

CCP guidelines against deceptive marketing

By our correspondent

ISLAMABAD: As part of its efforts to protect consumers from anti-competitive behaviour and promote voluntary compliance of law, the Competition Commission of Pakistan (CCP) has prepared deceptive marketing guidelines, a statement issued by the CCP said.

The aim is to provide guidance in view of section 10 of the Competition Act, 2010, to undertakings providing telecommunication products and services in Pakistan.

The draft guidelines have been shared with the Pakistan Telecommunication Authority and other telecom companies and have been placed on the commission's website for soliciting feedback and suggestions from stakeholders.

These guidelines are meant for telecommunication companies to comply in their sales,

marketing, advertising and communication in all forms across all mediums, online and point-of-sale.

Efforts have been made to provide guidance on what may constitute as deceptive marketing practices and avoid actions that could lead to violating section 10 and other provisions of the Competition Act. Companies have been advised to bear in mind the legal implications that may arise out of certain practices i.e. distribution of false information, deception, fine print, disclaimer and qualifications, importance of substantiation of claims, essential terms and conditions, omissions, puffery, price disclosure, comparative advertising, promotional contents and telemarketing.

The guidelines present the approach taken by the commission in its decisions regarding deceptive marketing practices and the approach that it

may take towards certain marketing practices by telecommunication service providers. However, the guidelines are not exhaustive and the commission's approach shall depend upon particular facts and circumstances of each case. As it is not possible to predict the future behaviour of undertakings involved in the telecommunication sector, the commission will not, in any way, be restricted to look into matters that have not been mentioned in these guidelines.

The guidelines have been prepared in light of best international practices after reviewing several documents and guidelines published by jurisdictions namely, the USA, UK, Australia, Canada and Hong Kong. The principles contained in the guidelines will be applied, further developed and refined by the commission from time to time in individual cases.

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Telecom companies

CCP drafts 'deceptive marketing guidelines'

By A Reporter

ISLAMABAD, Feb 26: The Competition Commission of Pakistan prepared a draft 'Deceptive Marketing Guidelines' for telecom companies, guiding them to comply in sales, marketing, advertising, and communication across all mediums, online and Point of Sale (POS).

"The telcos have been advised to bear in mind the legal implications that may arise out of certain practices dealing with distribution of false information and other forms of deception," the spokesman of CCP said, adding that the draft guidelines was part of CCP's efforts

to protect consumers from anti-competitive behaviour and promote voluntary compliance of the law.

The Deceptive Marketing Guidelines is focused in respect to Section 10 of Competition Act, 2010, for the telecommunication products and services by the companies in Pakistan.

It is meant to serve as a guidance in areas where the companies could breach laws regarding deceptive marketing including disclaimer and qualifications, importance of substantiation of claims, essential terms and conditions, omissions, puffery, price disclosure, comparative advertising, promotional con-

tents and, telemarketing.

The Draft Guidelines present the approach taken by the Commission in its decisions regarding deceptive marketing practices and the approach that it may take towards certain marketing practices by telecommunication service providers.

The Draft Guidelines have been shared with the Pakistan Telecommunication Authority and all telecom companies, and has also been uploaded on the Commission's website for soliciting feedback and suggestions from stakeholders.

"Effort has been made in

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CCP drafts

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the Guidelines to provide guidance for the companies to avoid actions that may amount to violating section 10 and other provisions of the Competition Act," the spokesman of the Commission said.

However, the CCP has said that the Guidelines are not exhaustive and the approach of the Commission shall depend upon the particular facts and circumstances of each particular case.

"As it is not possible to predict future behaviour of the telecom companies, the CCP will not, in any way, be restricted to look into matters that have not been mentioned in these Guidelines," the officials of the commission said, adding, "The principles contained in the Guidelines will be applied and further developed and refined from time to time in individual cases."

The draft guidelines have been prepared in light of best international practices

Telecom sector

CCP's guidelines to prevent deceptive marketing practices

Staff Report

ISLAMABAD: As part of its efforts to protect consumers from anti-competitive behaviour and promote voluntary compliance of law, the Competition Commission of Pakistan has prepared Deceptive Marketing Guidelines to provide guidance in respect of the Section 10 of the Competition Act, 2010 to undertakings providing telecommunication products and services (telecom companies) in Pakistan.

The Draft Guidelines, prepared pursuant to Regulation 41 of the Competition Commission (General Enforcement) Regulations, 2007, have been shared with the Pakistan Telecommunication Authority, all telecom companies, and placed on the commission's website for soliciting feedback and suggestions from stakeholders.

The Draft Guidelines are meant for telecommunication companies to comply in their sales, marketing, advertising, and communication in all

forms across all mediums, online and Point of Sale (PoS).

Effort has been made in the guidelines to provide guidance on what may constitute as deceptive marketing practices and avoid actions that may amount to violating Section 10 and other provisions of the competition act. Companies have been advised to bear in mind the legal implications that may arise out of certain practices dealing with, like distribution of false information, deception, fine print, disclaimer and qualifications, importance of substantiation of claims, essential terms and conditions, omissions, puffery, price disclosure, comparative advertising, promotional contents and, telemarketing.

The Draft Guidelines present the approach taken by the commission in its decisions regarding deceptive marketing practices and the approach that it may take towards certain marketing practices by telecommunication service

providers. However, the guidelines are not exhaustive and the approach of the commission shall depend upon the particular facts and circumstances of each case. As it is not possible to predict future behaviour of the undertakings involved in the telecommunication sector, the commission will not, in any way, be restricted to look into matters that have not been mentioned in these guidelines.

The Draft Guidelines have been prepared in light of best international practices after reviewing several documents and guidelines published by jurisdictions namely, the USA, UK, Australia, Canada and Hong Kong, and draw knowledge and experience from jurisdictions that have similar provisions as those of Section 10 of the Competition Act. The principles contained in the guidelines will be applied and further developed and refined by the commission from time to time in individual cases.

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Anti-competitive behaviour of telecom service providers

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OUR STAFF REPORTER

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