

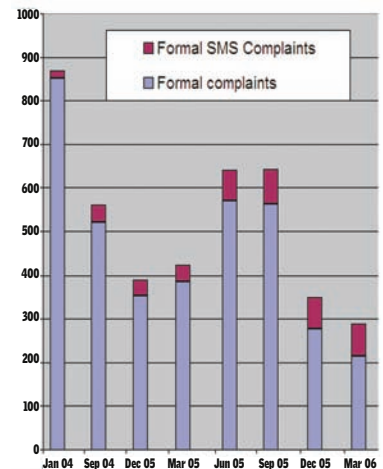
## High level of activity in administering the Spam Act

Up to 31 March 2006, ACMA has undertaken a level of complaint and enforcement action under the *Spam Act 2003* that indicates the considerable activity occurring in this regulatory area. In this period of almost two years since the Spam Act came into effect on 10 April 2004, ACMA has:

- received 4,162 formal complaints
- received approximately 880,000 reports of spam through ACMA's SpamMATTERS automated

- reporting system
- received approximately 300,000 reports of spam to ACMA's 'Reporting Spam' email address
- responded to more than 2,700 verbal and written enquiries submitted by business and consumers
- written to around 600 companies advising them of their obligations under the Spam Act
- issued formal warning letters to 10 companies or individuals

- entered into enforceable undertakings with five companies and individuals
  - issued 13 fines collectively to five companies/individuals and
  - commenced action in the Federal Court against one alleged global spammer.
- The chart presents quarterly complaint figures with SMS complaints separately highlighted to indicate their growing incidence since 2004.



## Report on internet performance released

Australian internet performance across different technologies and access plans is generally consistent with transmission protocols and the inherent nature of the internet, according to a recent ACMA report.

The report, *Understanding your internet quality of service 2004-05*, provides some insights into the performance consumers are experiencing in using internet services. It assesses Australian consumers' experience in using internet services, including download and upload data rates across major cities and regional areas, network

availability and latency. The speed with which internet users can download data was a key performance consideration. The study found that digital subscriber line (DSL) and dial-up internet, which serve the majority of Australian internet users, achieved download data rates of around 83 and 74 per cent of advertised rates respectively. As expected, cable users achieved high download and upload data rates, but with greater levels of variation, while wireless services also displayed greater variation than DSL. These results are consistent with the

current engineering limitations of the technologies. Actual data rates experienced by subscribers are unlikely to be exactly as advertised. The advertised rates (the theoretical maximum rate advertised in access plans) cannot be guaranteed in every instance because of technical and environmental factors that are outside an internet service provider's control. The data used in this study comes from a sample of internet users that have been self-selected and is therefore not randomly generated. Data samples are also limited for

regional areas and caution should be exercised in drawing inferences about the applicability to Australian internet users more generally. ACMA is currently considering the most appropriate strategy for future monitoring of internet services. The report is on the ACMA website ([www.acma.gov.au](http://www.acma.gov.au)) and go to Internet > Internet quality of service) or email [industry.analysis@acma.gov.au](mailto:industry.analysis@acma.gov.au). The same web page contains other information about internet service, including a link to a fact sheet about factors affecting internet performance.

### CHILDREN'S AND PRESCHOOL PROGRAMS

Programs granted classification, February 2006

Program title	Series	Episode description	Program style	Program type	Country of origin	New/ renewal	Class.	Decision date	Applicant
<i>Dogstar</i>	1	1-13	Animation	Drama - series	Australia	New	CD	28/2/06	Media World Pictures Pty Ltd
<i>Lockie Leonard - Human Torpedo</i>	1	1-13	Live action	Drama - series	Australia	New	CD	10/2/06	RB Films Pty Ltd
<i>Mortified</i>	1	20-26	Live action	Drama - series	Australia	New	CD	21/2/06	Australian Children's Television Foundation
<i>Outriders</i>	1	1-26	Live action	Drama - series	Australia	Renewal	CD	2/2/06	Southern Star Entertainment Pty Ltd
<i>Pirate Islands 2 - The Lost Treasure of Fiji</i>	2	1-13	Live action	Drama - series	Australia	New	CD	28/2/06	Jonathan M Shiff Productions Pty Ltd
<i>Sleepover Club</i>	3	1-26	Live action	Drama - series	Australia	New	PRC	24/2/06	Southern Star Entertainment Pty Ltd

C - children's program, P - preschool program, CD - C drama, PRC - provisional