

NIGERIAN COMMUNICATIONS ACT, 2003

CHAPTER VII—CONSUMER AFFAIRS

PART I—CONSUMER PROTECTION AND QUALITY OF SERVICE

104. All service providers shall, in respect of their specific services—

(a) meet such minimum standards of quality of service as the Commission may from time to time specify and publish ;

(b) deal reasonably with consumers ; and

(c) adequately address consumer complaints.

105.—(1) The Commission may use any of its powers under this Act in the resolution of complaints received from consumers in relation to matters of customer service and consumer protection including but not limited to quality of service or the failure by a licensee to comply with a consumer code prepared under this Chapter.

(2) The Commission shall establish procedures or guidelines for the making, receipt and handling of complaints of consumers regarding the conduct or operation of licensees and may, at its discretion, institute alternative dispute resolution processes for the resolution of the complaints or disputes provided that the licensee's dispute resolution procedures shall first have been exhausted by the consumer without resolution of the complaint before presentation of the complaint to the Commission.

106.—(1) Subject to the provisions of subsection (2) of this section, the Commission may designate an industry body to be a consumer forum and to prepare a consumer code for the purposes of this Chapter and the consumer code prepared by such industry body shall be subject to the prior approval of and ratification by the Commission.

(2) Without prejudice to the provisions of subsection (1) of this section, the Commission may require licensees to prepare individual consumer code for their respective customers and such consumer code shall be subject to the prior approval of and ratification by the Commission.

(3) A consumer code prepared by a consumer forum, the Commission or licensees shall include model procedures for :

(a) reasonably meeting consumer requirements ;

(b) the handling of customer complaints and disputes including an inexpensive arbitration process other than a court, and procedures for the compensation of customers in case of a breach of a consumer code ; and

(c) the protection of consumer information.

(4) Other matters which the consumer code shall address include but are not limited to :

(a) further recourse available to a consumer who is dissatisfied with the licensee's complaints-handling procedures together with specific details of compensation and refund schemes offered by licensee to its customers ;

(b) the provision of information to customers regarding services, rates and performance ;

(c) the provisioning and fault repair of services ;

(d) the advertising or representation of services ;

(e) customer charging, billing, collection and credit practices ; and

(f) any other matter which, in the opinion of the Commission, may be of concern to consumers.

(5) After the preparation of a consumer code and subsequent ratification by the Commission, the consumer code shall be published by the licensee and the Commission and notice of it shall be advertised in at least one national daily newspaper.

(6) A consumer code prepared pursuant to this Chapter shall be subject to annual review and ratification by the Commission prior to publication by the licensee and the Commission.