

Calling number display code revised

ACMA has registered a code of practice that enables consumers to preserve their privacy when using telecommunication services while reducing the consumer information requirements on the industry. The Calling Number Display Code allows consumers to choose whether to send or block calling number display information.

The new code follows revision of a code registered in 2003 and preserves the ability of consumers to maintain their privacy when placing calls. Consumers still have the option to block or enable calling number display, which can be exercised either permanently or on a call-by-call basis. The main changes to the code make the information provision requirements less prescriptive.

Now that calling number display is a well-established service, it is no longer necessary to prescribe in

detail how service providers must deliver material to their customers about it. They are still required to provide information about how customers can enable and block their number from being displayed to other callers when placing a call. The changes were made to allow suppliers more flexibility in blocking or enabling calling number display information.

Where providers using new voice over internet protocol technology are unable to block calling number display, they are now required to make any such limitations known to consumers before reaching any agreement for the supply of services. This will allow consumers to make more informed decisions about services.

The Calling Number Display Code deals with calling number display and calling line identification and aims to

regulate:

- the manner in which calling number display enabling or blocking is to be offered to customers by suppliers
 - options that customers have for enabling or blocking calling number display
 - charges that may apply to enabling or blocking the display of calling number display to the called party and
 - measures to be undertaken by suppliers to ensure that the public is aware of calling line identification and calling number display privacy implications.
- Changes were also made to clarify uses of calling line identification by

suppliers, to standardise the terms used and to review and cater for the impact of new technologies. Code rules were also clarified on a supplier charging for the enabling as well as blocking of calling number display. The highly prescriptive information requirements were also made more flexible.

The *ACIF C522:2007 Calling Number Display Industry Code* was developed by the Australian Communications Industry Forum (a subsidiary of Communications Alliance Ltd). Registration of the code by ACMA makes it enforceable. The code is on the Communications Alliance website at www.commsalliance.com.au.

CALLING LINE IDENTIFICATION

When a call is established, data is generated to identify the public number of the service from which the call originates and to create a flag that identifies whether the public number is to be displayed to the recipient of the call. The public number of the caller and the flag form the calling line identification. Calling line identification makes possible the provision of a range of products and services to customers, including calling number display and calling name display.

Legislation to regulate new types of content services passed

Legislation to regulate content services delivered over convergent devices, such as internet services to mobile handsets and other hand-held devices, and new types of content, such as live streamed content and interactive content services, was passed by parliament in June 2007 and received royal assent on 20 July.

The *Communications Legislation Amendment (Content Services) Act 2007* amends the *Broadcasting Services Act 1992*. Previously, Schedule 5 of the *Broadcasting Services Act* provided the regulatory framework for stored content made available on the internet. A new Schedule 7, which comes into effect on 20 January 2008, will replace Schedule 5 to the extent that it will regulate the activities of internet

content hosts, live streamed content services, mobile phone-based services and services that provide links to content.

The new framework imposes obligations on content providers who supply content services to ensure that safeguards are in place to protect consumers, particularly children, from harmful or inappropriate content.

The key features of this new framework are:

- a prohibition on X18+ and RC (Refused Classification) content
- a prohibition on MA15+ and R18+ content, unless subject to appropriate age verification access restrictions
- 'take down' (for internet content hosts), 'access cessation' (for live

content service providers) or 'link deletion' (for links service providers) notices to remove access to content that is the subject of a complaint and

- a co-regulatory approach that provides for the development of industry codes to address issues including the assessment of content, and procedures for handling complaints about content and for increasing awareness of potential safety issues associated with the use of content services.

ACMA's role is to:

- register and monitor compliance with industry codes
- undertake enforcement action where necessary, which may include:

- issuing directions and formal warnings
- issuing 'take down' and 'service cessation' notices for stored and live content, respectively
- undertaking criminal or civil proceedings against service providers who do not comply with 'take down' and 'service cessation' notices and
- making applications to the Federal Court for orders for the cessation of provision of particular content or hosting services and
- raise community awareness about content services in particular in relation to children's access to those services.

The new Act is on the ComLaw website at www.comlaw.gov.au.