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This month, we step up our personal data privacy campaign. We also ask ourselves why broadband in the home can become a headache with certain parsimonious providers, and show you how to capsize an ISP in a Nutshell

Firstly, we still want to hear from anyone who's bought a PC and has found someone else's details on it. Preferably we need to know those details too, so we can follow it up. So if you've had this happen to you, call us on 020 7291 5920 or email on [pcadvisor\\_consumerwatch@idg.com](mailto:pcadvisor_consumerwatch@idg.com).

Data privacy is one of the most underrated yet important issues of the information age. The release of Windows XP, e-voting (see *Legal advisor* on page 68) and the huge increase in identity theft mean it is something you can no longer avoid. We think your personal information is more valuable than PC companies will tell you, and certainly more valuable than they treat it. Help us to help you.

#### You'd think broadband was easy...

IT journalists are habitually offered free trials of broadband services, to test and inform readers about. This is how we came to have Telewest's Blueyonder cable modem service installed. So far so good, free broadband can hardly be a bad thing, can it? Well, as the old adage goes, never look a gift horse in the mouth, because if you do you might just find some cavities.

Our problem with Telewest arose when we wanted to plug in a different computer from the one Blueyonder had originally been installed on. Normally if you want to hook up another computer to a broadband service it's a simple matter of unplugging the network or USB cable from one computer and plugging it into the other.

However, if you are a Telewest customer things are a bit more complicated, as it requires you to provide it with a MAC address for each computer you want to plug in – up to a maximum of five. The MAC address is a security measure that uniquely identifies

your network card, so by providing Telewest with this information it can ensure that only authorised users can access the service. So if your modem is stolen, for example, it can't be used to access Blueyonder, as the computer trying to get online will not have a registered MAC address.

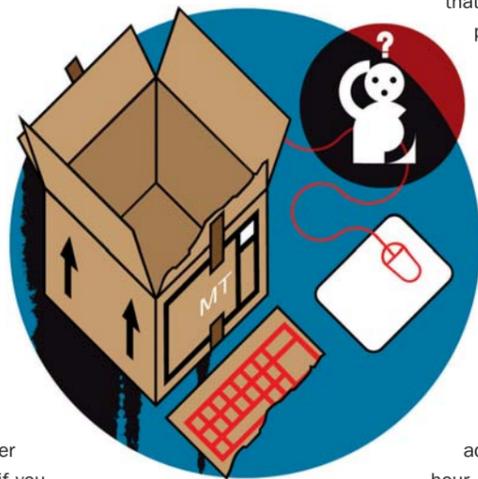
#### Gentlemen, open your MACs

However, it also makes it difficult for you to use your modem on different computers. Telewest admits that it asks for the MAC address purely to protect its modems. Adding MAC addresses can be a very frustrating process. Firstly, finding out your MAC address is a daunting prospect for the non-technical, although the manual does give instructions. The next problem is that each time you want to add a new MAC address – and if you regularly bring home notebooks from a company pool, this could be quite often – you have to call Telewest's customer support line. When we called to add our extra address we were left on hold for over an hour – imagine doing this every time you want to use a computer you've borrowed from work.

Telewest did trial an online service which allowed you to add MAC addresses to your account, which it admitted was 'very popular'. However, it was unstable and was taken offline after a week – the relaunch date was unconfirmed at time of writing.

#### The typical British malaise

NTL, which offers a similar cable modem service, allows customers to plug in whatever computer they wish, and their service costs a penny less per month, at £24.99. However, as it stands, you have no choice – if you live in a Telewest area



## Visit the ConsumerWatch forum

**G**ot a problem with a manufacturer? Did your PC vendor treat you wrong? Maybe your vendor treated you right and you'd like to tell other readers. Whether you've got gripes or notes of praise you want to broadcast, our *ConsumerWatch* forum is the best place to share them and get feedback about other people's experiences.



[www.pcadvisor.co.uk/registered](http://www.pcadvisor.co.uk/registered)

**Discussion Area**

Consumerwatch [add response](#) | [start new subject](#) | [view all subjects](#)

**Is there a good reason for getting WinME?**

**slimpickins** Sat, 25.08.01 | 10:09 GMT  
I'm in the brain curdling process of choosing a new computer and wondering which OS to go for. Having phoned round the manufacturers I've found that I don't have to have WinME, which seems to generate more posts than anything else on these boards. They'll all pre install 98SE or 2000 instead, sometimes at extra cost, about £30 and with some lose of web support.

Is the any good reason to get WinME?  
Which is better 98SE or 2000?

**zebedee** Sat, 25.08.01 | 10:50 GMT  
**hi slimp**  
from what i can make out a lot of things will not run on windose 2000,one of the other posts at the moment said that his "go back" will not work, so he is trying to get another version, and a lot seem to want to put their PC's back from ME to 98se..i have just had the chance with my new PC to have either ME or 98 pre installed , i went for 98...

ILLUSTRATIONS: LEE HASLER



## PC Advisor personal data privacy campaign

**H**ave you ever been sold a PC that had someone else's information on? Or has a PC you returned to a company to be resold without being properly wiped? If either of these things has happened to you, we want to hear from you.

Call ConsumerWatch on 020 7291 5920  
and we'll take it from there

and you want a cable modem, you'll just have to hang on hold for an hour or two whenever you want to plug a new computer into the service.

This is the real issue with cable provision in the UK. In much the same way as the privatisation of the railways and the potential privatisation of London's Underground, there is no real competition in this deregulation. This quasi-competitive landscape is, in theory, one of the routes to the government's vision of Britain as an 'e-commerce hub of Europe', as the government is so fond of saying. But the cable situation suggests we'll all just be slaves to our suppliers.

#### Cracking the Nutshell

Luckily, this sponsored monopolism doesn't extend to the virtual world, where we have unmetered dialup phone line internet. Sadly, it's a dog eat dog world out there in ISP land. October saw the ignominious collapse of Net in a Nutshell, which was one of only two choices out there for people who wanted unmetered internet who aren't BT customers. Cable & Wireless provided Nutshell's phone lines and modem allocation, but pulled the plug on the troubled unmetered ISP, Nutshell.net.

"Nutshell is currently in a dispute with Cable & Wireless over modem allocation," said a statement on the Nutshell site. "Nevertheless, Cable & Wireless has chosen to suspend and now terminate Nutshell's service." Cable & Wireless refused to confirm the termination, but when it does, it is likely to be unequivocal.

"When C&W pull the plug, they blacklist not only the company but also the directors, making it difficult for people to resurface," explained Dave Burns, head of the UK ISP Users Group ([www.ukispusersgroup.co.uk](http://www.ukispusersgroup.co.uk)). "Nutshell hasn't even had the decency to inform its PR company what is going on."

Nutshell, meanwhile, is only promising a full refund to customers who purchased an account within the seven days prior to 19 October, when the service was suspended. The defunct ISP claims to be seeking full compensation from Cable & Wireless for all customers, but said it was unable to offer refunds.

Net in a Nutshell launched back in March, offering a hire-purchase PC internet access finance package, and started flogging unmetered access in May. The unmetered service offered five email addresses and 5MB of webspace at a cost of £29.99 for the first three months, payable in advance.

After an initial honeymoon period in which the ISP attracted rave reviews, the service ground to a halt with users complaining of poor download speeds and engaged tones. *PC Advisor* reader James Veale was lucky. He recently received a letter from his credit card company confirming a full refund for the three month sign-up, which was debited by Nutshell on 8 October.

"Having had poor connections from BT I was looking to change my ISP package. Eurobell was looking good as it gave TV plus phone connections," says Mr Veale. "The only problem was that Eurobell is a pay-as-you-go service." So Mr Veale went with Nutshell on a friend's recommendation. All seemed perfect at first.

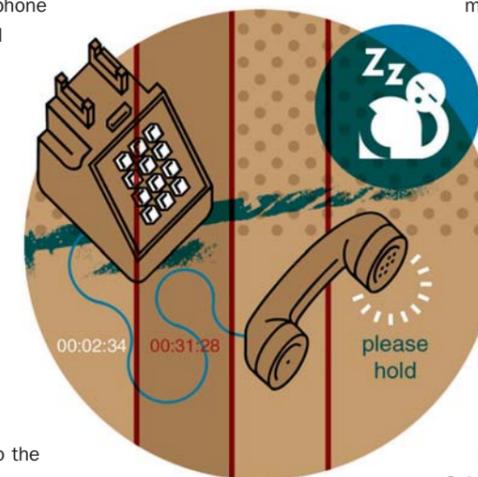
"In the second week everything changed. For seven days I couldn't access the internet except early in the morning, no access after midday until the following morning. On complaining to Nutshell, I was told that due to excessive sign-ups it was having problems with its servers (supplied by Cable & Wireless). This was being sorted out by having extra servers and modems installed."

#### Sick and tired

This prompts a rant. We at *PC Advisor* are bored hearing about firms that can't handle demand to the extent that they can't supply the goods as stated to those who have signed up. If you do this, you deserve to end up on the skids. Of course, Cable & Wireless is a monolithic organisation that never moves quickly. Small firms often end up

drastically changing their initial proposition once the big suppliers lawyers get to work on the contract. But a better, more flexible deal should have been struck with Cable & Wireless.

Mr Veale was very decent – he gave the firm seven days. But enough is enough. All customers who believe they are entitled to receive a refund once settlement is reached should send an email requesting to be added to the list for refunds through [cancel@nutshell.net](mailto:cancel@nutshell.net). ■



# legal advisor

Politicians are beginning to see that the internet could be the perfect tool to reach the electorate and shake it out of its apathy, and you could soon be able to vote in your pyjamas, says Aidan Relf, head of media and government relations firm RGMR. But don't forget that, though voting is one of your fundamental rights, doing it online is a security and privacy minefield

Politicians might think the vote is the most precious right in a modern democracy, but only 59 percent of the British electorate was sufficiently interested in the last general election to take part in it. Even worse, over 60 percent of the 18-25 age group could not be bothered to exercise a choice.

The DTI's relatively youthful e-commerce minister, Douglas Alexander, had a key role in Labour's campaign effort to try and thwart such voter apathy. He now wants to use his new job to stem the tide and, in a key speech on 25 October, he threw his weight behind the introduction of online voting.

By happy coincidence, his sister Wendy holds the same post in Scotland's devolved government, which is bringing forward legislation to allow electronic voting pilots in the local elections north of the border in two years' time.

Channel 4's *Big Brother* may or may not have been mandatory viewing in the Alexander household, but the thousands of votes cast online, via digital TV, to determine its winner demonstrated to many the enormous potential of the internet in engaging young people in a democratic process.

## Need help with a legal matter?



**While we try to help our readers by mediating between vendor and customer, there are times when matters can't be resolved without legal intervention. PC Advisor's Consumer Hotline can help you with all your legal problems, taking away the cost of visiting a solicitor**

**and letting you know when it's time to take court action.**

**Whether it's a consumer-related issue or a more general query, our fully trained experts can help. Give them a call on our Consumer Hotline number below.**

**Consumer Hotline  
0906 906 0276**

The PC Advisor Consumer Hotline costs £1.50 per minute, which covers all expenses including the legal advice. You will be charged for the service on your standard telephone bill. The Hotline is open from 8am to 10pm, seven days a week. If the line is busy when you call, you will not be connected and you won't be charged. English Law applies to all advice given. The customer service number is 0870 739 7602.

## Reaching the e-lectorate

The renowned political think-tank, the Hansard Society, believes that the interactive capacity of Information and Communication Technologies to link citizens to their elected representatives, irrespective of distance or space, offers a real chance to strengthen the connections that constitute democratic representation. While others recognise the value that the internet can play in stimulating greater public engagement in politics, they remain concerned about e-voting.

When e-voting was permitted in a Democratic primary in the US, ethnic minority groups threatened legal action against the election's validity, citing their proportionately lower access to the web. Douglas Alexander acknowledges that household access in the UK is only five to seven percent among lower income groups, but the Government is pinning its hopes on the growth in digital TV to overcome this problem.

## Online vote-jacking

To vote online or by telephone, you will need a PIN number. The worry is that people may be tempted to sell them or give them away, meaning that others can vote more than once. A notable feature of the last general election was the emergence of websites established to encourage tactical voting and even 'trading' votes between parties in neighbouring constituencies.

E-voting also requires a secure means of recording the votes. You will want to be sure, for example, that how you vote remains private. The Electoral Reform Society has actually recommended that a couple of hackers be let loose on the trials to test the system's robustness.

## Pressing the virtual flesh

But where there's a will, there's a way. The irreverent Spinon website reported that 35,000 people wanted to put their least favourite MP in a virtual food blender at the last general election. In contrast to this expression of alienation, the ground-breaking GeorgeWBush.com site may have been as much of a factor in the US presidential election as the disputed chads in Florida. We may have to wait until the election after next to realise its full benefits, but the internet is going to be a vital part of our democratic process.

If you want to find out more about the issues surrounding ICT and its role in revitalising democracy, visit the Hansard Society's E-democracy Programme website at [www.hansardsociety.org.uk/eDemocracy.htm](http://www.hansardsociety.org.uk/eDemocracy.htm). ■

*Aidan Relf is managing director of RGMR media & government relations ([www.rgmr.co.uk](http://www.rgmr.co.uk)). He has worked as parliamentary officer for the Association of British Insurers and for city PR/public affairs firms Citigate Dewe Rogerson and Burson-Marsteller.*

# safer shopping

While cold hard cash handed over on the spot in exchange for a new computer seems like your best bet for a successful purchase, other ways of shopping may actually afford more protection. Whatever method you go for and whichever company you decide to buy from, there are several dos and don'ts that you should not forget

Even if you choose to buy from a firm with a great track record, it's no guarantee that your PC purchase will go without a hitch. So, whether you're looking for your first computer or are a seasoned PC shopper, bear in mind the following basic dos and don'ts when you hand over your credit card. This should save you unnecessary grief if your dream system turns out to be a bit of a turkey.

## Where to buy

- **High street** Buying at a high street outlet is still the most expensive route to take as you're paying extra for the vendor's overheads, such as rent on prime shop premises. Remember, too, that you won't necessarily be able to pick up your new PC there and then as most are still made to order. But you will be able to try out a test model and many first-time buyers find this aspect of high street shopping particularly reassuring.
- **Mail order** Choosing this route will get you a better price as many mail order dealers don't have to worry about the costs of a shop front. However, this way of buying requires a lot more confidence. Jot down your requirements before placing your order and be prepared to argue with the sales staff because they'll try to convince you need higher specifications than you really do.
- **Online** Buying over the internet is a good option if you're after a decent deal. It's very cost-effective for dealers as well, so they'll entice you with great offers and the best specs. You can usually configure your own system, too. The down side is you will need to know what you want as there's often no one on hand to help you. One point to remember is that you should get an order confirmation via email immediately.

For any of the above options, don't forget to test the company's customer helpline, too. If it's impossible to get through, just imagine what it's going to be like when you have a problem.

## How to buy

- **Ordering** Keep copies of all your paperwork. A high street dealer should give you a receipt and details of your order. Mail order firms should give you a quote by return with a written guarantee of price and the exact specification of each component.

For web orders, stick to dealing with a well-known name and check that there's a UK contact address and telephone number on the site in case you need to get in touch for any reason. Look

for privacy-vetted websites displaying trading standards logos such as those of the Which? Web Trader, Trusted Shops and TrustUK schemes.

## Always pay by credit card or via a finance house, especially for online or mail order transactions. That way, if you don't receive your goods you will be able to claim on the credit card company's insurance

- **Service and warranty** Always thoroughly check the type of warranty which comes with your system. Is it onsite, where an engineer comes out to you, or is it return-to-base, which means you have to send the computer to a repair centre? If it's the latter, will you have to pay the courier fees? Look for insurance-backed warranties that will still be worth having if the vendor goes bust. Some of the big companies make more from selling warranties than they do from selling goods, so it's always worth haggling over warranty prices.
- **Small print** Read any small print. Be on the lookout, in particular, for any disclaimers and E&OE (errors and omissions excluded) clauses that may mean you won't get your money back in the event of you deciding to return the goods. If you are unsure about a certain piece of information, contact the company and ask for written confirmation that it will be able to provide the service that you want.

- **Paying** Always pay by credit card or via a finance house, especially for online or mail order transactions. That way, if you don't receive your goods – for instance, if the company goes bankrupt – you will be able to claim on the credit card company's insurance. This protection only applies to goods costing over £100, and does not apply to charge cards such as American Express or debit cards, even if they carry the Visa or Access logos. A supplier shouldn't debit your card until the goods are ready to be sent out. (see *Raising the standard* over the page for more details). ■



# raising the standard

Your local Trading Standards office is the place to complain about shoddy goods and services, but you need to know how to do it effectively. Steer clear of rash tactics such as cancelling payments, but be aware of your rights and the legal action you can take.

We also include here useful tips and recommendations on how to buy safely as a consumer

**A** first port of call for many disgruntled consumers is Trading Standards. But contrary to popular belief, trading standards is not a national organisation. Each local council has its own trading standards professionals who are vetted and represented by the Trading Standards Institute. They enforce a wide range of consumer protection legislation including the Trade Descriptions Act, the Consumer Protection Act and all the pricing legislation currently in force.

A Trading Standards website ([www.tradingstandards.gov.uk](http://www.tradingstandards.gov.uk)), run by the Trading Standards Institute, tells you where you can find out how to contact your local office.

## Expert advice

Steve Playel, principal trading standards officer at London Borough of Brent and Harrow, offers the following advice about when to contact your local office and outlines what you should do if you think you have been sold goods that are faulty or not what you ordered, and also how to get maximum protection when buying particular products.

"Always pay by credit card for anything over £100. Credit card companies are jointly and severally liable for any breach of contract by the supplier." The answer for many non-credit cardholders is to buy using a finance company. One will usually be recommended by the manufacturer from which you buy the goods. Provided it's over £100, the finance companies are also jointly and severally liable.

**If you buy a product and there's something wrong with it, notify the company straight away. Phone first and always back it up in writing**

## Make a stand

So what happens when something goes wrong? You've got the goods at home, but they don't work, or on closer inspection it turns out they're not what you paid for. What now? Do you withhold payment until the matter is resolved? Playel advises against cancelling any standing orders you have with the company

because "you'll be in breach of the loan agreement which means you'll probably be credit blacklisted".

He also says "You're wasting your time messing about with phone calls. We get so many people calling us saying they have phoned, but the company claims not to have had those calls. You've got to write to the company as well." It's also vitally important to send any mail you post to the company you're in conflict with by registered post.

## Words of advice

"If you buy a product and there is something wrong with it, notify the company straight away. Phone first and always back it up in writing. Send your letter by recorded delivery, keep a copy for your records, and send a second copy to the credit card company or finance house."

What, exactly, should you state in your recorded letter? "Say the product is not working, it has not reached your expectations and, in your opinion, is in breach of the Sale of Goods Act. That's only [strictly] right if it's broken, but it's good to negotiate." Playel advises readers to ask for either a replacement system to be sent within 14 days, or for a refund.

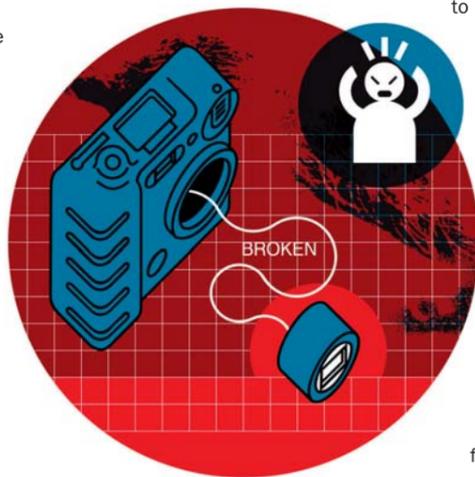
## Act on your demands

To be sure you get results from the company, it's time to come on heavy. A good idea is to back up your written demand with a call to action. Playel advises: "Say, 'If I don't hear from you within that time I'll consider taking this up in the small claims court'."

Starting this process will cost a few pounds, but small claims courts handle cases up to £5,000 with no set minimum. If you think you've been overcharged or goods have been misdescribed, contact your local trading standards office."

Finally, under the EU Distance Selling Directive, customers have a seven-day, no-quibble right to return goods for any reason, plus there are also several other important new payment rights.

Under the directive, the seller must also provide the buyer with certain information *before* the sale is made – for example the identity of the seller, price of the goods, delivery costs, and arrangements for payment and delivery. The Distance Selling Directive also specifies that goods are delivered within 30 days after ordering and, should they become unavailable, that the customer be informed and refunded within a month. ■



# consumer contacts

Where do you turn when things go wrong? There may be an issue with the advertisement that attracted you to the product in the first place. If you've been left with a useless piece of kit for which the manufacturer made extravagant claims, it could be worth telling the Advertising Standards Authority about it

**T**he Advertising Standards Authority is the governing body responsible for regulating all non-broadcast advertising. Its role is to ensure that all advertisements are "legal, decent, honest and truthful". Its regulations cover advertising wherever, and in whatever form (other than radio or television), they appear. After several months of preparation, the ASA has clarified a series of codes so that it also governs advertising over the internet. The codes, a list of which is available by calling the ASA, apply to the following:

- Online advertising In 'paid for' space (for example, banner and pop-up advertising).
- Advertising In commercial emails.
- Sales promotions Applies wherever these appear online.

The ASA stresses that these codes do not in any way affect your statutory rights under the Data Protection Act. The Distance Selling Directive will provide protection for buying online.

## I'm free! (well, nearly)

The sudden appearance and subsequent fast growth of unmetered internet access deals at the end of 2000 caused a massive surge in internet use, with so-called 'free' online time being offered by a huge number of ISPs. The ASA made a report in September 00, which looked at these ISPs' promise of 'free' internet access. What disturbed the association was the number of ISPs that advertised free internet services and yet charged for an element of their services.

Many deals were also heavily oversubscribed, and many users were disappointed. ASA regulations require advertisers to show that they have anticipated demand, making it clear if stocks are limited and, hopefully, preventing the fiascos of PCs-for-£100 firm Smarttalk and no-charge ISP Breathe.com from recurring. Importantly, where companies have failed to anticipate demand, they will be in breach of the codes.

**ASA regulations require advertisers to show they have anticipated demand, making it clear if stocks are limited**

This aspect of the Advertising Standard Authority's code could start the ball rolling against companies that become 'victims of their own success'. Regrettably, this phrase is fast becoming an obvious euphemism for companies whose board members failed miserably to conduct standard business assessments of demand.

## Where to turn for help

**If the worst happens, it's good to know where to go for help. Here we list some important contacts which can help with a variety of problems from software copyright issues to non-delivery or payment problems.**

- Fast (Federation Against Software Theft) **Regulators of software copyright law. Clivemont House, 54 Clivemont Road, Maidenhead, Berkshire SL6 7BZ; Tel: 01628 622 121; website [www.fast.org.uk](http://www.fast.org.uk).**
- Office of Fair Trading **OFT, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX; general enquiries: 0845 722 4499; consumer affairs: 020 7211 8940; public enquiries: 020 7211 8999; website [www.oft.co.uk](http://www.oft.co.uk).**



- Citizens Advice Bureau **For general legal advice and to find out your rights. For information, or to find your nearest CAB, call 020 8333 6960; website [www.nacab.org.uk](http://www.nacab.org.uk).**
- Consumers Association **For advice on all consumer transactions. Tel: 020 7830 6000; website [www.which.net](http://www.which.net).**

## Surf yourself silly

More recently, the ASA rather bizarrely refused to uphold claims against BT that the company's ads claiming 'unlimited surfing every weekend with BT Internet' were misleading.

The complaint was made because BT kicks customers offline after two hours, whether or not they are downloading or uploading information at the time. This was deemed not to be in contradiction to its claims of 'unlimited surfing' because people can reconnect immediately. That may seem odd, but the ASA tries hard to be fair and regularly upholds complaints made against the big boys.

## Making your voice heard

To make a complaint about an advert call 020 7580 5555. Alternatively, you can fill in the claim form on ASA's website at: [www.asa.org.uk](http://www.asa.org.uk), via the Contacts icon. All complaints must ultimately be made in writing and sent to: Advertising Standards Agency, 2 Torrington Place, London WC1E 7HW. ■