TELEKOMUNIKACJA STACJONARNA (LANDLINE TELECOMMUNICATIONS) FINED WITH OVER PLN 320 THOUSAND

* **Representatives of Telekomunikacja Stacjonarna misled consumers and did not provide them with complete contracts.**
* **The company illegally collected activation and compensation fees.**
* **President of the Office of Competition and Consumer Protection Tomasz Chróstny imposed a fine on Telekomunikacja Stacjonarna in the amount of over PLN 320 thousand for practices that violate collective consumer interests.**

**[Warsaw, 23 July 2020]** Telekomunikacja Stacjonarna (currently in liquidation) was fined by the President of the Office of Competition and Consumer Protection for the second time in 7 months. The first time in December 2019 for the use of abusive clauses and the second time in July 2020 for infringing the consumers' collective interests.

*“We have been receiving a lot of complaints on Telekomunikacja Stacjonarna, which in its practices was primarily targeting seniors. It is unethical and unacceptable to win new customers by fraudulent methods - by impersonating an existing operator whom customers have already trusted. We also objected to the illegal charging of certain fees,”* says Tomasz Chróstny, the President of UOKiK.

**Violation of consumers’ rights**

As a general rule, the agents representing the Telekomunikacja Stacjonarna would present their offer by phone and then send a courier to the customer with a contract to be signed. The company's representatives suggested to consumers that they would be offered more favourable terms and conditions of the contract with the existing operator, instead of concluding a new contract with another company. *I signed a contract with this company because the agent introduced himself to work for ORANGE - of which I am the customer - and offered me better terms and conditions. I asked if it was ORANGE and showed my bills and this gentleman confirmed* – one of the consumers wrote. Another victim reported: *I am an elderly person, I am 85 years old, I have sight and hearing impairment, so I make all important decisions after consulting my children. The story was presented to me so that I was convinced it was Orange.*

Telekomunikacja Stacjonarna in its offer was primarily targeting seniors. The average age of customers calculated based on more than one thousand concluded contracts is 71.5 years. Apart from misleading them as to the name of the company and the purpose of signing a contract, couriers often did not provide them with signed documents or handed out incomplete documents, e.g. without the first page of the name of the company or without a contract termination template. As a result, many consumers only found out about the change of operator when they received a bill to be paid from an unknown company. Without documents, they were not able to verify the terms of the contract or the price list.

President of UOKiK Tomasz Chróstny also questioned Telekomunikacja Stacjonarna's charging of an activation fee (upon signing - PLN 14.76) and a compensation fee (upon termination of the contract - PLN 25 for each month remaining) while the company had not started providing subscription services. This is against the Telecommunications Law. Telekomunikacja Stacjonarna illegally charged these fees also to individuals who used its services only through an access number, but they had not changed their operator in terms of subscription. By contrast, the purpose of the model of selection of a telephone service provider by access number or pre-selection was to enable consumers to benefit from competitive offers from operators, before each call is made. They can have access numbers of even a dozen or so telecommunications companies and each time they choose an offer that is best at a given moment. Charging additional fees for such contracts would discourage consumers from concluding them with more service providers.

The President of UOKiK ordered Telekomunikacja Stacjonarna to immediately discontinue unfair practices. The company was also fined for the amount of PLN 326.4 thousand. The decision is not yet final.

**Abusive clauses**

This is not the first fine imposed on Telekomunikacja Stacjonarna. In December 2019 the President of UOKiK asserted that the company applied prohibited contractual provisions. These included, [inter alia](https://t.co/FpNwO5Gy2D?amp=1), automatic extension of contracts for 2 years or granting irrevocable powers of attorney for transferring the number (see the [Decision](https://decyzje.uokik.gov.pl/bp/dec_prez.nsf/43104c28a7a1be23c1257eac006d8dd4/1b775323570d3129c12584f600391249/%24FILE/Telekomunikacja%20Stacjonarna%20-%20klauzulowe%20-%20decyzja%20nr%20R%C5%81O%2010-2019-%20wersja%20jawna.pdf) for details). The fine then imposed amounted to PLN 56 thousand. The decision is not final. The company appealed to the court.

**Consumer support:**

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e-mail: porady@dlakonsumentow.pl
[Consumer ombudsmen](https://uokik.gov.pl/pomoc.php) – in your town or district
Regional Consumer Centres: Phone: +48 22 299 60 90 – [Dlakonsumenta.pl](http://dlakonsumenta.pl/)
[Office of Electronic Communications - Consumer Information Centre](https://cik.uke.gov.pl/) – 22 330 40 00