

Ms Julia Cornwell
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Dear Julia

TELECOMMUNICATIONS INTEGRATED PUBLIC NUMBER DATABASE (IPND) SCHEME 2007

Thank you for providing the opportunity to comment on the above scheme.

Following consultation CTN brings the following to ACMA's attention for consideration:

1. Change "public number directory producer" to "public number directory publisher" and "producer" to "publisher"
Reason: As per advised in IPND ACIF working committee meetings
2. Section 1.3, "Customer data" in definitions, (d) should read ...the *service* address of the customer or business...
Reason: address can also denote billing address
3. Section 3.5 (3)(a) requires a note regarding codified arrangements such as per the ACIF Code C555:2007 IPND Code (Code).
4. With regard to sections 3.10(4) and 4.3 (5) these authorisations are included now as Schedule 4 items of the Telecommunications Act 1977 (Act) per the *Telecommunications Amendment (Integrated Public Number Database) Act 2006*. These sections of the scheme would benefit by a note to that effect.
5. Section 3.12 (2)(d) includes registered ACIF/Comms Alliance codes per section 117 of the Act, however the IPND ACIF G619:2007 (Guideline) slips through as having to be complied with. CTN recognises that clause 1.1.3 of the Code specifies that the Code must be read in the context of the Guideline but it does not ensure compliance with the Guideline. This situation is also repeated in section 4.3 (3) (a)(c). We seek that ACMA ensure that compliance with the Guideline is either legislated or codified.
6. Editorial amendment, section 4.3 (3) (a)(c) should be 4.3 (3) (a)(iii).
7. Sections 3.12 (4) and 4.5 (8), destruction of IPND information requires instruction and/or verification. Furthermore, is it the intention of section 4.5 (12)(b) that destruction would take place in situations where a customer refused or withdrew consent? If so, then this also requires instruction and/or verification.

8. Section 3.12 (13)(a) requires a note to clarify that this is only for the public number directory publisher's own records and that the public number directory publisher will still be required to accept the IPND changes for that record once, or if, the customer does make changes with their carriage service provider.
9. Section 3.12 (13)(b) should be amended to read, "Tell the customer to contact the customer's carriage service provider as this is the only way that information can be correctly entered into the IPND. See also section 4.5 (4)(b) which should be amended to address these concerns. Suggest that section 4.5 (9)(b) may be the place to put the fact that carriage service providers can only change IPND data. Furthermore, section 4.5 (10) should read "...must advise the customer to contact the customer's carriage service provider in order to have the listing unlisted on the IPND."

Reason: A public number directory publisher could create a false impression in the mind of the consumer that the data has been so corrected.

10. Sections 3.12(15) and 4.5(13) should also include, even if a note, that the Telecommunications Industry Ombudsman and the Office of the Privacy Commissioner are organisations that a customer can also take complaints to.
11. Sections 3.12(16) and 4.5(14) need to identify if these internal dispute resolution procedures apply to the publishers' or researchers' direct clients/customers for which they have a business relationship with and/or the carriage service provider's customer who's data is being used.
12. Section 5.1 and the revocation of authorisation should include situations where public number directory publishers' and researchers' applicant companies change proprietors, and/or management and/or 3rd party contractual arrangements that may compromise the integrity of the authorisation, the investigation of which would take some time to instigate and complete. Further these authorisations could possibly form part of the sale of a business and provisions need to be made with regard to these authorisations that do not impede the customer's confidential data in the course of selling a business.

Should you wish to discuss this response in more detail please contact myself or Annie McCall at Consumers' Telecommunications Network where we can be contacted at 02 9572 6007 or at ctn@ctn.org.au.

We look forward to the launch of this Scheme.

Yours sincerely



Teresa Corbin
CTN Executive Director

Teresa Corbin, CTN Executive Director, and Annie McCall, CTN Information Officer prepared this submission. The CTN Board has approved it out of session.