

111 Contact Code

Vulnerable Consumer Register

FACT SHEET 2024



What is the 111 Contact Code

The Commerce Commission's 111 Contact Code (“111 Code”) was created to ensure that Vulnerable Consumers have reasonable access to an appropriate means of calling 111 emergency services in the event of a power failure.

Newer home phone services such as voice calling over broadband, which rely on an active working broadband service, won't work in the event of a power failure, without an independent power source. The 111 Code requires Telecommunication Service Providers to supply Vulnerable Consumers with an alternative solution to contact 111 in an emergency.

You'll be eligible to apply for the Vulnerable Consumer status if:

1. You (or someone in your household) is at particular risk of needing to call 111 emergency services for health, safety, or disability reasons; and
2. You have a voice calling over broadband service provided over Fibre technology and you, or someone you live with, do not have access to a traditional copper phone line. Note: The Code only applies to landline voice services. Broadband only customers cannot apply; and
3. You (or a person in your household) have no means to contact the 111 emergency service at the premises, or the means that you do have can't be operated for a continuous 8-hour period in the event of a power failure.

If you, or someone in your household, qualifies, Mercury IT will work with you to determine the right solution for your needs, and at no cost to you.

Please ensure that you read through this information guide and the accompanying form carefully before applying.

Important things to know:

- Telecommunication Service Providers cannot deny or cease supply of a landline service to you on the basis that we know or suspect that someone in your household is, or may become, a Vulnerable Consumer.
- Certain modern telecommunications services require power to function, this is not unique to Mercury IT.
- You may apply as a Vulnerable Consumer for health, safety, or disability reasons.
- The Vulnerable Consumer Register is separate to the Medical Dependency Register. However, you can indicate your interest in enrolling on the Medical Dependency Register within the Vulnerable Consumer Application Form.
- We can't guarantee continuous or fault-free service, as events within or beyond our control may cause a temporary loss of service.
- While we will try our best to inform you in advance if services will be unavailable, we may not always be able to.
- We recommend having a back-up plan in place, just in case. For example, if the mobile network is impacted along with the power line services.

Indicative list of eligible health, disability, and safety criteria

You can apply to be on the Vulnerable Consumer Register for health, disability, or safety reasons. If you're unsure whether your condition would qualify you for the Vulnerable Consumer Register, please speak with your doctor, social worker, lawyer, or contact us.

Consumers at high risk of respiratory emergencies

- Anaphylaxis or angioedema.
- Severe asthma (Grade 5 as specified by the MRC Dyspnoea Scale).

Consumers with high-risk mental health disorders

- Severe mental health disorder with significant risk of self- harm or harm to others.

Technology dependent patients who are at high risk

- Haemodialysis in the home.
- Patients on home respirators or with tracheostomies.
- Oxygen dependent patients (e.g., with severe obstructive pulmonary disease).

Consumers at risk of life-threatening hypoglycaemia or epilepsy

- Unstable insulin-dependent diabetes.
- Poorly controlled grand-mal seizures.

Consumers at high risk of obstetric and neonatal emergencies

- High-risk pregnancy (e.g., placenta praevia).
- Infants at risk (e.g., because of prematurity) with history of apnoea.

Consumers at high risk of cardiovascular emergencies

- Ventricular arrhythmias.
- Unstable angina.
- Acute myocardial infarction within the last 6 months.
- On a waiting list for aortic aneurysm, coronary or carotid artery surgery.

Other dependent Consumers who live alone, without support or in remote locations

Patients with other dependent medical conditions with a lesser risk of rapid deterioration may qualify for Vulnerable Consumer registration only if they live alone, without social support, or in a remote location, for example:

- Dialysis patients.
- Oncology patients.
- AIDS patients.
- Patients with Haemophilia or other bleeding disorders.

Consumers at high risk of personal safety

The support provided under the Vulnerable Consumer service also applies to Consumers and their dependants who are or were in a close relationship with someone who has had a protection order served against them in favour of the applicant.

Consumers at high risk due to disability

- Sensory Impairment
- Intellectual Impairment
- Physical Impairment

Types of supporting evidence

The following are examples of the type of evidence that may be sufficient to support an application:

- a completed Notice of Potential Medically Dependent Consumer (MDC) Status' form, which include a certification from a District Health Board (DHB), Private Hospital or GP;
- a protection order;
- a letter from a health practitioner; or
- documentation of impairment.

Alternatively, you can supply the contact details of a Nominated Person, so that we can verify the vulnerability with them. A Nominated Person is someone who is competent to give an opinion on whether you/the person residing at the address is at particular risk of requiring the 111 emergency service. Examples of Nominated Persons include:

Health or Disability

- A health practitioner (for example, a GP or specialist)

Safety

- a police officer,
- a currently registered social worker,
- a lawyer (with a current practicing certificate); or
- a family court judge

Medical Dependency Register

If you are a Mercury IT account holder and you or someone in your household has a medical condition that depends on copper landline telephone access for critical medical support, you can apply to be placed on our Medical Dependency Register. This will ensure that the medically dependent person is not unduly placed at risk when connecting, disconnecting, maintaining, or repairing faults with their telecommunications service.

What happens after applying?

We'll respond to you within 10 working days to communicate the outcome of your application.

If your application is successful:

- You will be notified in writing or via email;
- We will communicate with you what solution we believe will allow you to continue to contact 111 in an emergency; and
- We'll arrange for the supply and delivery of your solution as soon as practicable.

If your application is unsuccessful:

- You will be notified in writing or via email.
- We will communicate with you the reason for why you were unsuccessful.
- If you're unsuccessful due to an incomplete application, we will work with you to ensure it is completed in full.
- We will provide you with the details of an independent disputes process.

FAQs

What if my details change or I change to another provider?

You'll need to notify us if:

- You move house (in case the technology at the new location changes)
- Your vulnerable status changes (the service may no longer be needed/may be required on permanent basis);
- The name on your account changes (to ensure that we have up to date details)

You'll need reapply if any of the above scenarios apply.

If you move to another Telecommunications Service Provider, you'll need to discuss your vulnerability and dependency requirements with them.

How long will I stay on the Vulnerable Consumer Register?

This will depend on the nature of the vulnerability and whether it is permanent or temporary. If you have a temporary vulnerability, you will remain on the Register for the length of time specified in your application, and as indicated in your supporting evidence. If your vulnerability is permanent, then we'll contact you every 12 months to confirm that you still require our support service.

How can I be removed from the register?

If your circumstances change and you no longer need to be enrolled on the Vulnerable Consumer Register, please get in contact with us.

How much does it cost to be on the Vulnerable Consumer Register?

We don't charge customers for applying to be on our Vulnerable Consumer Register. However, you may incur costs when obtaining supporting evidence for your application (for example, from your doctor).

How will Mercury IT use the personal information provided?

When you apply to be on our Vulnerable Consumer Register, we'll use your information, or that of the individual with the vulnerability, to:

- Assess your/their eligibility to be on the Vulnerable Consumer Register;
- Report the status of those on our register to the Commerce Commission as required under the 111 Code;
- Provide, administer, and manage the Register; and
- Provide, administer, and manage your services.

What happens if my application is unsuccessful?

If you want to raise a complaint about the process or how your application was handled, the account holder should email support@mercuryit.co.nz, and one of our team will be in touch with the account holder to discuss and attempt to resolve any issues.

If you have already made a complaint directly to us related to the 111 Contact Code or an application to be a Vulnerable Consumer, and you are not happy with the resolution, or five working days have passed and nothing has been resolved, you can ask the Telecommunications Dispute Resolution Scheme (TDR) to intervene. TDR will formally engage with Mercury IT towards a resolution.

The account holder can raise a dispute with Mercury IT or the TDR on behalf of themselves or another person from the same household.

If you think that Mercury IT is not complying with the 111 Contact Code you can raise a complaint directly with the Commerce Commission at contact@comcom.govt.nz, or phone the Commission's Enquiries team on 0800 943 600, however, the primary method for making a complaint is to refer a dispute to TDR.

Contact us

- email us at support@mercuryit.co.nz
- call us on 0508 486 372 between 8am and 5pm Monday to Friday

Our Privacy Policy sets out our commitments to you regarding collecting, holding, and using information about you. Any information you provide to us will be held in accordance with those terms, the Privacy Act 2020, the Telecommunications Information Privacy Code 2003 and the 111 Contact Code. If you would like to update your contact information or any of the information supplied in the application form, or you would like to cancel your application, please email or call us on the details above. To find out more directly from the Commerce Commission at <https://comcom.govt.nz/regulated-industries/telecommunications/projects/commission-111-contact-code>