



ACMA sphere

Australia's regulator for broadcasting, the internet, radiocommunications and telecommunications

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ACMA promotes inter-agency cooperation

ACMA Chairman Chris Chapman has signed a Memorandum of Understanding (MOU) with the Telecommunications Industry Ombudsman (TIO), Deirdre O'Donnell, to further promote cooperation between the two agencies.

The MOU covers:

- the exchange of information and advice about telecommunications consumer complaint investigations, and the application of legislative and alternative dispute resolution remedies
- the exchange of information about telecommunications and internet industry service and complaint trends
- compliance and enforcement action related to membership of the TIO scheme.

Mr Chapman believes that in a rapidly changing communications industry it is important for agencies such as ACMA and the TIO to cooperate closely to resolve issues of concern to consumers and industry.

'The MOU acknowledges the importance we place on the maintenance of an effective and productive working relationship with the TIO,' he said.

The MOU is another example of ACMA's ongoing commitment to cooperating with other regulatory and industry bodies. ACMA already works closely with the Australian Competition and Consumer Commission to facilitate the flow of information between the two agencies and reciprocal membership arrangements have been established.

The TIO is an independent alternative dispute resolution scheme for small business and residential consumers in Australia who have a complaint about their telephone or internet service. It is authorised to investigate complaints about the provision or supply of these services, and has a policy and procedure for referring systemic problems to ACMA under Part 6 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*.

The potential of this collaborative approach was recently highlighted by the TIO's referral to ACMA of complaints against telecommunications provider Dodo Australia Pty Ltd. The TIO was concerned about the number of complaints it was receiving about Dodo's complaints handling policies.

Following an investigation, ACMA issued a Direction to Dodo in December 2007 to comply with industry codes of practice relating to complaints handling and billing.

ACMA has power under section 121 of the *Telecommunications Act 1997* to direct a provider to

comply with an industry code. Dodo sought a reconsideration of the decision and the Direction was affirmed by ACMA in January.

ACMA's approach to code compliance aims to enhance the effectiveness of self-regulatory telecommunications codes and the quality of the consumer experience in telecommunications.

This is assisted by a program of compliance measures, both proactive and reactive, supported by enforcement action where necessary. Failure to comply with a direction made under section 121 of the Act may incur civil penalties.



ACMA CHAIRMAN CHRIS CHAPMAN AND THE TELECOMMUNICATIONS INDUSTRY OMBUDSMAN DEIRDRE O'DONNELL SIGN THE MEMORANDUM OF UNDERSTANDING IN MELBOURNE.