

Switchfire ordered to comply with Mobile Premium Services Code

Mobile premium service content supplier, Switchfire Pty Ltd, has been issued a formal direction to comply with the Mobile Premium Services Code following an investigation that found the company breached advertising rules.

Switchfire's advertisements failed to clearly display the word 'subscription' and did not clearly include information on pricing and how to unsubscribe from its services. It also charged a \$5 subscription fee for so called 'free' messages.

The company now risks penalties of up to \$250,000 for any further breach.

'The ACMA is sending a clear and consistent message to content suppliers that it will act to protect mobile users from content providers who do not clearly represent the costs, terms and conditions of their services,' said Chris Chapman, Chairman of the ACMA.

The industry-developed Mobile Premium Services Code, which came into effect on 1 July 2009, sets out detailed rules for 'double opt-in' requests for subscription services, display of advertising and charges, and improved complaints-handling obligations on companies supplying premium SMS services.

In addition to the code, the ACMA has made service provider determinations. The determinations require all carriers to provide customers with the option of barring premium SMS and MMS, prevent industry from making contracts with unregistered content suppliers and give the ACMA the power to stop rogue operators from billing customers.

Since the introduction of the ACMA package of measures to protect mobile users, complaints to the Telecommunications Industry Ombudsman about premium SMS and MMS have fallen by 88 per cent — from more than 3,500 per month in July 2008 to 435 in June 2010. ☎

The report of the ACMA's Switchfire investigation and the formal direction to comply with the code can be found on the ACMA website at www.acma.gov.au (go to About ACMA: News & media centre > Media releases > ACMA media release 101/2010 – 20 August).

Media Control Database gets a facelift

Finding information on media ownership in Australia is now even easier, thanks to the ACMA's revamped Media Control Database.

The ACMA maintains a number of broadcasting registers, reports and databases under the *Broadcasting Services Act 1992* to assist industry and the public. One of these is the Media Control Database, which was recently overhauled to make it more user-friendly and interactive.

The database is now more comprehensive, with an interactive search facility that allows users to search for media operations by:

- > state or territory
- > radio licence area
- > controller
- > network
- > commercial television or commercial radio broadcasting licence.

The database combines and replaces four static PDF versions. Prior to the revamp, users had to scroll through large amounts of data to locate specific information on the control of media operations in a particular market.

The new database has a more responsive interface that can generate answers at the touch of a button. It is now possible to expand entries and drill down to find further information. Hyperlinks have been incorporated to allow easy navigation between entries. For example, once you locate a controller of a particular media operation, you can click on the controller's name to view other media operations they control. Search results can be viewed on the screen, printed or exported to a PDF document or to an Excel spreadsheet.

The improved database enables the business community to more easily access the information they need to conduct their affairs. It also gives guidance to the general public on the control of media ownership. ☎

If you would like to provide feedback or have any queries about the Media Control Database, please contact Glenn Collier at glenn.collier@acma.gov.au.

The database is available on the ACMA website at www.acma.gov.au (go to About ACMA: Forms & online systems > Broadcasting: Media Control Database).