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Independent Communications Authority of South Africa

General Notice

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GENERAL NOTICE

NOTICE 132 OF 2011



INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA (ICASA)

NOTICE IN TERMS OF SECTION 61 OF THE POSTAL SERVICES ACT OF 1998 (ACT NO. 124 OF 1998) READ WITH SECTION 4(3)(j) OF THE ICASA ACT, 2000 (ACT NO. 13 OF 2000).

1. The Independent Communications Authority of South Africa ("ICASA") hereby gives notice in terms of section 61 of the postal services act of 1998 (act no. 124 of 1998) read with section 4(3) (j) of the ICASA Act No. 13 Of 2000, of its intention to prescribe Customer Care Standards Regulations.
2. A copy of the proposed regulation is available on the Authority's website at <http://www.icasa.org.za> and in the ICASA Library at the 164 Katherine Street, Pinmill Farm, Ground Floor, Block D, between 10h00 and 16h30, Monday to Friday.
3. Interested parties are invited to submit written representations on the draft Customer Care Standards Regulation on or before 30 March 2011 at 16h00 by post, hand delivery, facsimile transmission, and/or electronically (in Microsoft Word) for the attention of:

Charles Mabena & Julieth Nofemela

Postal Compliance

or

Block D

ICASA

Pinmill Farm

Private Bag 10002

164 Katherine Street

Sandton

Sandton

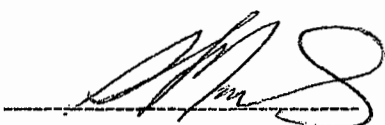
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Tel: (011) 566 3725/3711

Fax: (011) 5663726/3712

Email: cmabena@icasa.org.za / JNofemela@icasa.org.za

4. Persons making written representation are requested to indicate if they wish to make oral submissions in the event that ICASA decides to conduct oral hearings.
5. All written representations made to ICASA pursuant to this notice will be made available for inspection by interested persons at the ICASA library and copies of such representations will be obtainable on payment of the prescribed fee.
6. At the request of any party who submits written representations pursuant to this notice, ICASA will determine whether such representations or any portion thereof is confidential in terms of section 4D of the ICASA Act. If the request for confidentiality is refused, the party making the request will be allowed to withdraw such representation or portion thereof.
7. The final regulations will be published in the Government Gazette.



DR. STEPHEN MNCUBE

CHAIRPERSON

Date: 04/03/2011

THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA (THE AUTHORITY) IN TERMS OF SECTION 61 OF THE POSTAL SERVICES ACT OF 1998 (ACT NO. 124 OF 1998) READ WITH SECTION 4(3)(j) OF THE ICASA ACT, 2000 (ACT NO. 13 OF 2000) HEREBY GIVES NOTICE OF ITS INTENTION TO PRESCRIBE CUSTOMER CARE STANDARDS.

SCHEDULE

1. DEFINITIONS

In these Regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act has the meaning so assigned:

“the Act” means the Postal Services Act, 1998 (Act No. 124 of 1998);

“Complaint” means a dissatisfaction lodged by a customer in accordance with the licensee’s complaints procedure set out in the licensee’s customer care standards, expressing the customer’s dissatisfaction about the standard of service rendered by the licensee to the extent that the dissatisfaction relates to an issue dealt with in these regulations;

“ICASA Act” means the Independent Communications of South Africa Act (No. 13 of 2000).

2. PURPOSE OF THE REGULATIONS

The purpose of these Regulations is to prescribe the minimum customer care standards applicable to the Postal Service Licensees.

3. SCOPE AND APPLICATION OF THE REGULATIONS

The Regulations prescribe the minimum customer care standards for the Postal Services

Licensee.

4. CORE PRINCIPLES APPLICABLE TO POSTAL SERVICE LICENSEES

4.1. POSTAL SERVICE LICENSEE

The customer care standards for the Postal Service Licensee to be adhered to at all times are the following:

4.1.1. VISIBILITY

- a) Corporate signage must be visible and displayed in the postal outlet.
- b) Corporate signage for Branch Code must be displayed in a postal outlet.
- c) Business hours must be displayed at a postal outlet.
- d) A postal outlet must to display collection frequency and clearing times.
- e) Products and services must be displayed at a postal outlet at all times.
- f) Copies of Complaints Procedures and Dispute Resolution mechanisms must be made available to customers and displayed in all postal outlets.
- g) A postal outlet must display the Share Call number, telephone and fax numbers as well as the email address of the contact center.
- h) A postal outlet must display the Regional or Provincial contact details e.g. telephone and facsimile numbers as well as email address of a contact person.

4.1.2. ACCESSIBILITY

- a) Postal services must be made accessible to People with disabilities.

- b) Parking bays must be made accessible to people with disabilities.
- c) Queuing time for a customer at a postal outlet may not exceed seven (7) minutes. Should queuing time exceed seven (7) minutes, the Branch Manager should attend to the customer immediately.
- d) A postal outlet must implement electronic payment systems for the payment of postal services.

4.1.3. LANGUAGE

A postal outlet may use English and a language that is predominant in a particular area in which the postal outlet is situated.

4.1.4. REPORTS

- a) A Postal Service Licensee must submit to the Authority quarterly reports on the customer complaints they receive.
- b) Reports must be detailed and to include, but not limited to:
 - (i) Number of Complaints received per month,
 - (ii) Name and surname of the complainant,
 - (iii) Date on which the complaint was received,
 - (iv) Date on which the complaint was resolved,
 - (v) Nature of complaint received,
 - (vi) Number of items lost per month,
 - (vii) Average turn-around times for all complaints received.

(viii) Number of applications on waiting list for post boxes.

4.1.5. STAFF

A Postal Service Licensee must ensure that:

- (a) Staff at all postal outlets must have a thorough and accurate knowledge of their products and related services
- (b) Staff must wear corporate clothing with name tags.

4.1.6. CONSUMER CONFIDENTIALITY

A Postal Service Licensee must protect the confidentiality of consumer information, and in particular, must-

- (a) Use the information only for the purpose permitted or required,
- (b) Report or release that information only to the consumer or prospective consumer,
- (c) Only release that information to another person:
 - (i) when directed by the written instruction of the consumer or prospective consumer; or
 - (ii) when directed by an order of a court; or
 - (iii) during the process of collection of debts owed to the licensee; or
 - (iv) by the licensees' auditors for the purpose of auditing their accounts; or

(v) in terms of any applicable law.

4.1.7. INSURANCE POLICIES

Customers must be made aware of insurance policies for lost and or damaged letters and parcels, when entering into transactions.

4.2. COMPLAINTS PROCEDURE

4.2.1. General Requirements

- (a) A Postal Service Licensee must publicise a single point of entry for all complaints to be lodged by the complainants.
- (b) A Postal Service Licensee must acknowledge receipt of the complaint within three (3) day upon receipt thereof, in writing.
- (c) A Postal Service Licensee must formally resolve all complaints received within fourteen (14) days of receipt.
- (d) A Postal services Licensee must keep and maintain a record of all complaints they have received from their customers.

5. COMPLAINTS ESCALATED TO THE AUTHORITY BY CUSTOMERS

5.1. General Requirements

Complainants must first give SAPO an opportunity to resolve their complaints before they approach the Authority.

- (a) In the event that the complainant is not satisfied with the outcome, he/she may approach the Authority for the resolution of the dispute.

- (b) In the event that a dispute is not resolved by the Authority within 21 days, it may be referred to the Complaints and compliance Committee in accordance with Section 17 of the ICASA Act No. 13 of 2000 as amended.

6. AMENDMENT AND REPEAL

The Authority may amend or repeal these regulations by notice in the Gazette.

7. PENALTIES

The Authority may, upon a determination or finding of non-compliance by the Complaints compliance Committee, impose a fine not exceeding Fifty Thousand Rands (R50, 000.00).

8. SHORT TITLE AND COMMENCEMENT

These regulations are called Customer Care Standards Regulations, 2011 and will come into operation on date of publication in the Gazette.
