



REPORT OF THE ADJUDICATOR

WASPA Member (SP):	Sports Insider
Information Provider (IP):	Mira Networks
Service Type:	Subscription Service
Complainant:	Mr J Ntamu
Complaint Number:	9163
Code Version:	9.0
Advertising Rules Version:	Not applicable

Complaint

The complainant logged an unsubscribe request on the WASPA unsubscribe system on 24 March 2010. The SP responded to the request by unsubscribing the number and offering a full refund. The complainant acknowledged the response from the SP but was not satisfied. The matter has now been escalated as a formal complaint for adjudication.

The complainant states that he would like to see the SP sanctioned for the violation of the WASPA code of conduct relating to recycled numbers.

Service provider's response

On the 26th of March 2010, the Service Provider:

1. Unsubscribed the Complainant;
 2. Sent an SMS to the Complainant confirming that he had been unsubscribed; and
 3. Offered a refund and paid a refund to the Complainant.
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Sections of the Code considered

Not obviously stated but from reference to previous identical complaints by the Complainant it would appear to be-

12.3.5. If a user ports their number from one operator to another, that number must be removed from all subscription services.

Sections of the Advertising Rules considered

n/a

Decision

This case is linked to case 8716 in that the Complainant is the same individual complaining of the same thing. In my view the Service Provider did everything the Complainant requested. Unless the Complainant can show that the SP was aware that the card was a recycled SIM prior to being informed of same there can be no responsibility in terms of the Code. Once the SP became aware of the fact they unsubscribed the Complainant immediately and offered a full refund.

Claim dismissed.

Sanctions

None.