

Tel No : 3919 3670  
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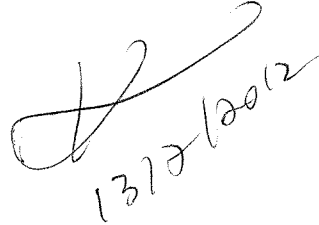
**Memo**

To : CCS(1)3  
via PCS(C) (Atg)

From : CS(C)5

Ref : CP/C 1738/2012

Date : 13 July 2012



Handwritten signature and date: 13/7/2012

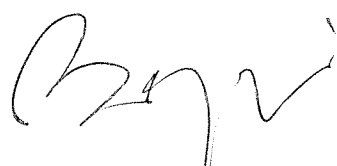
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**Suggestion of stepping up of the regulation of  
person-to-person telemarketing calls**

A member of the public, Mr Dhanesh Sakhrani, sent an e-mail to the Secretariat and the Commerce and Economic Development Bureau (CEDB) on 21 June 2012, in which Mr Sakhrani has suggested the stepping up of the regulation of person-to-person telemarketing calls. The Complaints Division reported the case to Hon Vincent FANG Kang, Duty Roster Member (DRM), on 27 July 2012.

2. As the issue of "Review on regulation of person-to-person telemarketing calls" has been included in the list of outstanding items for discussion of the Panel on Information Technology and Broadcasting (the Panel), the Hon Member has instructed us to refer Mr Sakhrani's e-mail to, inter alia, the Panel for consideration.

3. Mr Sakhrani's e-mail is forwarded herewith for Panel members' consideration.



(Miss Maggie CHUNG)  
Council Secretary (Complaints)5

Encl.

Encl.

Person to Person junk calls need to stop  
Dhanesh Sakhrani  
to:  
ctbenq, complaints  
21/06/2012 16:09  
Hide Details  
From:

To: <ctbenq@cedb.gov.hk>, <complaints@legco.gov.hk>

Dear Communications & Technology and LegCo;

Please read below two emails I have sent to several HK Government organizations regarding person to person junk calls made. I believe the situation is out of control, and there does not seem to be sufficient ordinances to protect the public. I personally feel there is simply no recourse of action, especially considering my lack of speaking Chinese and the fact that most times, these unsolicited calls are being made from a BLOCKED/PRIVATE number.

I look forward to legislation being put in place in the future to help combat this ever-increasing problem.

Regards,  
Dhanesh Sakhrani

TO PCPD -----  
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Dear PCPD,

Below is an email I just sent to anti-spam and OFCA. I read your pdf document on the public's rights. However, there are two problems:

- 1) If I am not a native Chinese speaker, how am I able to determine the product/services they are selling and the company they represent
- 2) Many (not all) person to person junk calls are being made from a blocked number

How can I resolve those issues? And importantly, it doesn't stop them calling me in the first place. There doesn't seem to be anything I can do about it. At this point, I am receiving 1-2 of these types calls a DAY! That is ridiculous.

Please, I urge you to help push for new regulations strengthening our protections and make it harder for these spammers.

Regards,

Dhanesh Sakhrani

To Anti-spam and OFCA -----  
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Dear Anti-Spam and Office of Communications,

I just had a bad experience with a junk call. It was a person to person junk call. When the caller realized I couldn't speak Chinese, started to become abusive and swearing at me. I finally hung up, but this person called back again and continued swearing at me. The number was BLOCKED so I couldn't even see who was calling me.

This is the most utmost form of cowardice, making junk calls from a BLOCKED number. As a consumer, I have no options, I can not call them back, nor can I report them since I do not know what organization is calling me. As I said, I don't speak Chinese.

The regulation in Hong Kong regarding this is extremely weak. While the Do-Not-Call registry is a good start, there is no provision for person-to-person junk calls, and those people don't have to worry about any consequences. This issue is extremely annoying and can be costly if I receive such a phone call when I am overseas. I contacted my mobile phone provider, PCCW, and they said they could not do anything. They can not even trace the call to determine what the number the person is calling from is, nor can they block "BLOCKED" numbers from calling me. It seems like the general public has zero protection in this quickly escalating matter.

What are my options?

Please review your policies on person-to-person junk calls. I had contacted OFCA yesterday via phone, and was told that based on a survey conducted when the do-not-call registry was implemented, that most people didn't want legislation on person-to-person junk calls. I'd strongly suggest you revisit the feedback regarding this.

My suggestions:

- 1) Add a person-to-person Do-Not-Call registry
- 2) Fines associated with making person-to-person junk calls
- 3) Person-to-person junk calls can not be made from a blocked number
- 4) Mandatory for mobile phone providers to be able to trace back a junk-call and have the authority to impose account bans on them

This problem is getting out of control and really needs a solution. I fear we are lagging behind other countries in a solution to stop this. This is Hong Kong, not a third world country.

Regards,

Dhanesh Sakhrani