

Enforceable undertaking accepted from Soul Communications


The ACMA accepted a court enforceable undertaking from Soul Communications Pty Ltd (Soul) in May following an investigation that found the company had breached the *Telecommunications Act 1997*.

The investigation found Soul had failed to provide the Integrated Public Number Database (IPND) manager with information for a mobile service number that was used to make several calls to Triple Zero concerning a fatal home invasion in Sydney in 2008. The ACMA accepted the enforceable undertaking with a view to further assuring the accuracy of information provided by Soul to the IPND manager.

The IPND is a database of public numbers managed by Telstra as a condition of its carrier licence. It is the key data source for emergency service organisations responding to emergency calls, including those from mobile phones, when the caller details and/or the location of the incident need to be confirmed. The information provided by Soul to the IPND manager in this circumstance did not include the unit number of the service address, in part as a result of the fact that the block and unit information was not recognised by Soul's third party validation tool.

'The provision of accurate information to the IPND manager is critically important,' said Chris Chapman, Chairman of the ACMA. 'The lack of accurate information can result in delays in addressing emergency calls or even an inability to respond at all to time-critical emergency situations.'

'When Soul became aware of the data problem with the service address, it upgraded its data-checking processes and undertook a full data audit to check its IPND records. In addition, Soul cooperated fully with the ACMA's investigation, admitted to the then shortcomings in its systems and has agreed, in an enforceable undertaking, to make further improvements in its systems and processes to assure us of its future compliance,' said Mr Chapman.

'More generally, the ACMA is putting industry on notice that the integrity of data provided by telecommunications providers to the IPND is a vital matter. The Authority has an IPND compliance program in place, which includes periodic auditing of service address validity for the IPND records. The most recent audit results are expected to be released shortly.' 

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Measures in Soul's undertaking include periodic full audits of its records, instigation of a comprehensive training and education process for its staff, regular reconciliations between its records and those held in the IPND and comprehensive reporting to the ACMA.

'The ACMA considered that this undertaking commits Soul to taking sustained action to further improve its systems, with a view to ensuring that such shortcomings would not happen again. The ACMA has decided to accept this undertaking to give regulatory certainty to these commitments from Soul,' said Mr Chapman.

In addition, the ACMA is currently looking at how additional location information can be provided to emergency service organisations for mobile calls made to Triple Zero. The ACMA has recently released a consultation paper on this issue, which is covered in more detail on page 12. To access the paper visit the ACMA website at www.acma.gov.au (go to About ACMA: News & media centre > Issues for comment > IFC 12/2010).

A copy of the enforceable undertaking from Soul is available on the ACMA website at www.acma.gov.au (go to For licensees & industry: Licensing & regulation > The ACMA's enforceable undertakings).