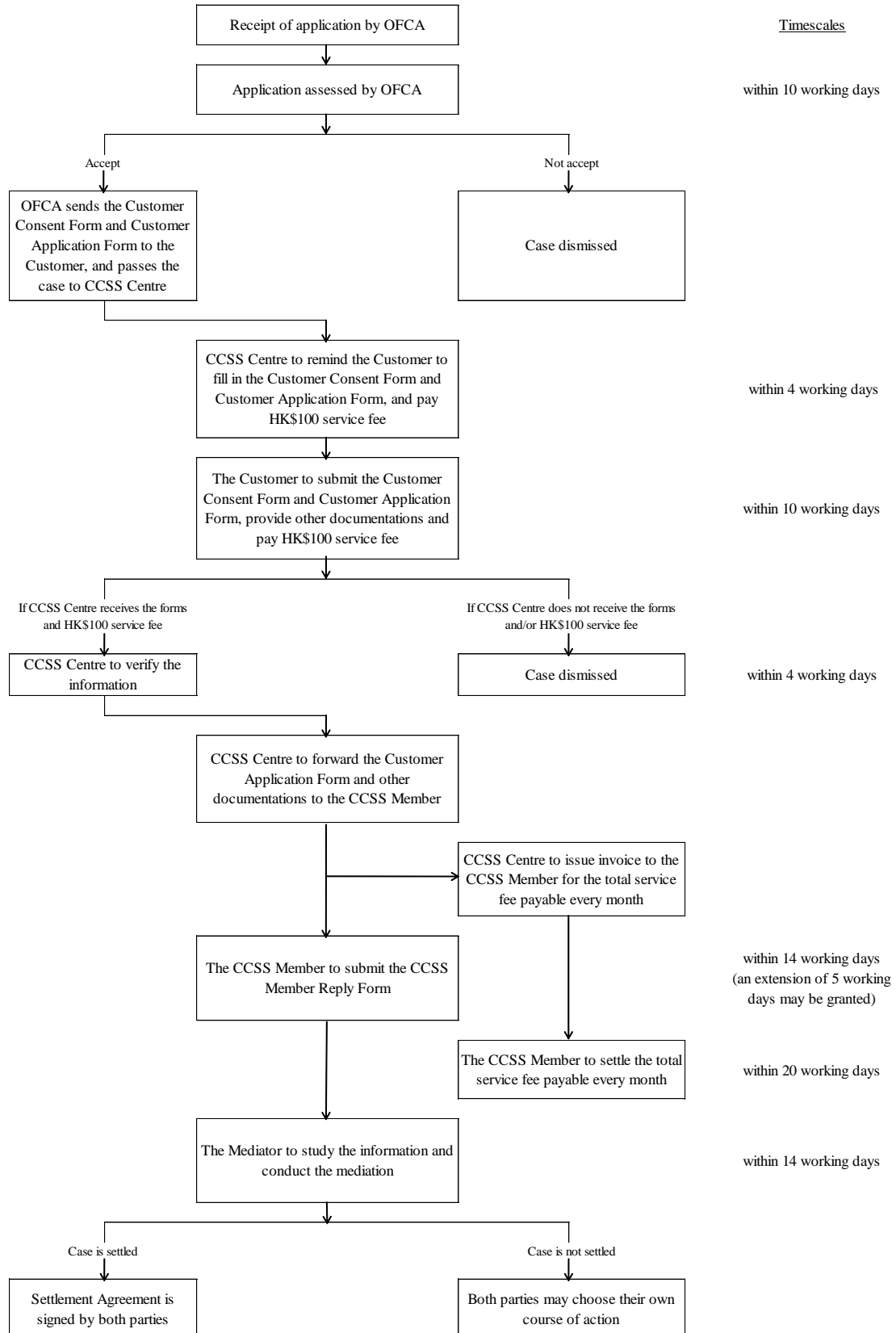
Note:

***Mandatory field. Your application may be rejected if the required information is not provided.**

¹ Please contact your service provider to obtain the **Referral Number**.

Annex 5

Flowchart of the CCSS Process



SAMPLE

Customer Complaint Settlement Scheme for the Telecommunications Industry

CUSTOMER CONSENT FORM

I, _____, understand and agree that my complaint against _____ (the **CCSS Member**), details of which are given in the attached application form (the **Customer Application Form**), is referred to the Customer Complaint Settlement Scheme (the **CCSS**) for further handling.

I understand that the CCSS is operated by CCSS Centre set up under the Communications Association of Hong Kong (CAHK), which acts independently and impartially in handling my complaint case (**Complaint Case**).

I understand and agree that my Complaint Case will be handled by a mediator (**Mediator**) appointed by CCSS Centre and I hereby agree to such appointment. The Mediator will use the best endeavour to assist me and the CCSS Member to resolve our dispute by way of mediation (**Mediation**) and settle the Complaint Case on terms agreeable to both parties. I understand that the dispute may not be resolved if a settlement is not reached with the CCSS Member after the Mediation.

I hereby **GIVE MY CONSENT** to refer the Complaint Case to the CCSS and **AGREE** to abide by the following terms and conditions:

1. I will cooperate with CCSS Centre by providing all relevant documents and information requested, including personal information which is relevant to the Complaint Case to enable CCSS Centre to handle the Complaint Case;
2. I agree to cooperate in good faith with the Mediator during the mediation;

3. Subject to any applicable laws, I will not disclose to or discuss with any unrelated person (including but not limited to the general public and the media) other than CCSS Centre, Mediator, CAHK and the Office of the Communications Authority (OFCA) any details concerning the mediation communication² in respect of the Complaint Case under the CCSS. Such confidentiality obligation shall be and continue to be applicable regardless of whether or not a settlement agreement (**Settlement Agreement**) is reached. However, for the avoidance of doubt, nothing herein relating to the confidentiality obligation shall be construed as prohibiting a party from lodging a case with the court or appropriate authority after the Complaint Case has been handled under the CCSS and the parties have failed to reach a Settlement Agreement;
4. I acknowledge that the Mediator undertakes, and I hereby agree, that he/she will not disclose to or discuss with any other person not being a party to the Complaint Case (except the designated personnel appointed by CCSS Centre, CAHK and OFCA for the purpose of the CCSS only) any details concerning the settlement agreement in respect of the Complaint Case;
5. Once my Complaint Case is accepted for handling under the CCSS, I will not submit the same Complaint Case to other complaint channels including, without limitation, OFCA, the Consumer Council, Legislative Council members, District Council members or the media until the end of the Mediation process;
6. Once my Complaint Case is accepted for handling under the CCSS, I will not submit the same Complaint Case to the court for handling before completion of the CCSS process;

² Mediation communication means anything said or done, any document prepared, or any information provided for the purpose of or in the course of Mediation but does not include the agreement to mediate and the Settlement Agreement, unless the parties agree otherwise. For the avoidance of doubt, any document or information which existed prior to the commencement of Mediation (e.g. when the Complaint is submitted to OFCA by the Customer under the CCSS) shall not fall within the meaning of Mediation Communication. However, if any document or information which existed prior to the commencement of Mediation was held by a party only and was provided to the other party for the purpose of or in the course of Mediation, such document or information shall be regarded as “Mediation Communication”.

7. If I and the CCSS Member intend to settle after the Mediation, the Mediator will prepare a Settlement Agreement for signature by both parties. I understand that if I and the CCSS Member sign on the Settlement Agreement, it will become a legally binding document which may be enforced in court as a valid contract governed by ordinary principles of contract law. If I sign the Settlement Agreement, I will not (unless the CCSS Member refuses to sign the Settlement Agreement) further raise or discuss the Complaint Case through other complaint channels including, without limitation, OFCA, the Consumer Council, Legislative Council members, District Council members, or the media and this shall become an obligation under the Settlement Agreement;
8. My claim is made solely against the CCSS Member, and I will not hold CCSS Centre including its staff and Mediator, CAHK and OFCA liable for any claims, loss or damages for whatever causes; and
9. I will observe the applicable requirements in the “Operating Procedure for CCSS Agent” (Procedure) issued by CAHK, copy of which is available on CAHK’s website: <http://ccss.cahk.hk>. Any failure to observe the Procedure on my part may affect the Mediation process or result in dismissal of the Complaint Case.

SIGNED

Full name:

Date:

SAMPLE

Annex 7

Customer Complaint Settlement Scheme for the Telecommunications Industry

CUSTOMER APPLICATION FORM

This form is filled in by the Customer who lodges a Complaint Case against his/her service provider (the **CCSS Member**) for provision of telecommunications service to the Customer under the Customer Complaint Settlement Scheme (the **CCSS**).

I. General Information

Name of the Customer:

Address:

Tel. Number:

Fax Number:

E-mail:

Type of service:

Telephone line service

(Please tick more than 1 box in case of bundled services)

Broadband internet access service

Mobile service

IDD / Calling card service

Bundled service (please specify _____)

Others (_____)

Name of Account Holder:

Account No. / Registered

Telephone No. / Login ID:

Name of the CCSS

Member:

**Referral Number provided
by the CCSS Member:**

II. Authorized Representative (if any)

**Name of the Customer's
Representative:**

Address:

Tel. Number:

Fax Number:

E-mail:

III. Preferred Method of Communication

Please specify your preferred method of communication.

Phone Email Mail Fax

IV. Language

Please specify the language in which your case should be conducted under the CCSS.

Cantonese English Putonghua

V. Billing Dispute Amount

Please specify the amount of Billing Dispute in respect of the Complaint Case.

HK\$ _____

VI. Description of Your Complaint

(please use a separate sheet if there is not enough space)

VII. Response from the CCSS Member

(please use a separate sheet if there is not enough space)

VIII. Your Proposal of Settlement on the Disputed Amount

Your proposal of settlement is restricted to monetary claim with an amount not exceeding the Billing Dispute Amount that you have specified in Part V above. Non-monetary claims are not covered by the CCSS.

(please use a separate sheet if there is not enough space)

IX. Service Fee: HK\$100

Please pay the HK\$100 non-refundable service fee by any of the following methods:

1. **Cheque:** cheque should be crossed and made payable to “Communications Association of Hong Kong”. Please send the cheque to the address of CCSS Centre as stated in Part XI. Please write your name and the CCSS Reference Number (stated in p.1 of this Customer Application Form) on the back of the cheque. Post-dated cheque will not be accepted.
2. **Cash:** cash should be paid to HSBC, bank account number “004-404-620544-838”. Please return the bank-in slip together with this form, with your name and the CCSS Reference Number (stated in p.1 of this Customer Application Form) marked on the slip, to the address of CCSS Centre as stated in Part XI.

X. Additional Information

Please attach a copy of the following documents (if any) to this Customer Application Form to support your Complaint Case (Please give a tick in the box, as appropriate)

- the Bill which is in dispute
- the Service Contract with the CCSS Member
- correspondence between the parties in relation to the dispute
- any additional documents to support your application, together with a schedule indexing such document(s).

XI. Submission of Documents

This Customer Application Form, the copy of the above documents and the payment (cheque/cash with bank-in slip) shall be submitted in hard copy or in electronic format **ON OR BEFORE** _____ to:

Customer Complaint Settlement Scheme
Suite 607, 6/F, Two Chinachem Exchange Square, 338 King's Road, North
Point, Hong Kong
Tel: 24498411
Fax: 24498477
E-mail: ccss@cahk.hk

XII. Notice of the Collection of Personal Data

The personal data provided by you under this Customer Application Form or generally to the CCSS are for the purpose of processing your application under the CCSS. In this connection, the personal data so provided will be handled by or revealed to the following parties:

- (a) CCSS Centre; and
- (b) the CCSS Member.

You have the right to request access to, and the correction of, your respective personal data held under the CCSS.

If you would like to access or correct the personal data held under the CCSS, please submit a request to CCSS Centre (see the contact details in Part XI) in writing.

DECLARATION BY THE CUSTOMER

1. I have read the Notice of the Collection of Personal Data in Part XII (the **Notice**).
2. I confirm my agreement to my providing personal data to the CCSS on a voluntary basis and on the terms and for the purposes set out in the Notice.
3. I also confirm that all information that I provide in this Customer Application Form is true and accurate.
4. I understand that this Customer Application Form, the payment of service fee (cheque/cash with bank-in slip) in Part IX and additional documents in Part X should be submitted to CCSS Centre on or before the date specified in Part XI, otherwise my application to the CCSS will be dismissed by CCSS Centre.

Signed:

Date:

(Name of the Customer: _____)

Where an authorized representative is appointed:

I authorize _____ as my representative to handle on my behalf the application that I refer to the CCSS for processing.

Signed:

Date:

(Name of the Customer: _____)

I agree to act as the representative of _____ to handle on his/her behalf the application that he/she refers to the CCSS for processing. I have read the Collection of Personal Data at Part XII and confirm my agreement to provide my personal data to the CCSS on a voluntary basis and on the terms and for the purposes set out in the Part XII.

Signed:

Date:

(Name of the Authorized Representative: _____)

CCSS internal use

Date received:

Handled by: