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Investigation launched in the PPO case

The Hungarian Competition Authority (GVH) is to launch an investigation in the PPO case within two weeks of time for alleged violation of the Act on the prohibition of unfair commercial practices. Until that time the GVH is collecting further data on what information has exactly been provided to the clients registering on the website about contract conditions. It is also to be clarified - until the launch of the investigation - which undertakings have taken part in the alleged infringement, i.e., which undertakings have to be drawn into the investigation. The GVH is kindly asking patience from the parties concerned until the termination of the investigation.

Pre Pay Online (PPO) is a web-based account portal that is mostly used for recharging highway vignette and mobile phone accounts by the registered consumers of the portal. Card-accepting services are provided to the undertaking operating the website by OTP Bank Nyrt. The registration is completed when the consumer accepts the General Terms and Conditions of the Contract (hereinafter GTCC), provides its personal bank card data and chooses among three subscription packages with different service levels (PPO Light, Basic and Premium). On 11 January 2010 the undertaking operating the portal debited the bank account of the registered users by HUF 2490 (approx. EUR 10) as an annual service fee.

Based on the information provided by about 300 consumers, most of the complainants have not been using the portal for years or very rarely, or registered on the portal between November 2008 and January 2009 and chosen the PPO Light 2009 special tariff package, hereby they were not obliged to pay annual administration fee in 2009. The consumers complain that, not considering the message received through the internal messaging system, they have not got any information either from the website or via other communication tools that the earlier service free of charge would become paying. Furthermore they did not have the possibility to declare before the debiting of their account whether they would like to use the PPO services in the following year as well for an administration fee; the contractual relations got automatically renewed. Many consumers objected that they only received information through the internal system about the change of the GTCC on 18 November 2009, the day when the sum was debited from their account.

It is alleged that by its information-providing practice - in connection with the change of the general contracting conditions - the undertaking operating the ppo.hu portal may have infringed the prohibition of unfair commercial practices determined by law. For protecting consumers from unfair commercial practices, the GVH is investigating whether the undertaking meets the requirements of professional diligence by providing the consumers with all the essential information necessary for a well-established consumer-decision in connection with a given product or service. The GVH only proceeds for alleged violation of the prohibition of unfair commercial practices if the commercial practice is capable of significantly influencing economic competition, e.g. it is realised by a communication practice that is nationwide or covers at least three counties.

When investigating the information-providing practice of the undertaking, the government decree on distant contracts might be applied. In case the provisions of this government decree are violated, the Hungarian Authority for Consumer Protection (HACP) may proceed. As far as the GVH knows the HACP has also initiated an investigation in the PPO case.

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Hungarian Competition Authority
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