

# Convergence now 'core business' for the ACMA

Convergence—the fundamental shift in communications and media that is blurring previously clear-cut distinctions between radiocommunications, telecommunications, broadcasting and the internet—has become an important driver of the ACMA's work.

In a speech to the recent Australian Telecommunications Users Group (ATUG) conference, ACMA Chairman Chris Chapman highlighted that much of the ACMA's work is already being looked at through the lens of convergence. Indeed, convergence is now part of the ACMA's core business.

Mr Chapman told the conference that both ATUG and the ACMA will be active and important contributors to the government's recently announced Convergence Review.

Across the ACMA's broad and varied activities, convergence issues are surfacing that require new approaches as gaps in existing regulation and policy framework become more apparent. The ACMA is already dealing with safeguards for consumers arising from convergence, including content, privacy, personal data security and portability, and transparency in service terms and conditions.

This experience, together with a broad program of research, is informing the ACMA's thinking about the policy objectives for regulation in the future and whether new or different forms of intervention are needed to help consumers in a converged content environment.

Convergence is now influencing many of the ACMA's major projects, including:

- > spectrum management and technical regulation
- > numbering project
- > premium SMS, electronic wallet and mobile applications
- > *Reconnecting the Customer* strategy
- > digital media literacy.

## Spectrum management and technical regulation

The ACMA has been working closely with industry and affected parties on the configuration and auction of the 700 MHz 'digital dividend' spectrum and the 2.5 GHz band. While currently mainly used for electronic news-gathering, parts of the 2.5 GHz block will almost certainly be used for future wireless and Long-Term Evolution services.

Convergence also involves a crucial technical component and the ACMA takes a very active role in underlying hardware platforms. Within the confines of the current legislative framework, the ACMA is revising the current arrangements to keep pace with the evolution in the technical and commercial environment.

In the longer term, the ACMA's Technical Advisory Group is encouraging discussion with interested parties on the role technical regulation can and should play in a future communications regulatory environment.

## Numbering project

When the last major review of numbering arrangements took place about 30 years ago, few people could have anticipated the scope or scale of innovation in technology, nor the consequent changes in consumer behaviour.

In 2011, we accept as normal the capacity to access critical information wherever we are. Using mobile phones to make calls or send and receive texts is now the main form of communication for at least half of all Australians. This reality has prompted the ACMA to start a comprehensive work program that is taking a fresh look at telephone numbering arrangements, drawing heavily on consumer and industry input.

### Premium SMS, electronic wallet and mobile applications

The ACMA's experience with mobile premium services includes useful lessons about the way markets are changing and crossing industry boundaries. There are now supply chains involving players who are not recognised in the ACMA's legislation and messy contractual situations, with privacy and responsibility under the microscope.

A mobile application itself can be seen as a quintessential example of convergence in action—hence our need to explore policy, solutions and detail. Mobile apps are characterised by:

- > multiple jurisdictions
- > multiple platforms and enable devices
- > converged markets
- > multi-player supply chains.

All these characteristics complicate the provision of appropriate regulation, in the traditional or time-honoured approach to such matters, especially if a market failure arises.

### Reconnecting the Customer strategy

The digital world and convergence is embedded in the lives of Australians—as we've seen in the ACMA's public inquiry into customer care and complaints-handling in telecommunications, under the broader banner of our *Reconnecting the Customer* initiative.

The ACMA is absolutely focused on the consumer in this strategy, which was developed to address both the high levels of complaints to the Telecommunications Industry Ombudsman and inform industry on the transition to the more complex service environment of converged communications.

We reported on the progress of the inquiry in December and anticipate publishing our report very shortly with draft recommendations for discussion with stakeholders.

### Digital media literacy

A quick audit of families and friends highlights the diverse way we use communications and digital media. Some of us are ahead of the pack in the breadth and intensity of use, and others are lagging behind.

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The emphasis that the ACMA places on Australians having the skills and confidence to take advantage of digital technologies and services arises from our responsibility for certain social policy outcomes. There will likely need to be some form of change in order for people to be more informed and active in contributing to these outcomes in a converged communications environment.

This is particularly the case in our Cybersafety programs, where empowering children and young people is an explicit strategy to promote a positive online experience.

### Convergence Review

The ACMA is very enthusiastic about the review, and about contributing our experience and expertise. The Convergence Committee will be reporting early in 2012, so the ACMA will be sharing its research and observations with the committee.

The ACMA's current responsibilities cover over 30 acts and several hundred pieces of secondary legislation. They all have slightly different principles and objectives. With convergence blurring boundaries between services, markets and technology capabilities, it may no longer be compelling to have these sector-specific objectives. But it is important to identify those principles and policy objectives that are of enduring relevance.

The Convergence Review offers an opportunity to reconsider the role of an industry regulator and the style of regulation that will be needed to address issues arising from services delivered over global supply chains and diffused or competing jurisdictions. The ACMA is alive to those reconsiderations. 📍

