WASPA
WIRELESS APPLICATION SERVICE PROVIDERS' ASSOCIATION

Report of the Adjudicator

Complaint number	**#62483**
Cited WASPA members	**PCCW Vuclip (Singapore) Pte. Ltd** **Membership no: 2053**
Notifiable WASPA members	**n/a**
Source of the complaint	**WASPA Compliance Department**
Complaint short description	**Non compliance of the WASPA Code of Conduct; specifically Failure to respond to Unsubscribe requests**
Date complaint lodged	**2026-07-16**
Date of alleged breach	**Multiple via six Complainants, lodged in May, June and July 2026**
Applicable version of the Code	**17.14**
Clauses of the Code cited	**15.26, 15.27**
Related complaints considered	**None**
Fines imposed	• **PCCW Vuclip : R 2 000.00 fine for breach of 15.26 as well as R 2 000.00 fine for breach of 15.27 per each of six Complainants; with a total of R24 000.**
Other sanctions	• **PCCW Vuclip: Requirement to respond to each Complainant as well as process their unsubscribe request from the date it was logged, with a refund of any billings from that date**

Is this report notable?	**Not notable**
Summary of notability	**n/a**

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1. Initial complaint

1.1 Six complaints, arising from six independent Customers [collectively 'Complainants'], were logged on various dates via the WASPA unsubscribe portal, requesting to be unsubscribed from the Vuclip service.

1.2 These requests are detailed as below:

A. Request number: #7233523 Mobile number: 07****9 Date logged: 2026-05-25
B. Request number: #7233543 Mobile number: 0*****9 Date logged: 2026-06-02
C. Request number: #7233576 Mobile number: 0*****8 Date logged: 2026-06-23
D. Request number: #7233578 Mobile number: 0*****8 Date logged: 2026-06-23
E. Request number: #7233597 Mobile number: 0*****5 Date logged: 2026-07-01
F. Request number: #7233603 Mobile number: 0*****5 Date logged: 2026-07-06

1.3 The Member did not respond to any of these requests within the mandated time frame. The Member in fact, failed to respond to these requests at all.

1.4 WASPA moved to the formal complaint process as a result.

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2. First WASPA communication - the formal complaint

2.2 WASPA contacted the Member on 20 July 2026, via electronic mail, to advise that complaint #62483 had been filed by WASPA. The Member was advised that WASPA had reviewed the complaint and determined that the formal complaints process should be followed. The Member was advised of the following:

- A response time of ten [10] days, and the opportunity to provide relevant information
- The opportunity to include any mitigating factors to the adjudicator
- The opportunity to include any relevant logs, should the complaint involve interaction with a customer
- The opportunity to request an extension of time

- An advisement that the response would be provided to the Complainant, who would be given the opportunity to respond. Such response would in turn be provided to the Member, for further response. The complaint and all associated correspondence would then be provided to an adjudicator for review.
- The advisement that should the ten working days pass without any response from the Member, that the complaint would be assigned to an independent adjudicator for review without any further submission.
- The opportunity to contact WASPA to advise if the complaint was not correctly directed to the Member.
- A note that the provision of fraudulent or incorrect information in the response would be a breach of the Code.

2.3 WASPA provided contact details for the response in the communication.

2.4 WASPA provided proof of the issues under discussion, by attaching to the mail digital copies of the Unsubscribe requests lodged by each of the Complainants; six attachments in total. These have been considered as part of this adjudication, and it has been verified that each one has the following characteristics:

- It is an unsubscribe request from a member of the public, asking to be removed from the Vuclip service
- The request has not had a response from Vuclip
- The request remains open on the portal
- The customer had not been contacted by the Member

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3. Member's First Response

3.1 The Member reverted on 23 July 2026, thereby acknowledging receipt of the communication; advising that all enquiries had been resolved and closed on the WASPA Portal.

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4. WASPA Response

4.1 WASPA responded to the Member on 23 July 2026, advising that the current queries on the Portal are not the subject of complaint #62483. WASPA provided the following detail, clarifying that these are earlier queries that had now been closed and 'escalated to formal'.

A. Request number: #7233523 Mobile number: 07****9 Date logged: 2026-05-25
B. Request number: #7233543 Mobile number: 0*****9 Date logged: 2026-06-02
C. Request number: #7233576 Mobile number: 0*****8 Date logged: 2026-06-23
D. Request number: #7233578 Mobile number: 0*****8 Date logged: 2026-06-23

E. Request number: #7233597 Mobile number: 0*****5 Date logged: 2026-07-01
F. Request number: #7233603 Mobile number: 0*****5 Date logged: 2026-07-06

4.2 WASPA requested a formal response to the query.

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5. WASPA Response

5.1 WASPA followed up with a message on 4 August 2026, advising the Member that a formal response to the complaint was due on that day.

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6. Member's Second Response

6.1 The Member responded on 4 August 2026, again acknowledging receipt of the communication from WASPA, and advising of the resolution of a complaint on the Portal with details.

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7. Final WASPA communication

7.1 WASPA responded to the communication on 4 August 2026, again clarifying that the current queries on the portal were not the subject of the formal complaint #62483, as these had been closed as part of the formal complaint process; and providing the screengrabs of the escalated queries. WASPA again requested a formal response in the matter.

7.2 WASPA further advises a telephonic exchange on 12 August 2026, in which the matter was discussed and a formal response was requested.

7.3 WASPA advise that as no response was received from the Member, the matter was put forward to formal adjudication.

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8 Sections of the Code considered

8.1 Termination of Service:

Clause 15.26 : '*If a member is unable to immediately act on a subscription or notification service*

termination request received from a customer, the customer must be promptly informed. (Example: "This may take up to 24 hours to be processed.")'

Clause 15.27 : '*The processing of any subscription or notification service termination request must not be unreasonably delayed. Termination requests submitted to the member in an automated fashion (including via SMS, USSD or the WASPA API) must be honored within 24 hours, and all other termination requests (including email requests) must be honored within two working days (48 hours).'*

8.2.1 Sanctions:

Clause 24.34: *'If the adjudicator determines that there has been a breach of the Code, then the adjudicator must determine appropriate sanctions. In determining any appropriate sanctions, the adjudicator must take into consideration:*
(a) any previous successful complaints made against the respondent in the past three years;
(b) any previous successful complaints of a similar nature;
(c) the nature and severity of the breach;
(d) the loss suffered by the complainant;
(e) any efforts made by the respondent to resolve the matter; and
(f) any other factors that the adjudicator considers material.'
8.2.2 Sanctions

Clause 24.43
Sanctions that may be imposed on a member found to be in breach of the Code of Conduct include one or more of the following:
(a) a requirement for the member to remedy the breach (including ordering a refund);
(b) a formal reprimand;
(c) an appropriate fine on the member, to be collected by WASPA;
(d) suspension of the member from WASPA for a defined period;
(e) expulsion of the member from WASPA;
(f) a requirement for the member to disclose the identity of any client found to be acting in breach of this Code of Conduct;
(g) a requirement for the member to suspend or terminate the services of any client that provides a service in contravention of this Code of Conduct;
(h) a requirement to withhold a specified amount or portion of money payable by the member to the client.

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9. Decision

9.1 The Complaint proceeds under Code sections 15.26 and 15.27 which specifically address the issue at hand, that of a timely response to a customer to an Unsubscribe request.

9.4.1 The Member is bound by the provisions of 15.26 which states '*If a member is unable to immediately act on a subscription or notification service termination request received from a customer, the customer must be promptly informed. (Example: "This may take up to 24 hours to be processed.")*.'

9.4.2 The evidence establishes the fact that the Member did not respond timeously in this manner to the Complainants, and did not provide such a notice to the Complainants.

9.4.3 Therefore this clause has been breached, and the complaint is upheld in this instance.

9.5.1 This clause works hand in hand with the following clause 15.27 which states: '*The processing of any subscription or notification service termination request must not be unreasonably delayed. Termination requests submitted to the member in an automated fashion (including via SMS, USSD or the WASPA API) must be honored within 24 hours, and all other termination requests (including email requests) must be honored within two working days (48 hours)*.'

9.5.2 The evidence provided establishes the fact that the Member did not respond timeously in this manner to the Complainants, or at all.

9.5.3 Therefore this clause has been breached, and the complaint is upheld in this instance.

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10. Sanctions

10.1 As per Code clause 24.34, the following have been taken into account in consideration of the appropriate sanction:

- any previous successful complaints made against the respondent in the past three years;
- any previous successful complaints of a similar nature;
- the nature and severity of the breach;
- the loss suffered by the complainant;
- any efforts made by the respondent to resolve the matter; and
- any other factors that the adjudicator considers material.

Mitigating Factors

10.2 It must be considered that there are no previous adjudicated breaches by the Member.

10.3 During the process, the Member did respond to WASPA correspondence, and indicated a willingness to co-operate. There are no indications that the Member will not be co-operative in the future, or indeed, with the decision in this instance.

Aggravating Factors:

10.4 It must also be considered that in the issue before us, there are multiple breaches, in each of six Complainants.

10.5 The nature of the Member's breach should be viewed as serious; as

10.5.1 The Complainants / Customers are still awaiting a response to their requests; and are, to the best of our knowledge; still being billed, experiencing potential or actual harm.

10.5.2 The Member has had multiple opportunities to respond to The Complainant's requests, over a protracted period of time.

10.5.3 The Member's responses to WASPA should also be considered here. They should perhaps refresh their knowledge of the WASPA processes and procedures, as they do not seem entirely familiar. Their response in this instance, was misinformed, and did not correctly address the query put to them.

10.6 The Code advises that the following may be included in the Sanctions at clause 24.43

- a requirement for the member to remedy the breach (including ordering a refund);
- a formal reprimand;
- an appropriate fine on the member, to be collected by WASPA;
- suspension of the member from WASPA for a defined period;
- expulsion of the member from WASPA;
- a requirement for the member to disclose the identity of any client found to be acting in breach of this Code of Conduct;
- a requirement for the member to suspend or terminate the services of any client that provides a service in contravention of this Code of Conduct;
- a requirement to withhold a specified amount or portion of money payable by the member to the client.

10.7 Thus, the following sanctions are imposed:

10.7.1 The Member is instructed to remedy the breach of 15.26, and to immediately respond to each of six the Complainants.

10.7.2 The Member is instructed to remedy the breach of 15.27, and to immediately execute the Unsubscribe requests from the date it was requested, including any refund that may be due to the Customer.

10.7.3 As it is not possible to remedy the breach timeously, in that the defined time period has passed, a fine is imposed on the Member;
10.7.3.1 R 2000.00 for the breach of 15.26
10.7.3.2 R 2000.00 for the breach of 15.27

10.7.4 As each Complainant deserves to be heard, and in that this decision would have been the same if there was a single Complainant; the fine is imposed per breach, with a total of R 24 000 for the six breaches.

Matters referred back to WASPA

None
