

## SCHEDULE 1

### Condition 25

#### **SERVICES FOR DISABLED PERSONS**

**25.1** In this Condition:

“customer” in the context of a person who is a customer of the Licensee means a person who rents an exchange line from the Licensee or a person using such an exchange line with the authority of a person who does so rent one;

“customers who need to use Textphones because of their disabilities” means customers of the Licensee who are deaf, deaf-blind or speech-impaired;

“Fault Repair Service” means a service consisting in such repair, maintenance, adjustment or replacement of any of the Applicable Systems, or such repair or adjustment of any Relevant System, or such repair or replacement of any apparatus for which the Licensee has undertaken the responsibility for repair and maintenance, as is necessary to restore and maintain a sufficient service;

“Relay Service” means a service which:

- (i) provides facilities for the receipt and translation of voice messages into text and the conveyance of that text to the Textphone of customers of any operator, and *vice versa*, and
- (ii) has been recognised as a text relay service by means of a determination made by the Director; and

“Textphone” means an integrated terminal incorporating an alphanumeric keyboard and a means of displaying text, intended for connection to the public switched telephone network for the sole or primary purpose of supporting live telephone conversations between two or more users.

**25.2** Unless otherwise specified below, the Licensee shall comply with paragraphs 25.4 to 25.15 by 2nd October 2001 or within one year of the licence being granted, whichever is the later.

**25.3** The obligations contained in paragraphs 25.4 to 25.14 shall apply to the provision by the Licensee of Fixed Publicly Available Telephone Services, and paragraph 25.6(a) shall also apply to the provision by the Licensee of Publicly Available Telephone Services which are not Fixed Publicly Available Telephone Services.

**25.4** The Licensee shall take all reasonable steps to ensure that the services which it provides in order to comply with the obligations contained in this Condition are widely publicised, taking into consideration, where appropriate, the need to disseminate information in appropriate formats through appropriate channels for disabled persons.

**25.5** With immediate effect, the Licensee shall from time to time consult the Director who may then, if he thinks fit, seek the advice of:

- (a) any body established under section 54(4) of the Act for matters affecting persons who are disabled or of pensionable age; and
- (b) any other bodies recognised by the Director as representing the interests of disabled persons,

to ensure that the needs and interests of disabled persons are fully taken into account in the development and provision of its telecommunication services.

**25.6** With immediate effect:

- (a) the Directory Information Service provided by the Licensee under Condition 2.1 and Condition 2.8 shall include a service or information as the case may be which the Director

**Status:** This is the original version (as it was originally made).

determines to be satisfactory where the Directory Information is made available in a form which is appropriate to meet their needs to persons who are so blind or otherwise disabled as to be unable to use a telephone directory in a form in which it is generally available to persons to whom the Licensee provides services; and the services so provided to such persons shall be provided free of charge; and

- (b) following a request to be advised of a Number of a Subscriber by a person who is so blind or otherwise disabled as to be unable to use a telephone directory, the Licensee shall, upon that person's request, then connect the person to the Number so requested.

**25.7** The Licensee shall ensure that such of its customers who need to use Textphones because of their disabilities are able to access a Relay Service.

**25.8** Customers who need to use Textphones because of their disabilities shall be charged for the conveyance of such voice and text messages to which a Relay Service applies:

- (a) at no more than the Licensee's prevailing standard prices or such other charges as are, so far as reasonably practicable, equivalent to such prices as if that conveyance had been made directly between the caller's Network Termination Point and the Network Termination Point of the called person, except that the calling customer may be charged at the Licensee's standard local call prices for the element of the Relay Service which consists of calls made to the Relay Service provider in order to make a call to a called person irrespective of whether the call to the called person is successful; and
- (b) by the application of a special tariff scheme designed to compensate customers who need to use Textphones because of their disabilities, for the additional time taken to make telephone calls using a Relay Service.

**25.9** The Licensee shall ensure that any of its customers using Textphones:

- (a) have access to a Public Emergency Call Service, operator assistance and a Directory Information Service using short code numbers; and
- (b) receive call progress voice announcements in a form suitable for Textphone users.

**25.10** The Licensee shall, when notified of any fault or failure of any of the Applicable Systems or of a Relevant System or of any apparatus for which the Licensee has undertaken the responsibility for repair and maintenance which causes any interruption, suspension or restriction of the telecommunication services provided by means of that Applicable System or that Relevant System, provide to any residential customers with disabilities who have a *bona fide* need for an urgent repair, a priority Fault Repair Service with a view to restoring those services as swiftly as practicable and with priority so far as is reasonably practicable over Fault Repair Services provided by the Licensee to other persons. Charges for a priority Fault Repair Service shall not exceed the standard charge for the Fault Repair Service.

**25.11** Without prejudice to Condition 14 (non-payment of bills), the Licensee shall make provision to ensure that such of its residential customers who are so disabled as to be dependent on the telephone are able to participate in a scheme to safeguard telephone services to such customers. The scheme shall—

- (a) enable such customers to give prior notification to the Licensee of a nominee to whom—
  - (i) that customer's telephone bill shall initially be sent; or
  - (ii) any enquiry to establish why a telephone bill has not been paid shall be made;
- (b) permit the nominee to pay that customer's telephone bill on his behalf;
- (c) require the nominee to give his prior consent to the Licensee to act in such capacity;
- (d) not require the nominee to accept liability to pay the telephone bills of that customer; and
- (e) be provided at no cost to the eligible customer.

**25.12** The Licensee shall make available, free of charge, and in a format reasonably acceptable to any residential customer who is blind or whose vision is impaired, upon their request:

- (a) any contract (or any subsequent variation thereof) with that customer for the provision of Fixed Publicly Available Telephone Services (including any publicly available terms or conditions referred to in that contract or variation);
- (b) any bill rendered in respect of those services,

and an acceptable format would, for these purposes, consist of print large enough for such customer to read, Braille or electronic format appropriate to the reasonable needs of the customer.

**25.13** Where the Licensee provides Call Box Services at any Public Call Box, it shall:

- (a) with immediate effect, from time to time consult the Director who may then, if he thinks fit, seek the advice of:
  - (i) any body established under section 54(4) of the Act for matters affecting persons who are disabled or of pensionable age; and
  - (ii) any other bodies recognised by the Director as representing the interests of disabled persons,

on all future changes to the design of its Public Call Boxes to ensure that the needs and interests of disabled persons are fully taken into account in the development and provision of its Public Call Boxes;

- (b) ensure that at any time at least 75% of its Public Call Boxes are accessible by reasonable means to users in wheelchairs;
- (c) ensure that, not later than 2nd October 2002, at least 70% of its Public Call Boxes contain telephones incorporating additional receiving amplification;
- (d) with immediate effect, from time to time and in any event as the Director may require, consult the Director who may then, if he thinks fit, seek the advice of:
  - (i) any body established under section 54(4) of the Act for matters affecting persons who are disabled or of pensionable age; and
  - (ii) any other bodies recognised by the Director as representing the interests of disabled persons,

to ensure adequate provision, in terms of numbers and locations, of its Public Call Boxes incorporating textphone facilities. Where the Director is satisfied that such provision is inadequate, he may direct the Licensee to provide whatever level of Public Call Box textphone facilities he deems appropriate.

**25.14** At the written request of the Director, the Licensee shall, within three months of the making of such request, report to the Director on the measures being taken to ensure compliance with this Condition in such form as shall be reasonably required by the Director when making the request for the report.

**25.15** The Director may publish the information provided in the report.