

參考資料

二零零七年七月十八日

立法會資訊科技及廣播事務委員會

提供與香港住宅寬頻服務有關的消費者資訊

目的

本文件向各議員簡介電訊管理局(電訊局)最近就香港住宅寬頻服務所進行的消費者調查。電訊管理局局長(電訊局長)就該調查結果所發出的聲明的英文原文及中文摘要已載於附件。

背景

2. 社會關注本地寬頻服務的服務質素。鑑於有不少消費者投訴有關服務，電訊局在二零零五年一月¹宣布進行一項計劃，測試及公布目前本港四個主要寬頻網絡的若干技術及服務表現數據。

3. 由於缺乏實際數據反映用戶對不同寬頻技術的特性有所認識及消費者對不同服務的偏好，電訊局擔心公布純粹經測量所得的技術數據，可能會對消費者行為及市場競爭造成影響。

4. 電訊局長其後於二零零六年五月發表聲明²，宣布就香港住宅寬頻服務的使用進行詳細的調查，以便有更多的科學基礎，找出消費者現時在市場所得到的資訊，以及對寬頻服務及網絡的技術規管是否有任何不足之處。電訊局長可藉

¹ 於二零零五年一月三十一日發出的「向住宅寬頻互聯網服務的消費者提供服務質素資料」電訊局長聲明。

² 於二零零六年五月十二日發出的「有關寬頻互聯網接達服務的消費者資訊」電訊局長聲明。

此確定是否需要採取補救措施。如果一些補救措施與電訊局作為規管者的角色有所衝突，由互聯網服務營辦商、其他政府部門或消費者委員會等其他相關機構推行可能更為合適。

調查

5. 電訊局委託香港大學社會科學研究中心進行調查，並成立一個由四家主要互聯網服務營辦商代表組成的工作小組，就調查的設計提供意見，並協助調查的進行。在二零零六年九月至十二月期間，共有 1,063 名四家主要互聯網服務營辦商的住宅寬頻用戶接受了訪問。調查報告全文(只有英文版)可於電訊局網頁(<http://www.ofta.gov.hk/en/tas/others/ta20070502a.pdf>)下載。

調查結果

6. 研究顯示，無論住戶使用哪一家營辦商，大部分住戶(約 87%)表示對自己所使用的服務感到滿意。不過，調查亦顯示部分住戶不太熟悉自己的電腦及家居的互聯網，所以無法全面享用有關服務。調查確定單單公布更多網絡表現的技術測試數據，未必能提高消費者對服務的認知。

7. 調查亦顯示，服務的可靠性是市民對互聯網服務的首要要求，比寬頻服務的收費及傳輸速度更加重要。然而，服務的可靠性往往取決於家庭成員對電腦及互聯網的認識，而非有關公司所提供的服務。調查結果明顯反映不少住宅互聯網用戶未能充分理解在家居遇上的技術問題。

8. 雖然大部分受訪者認為在選擇營辦商時已有足夠資訊，但調查結果顯示尚有可以改善的地方。例如，很多受訪者希望個別營辦商的價格、傳輸速度及服務質素可以更具透明度。面對競爭激烈的市場，各營辦商自然希望透過宣傳及

推廣，確保消費者獲得有關其產品的正面資訊。不過，消費者仍會要求重要的資訊以易於理解的方式提供，以便在選購服務時可以有充足的資訊作出決定。

未來路向

9. 為確保消費者有更充足的資訊選擇寬頻服務，電訊局正主要在三方面積極進行工作-

- (a) 互聯網服務營辦商本身提供完善的服務資訊；
- (b) 加強消費者在電腦、互聯網及有關服務的教育，以及教導消費者如何議定寬頻合約；和
- (c) 繼續防止以誤導及欺騙方式推廣寬頻服務。

10. 就上文(a)點而言，電訊局會與業界討論營辦商如何可以協助收窄調查所反映的資訊差距。營辦商可考慮披露及承諾服務恢復時間、客戶服務熱線服務水平，以及互聯網路徑中相關網絡路段的聲稱速度。

11. 就上文(b)點而言，為改善客戶日常使用寬頻服務的表現，電訊局將與業界及消費者委員會研究，就精明使用家居資訊科技，進行更廣泛的公眾教育。電訊局與香港通訊業聯會及主要互聯網服務營辦商的代表已就此事展開討論。

12. 此外，電訊局將會擴大為消費者直接提供電訊服務使用錦囊的計劃，包括如何選擇寬頻服務及如何議價等。首份有關寬頻傳輸速度的小冊子已於二零零七年四月出版。

13. 電訊局亦正研究與消費者委員會合作的可行性，針對具體電腦及互聯網使用問題進行消費者教育計劃。

14. 就上文(c)點而言，複雜的寬頻技術、眾多的服務選擇及各競爭公司層出不窮的推廣策略，使消費者未必能取得最準確及最新的資料。

15. 在推廣或宣傳寬頻服務時，互聯網服務營辦商必須完全遵守《電訊條例》第 7M 條下的公平競爭及保障消費者原則(該條文禁止電訊牌照持有人在促銷、推廣及宣傳電訊服務時作出具誤導性或欺騙性的行為)。

16. 根據調查所得資料及電訊局調查投訴的經驗，電訊局現正制訂一套針對推廣寬頻服務的最佳做法指標。例如，互聯網服務營辦商聲稱的服務速度，通常指消費者住所至本地機樓或香港互聯網交換中心一段的「本地」連接速度。不過，由於大部分消費者可能只關心整體的寬頻服務表現，因此如未有提供足夠的限制說明及解釋，可能會引起誤會。編製中的最佳做法指標規定，營辦商必須列出有關指定速度適用的傳輸路段的所有相關限制說明，以及可能影響用戶實際使用速度的其他因素。

17. 這些最佳做法指標會盡可能為業界提供清晰的指示，說明營辦商推廣服務時，哪些推廣內容和聲稱有可能違反《電訊條例》第 7M 條。

18. 目前，電訊局正調查 17 宗涉及指稱銷售代理人以不當手法銷售寬頻服務的個案，以及一宗指稱涉及誤導性廣告的個案。電訊局過往調查了逾 160 宗有關以不當手法銷售寬頻服務或指稱誤導性廣告的投訴，裁定其中 40 宗違反《電訊條例》第 7M 條。電訊局已向全部被裁定投訴成立的機構發出書面警告。

電訊管理局

二零零七年七月十一日

TELECOMMUNICATIONS AUTHORITY STATEMENT

Survey on residential broadband internet access services

2 May 2007

1 BACKGROUND

- 1.1 The Telecommunications Authority (the “Authority”) has completed the survey of residential broadband internet use foreshadowed in his May 2006 statement on “Consumer Information in Relation to Broadband Internet Access Services”.
- 1.2 As of the end of 2006, there were approximately 1.6 million residential broadband connections in Hong Kong, with the household penetration rate reaching almost 68%. This is one of the highest rates in the world. Moreover some 76% of Hong Kong households now have direct connectivity with at least one alternative broadband customer access network.
- 1.3 The highly competitive market environment has been driven by the aggressive rollout of broadband networks by facilities-based internet service providers (“ISPs”) and the use of fibre optic cabling to individual buildings. However, the wide availability and high uptake of broadband internet access services have also been accompanied by a significant number of consumer complaints over the years.
- 1.4 In 2006, the Consumer Council received over 4,000 internet-related consumer complaints. Most of these involved individual contractual disputes and were not within the Authority’s oversight of either section 7M of the Telecommunications Ordinance (which prohibits misleading or deceptive conduct by telecommunications licensees in relation to, among other things, the promotion, marketing and advertising of telecommunications services) or telecommunications licence conditions.

- 1.5 In response, the Authority has undertaken extensive publicity to educate consumers to understand contracts before they sign up¹ and instigated a voluntary code of practice for service contract terms and format². In addition, to deal with the underlying causes of mis-selling incidents involving individual consumers, the Authority has established best practice indicators for the selling of fixed line services³. How individual ISPs comply with the code of practice for contracts and the best practice indicators is being monitored continuously.
- 1.6 The quality of service (“QoS”) of the broadband networks has been a particular focus of complaints for the last three years. In 2004 some 43% of the consumer complaints received by OFTA about broadband access services were concerned with technical performance and other quality of customer service issues⁴. The corresponding figures for 2005 and 2006 were 35% and 30% respectively.
- 1.7 It was against the background of a high level of complaints about QoS that the Authority announced in early 2005⁵ a programme to address QoS concerns through the publication of certain technical and service performance data for each of the four broadband networks. However, during consultations with the ISPs, objections emerged that the test results for “speed” performance in particular, could be wrongly interpreted by consumers as an endorsement by the Authority of some networks over the others, thereby distorting the competitive process⁶.
- 1.8 To gain a better understanding of how broadband services are perceived by typical residential users, the Authority subsequently announced in the May 2006 statement the commissioning of a survey of residential broadband use. The intention was that the survey would provide the Authority with a scientific basis for identifying and correcting any deficit in the availability of

¹ *"Your Choice is on the Line"* Consumer Education Programme during September 2005 to February 2006.

² *"Code of Practice for the Service Contracts for the Provision of Public Telecommunications Services"* issued on 12 November 2004.

³ *"Report on Mis-selling of Fixed-line Telecommunications Services to Consumers in Hong Kong"* issued on 29 March 2005.

⁴ Paragraphs 19 and 20 of the TA Statement referred to footnote no. 5 below.

⁵ TA Statement *"Providing QoS Information to Consumers of Residential Broadband Internet Access Services"* issued on 31 January 2005.

⁶ Paragraph 4.14 of the TA Statement *"Consumer Information in Relation to Broadband Internet Access Services"* issued on 12 May 2006.

information which consumers need to make informed choices, or any deficit in the technical regulation of broadband services.

2 THE SURVEY

- 2.1 The Social Science Research Centre of the University of Hong Kong was commissioned by OFTA to conduct the survey of residential broadband use. A working group with representatives from the four major ISPs⁷ was also set up to provide comments throughout the course of the survey's design and to assist in the design and implementation of the survey. A sample of 1,063 residential broadband subscribers, representative of the actual subscribers of each of the four major ISPs, were interviewed from September to December 2006.
- 2.2 The full report of the survey (the "Survey Report") is annexed to this Statement.

3 SURVEY RESULTS

3.1 Level of Consumer Satisfaction

- 3.1.1 Given the number of broadband users and the actual level of broadband usage in Hong Kong, it has always been clear that the number of complaints about residential broadband services needs to be kept in perspective. The survey shows that some 87%⁸ of the respondents were not dissatisfied with the service they were getting, whichever particular service provider they happened to be using. Nevertheless some 13% of respondents were prepared to say that they were dissatisfied with their service provider.
- 3.1.2 These levels of satisfaction and dissatisfaction reflect the individual consumer's overall experience of their broadband service. According to the survey, around 62%⁹ of respondents had encountered problems with their ISP in the previous 12 months.

⁷ The four ISPs are Hong Kong Broadband Network Limited, Hutchison MultiMedia Services Limited, i-Cable WebServe Limited and PCCW IMS Limited.

⁸ Q4 in the Survey Report.

⁹ Q16 in the Survey Report.

3.2 Nature of Problems Encountered by Consumers

3.2.1 The major concern for most people was service reliability, accounting for over 84%¹⁰ of the problems which users had had in the last 12 months. Service reliability also attracted the majority of complaints lodged by the respondents with their ISP. Apart from service reliability, other issues were much less problematic. Connection speed, billing and customer services each accounted for less than 5% of problems encountered in the past 12 months.

3.3 Service Parameters Considered Important to Consumers

3.3.1 During the survey respondents were asked to indicate the importance of several factors when choosing an ISP¹¹. For ease of comparison, the average score for each service element was determined on a 5-point scale where “1” refers to “not important at all” and “5” refers to “very important.”

3.3.2 The survey shows that a reliable service experience is the number one requirement which people have for their internet access arrangements. Around 92% of the respondents considered network reliability either important or very important. The average score at 4.5 was also the highest among the 11 factors identified. In fact at present, it appears that reliability is more important than the price people are prepared to pay for internet access or indeed any other aspects related to the operation of the service.

¹⁰ Q17 in the Survey Report.

¹¹ Q5 in the Survey Report.

Importance of individual service elements when choosing ISPs		
Service element	Average score*	% of respondents rated important or very important
Network reliability	4.5	92%
Download speed	4.2	84%
Customer service quality	4.1	81%
Price	4.1	77%
Customer service hotline	4.0	71%
Coverage	3.8	67%
Upload speed	3.8	65%
Public reputation	3.5	52%
Package of services	3.2	37%
Storage space	3.1	37%
ISP webpage content	2.9	25%
* “1” refers to “not important at all” and “5” refers to “very important”. The number in the second column is the simple average of the score of each valid respondent.		

3.3.3 Other than network reliability, there were four other factors having scores exceeding 4.0 (very important or important). They are, in descending order of importance, download speed (score 4.2), customer service quality (score 4.1), price (score 4.1) and customer service hotline (score 4.0). In terms of percentage of respondents rating the factors as important or very important, there are eight factors with percentages exceeding 50% - they are, in descending order of percentages, network reliability (92%), download speed (84%), customer service quality (81%), price (77%), customer service hotline (71%), coverage (67%), upload speed (65%) and public reputation (52%).

3.3.4 To ensure there is a thorough understanding of the decision making process which consumers employ in selecting an ISP, and what is important when the service is in use, follow-up enquiries are underway in which respondents to the survey will be provided with a series of scenarios for conjoint analysis. The results of this exercise should provide further insight into the relationships between the different service parameters in paragraph 3.3.2.

3.4 Whether Sufficient Information is Available to Consumers on the Important Service Parameters

3.4.1 The survey asked respondents whether there was sufficient information available when choosing an ISP¹². Around 62% of the respondents considered there was. For the 38% who considered otherwise, pricing information was the major missing item, followed by download speed then upload speed.

3.4.2 When asked a more general question about the need for quality of service information on ISPs to be made available¹³ to consumers, the vast majority of respondents (97%) indicated there was such a need and some 43% of them indicated that the information should be provided by OFTA¹⁴.

3.5 Technical Knowledge

3.5.1 To ascertain residential users' actual level of technical knowledge, respondents were asked to indicate whether their broadband connection performance could be affected by a number of specifically identified factors¹⁵. These were all concerned with an individual consumer's computer set-up and were not related to the actual performance of their broadband network.

3.5.2 Most respondents correctly reported that a computer software virus could affect the performance of their connection. However, less than 70% of the respondents realised that broadband performance can be adversely affected by other factors, such as spyware, hardware faults, spam and the software settings on their computers.

3.5.3 Even when QoS problems were mostly related to users' hardware or software set-up, and were therefore issues outside their ISP's control and responsibility, nearly 60% of the respondents who had encountered problems of that kind nevertheless sought their ISPs' assistance.

¹² Q9 in the Survey Report.

¹³ Q13 in the Survey Report

¹⁴ Q14 in the Survey Report

¹⁵ Q6 in the Survey Report.

- 3.5.4 These results indicate that many in the community are not yet fully conversant with the use of computers and the internet in the home. Their enjoyment of their broadband service is therefore not optimal, no doubt leading to their remaining somewhat unhappy with their service, and to their directing complaints to parties such as OFTA and the Consumer Council.

4 DISCUSSION

4.1 Importance of Meaningful Information to Consumers

- 4.1.1 The Authority encourages all telecommunications service providers to distinguish their services in any way which reflects their particular competitive advantage and which focuses on the things they believe their target customers are likely to consider important. In the case of broadband services, this can include network stability, reliability, or high connection speeds. Whatever angle an ISP chooses to take in its marketing its claims must not be misleading or deceptive.

- 4.1.2 To ensure consumers can make informed choices amongst the various competing service providers, the statutory obligation on service providers not to mislead or deceive carries positive obligations to ensure that the information which they make available is meaningful to consumers as they consider which service best meets their needs within their budget.

4.2 Pricing Information

- 4.2.1 The natural feature of the present strong competition in the broadband market is that pricing has to be flexible if one company is to win business off another. The result is that even when consumers are customers of the same ISP, the prices they pay may not be the same. The survey results about wanting more pricing information suggests that it is not widely understood that because competition is intense, companies often do not necessarily charge the prices published on their websites, or in their brochures and other marketing materials, because they are actually prepared to negotiate on an individual basis, usually via their customer hotline.

- 4.2.2 In the future the Authority will be providing more consumer advice about

negotiating prices. And while the Authority does not expect the ISPs to publish the exact prices that they charge individual customers, the Authority expects the ISPs to comply with their existing licence obligation to effect publication of their maximum prices. The Authority also expects the operators to provide the potential customers with complete price information *before* the contract is finalised.

- 4.2.3 Relevant pricing information includes not only the monthly subscription payable to service providers, but also other incidental charges, such as any installation charge, early termination penalty, etc. To avoid disputes later, service providers must provide all the pricing information that is likely to influence a consumer's decision whether or not to subscribe.

4.3 Speed Information

- 4.3.1 According to the survey, consumers also want unambiguous information about what the transmission speeds they will actually experience. Many ordinary consumers may not realise that the transmission speed specified in the promotion materials of service providers may only refer to the first (or the last) of several distinct stages in the journey made by the data being transmitted (or received). It is the Authority's view that service providers must state all relevant qualifications regarding the segment of the pathway to which the specified speed applies.

4.4 Other QoS Information

- 4.4.1 As well as information on pricing and transmission speed, the Authority notes from the survey results (paragraph 3.4.2) that consumers looking to buy a broadband internet access service may also want comparative information about QoS. However, QoS can mean different things to different people. For some people, the quality of a broadband service means the transmission speeds it is capable of delivering. For others, QoS can mean having day to day uninterrupted connection, while for others it may be the responsiveness of customer-support staff when getting the service installed or when help is needed later.

- 4.4.2 When service providers do face strong competition, each of them is naturally incentivised to ensure consumers have good information about their products

because their individual business success depends on their being able to persuade consumers about the merits of their services through advertising and marketing. In a competitive market it is for the consumers (and not the regulator) to decide whether one company has a better service than another, and whether some companies are more successful than others. However, consumers will need the necessary information presented to them in a meaningful manner so that they can make informed decisions in the market.

- 4.4.3 For this reason, the Authority will be discussing with ISPs and independent organisations approaches for providing QoS information to consumers which are relevant to the current marketplace environment, and more importantly, meaningful to consumers when choosing an ISP. The Authority recognises that over time benchmarks may need to change, as the levels of consumer understanding improve or as technology changes.

4.5 Importance of Consumer Education

- 4.5.1 The survey results do strongly suggest that many residential internet users do not yet have an adequate grasp of the technical issues and are therefore more vulnerable to being misled by technical terminology.
- 4.5.2 Some consumers are less technically able than others, and for these consumers special precautions are needed to guard against section 7M breaches. Consumers themselves also have a responsibility to be better informed about the qualifications that apply to claimed performance. As discussed further below, the industry and independent organisations like the Consumer Council, as well as OFTA, can all play an important educational role.
- 4.5.3 The Authority also notes that the perceived QoS of a particular broadband service may often have more to do with the “learning curve” which some household members face, rather than the service delivery by the company concerned. This is confirmed by the Authority’s follow-up enquiries which show that over 80% of calls to broadband customer hotlines in Hong Kong are about technical issues to do with the configuration of the users’ own computer equipment, problems at a website destination, or other things wholly beyond the local broadband provider’s practical influence and contractual responsibility.

- 4.5.4 Consumer education is an ongoing imperative across the whole telecommunications industry. Any assistance that can be provided to enable consumers to more quickly appreciate the importance and substance of new information, will normally be to the benefit of the consumers concerned and to the marketplace more generally.

5 THE WAY FORWARD

5.1 Addressing the Information Need of Consumers

- 5.1.1 Based on the finding of the survey, the Authority has initiated a dialogue with the industry on how adequate information considered to be important to the consumers should be made available to them in a meaningful manner.
- 5.1.2 The Authority's preferred approach is that necessary information, such as statistics on service and technical performance, should be published by the operators themselves. The Authority will discuss with the operators about the definitions of the performance indicators and how the information should be audited and published.
- 5.1.3 The Authority will also explore the feasibility of collaboration with independent organisations like the Consumer Council in making comparative information available to consumers.
- 5.1.4 In the longer term, if the voluntary efforts of the industry, and the coordinated education activities of the Authority, independent organisations like the Consumer Council and other relevant government agencies are not successful, and significant information deficits persist where internet access services are concerned, the Authority believes that the telecommunications legislation should be amended to empower the regulator to mandate specific consumer information disclosure requirements on ISPs.

5.2 Consumer Education

- 5.2.1 In view of the increasing technical complexity of broadband services and to ensure there are long term improvements in the day to day experience

which people have in their use of a broadband service, the Authority will be working with the industry, independent organisations like the Consumer Council and other relevant government agencies on proposals for educating the wider Hong Kong community about being smart information technology users in the home.

- 5.2.2 To close the specific information gaps concerning price and transmission speed, the Authority will be extending its current programme for direct consumer advice on telecommunications services topics to include the issues around how to choose a broadband service and negotiate a price.

5.3 Addressing Misleading or Deceptive Conduct

- 5.3.1 The Authority is also seeking cooperation from the industry and the Consumer Council to develop a number of Best Practice Indicators concerning advertising and provision of pricing information to potential customers based on the information from the survey.

- 5.3.2 The aim of establishing the Best Practice Indicators is to provide a clear picture of potential problem areas where misleading or deceptive conduct can occur – and explain ways of safeguarding against such event. In doing so, consumers and the market place are protected from misleading or deceptive practices that work to diminish the benefits of fair and effective competition in relation to broadband services in Hong Kong.

Office of the Telecommunications Authority

2 May 2007

電訊管理局局長聲明

寬頻互聯網接達服務調查

二零零七年五月二日

摘要

- 1.1 電訊管理局局長(電訊局長)現已完成二零零六年五月題為「有關寬頻互聯網接達服務的消費者資訊」的聲明中提及的住宅寬頻使用調查。
- 1.2 調查旨在深入了解一般住宅用戶對香港寬頻服務的意見，以便電訊局長在有科學根據的情況下，識別及修正提供消費者資訊及寬頻網絡技術規例的不足。
- 1.3 隨著寬頻互聯網接達服務日趨普及，消費者投訴數字高企，以及早前建議公布某些技術表現指標，均為這次調查的背景。
- 1.4 研究顯示，無論住戶使用哪一家服務供應商，大部分住戶(約 87%)實際上對使用的服務並沒有不滿意。不過，調查亦顯示部分住戶不太熟悉家中的電腦及互聯網，無法全面享用寬頻服務。
- 1.5 調查顯示，服務的可靠性為市民對互聯網接達安排的首要要求，事實上，服務的可靠性相對比市民願意為互聯網接達支付的費用及服務的實際傳輸速度更加重要。
- 1.6 然而，服務的可靠性往往取決於部分家庭成員對服務的了解程度，並不繫於有關公司所提供的服務。電訊局長的跟進調查顯示，本港寬頻客戶熱線接獲的查詢超過 80%與用戶電腦設備的配置、目的地網站問題、或其他非本地寬頻供應商所能控制的情況等技術問題，以及合約責任範圍以外的其他事宜有關。
- 1.7 為確保寬頻客戶日常享用的服務質素長遠得到改善，電訊局長將與業界、消費者委員會及其他人士研究，向香港的普羅大眾灌輸精明使用家居資訊科技的知識。另外，我們亦與業界進行討論，使電訊局長及有關公司妥善處理其他具體資訊不足的問題。
- 1.8 雖然大部分受訪者認為在選擇服務供應商時已有足夠資料，但調查結果顯

示尚有可以改善的地方。例如，很多受訪者希望價格更具透明度，這代表他們未能充分了解在激烈競爭下，各家公司不一定收取他們在網站或宣傳資料刊登的價格，因為實際上他們準備與準客戶個別議價(通常透過客戶熱線)。消費者亦希望取得有關實際傳送速度的明確資料。

- 1.9 為收窄上述差距，電訊局長將擴大目前為消費者直接提供電訊服務使用錦囊的計劃，包括如何選擇寬頻服務及如何議價等。電訊局長亦正根據調查所得資料制訂一系列最佳做法指標，包括寬頻供應商所披露的客戶服務水平統計資料，以及促銷時就傳送速度作出聲稱的規限。