

## Potential Redress for Some Customers

Because of the conduct of some of our telemarketing and door to door marketing agents between 1 January 2008 and 30 July 2009, People Telecom has recently given an enforceable undertaking to the Australian Competition and Consumer Commission to do certain things, including publishing this notice. If you were affected by this conduct, you may be entitled to terminate your contract with People Telecom without penalty or receive a refund of certain payments made to People Telecom.

### The Conduct

People Telecom has admitted that, as a result of both telemarketing and door to door marketing by People Telecom's agents, People Telecom has churned some customers' services from their current telecommunications carrier to People Telecom without their informed consent and has from time to time made representations to the effect that:

- the prospective customer was being contacted on behalf of his or her current telecommunications carrier, being a different telecommunications carrier to People Telecom;
- People Telecom was an agent or subsidiary of the prospective customer's current telecommunications carrier or resold that carrier's services;
- the prospective customer was required to change their telecommunications carrier to People Telecom; or
- transferring to People Telecom would not compromise any current contractual or billing arrangements with the prospective customers' current telecommunications carrier

when this was not the case, and thereby People Telecom:

- engaged in conduct that was misleading or deceptive or likely to mislead or deceive in contravention of section 52 of the *Trade Practices Act 1974* ('the Act'); and
- made representations that it has affiliation it does not have in contravention of section 53(d) of the Act.

People Telecom apologises if you were affected by this conduct, and now seeks to remedy any detriment it has caused.

### Remedies

If you became a customer of People Telecom as a result of the conduct listed above, you may transfer your services away from People Telecom without penalty. Please contact us to ensure you are not charged this fee.

If you became a customer of People Telecom as a result of the conduct listed above:

- we are prepared to refund any applicable termination, late payment or debt collection fees you have paid;
- if you have been charged these fees but have not paid them, we are prepared to waive them;
- if you demonstrate that you have suffered further loss as a result of the representations listed above, we are prepared to refund or waive charges up to that further amount.

### **Verification Letter**

The accounts of some customers who were affected by this conduct were referred to debt collectors, who may have listed the debt on the customers' credit reports. If you became a customer of People Telecom as a result of the conduct listed above, and your accounts were referred to debt collectors, we are prepared to provide you with a letter verifying that the referral and any listing of the debt arose from the incorrect actions of People Telecom and its agents, not default by you.

### **Contacting Us**

In order to support any claim to terminate your contract without penalty or claim for a refund, we need you to send us a written statement listing how you were contacted, the conduct that occurred, and the way in which the conduct resulted in you becoming a customer of People Telecom. If you have suffered further loss as a result of the conduct, we need you to include that as well.

Please send this to us at Level 9 76 Berry St, North Sydney NSW 2060, by fax to 02 9458 5909 or via email to [redress@peopletelecom.com.au](mailto:redress@peopletelecom.com.au). If you have any questions about this letter, you can contact us on 1300 981 855.